

## iGlobal Law Annual Alert 2023 : South Africa

Legal Change	Effective Date	Action required
<p><b>Employment Equity Bill</b></p> <p>The Bill was tabled to parliament in July 2020. The amendment of the Bill is anticipated to be assented the end of 2022 and the beginning in 2023.</p> <p>The Bill is aimed at amending the Employment Equity Act 55 of 1998 (“<b>EEA</b>”) by making provision for the Minister of Employment and Labour to set numerical targets for the employment of people from Designated Groups (which is defined in the EEA as Black People, Women and People with Disabilities) for specific sectors of the South African economy. The purpose for doing so is to ensure the equitable representation of suitably qualified people from the Designated Groups in the workplace. In terms of the proposed amendments, an employer’s ability to conduct business with the state will be dependent on the employer having complied with the sectoral numerical target.</p>	<p>Aimed to be effective on September 1<sup>st</sup> 2023</p>	<p>This is applicable to employers who are “Designated Employers” for the purposes of the EEA, which means an employer who employs more than 50 employees. Such employers should keep an eye out for the sector specific targets which may be announced by the Minister in due course to ensure compliance with those numerical targets.</p>
<p><b>Code of good practice on harassment</b></p> <p>The Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace (“<b>Code</b>”) repealed and replaced the Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace, 2005.</p> <p>The code addresses all forms of harassment in the workplace and defines harassment as unwanted conduct which impairs dignity, creates a hostile or intimidating work environment or has the effect of inducing submission through actual or threatened adverse consequences. Harassment can be psychological, emotional, sexual, gender-based, racial abuse and the use of physical force against another individual.</p> <p>The code applies to all employers and employees including volunteers and recognises a broader list of potential victims and perpetrators which includes clients, suppliers, contractors and/or any individuals interacting with the business.</p>	<p>Effective from March 18<sup>th</sup> 2022.</p>	<p>Employers should implement an harassment policy, which should be aimed at preventing harassment and responding to complaints of harassment.</p>