

INDIA JURIS

WORLD PRACTICE

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Objective of Code of Good Practice on Equal Pay for Work of Equal Value

The new Code of Good Practice on Equal Pay for Work of Equal Value in terms of the amended Employment Equity Act (EEA) was issued on June 1, 2015. The objective of the code is to provide practical guidance to employers and employees on how to apply the principle of equal pay for work of equal value, in order to promote the implementation of pay equity in the workplace by all employers including the state and trade unions. The code applies to all employees and employers covered by the EEA. The code is framed by section 9 of the Constitution, the International Labour Organisation (ILO) Equal Remuneration Convention 1951 (No. 100) and Section 5, 6(1), 6(4) and 27 of the EEA, which prohibit unfair discrimination.

The code provides three key issues which require scrutiny when examining whether the employer is complying with its obligation to apply equal pay in the workplace. The first is whether the jobs that are being compared are the same, substantially the same or of equal value in terms of an objective assessment. Secondly, whether there is a difference in the terms and conditions of employment of the employees whose jobs are the subjects of comparison. Thirdly, if there is such a difference, whether such difference can be justified on fair and rational grounds in terms of Regulation 7 of the Employment Equity Regulations.

For detailed information about the above, please [Click here](#)

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Department of Labour and CCMA enter the second round of national roadshow to educate on amended labor laws

In order to educate stakeholders on the implications of the new amended Labour laws, the Department of Labour and the Commission for Conciliation, Mediation and Arbitration (CCMA) are planning to enter into a second round of intensive national roadshows. A session is planned to be held in Pretoria (Tshwane) on 5 June 2015 at the Council for Scientific and Industrial Research (CSIR) at Meiring Naude Road - Brummeria.

The purpose of the national roadshows is to create awareness on the amendments to the Labour Laws and to inform stakeholders and the public of the key amendments and their intentions. The roadshows are targeted at employer organisations, trade unions, academics, human resource practitioners and the public at large.

The key labour laws that were recently reviewed, and were now in force are a) The Basic Conditions of Employment Amendment Act (no 20 of 2013) b) Employment Equity Amendment Act (no 47 of 2013) c) Labour Relations Amendment Act (no 6 of 2014) d) Employment Services Act (no 4 of 2014).

The core of the presentations during the roadshow will focus on aspects such as broad

- **Objective of Code of Good Practice on Equal Pay for Work of Equal Value**
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changes on the protection of vulnerable employees earning up to the BCEA threshold of R205 433,30; regulation of temporary employment which is now limited to a period not exceeding three months; unionisation in vulnerable sectors; improving the functioning of labour market institutions such as the CCMA, bargaining and statutory councils; addressing current problems in industrial disputes and dispute resolution; enforcement and enhancing compliance; disputes concerning discrimination and issues of pay for work of equal value.

The Department of Labour and CCMA plans to have a further second round national public hearings.

For detailed information about the above, please [Click here](#)

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