



## RK Corporate Consulting (Pty) Ltd

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# Labour Law Compliance Checklist

## Build Fairness. Build Protection. Build Legally.

Labour law compliance is about more than contracts — it is about building a workplace that is legally sound, ethically managed, and prepared for growth. Non-compliance with employment law in South Africa can lead to fines, reputational damage, or CCMA disputes. Use this checklist to stay aligned with the Basic Conditions of Employment Act, Labour Relations Act, and Employment Equity Act.

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### ✓ Draft Legally Compliant Employment Contracts

Every employee must have a written contract outlining the terms and conditions of employment.

**Action:** Ensure contracts cover working hours, leave, notice periods, job descriptions, and remuneration. Review contracts regularly to reflect promotions or legal updates.

### ✓ Establish Workplace Policies and Procedures

Policies help manage employee conduct and protect the company.

**Action:** Draft and implement policies such as disciplinary codes, grievance procedures, leave, social media use, and sexual harassment. Make these accessible to all staff.

### ✓ Conduct Disciplinary Processes Fairly

Dismissals must be substantively and procedurally fair.

**Action:** Always follow a fair process: provide notice, investigate, allow for representation, and record minutes. Use written warnings before considering dismissal, where appropriate.

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### **✓ Understand Substantive vs Procedural Fairness**

Both the reason and the process matter when taking disciplinary action.

**Action:** Keep records of misconduct, performance issues, and procedural steps taken. Seek advice before initiating dismissal.

### **✓ Adhere to Employment Equity Requirements**

Designated employers must submit annual EE reports and implement transformation plans.

**Action:** Determine if your company qualifies as a designated employer. If so, appoint an EE manager, draft an EE plan, and file reports with the Department of Labour.

### **✓ Register with the Department of Labour and UIF**

All employers must register for UIF and need to comply with COIDA.

**Action:** Ensure you are registered and that contributions are submitted monthly. Keep up-to-date COIDA submissions for Letters of Good Standing.

### **✓ Provide Payslips and Maintain Payroll Records**

Payslips are a legal requirement. Records must be kept for at least three years.

**Action:** Issue payslips every month and record deductions, leave taken, and other payroll data in compliance with the BCEA.

### **✓ Implement a Probation Policy**

Probation periods must still comply with labour law.

**Action:** Clearly state the probation period in the contract. Monitor progress and conduct reviews before confirmation or termination.



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### ✓ Clarify the Status of Contractors vs Employees

Independent contractors are not subject to the same protections as employees.

**Action:** Classify correctly — and avoid mislabeling staff. Draft clear service level agreements (SLAs) for contractors.

### ✓ Manage Mental Health and Wellness in the Workplace

Employee well-being is essential for productivity and retention.

**Action:** Promote open-door policies, offer support mechanisms, and provide training to managers on identifying burnout or workplace stress.

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## Why Labour Law Compliance Matters

- ✓ Avoids unfair dismissal claims and CCMA cases
- ✓ Promotes a respectful, productive work culture
- ✓ Protects both employer and employee rights
- ✓ Supports transformation and equity goals
- ✓ Builds trust with your workforce
- ✓ Ensures readiness for audits, funding, or contracts

Compliance builds a strong, ethical, and sustainable workforce — one that grows with your business.

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## Need Support with Labour Law Compliance?

RK Corporate Consulting assists startups and SMEs with:

- Drafting compliant employment contracts
- Workplace policies and procedures
- Disciplinary support and hearing guidance
- Employment equity planning
- Labour audits and risk assessments

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Chief Operations Officer: Wilhelm Kuhn



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### **Navigating Compliance with Confidence**



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