

## How to Use the Checklist

Review each section to ensure your start-up addresses key compliance areas. Each checklist provides actionable steps to meet South African regulatory standards and support sustainable business practices. While it's a general guide, it's recommended to seek further clarification on specific requirements from relevant legal or compliance advisors.

<b>Employee Compliance Checklist</b>	
<b>1. Employment Contracts and Documentation</b>	
<b>Employment Contracts (BCEA Compliance)</b>	
<input type="checkbox"/> Provide written employment contracts to all employees, specifying job title, duties, salary, working hours, and leave entitlements as required by the BCEA.	Explain
<input type="checkbox"/> Include terms on notice periods, probationary periods, and grounds for termination.	Explain
<b>Job Descriptions</b>	
<input type="checkbox"/> Develop clear, specific job descriptions for each position, including roles, responsibilities, and performance expectations.	Explain
<b>Record-Keeping (BCEA Compliance)</b>	
<input type="checkbox"/> Maintain accurate records of each employee's working hours, overtime, leave, and payment details for at least three years.	Explain
<b>Employee Information</b>	
<input type="checkbox"/> Keep secure records of employees' personal information (ID numbers, contact details) and update as necessary.	Explain
<b>2. Fair Treatment and Disciplinary Procedures (LRA Compliance)</b>	
<b>Disciplinary Policy and Code of Conduct</b>	
<input type="checkbox"/> Implement a disciplinary policy outlining acceptable behavior, types of misconduct, and steps in the disciplinary process.	Explain

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<input type="checkbox"/> Include the procedure for addressing grievances, disputes, and appeals.	Explain
<b>Procedural Fairness</b>	
<input type="checkbox"/> Ensure that disciplinary actions and dismissals follow fair procedures, including a fair hearing and representation rights.	Explain
<b>Substantive Fairness</b>	
<input type="checkbox"/> Document valid reasons for any disciplinary action or dismissal, ensuring alignment with LRA requirements for fair labor practices.	Explain
<b>Grievance Procedures</b>	
<input type="checkbox"/> Establish a grievance procedure that allows employees to raise issues or complaints safely and fairly.	Explain
<b>3. Working Hours, Leave, and Rest Periods (BCEA Compliance)</b>	
<b>Working Hours</b>	
<input type="checkbox"/> Adhere to maximum weekly (45 hours) and daily working hours specified in the BCEA.	Explain
<input type="checkbox"/> Ensure that overtime is voluntary and does not exceed 10 hours per week.	
<b>Rest Periods</b>	
<input type="checkbox"/> Provide employees with a daily rest period of at least 12 consecutive hours and a weekly rest period of 36 consecutive hours.	Explain
<b>Leave Entitlements</b>	
<input type="checkbox"/> Ensure employees receive statutory leave entitlements, including annual leave (21 consecutive days per year), sick leave, maternity leave, and family responsibility leave.	Explain
<input type="checkbox"/> Document and track leave balances for each employee.	Explain
<b>4. Minimum Wage and Fair Remuneration (BCEA Compliance)</b>	
<b>Minimum Wage Compliance</b>	

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<input type="checkbox"/> Ensure that all employees are paid at least the national minimum wage, or as stipulated for their industry.	Explain
<b>Overtime Payment</b>	
<input type="checkbox"/> Compensate overtime work at 1.5 times the normal hourly rate, or provide time off in lieu, per BCEA requirements.	Explain
<b>Payslips and Deductions</b>	
<input type="checkbox"/> Issue detailed, written payslips that outline earnings, deductions, and net pay.	Explain
<input type="checkbox"/> Only make deductions from employee wages as permitted by law and with the employee's consent.	Explain
<b>5. Equal Employment Opportunity (EEA Compliance)</b>	
<b>Employment Equity Plan</b>	
<input type="checkbox"/> Develop an Employment Equity Plan if the company employs more than 50 employees, outlining strategies for promoting diversity and fair treatment.	Explain
<b>Affirmative Action</b>	
<input type="checkbox"/> Implement affirmative action measures to promote equal opportunity, especially for designated groups (black people, women, and people with disabilities).	Explain
<b>Annual Employment Equity Report</b>	
<input type="checkbox"/> Submit annual employment equity reports to the Department of Employment and Labour, detailing progress on employment equity goals.	Explain
<b>Non-Discrimination Policy</b>	
<input type="checkbox"/> Establish a non-discrimination policy that prohibits discrimination on grounds of race, gender, disability, religion, or other protected characteristics.	Explain
<b>6. Health and Safety Compliance</b>	
<b>Occupational Health and Safety Policy</b>	

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<input type="checkbox"/> Develop a health and safety policy to ensure a safe workplace and compliance with the Occupational Health and Safety Act (OHSA).	Explain
<b>Safety Training and Induction</b>	
<input type="checkbox"/> Provide safety training to all employees, especially those in high-risk roles, covering workplace hazards and emergency procedures.	Explain
<b>Incident Reporting and Record-Keeping</b>	
<input type="checkbox"/> Set up a system for reporting and recording workplace incidents and injuries, as required by OHSA.	Explain
<b>Emergency Procedures</b>	
<input type="checkbox"/> Ensure that emergency procedures, exits, and first-aid kits are accessible and clearly communicated to all employees.	Explain
<b>7. Employee Benefits and Pension Contributions</b>	
<b>Unemployment Insurance Fund (UIF)</b>	
<input type="checkbox"/> Register employees with the UIF and ensure monthly contributions (1% from the employer and 1% from the employee).	Explain
<b>Retirement Fund Contributions</b>	
<input type="checkbox"/> If applicable, manage pension or provident fund contributions as per company policy or employee contracts.	Explain
<b>Medical Aid and Other Benefits</b>	
<input type="checkbox"/> If medical aid or other benefits are offered, ensure terms and deductions are clearly explained in employment contracts.	Explain
<b>8. Training and Development</b>	
<b>Skills Development Programs</b>	
<input type="checkbox"/> Establish training and development programs aligned with Skills Development Act requirements to improve employee skills.	Explain
<b>Workplace Skills Plan (WSP)</b>	

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<input type="checkbox"/> Submit an annual WSP and Annual Training Report to your sector's SETA to qualify for skills development grants.	Explain
<b>Employee Training Records</b>	
<input type="checkbox"/> Keep records of training and upskilling activities for each employee.	Explain
<b>9. Employee Rights and Access to Information</b>	
<b>Access to Employment Policies</b>	
<input type="checkbox"/> Make employment policies (e.g., grievance procedures, health and safety) easily accessible to all employees.	Explain
<b>Right to Access Personal Information</b>	
<input type="checkbox"/> Allow employees to access and, if necessary, correct personal information in line with the Protection of Personal Information Act (POPIA).	Explain
<b>Transparency in Policy Changes</b>	
<input type="checkbox"/> Notify employees of any changes in employment terms, policies, or compliance requirements.	Explain
<b>10. Termination and Retrenchment Procedures (LRA Compliance)</b>	
<b>Notice Periods</b>	
<input type="checkbox"/> Adhere to BCEA-stipulated notice periods or those specified in employment contracts.	Explain
<b>Retrenchment and Severance</b>	
<input type="checkbox"/> Follow fair retrenchment procedures, including consultation with affected employees and offering severance pay as required.	Explain
<b>Exit Interviews</b>	
<input type="checkbox"/> Conduct exit interviews to gain feedback from departing employees and improve retention.	Explain

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