

Basic Guide to Employment Equity Reports

Employers must send employment equity reports to the Department of Labour. Employers who cannot report must let the Department know in writing. Public employers must publish summaries of their employment equity reports in their annual financial reports.

Application

The Employment Equity Act applies to all employers, workers and job applicants, but not members of the –

- National Defence Force;
- National Intelligence Agency; and
- South African Secret Service.

The provisions for affirmative action apply to –

- employers with 50 or more workers, or whose annual income is more than the amount specified in Schedule 4 of the Act;
- municipalities;
- organs of State;
- employers ordered to comply by a bargaining council agreement;
- any employers who volunteer to comply.

When Must Employers Report?

Employers with less than 150 workers must send their reports –

- within 12 months after they become employers; and thereafter
- every year ending with an even number.

Employers with more than 150 workers must send their reports –

- within 6 months after they become employers; and thereafter
- every year on the first working day in October.

Based on Legislation in Section 21, of the Employment Equity Act

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The report must have all the necessary information and be signed by the Chief Executive Officer.

Based on Legislation in Section 21, of the Employment Equity Act

Employers Who Cannot Report

Employers who cannot report must let the Department know in writing and give reasons.

Based on Legislation in Section 21, of the Employment Equity Act

Publishing the Report

All public companies must publish summaries of their reports in their annual financial reports. The Ministers of government organisations must table their reports in Parliament.

Based on Legislation in Section 22, of the Employment Equity Act