
GENERAL NOTICES

NOTICE 281 OF 2012

DEPARTMENT OF LABOUR

PUBLICATION OF THE LABOUR RELATIONS AMENDMENT BILL, 2012

The Minister of Labour intends introducing the Labour Relations Amendment Bill, 2012, in the National Assembly shortly. The explanatory summary of the Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Bill seeks to amend the Labour Relations Act, 1995 (Act No. 66 of 1995) to facilitate the granting of organisational rights to trade unions that are sufficiently representative; to require the holding of ballots by trade unions and employers' organisations prior to calling a strike or lock-out; to strengthen the status of picketing rules and agreements and to clarify the powers of the Labour Court in respect of breaches of picketing rules or agreements; to revise the operation and composition of the essential services committee and to provide for minimum service determinations; to allow for the Labour Court to appoint trade union administrators if trade unions are unable to perform their functions; to revise provisions regulating the operation of the Commission for Conciliation, Mediation and Arbitration; to regulate the terms of appointment and remuneration of judges of the Labour Court; to enable judges of the Labour Court to serve on the Labour Appeal Court; to limit the protection of employees earning above an earnings threshold to dismissal for a reason that is automatically unfair; to further regulate enquiries by arbitrators; to further protect workers placed by temporary employment services; to regulate the employment of employees earning below an earnings threshold on fixed-term contracts or as part-time employees; to apply the presumption of employment to other legislation; to further specify the liability for employers' obligations; and to make additional amendments concerning the implementation, application and interpretation of the Labour Relations Act, 1995.

A copy of the Bill can be found on the website of the Department of Labour at <http://www.labour.gov.za/legislation/bills/proposed-amendment-bills>