

Employment Equity – Frequently Asked Questions

What is Employment Equity about?

Employment Equity is about equal opportunities to all in the workplace, eliminating unfair treatment and implementing Affirmative Action measures. Please refer to the Employment Equity Act, no. 55 of 1998 for more information in this regard. You can download the Act from the internet (search it on Google) or visit the Employment Equity section on the Department of Labour's website (www.labour.gov.za).

Do we need to comply with the Employment Equity Act?

1. Only if the organisation has 50 or employees.
2. **If the organisation has less than 50 employees, compliance with the Act is also required if the turnover of the organisation is equal or more than the amounts stipulated in the table below.**

Organisations that need to comply with the Employment Equity Act are referred to as designated employer.

In simple terms, you still need to comply with the Act if you have less than 50 employees, but your turnover (for the last financial year) is equal or more than the amounts stipulated in the table below.

Sub sector	Total annual turnover
Agriculture	R2.00m
Mining and quarrying	R7.50m
Manufacturing	R10.00m
Electricity, gas and water	R10.00m
Construction	R5.00m
Retail and motor trade and repair services	R15.00m
Wholesale trade, commercial agents and allied services	R25.00m
Catering, accommodation and other trade	R5.00m
Transport, storage and communications	R10.00m
Finance and business services	R10.00m
Community, social and personal services	R5.00m

Under which sector should our organisation be classified?

You need to classify the organisation under the sector which best describes your organisation. These are the only sectors provided by the Department of Labour and you need to classify the organisation accordingly. If none of the sectors seem to be applicable – choose “finance and business services” with an annual turnover of R10m.

What does it involve if an organisation need to comply with the Employment Equity Act, i.e. what is required in terms of the act?

You need to submit the EEA2 and EEA4 documents (known as the EE reports) to the Department of Labour. In addition, you need to do everything stated by the EE Act, such as:

- Develop and implement an Employment Equity Plan;
- Appoint an Employment Equity manager;
- Form an Employment Equity forum/committee;
- Consult with the Employment Equity forum/committee with regards to the EE reports to be submitted to the Department of Labour; and
- Create awareness of EE in the workplace.

Where can I get the EEA2 and EEA4 documents?

You can download the forms from www.labour.gov.za – under the Employment Equity section.

How do I submit the EEA2 and EEA4 documents to the Department of Labour?

Documents can be submitted manually (in hardcopy) before 1st October. On-line submissions can be made on the Department of Labour’s website from the 1st September 2010.

How often do we need to submit our EE documents?

Organisations with 150 or more employees submit EE document every year by the 1st of October (manually) or by the 15th January of the next year (on-line).

Organisations with less than 150 employees submit every 2nd year on the year that ends on an even number, thus 2010, 2012, 2014 etc.

If you have 150 or more employees and you have just submitted your EE documents (that was for the 2009 submission), you need to submit again before 1st October 2010.

If you have less than 150 employees, and you have just submitted your EE document, you need to submit again by before 1st October 2010 to get you “in sync” with the 2 year submission that needs to be on the year that ends on an even number. Thereafter you will only submit every second year (2012, 2014 etc.)

For further enquiries, please e-mail equity@beyondconsulting.co.za or contact 011 023 9451/2.