

A better workplace a better life

The victory of the BCEA, which came into effect on 1 December 1998, is a major step in transforming the workplace. At the launch of the BCEA, Labour Minister Shepherd Mdladlana said the Act makes a break with the past in at least four areas.

Firstly, we have a single floor of rights for all workers. The Act covers all workers except members of the army, intelligence services and non-paid volunteers working for charitable organisations. For the first time contract workers, commission only, domestic workers and part-time workers will be protected by the law.

Secondly, the Act improves the floor of rights for all workers. Some conditions of employment are improved such as annual leave and maternity leave. New conditions of employment have also been introduced in relation to night work and family responsibility leave.

Thirdly, the Act introduces a new dispensation in respect of working time. It improves protection for workers while also enabling workers and employers through individual or collective agreements to shape working time in ways which best suit both individual circumstances and the needs of the enterprise. Finally, the Act seeks to improve compliance by modernising a number of provisions. The new enforcement system has as its basis, the promotion of compliance. The Act provides for a number of ways in which provisions can be varied,

by Martha Molele

hopefully reducing the need for employers to apply for ministerial determinations from the department.'

Modern communications

Now that the foundation has been laid, the department is concentrating on educating workers and employers about the law and then making sure they all follow it. With its slogan 'A better workplace. A better life' the department has gone all out to produce educational materials such as a comic booklet. Please see the following eight pages for a sample of the booklet. Other materials are videos, posters, pamphlets, a website and newspaper inserts.

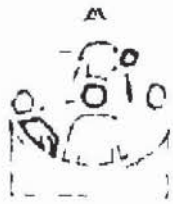
Improves daily lives

How does this law translate into the lives of workers? Ms Fatima Bhyat, director of the department's directorate of minimum standards, says the campaign aims to explain to workers and employers how the law affects their daily lives.

'In our pamphlets, we used plain English and many graphics so that they would be easy to read. The main thing is for both workers and employers to understand how the law works. This will increase understanding and co-operation in the workplace.'

Highlights of the BCEA

- no child labour or forced labour
- 45-hour work week
- choice to work overtime
- overtime is 1,5 times normal wage
- 21 consecutive days annual leave
- 4 months maternity leave
- 3 days family responsibility leave
- employers must keep records
- notice of 1,5 and 4 weeks
- severance pay
- certificate of service



BCEA

Basic Conditions of Employment Act

Read this and get more information about the BCEA, the law that protects you at work.

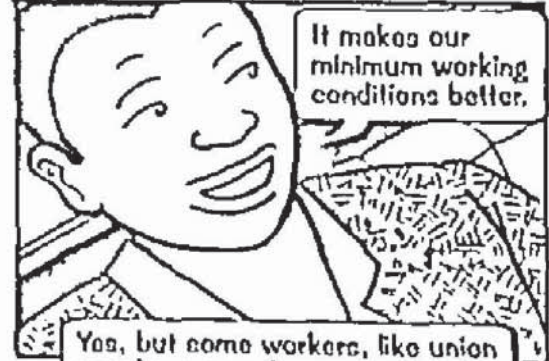


A better workplace. A better life.

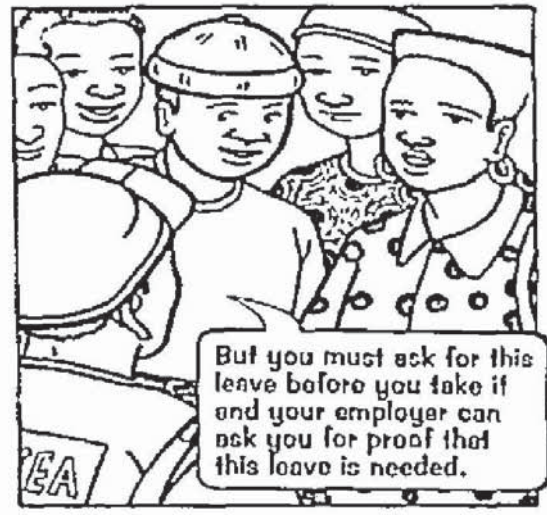
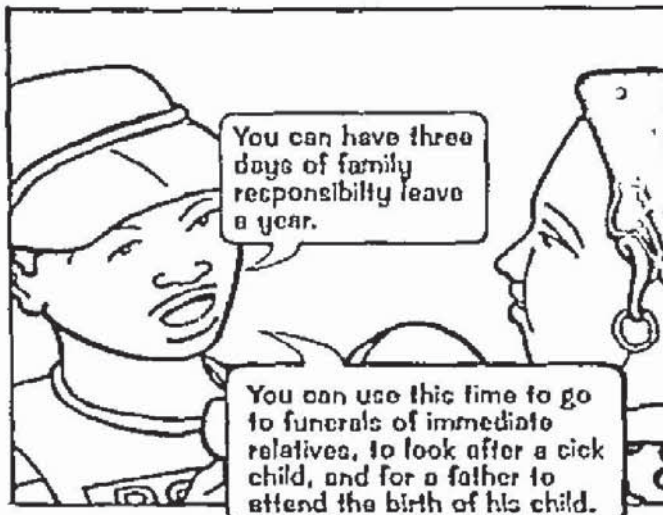
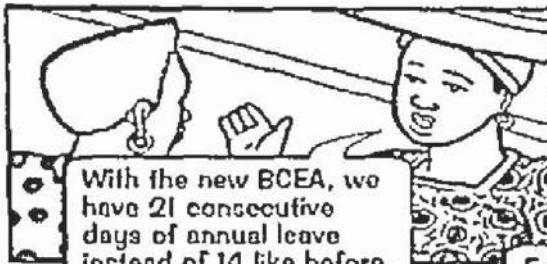
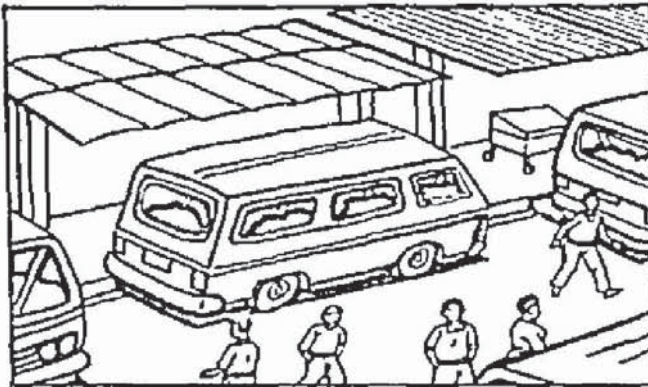
Department of Labour
South Africa

An introduction to the BCEA

All over the country, in taxis and in buses, on factory floors and in board rooms, people are talking about the Basic Conditions of Employment Act and what it will mean for them ...



What the BCEA says about taking leave



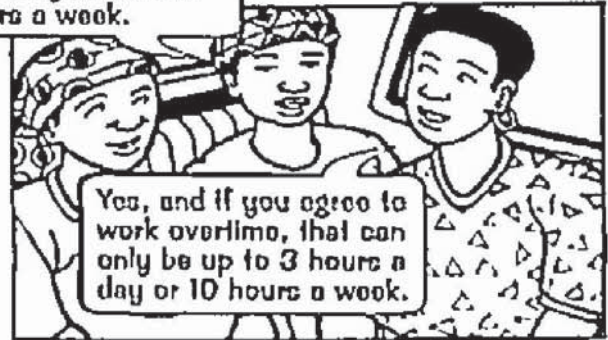
Your rights if you work overtime



It's so late. My children will be asleep when I get home.

And I started at 6.00 this morning.

My son told me the new BCEA says you are only allowed to work 45 hours a week.



Yes, and if you agree to work overtime, that can only be up to 3 hours a day or 10 hours a week.



Is this for all workers? What about my husband who is a mineworker?



Mine and farm workers still work 48 hours per week. It will be 45 hours per week from next year.



Security guards are at 55 hours this year and will change to 50 hours next year.



Do workers get extra money for overtime?

Yes! Overtime pay is one and a half times your normal wage, not time and a third anymore.

Working the night shift



At least this new law means we get an allowance for working at night.



Ja, and now the boss calls this taxi to take us home.

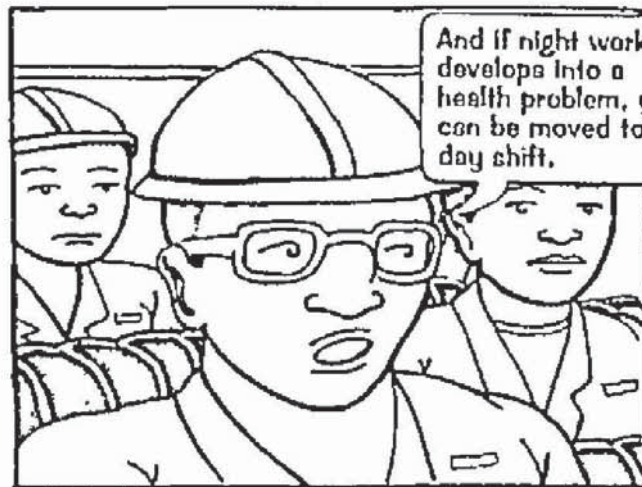


But gents, since I started on night shift, I can't sleep properly.

And my asthma is getting worse.

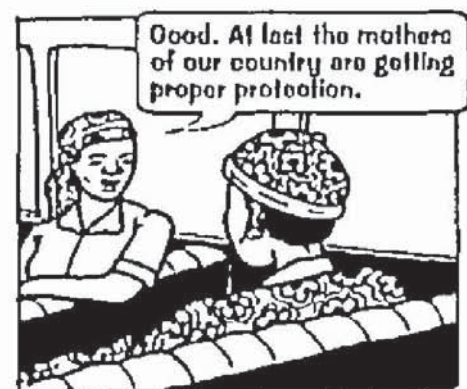
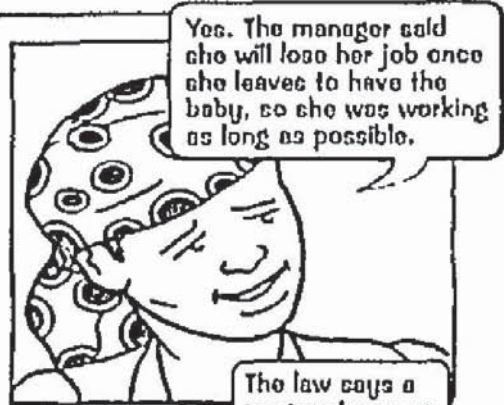
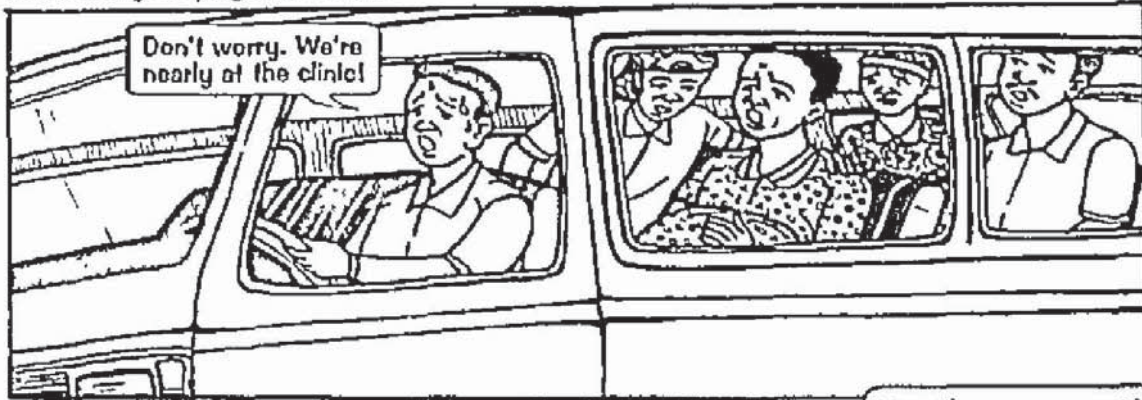


Did you know that the law says you can ask to see a doctor and the company will pay?

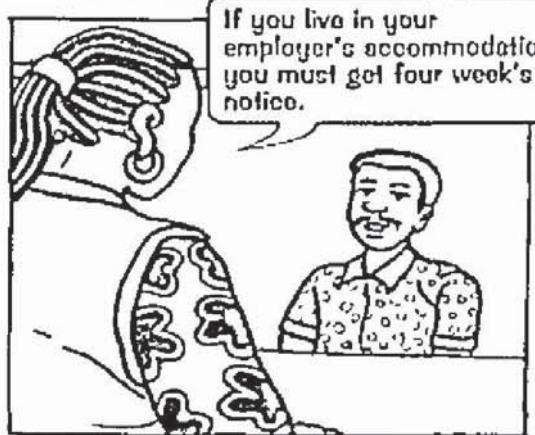
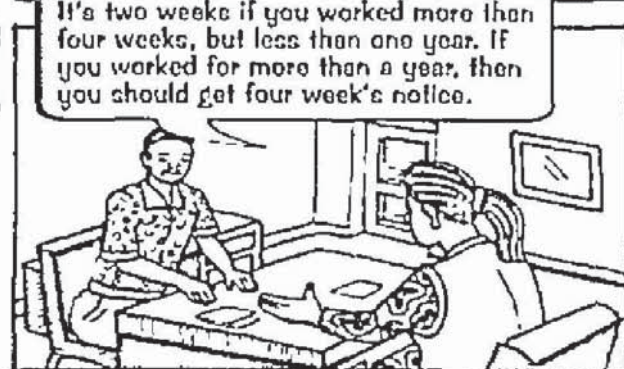
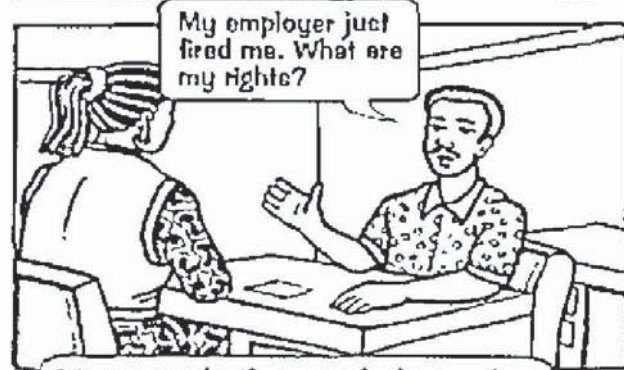
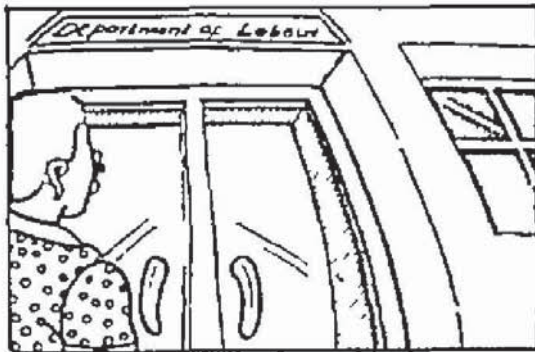


And if night work develops into a health problem, you can be moved to the day shift.

Job security for pregnant women



Know your rights if you lose your job



Information your employer must give you



We hope this leaflet has helped you to understand the BCEA. To find out more, contact one of the Department of Labour's Provincial Offices listed below.

PROVINCIAL OFFICES

- Eastern Cape: East London (0431) 701-3000
- Free State: Bloemfontein (051) 430-3001/4
- Gauteng North: Pretoria (012) 309-5000
- Gauteng South: Johannesburg (011) 497-3000
- KwaZulu-Natal: Durban (031) 336-1500
- Mpumalanga: Witbank (0135) 856-1633
- Northern Cape: Kimberley (0531) 88-1500
- Northern Province: Polokwane (015) 297-3588
- North West: Mmabatho (0140) 84-2033
- Western Cape: Cape Town (021) 480-5911

Issued by the Directorate of Minimum Standards,
Department of Labour, Private Bag X117, Pretoria, 0001.

BCEA website

The department also has a website for the BCEA to provide you with background information, summaries of the Act in all official languages, the full Act, pamphlets and all other materials produced. The website address is www.sanepc.org/sangonet/labour/bcea