

3 June 2021

The Printing, publishing and reproduction of recorded media sector has been identified by the Minister of Employment and Labour to meet the Employment Equity Targets.

On 26 May 2021 the Department of Employment and Labour called a stakeholder engagement with sub-sector of printing, publishing, and reproduction of recorded media to discuss the setting of Employment Equity (EE) Sector Target, Printing SA was in attendance together with members. This follows the publication of Employment Equity Amendment Bill on 20 July 2020. The stakeholder engagement is an important process as it requires that the Sector and the Department reach an agreement in setting of EE targets before the Bill is passed into Law.

The purpose of Bill is to achieve equity in the workplace by promoting equal opportunity and fair treatment in employment through elimination of unfair discrimination and implementing affirmative action measures.

Click here to view:

- [the proposed targets for the sector](#)
- [the employment equity amendment bill](#) and [regulations](#)

The Bill proposes, amongst other changes, the following:

Non-compliance with the numerical targets will result in entities not being eligible to enter contracts with the State.

The Minister may issue a certificate of compliance if the Minister is satisfied that:

- the employer has complied with the sectoral numerical targets. If the employer has not complied with the numerical targets, non-compliance should be based on reasonable grounds to justify its failure to comply – a list of these grounds can be found in Section 16 (4)(a) of the EE Regulations,
- the employer has submitted its report in terms of section 21; and
- the employer has not been found to have breached the prohibition on unfair discrimination in the past three years by the CCMA or a court and the CCMA has not issued an award against the employer in the past three years for failing to pay the minimum wage in terms of the National Minimum Wage Act.

A certificate of compliance is a prerequisite for any entity to enter contracts with the State, providing those employers have complied with their numerical targets (where such targets have been set).

Employers with less than 50 employees, regardless of turnover are not a 'Designated Employer'.

- Employers who employ less than 50 employees or less will no longer be considered a 'Designated Employer' regardless of their annual turnover.
- Only employers with 50 employees and more will be designated employers and will be required to report on their employment equity targets.
- An employer that is not a designated employer, requesting a certificate in terms of section 53, must specify that it complies with Chapter 2 of the Act and that it complies with the National Minimum Wage Act, 2017 using the EEA15 form.

Extended definition to 'Persons with Disabilities'

- 'Persons with Disabilities' will be extended to include persons with long-term or recurring, or mental, intellectual or sensory impairment which, in interaction with various barriers, may substantially limit their prospect of entry into, or advancement in, employment.

These amendments, should they become law in their current form, will have a significant impact on all employers, and particularly those who contract with the State.

Send your comments/input/questions to Khanyi Ntanzu, email: kntanzi@printingsa.org on or before 17 June 2021.