

## NEWS FLASH

**As we saw yet again in 2018 the labour law environment is constantly changing both in relation to statutory provisions as well as judgments emanating from all levels of the judiciary. Whilst settling back into the swing of things for 2019, a reminder of changes which came into effect as of 1 January:**

### **NATIONAL MINIMUM WAGE**

- An across the board minimum wage of R20.00 per hour was implemented.
- Sectoral Determinations remain intact save for the wage increase of those employees who were earning below the R20.00 threshold.

### **BASIC CONDITIONS OF EMPLOYMENT**

- Employees working less than 4 hours per day must be paid for 4 hours for that day.
- Any employee may refer a dispute to the CCMA concerning the failure to pay any amount of money due in terms of the BCEA, Minimum Wage, contract of employment, sectoral determination or collective agreement.
- New leave categories: parental, adoption, and commissioning parental leave.

#### LABOUR LAW PRACTITIONERS

25 Fourth Avenue  
Newton Park  
Port Elizabeth  
6045

PO Box 12124  
Centrahil  
6006

Reg no: 95/07272/21  
e-mail: [pa@vanzylsinc.com](mailto:pa@vanzylsinc.com)  
[www.vanzylsinc.com](http://www.vanzylsinc.com)

Tel: 041 363 3677  
Cell: 082 651 5583 / 079 895 6  
Fax: 086 731 9195

## **LABOUR RELATIONS ACT**

- Changes to section 69 (picketing)
  - In the event that parties fail to agree to picketing rules, a Commissioner is empowered to establish such rules.
  - No picket may take place unless picketing rules are agreed to by the parties or have been established by the CCMA.
- New section 150A – 150D (advisory arbitration)
  - An advisory arbitration panel is to be established to facilitate the resolution of a dispute under section 135 (5)(a) or after notice has been given under section 64(1)(b), (c) or (d), under certain circumstances.
  - The advisory arbitration award will only be binding on a party subject to certain conditions.

*Kindly contact Cronje or Leanne to discuss how the most recent bout of labour law amendments affects your enterprise.*

**All the best for a prosperous 2019!**

\*\*\*\*\*