

12 of 12 EEA4

Semi-skilled and discretionary decision-making

Unskilled and defined decision-making



PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

To record an Undertaking by the employer to comply with paragraphs (a) to (j) in terms of Section 36 of the Employment Equity Act, 55 of 1998.

WHO FILLS IN THIS FORM?

The employer, assisted by the inspector.

WHERE DOES THIS FORM GO?

This form goes to the inspector.

INSTRUCTIONS

An **Undertaking** may be secured when an inspector has reasonable grounds to believe that a designated employer has failed to comply with paragraphs (a) to (j) of Section 36 of the Act and any of its regulations.

Failure to comply with this undertaking will result in a Compliance Order (EEA6) being issued.

DEPARTMENT OF LABOUR

WRITTEN UNDERTAKING

Ref/Case No:.....

Employer's Enquiries:.....

Date of Undertaking:

I / We.....(Employer)

.....(Registration No.)

undertake to comply with the following provisions of the Act and its regulations below by: Date.....:

.....
.....
.....
.....
.....
.....
.....
.....
.....

DATED THIS.....DAY OF.....YEAR.....

AT.....(PLACE)

.....
SIGNED: EMPLOYER

.....
SIGNED: LABOUR INSPECTOR

CONTACT DETAILS OF INSPECTOR:

WITNESSES 1.

2.



PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form is issued in terms of Section 37 of the Employment Equity Act, 55 of 1998. The purpose of this form is to enforce compliance relating to paragraphs (a) to (j) of Section 36 of the Act and its regulations.

WHO FILLS IN THIS FORM?

An inspector fills this form.

WHERE DOES THIS FORM GO?

This form goes to the employer.

INSTRUCTIONS

- The inspector may issue a Compliance Order to a designated employer if that employer has refused to give a Written Undertaking (EEA5) in terms of Section 36.
- The employer must display a copy of this order prominently at a place accessible to the affected employees at each workplace named in it.
- An employer must comply within the time period stated unless the employer objects in terms of Section 39.
- Failure to comply could result in a referral to the Labour Court.

DEPARTMENT OF LABOUR

COMPLIANCE ORDER

Ref/Case No:.....

Enquiries:.....

Date of issue:.....

Provincial Office/Labour Centre:.....
(Delete that which is not applicable)

1. Employer:.....

1. Registration No:.....

2. Workplace(s):.....

3. You have not complied with the following provisions of the Act and its regulations.

Provisions:.....

.....

4. Details:.....

.....

.....

.....

AND / OR

5. You have not complied with your written undertaking to the following extent:

.....

.....

.....

.....

AND

6. You are required to implement the following within ____ days of receipt hereof.

7.1

7.2

AND / OR

7. Fines

7.1 The Director General may recommend to the Labour Court to impose a fine in accordance with Schedule 1 of the Act.

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8. Objections

You may object to this compliance order by making representations to the Director General within 21 days of receipt of this order.

GIVEN UNDER MY HAND ONDAY OF.....

YEARAT(PLACE)

.....
LABOUR INSPECTOR



PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form is issued in terms of Section 39 of the Employment Equity Act, 55 of 1998. A designated employer may lodge an objection to a compliance order by completing this form.

WHO FILLS IN THIS FORM?

The employer must fill in this form.

WHERE DOES THIS FORM GO?

To the Provincial Office of the Department from which the compliance order was issued.

INSTRUCTIONS

- This objection must be lodged to the office of the Provincial Director that issued the compliance order within 21 days of the date of receipt of the compliance order.
- The objection must include all relevant information.
- A copy must be delivered to the employee(s) affected by it, or if this is impractical to a representative of the employee(s), including a registered trade union.

DEPARTMENT OF LABOUR

OBJECTION AGAINST A COMPLIANCE ORDER IN TERMS OF SECTION 39 OF THE ACT

NOTICE OF OBJECTION

1. Employer:.....

Registration No:.....

Telephone No:.....

Fax:.....

Address:.....

.....

.....Postal Code.....

2. Quote the reference number and date of the compliance order against which the objection is lodged.

Reference/Case No.Date.....

3. To which portion of the compliance order do you object?

.....

.....

.....

.....

.....

.....

4. State your full reason for lodging the objection:

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.....

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Any documentary evidence (or certified copies thereof) that you wish to submit in support of your contention(s) as stated in paragraph 4 should be attached and listed below:

Number	Title or description of document

Place:.....

Date:.....

.....
Signature of objector / employer

.....
Full name of objector / employer

.....
Designation



ANNEXURE 1: Demographic Data

WHAT IS THE PURPOSE OF DEMOGRAPHIC DATA AND WHERE TO FIND THEM?

Employers should use demographic data when conducting an analysis of the workforce in order to compare the workplace profile with relevant national, provincial and local demographics. Statistics South Africa provides demographic data using Labour Force Surveys from time to time. The Labour Force Surveys (LFS) presently provide statistics on the national and provincial Economically Active Population (EAP) according to race and gender. The latest EAP information will be made available on the Department of Labour's website. Employers can also access this information directly from Statistics South Africa. Employers can also use other relevant demographic data sources when conducting an analysis of the workplace.



ANNEXURE 2: Occupational Levels

<p>PLEASE READ THIS FIRST</p> <p>↓</p> <p>WHAT IS THE PURPOSE OF THIS ANNEXURE?</p> <p>Job evaluation or grading systems are used by many organizations to measure jobs according to their content and establish comparative worth between jobs.</p> <p>This annexure provides a table of equivalent occupational levels that may be used by employers when completing the EEA2 and EEA4 forms.</p> <p>INSTRUCTIONS</p> <p>The table indicates the occupational levels within organizations as developed through the use of different job evaluation or grading systems. The table provides equivalent levels from each of these job evaluation systems.</p> <p>Organizations that make use of neither one of the job evaluation systems in this table, nor a customized system linked to one of these, should use the Semantic Scale for guidance in determining occupational levels within the organization.</p>	Equivalent occupational levels					
	Semantic Scale	Paterson		Peromnes	Hay	Castellion
	F	F		1++ 1+		14
	Top management					
	E	E UPPER E LOWER		1 2 3	1 2	13
	Senior management					
	D	D UPPER D LOWER		4 5 6	3 4	12 11 13
	Professionally qualified and experienced specialists and mid-management					
C	C UPPER C LOWER		7 8 9 10 11 12	5 6 6A 7 8	9 8	
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents						
B	B UPPER B LOWER		13 14 15 16	9 10 11	7 6 5 4	
Semi-skilled and discretionary decision making						
A	A		17 18 19	12 13	3 2 1	
Unskilled and defined decision making						



ANNEXURE 3: Occupational Categories

1. Legislators

This group includes occupations whose main tasks consist of determining and formulating policy and strategic planning, or planning, directing and co-ordinating the policies and activities of the organization in the private and public sectors, determining and formulating laws and for directing and controlling the functions of the organization. Includes: chief executive officer; president; vice-president; chief operating officers; general managers and divisional heads, managers who provide the direction of a critical technical function; postmaster; superintendent; dean and school principal, etc.

2. Professionals

This group includes occupations whose main tasks require a high level of professional knowledge and experience in the fields of physical and life sciences, or social sciences and humanities. The main tasks consist of increasing the existing stock of knowledge, applying scientific and artistic concepts and theories to the solution of problems, and teaching about the foregoing in a systematic manner. Includes: engineers (civil, mechanical, chemical, electrical, petroleum, nuclear, aerospace, etc.); architects; lawyers; biologists; geologists; psychologists; accountants; physicists, system analysts; assayers; valuers; town and traffic planners, etc.

3. Technicians and associate professionals

This group includes occupations whose main tasks require technical knowledge and experience in one or more fields of the physical and life sciences, or the social sciences and humanities. The main tasks consist of carrying out technical work connected with the application of concepts and operational methods in the abovementioned fields and in teach at certain education levels. Includes: computer programmers; nurses; physio-and-occupational therapists; draftsmen/women; musicians; actors; photographers; illustrating artists; product designers; radio and television announcers; translators and interpreters; writers and editors; specialized inspectors and testers of electronic, electrical, mechanical, etc., products; vocational instructors; technicians (medical, engineering, architectural, dental, physical science, life science, library, etc.); pilot; broker; designer; quality inspector etc.

4. Clerks

This group includes occupations whose main tasks require the knowledge and experience necessary to organize, store, compute and retrieve information. The main tasks consist of performing secretarial duties, operating word processors and other office machines, recording and computing numerical data, and performing a number of customer oriented clerical duties, mostly in connection with mail services, money-handling operations and appointments. Includes all clerical work regardless of difficulty in which the activities are predominantly non-manual.

Includes: bookkeepers; tellers; cashiers; collectors (bills and accounted); messengers and office helpers; office machine operators; mail clerks; typists; telephone operators; electronic data processing equipment operators; clerks (production, shipping and receiving, stock, scheduling, ticket, freight, library, reception, travel, hotel, personnel, statistical, general office); secretaries etc.

5. Service and sales workers

This group includes occupations whose main tasks require the knowledge and experience necessary to provide personal and protective services and to sell goods in shops or markets. The main tasks consist of providing services related to travel, housekeeping, catering, personal care, protection of individuals and property, and maintain law and order, or selling goods in shops or



markets. Includes: attendants (hospital and other institutions, including nurses' aides and orderlies); barbers; bartenders; guides; food and beverage serving occupations; housekeepers; childcare occupations; conductors; fire-fighters; police officers; advertising agents; real estate agents; sales workers and sales clerks; shop attendants; stock brokers; insurance brokers; travel agents; sales people of technical and business services; etc.

6. Skilled agricultural and fishery workers

This group includes occupations whose main tasks require the knowledge and experience necessary to produce farm, forestry and fishery products. The main tasks consist of growing crops, breeding or hunting animals, catching or cultivating fish, conserving and working forests, and selling agricultural and fishery products to purchasers. Includes: farmers; growers; planter; viticulturists; winemakers; skilled horticultural workers; green keepers; skilled fishermen/women etc.

7. Craft and related trades workers

This group includes occupations whose main tasks require the knowledge and experience of skilled trades and handicrafts, which, among other things, involve an understanding of materials and tools to be used, as well as stages of the production process, including the characteristics and the intended use of the final product. They are frequently journeymen/ women who have received an extensive period of training. The main tasks consist of extracting raw materials, constructing buildings and other structures and making various products, as well as handicraft goods. Includes: miners; quarries; stoneworkers; bricklayers; stonemasons; carpenters; shop fitters; plasterers; plumbers; electricians; painters; mechanics; glass-makers; locksmiths; sheet metal workers; etc.

8. Plant and machine operators and assemblers

This group includes occupations whose main tasks require the knowledge and experience necessary to operate and monitor large-scale and often highly automated industrial machinery and equipment. The main tasks consist of operating and monitoring of mining, processing, and production machinery and equipment, as well as driving and operating mobile plant, or assembling products from components. Includes: truck and tractor drivers; bus drivers; paving, surfacing and related occupations; roofers; photographic processors; sound and video recording equipment operators; those in apprenticeship training; textile workers; production machine workers, etc.

9. Elementary occupations

This group covers occupations which require relatively low/elementary levels of knowledge and experience necessary to perform mostly simple and routine tasks involving the use of hand held tools and in some cases considerable physical effort, and with few exceptions, limited personal initiative and judgment. The main tasks consists of selling goods in the streets, door-keeping and property watching, as well as cleaning, washing, pressing, and working as labourers in the fields of mining, agriculture and fishing, construction and manufacturing. Includes: news and other vendors; garage attendants; car washers and greasers; gardeners; farm labourers; unskilled railway track workers; labourers performing lifting, digging, mixing, loading, and pulling operations; garbage collectors; stevedores; sweepers; char-workers, etc.

10. Non-permanent employees

Includes: employees who are employed to work for less than 24 hours per month or those engaged to work for less than three continuous months.



ANNEXURE 4: Application for Employment Equity Report

Application for an Employment Equity Report

Affix
Revenue
Stamp

PLEASE READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form contains the format for requesting an employer's Employment Equity Report (Form EEA2) from the Department of Labour. This form is issued in terms of Section 21(6) of the Employment Equity Act, 55 of 1998.

WHO FILLS IN THIS FORM?

The applicant who is requesting this report.

INSTRUCTIONS

Complete this form and mail it to the Employment Equity Registry. Enclose revenue stamp to the value of R15 as well as self-addressed (postage paid) envelope.

SEND TO:

Employment Equity Registry
(Application for EE Report)
Department of Labour
Private Bag X117
Pretoria
0001

E-mail: ee@labour.gov.za

Section A: Applicant details:

Name and Surname:	
ID Number:	
Organization:	
Address:	
Town / City:	
Postal Code	
Telephone No.:	
Fax No:	
E-mail Address:	
Date of application:	

Section B: Reason for this request:

--

Section C: Report requested:

Employer
1.

