

3 Jun 2022

Workers Month Inspection campaign nets scores of non-compliant employers found to be in contravention of labour laws in Free State

Department of Employment and Labour inspectors in the Free State issued a total of 346 notices to employers for non-compliance during the Workers' Month campaign.

Inspection and Enforcement Services Unit concluded the May month inspection campaign across the Free State province on 31 May 2022. The campaign has proven to be a resounding success as the inspectorate continues to close net on non-compliant employers.

A series of inspections were undertaken throughout the month of May in all sectors namely; Wholesale & Retail, Agriculture, Manufacturing, Hospitality, Construction, Road Freight and Logistics, as well as businesses owned by foreign nationals. This was aimed at testing the levels of compliance by employers with various labour laws, register incidents of occupational health and safety, promote health and safety in the workplace.

Out of a total of 652 businesses inspected, 131 businesses were found to be in contravention of the following legislations; Basic Conditions of Employment Act, Employment Equity Act, Unemployment Insurance Act, Unemployment Insurance Contributions Act, Compensation for Occupational Injuries & Diseases Act and Occupational Health and Safety Act.

Three hundred and forty-six (346) notices were subsequently issued to these businesses for non-compliance.

Provincial Chief Inspector Mr Manelisi Luxande said, "this campaign was a great success, however, there were also some challenges identified during the execution of the inspections".

He listed these challenges as – hostile reception by some employers, frustrations relating to access to business premises and attempts to interfere with the duties of labour inspectors.

Nevertheless, these challenges were promptly dealt with, and therefore did not deter the department in ensuring compliance and enforcement of labour laws at workplaces, said Luxande.

29 Jun 2022

Department of Employment and Labour Inspectorate recovers over R2 million rands for non-compliance with labour legislation

The Department of Employment and Labour Inspection and Enforcement Services (IES), in the Western Cape Province, has recovered a grand total of R 2 563 440,00 during inspections conducted in the 2021/2022 financial year.

According to Principal Inspector Desmond Brown, of the 30252 inspections conducted, a total of 8809 workplaces were found to be non-compliant and of those, 804 were referred for prosecution.

Mr. Brown was speaking today, (29 June 2022), during the Unemployment Insurance Fund (UIF) media briefing held in Cape Town.

In terms of compliance with the Employment Equity Act, of the 227 workplaces inspected, 143 were found to be non-compliant and 10 were referred for prosecution. The 14374 inspections conducted in relation to the Basic Conditions of Employment Act (BCEA) and National Minimum Wage Act (NMWA) revealed that, 554 workplaces inspected were found to be non-compliant and of those, 79 were referred for prosecution resulting in the recovery of R712 472,24 on BCEA and R649 665,48 for NMWA.

Inspections conducted in terms of compliance with the Unemployment Insurance Act legislation, Brown revealed that, of the 2428 inspections, 1195 were found to be non-compliant and of those, 257 were referred for prosecution with the inspectorate recovering R579 762,21.

Compliance in respect of the Compensation for Occupational Injuries and Diseases Act (COIDA) was sitting with non-compliance of 638 of the 1189 workplaces conducted. Monies recovered amounted to 621 540,07.

The Department of Employment and Labour inspectors and Employer Auditors are responsible to administer the Unemployment Insurance Act and Compensation for Occupational Injuries and Diseases Act. Chapter 10 of the Basic Conditions of Employment Act, gives powers and functions of inspectors to promote, monitor, and enforce compliance with labour legislation.

It is the duty of inspectors to advise employees and employers of their rights and obligations; conduct inspections; investigate complaints; endeavor to secure compliance by securing undertakings or issuing compliance orders; contravention notices; prohibition notices and referral to court.