

Employers warned against Employment Equity Act non-compliance

The Department of Employment and Labour in the North West has cautioned employers against non-compliance with the Employment Equity Act (EEA). The warning came during the department's annual employment equity workshop for the province, which was held virtually on Thursday, 23 September.



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The workshops are being held under the theme: “Real transformation makes business sense”.

Speaking during the session, the provincial chief inspector, Boikie Mampuru, said most of the challenges they experience during their reactive/proactive inspections are that of employers amending Approved Employment Equity (EE) plans without informing the department, and employers providing incorrect information on their EE reports, plans, analysis and EEA 7, among others.

For the 2020/2021 financial year, the Inspection and Enforcement branch in the province had 110 EE focused inspections, which were either reviews/re-assessment or monitoring.

Of the 61 reviews conducted, 19 were still non-compliant and were issued with the director-general's recommendations, which gave them 60 days to comply. In addition, one from this 19 was referred for prosecution.

"Some of the reasons given for non-compliance are that employers would claim to have lost documents when contract with consultants or the EE manager resigned, or employers confusing accounting officers (CEO) with financial directors or office managers.

"These are minor but serious transgressions that can have the compliance certificate withdrawn," Mampuru said.



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Updated EE amendments, sector targets

This workshop was part of the department's plan to give an update on the EE amendments and EE sector targets.

The EE amendments are currently in parliament for processing and are expected to become an Act once all the necessary processes have been finalised by March 2022.

The Amendment of the EE Act of 1998 is intended to reduce the regulatory burden on small businesses; empower the employment and labour minister to regulate sector specific EE numerical goals and to promulgate section 53 of the EEA for the issuing of the EE Compliance Certificate.

These workshops started early this month in all the provinces. The remaining province is Mpumalanga and its workshop is scheduled for Tuesday.

Meanwhile, the EE reporting season for both manual and online reporting opened on 1 September 2021. The manual EE reporting period closes on 1 October 2021 and the online period closes in January 2022.

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