



# education

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Department:

Education

**PROVINCE OF KWAZULU-NATAL**

**CURRICULUM GRADE 10 -12 DIRECTORATE**



**NCS (CAPS)**

**TEACHER SUPPORT DOCUMENT**

**GRADE 12**

**LIFE**

**ORIENTATION**

**LEARNER GUIDE**

**LAST PUSH**

**2024**



## **PREFACE**

This booklet was prepared and completed by the KZN Province Life Orientation Subject Advisors and Lead educators. This document must be used in conjunction with the Life Orientation CAPS policy document, textbooks, and other supplementary materials. This document is designed in such a way that an Educator may be able to work on it freely and independently. Its objective is to provide guidelines and offer support on setting quality SBA tasks.

It includes guidelines for setting Source-Based Task, Project and exemplar tasks that may help the Educators be able to set quality tasks. The tasks serve as a guide on how various topics are assessed at different cognitive levels and preparing learners for informal and formal tasks in LIFE ORIENTATION. Teachers are not encouraged to administer the exemplar tasks for assessment.



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## WEEKS 1& 2: DEVELOPMENT OF THE SELF IN SOCIETY

Investigate human factors that cause ill-health, accidents crises and disasters; psychological, social, religious cultural practices and different knowledge perspective.

KEY CONCEPTS	EXPLANATION
<b>Human factors</b>	<b>Human</b> and individual characteristics, that influence behaviour affecting health and safety e.g. low self-esteem resulting to risky behaviour,
<b>Environmental factors</b>	Issues in our surroundings, the natural world that contribute to ill health, accidents, disasters and crises such as floods, extreme temperatures
<b>Lifestyle diseases</b>	Illnesses linked to the way we live that can be prevented by change in nutrition, environment and your general lifestyle.
<b>Natural disasters</b>	A sudden accident or natural catastrophe that causes great damage or loss of life such as fires, floods, tsunamis and earth quakes.
<b>Hazard</b>	Danger, risks or a threat that is usually caused by man, such as pollution, toxic waste, deforestation etc.
<b>Ill-health</b>	Illness, sickness or a medical condition that makes you unwell that can be prevented or avoided.
<b>Accidents</b>	Mishaps / misfortunes which happen when unexpected or unplanned.
<b>Crises</b>	Emergency situations that cause great distress and upheaval, sudden change or disruption.
<b>Disasters</b>	Tragedies, events that cause adversity, devastation, damage or destruction.



- **Psychological factors**

- Issues which involve the mental and emotional aspects of being human; as the body and mind interact closely, some psychological factors can cause illness and sometimes illness has psychological effect.
- Psychosomatic illness is a sickness that involves both body and mind. It may start with emotional stress, but can become physical e.g. stress can lead to stroke. This illness is real and needs to be treated.
- Some examples of psychological factors that cause ill-health are negative self-image or low self-esteem which may result to risky behaviour and unsafe sexual behaviour could lead to sexually transmitted diseases (STIs) such as HIV and AIDS.

- **Social factors**

- Issues which involve people, the community and the public; how people behave towards each other and the social conditions they live in, can affect their health and make them ill.
- For example, peer pressure may result in poor decision-making, overcrowding and poverty increase the risk of ill-health and accident and limited or no access to clean water and good sanitation can lead to disease and insufficient or poor-quality food leads to nutritional deficiencies.

- **Religious factors**

- Issues on religion and belief-system which may help to heal people but possibly cause ill-health.
- For example, some religion may prevent people from taking medicine or having a blood transfusion which may lead to serious illness / death while others believe only their god can cure them, refusing medical treatment of any form.
- In other religions various potions and medicines are mixed and given to sick people that are not scientifically tested or may have negative interaction with the other medicine that the person is already taking and may not be good for their health e.g. taking herbal medicine together with the prescribed antibiotics can revoke its effect thus causing serious illness.
- Religions and belief that promote sharing of a communal cup, passed from one to another can also cause illness e.g. flu, mouth sore to spread.
- Belief in bogus (not genuine) faith healers who do not have the power to heal may result to become more ill or death since they do not get the treatment needed.
- Wars fought over religion have led to disaster; terrorist attacks by religious extremist have caused great distress and tragedy for many innocent victims.

- **Cultural practices**

- Issues regarding cultural influences or practices that are damaging and cause ill-health although there are many cultures which are beneficial, helpful and healing.
- Harmful cultural practices which are often aimed at benefiting males and cause harm to female; female genital mutilation and cutting, practice of early marriage, wife inheritance / unkungena, arranged marriage and polygamous marriages place women at higher risk of abuse, HIV and other STIs.
- Other examples of harmful cultural practices include male child preference where female fetuses are being aborted or female babies being killed at birth or neglect of female children, circumcision performed by untrained or careless people who do not take enough care to prevent infection,
- Culture of silence where it is taboo to speak about sex, relationships and matter of reproductive health leads to misinformation, myths and lack of knowledge, and stop people from visiting the clinic for treatment that can save their lives.
- In some culture there are nutritional taboos; some food may not be eaten by pregnant mothers and their babies that has harmful effect because they are not getting all the nutrients.

- **Different knowledge perspective**

- This is the viewpoint or outlook one has e.g. facts and information can be seen from a particular viewpoint, outlook or angle; different people have different ways of understanding and knowing about things.
- For example, people may say it is healthy to fast or not eat for three days while another will say it is harmful to our body or a person may say eating meat is healthy others will say they do not like meat. Similarly, somebody thinks that bottled water is healthier than tap water, but another may say tap water is healthier than bottled water.



**Factors that contribute to lifestyle diseases: (Identify, define and discuss)**

- poor eating habits
  - Bad eating habits and unbalanced diet cause ill-health e.g. overweight or obese.
- lack of exercise
  - Lack of exercise is associated with various illnesses such as obesity, heart disease and general lack of well-being.
- smoking
  - Smoking/tobacco use is responsible to 80% of a lung cancer death. o substance abuse
  - Studies show smoking of marijuana is linked to mental illness including depression and anxiety.
  - Lowers immune system making one more vulnerable to illness and disease.
- unsafe sexual behaviour
  - Early sexual intercourse among women (before the age of 18) and with many sexual partners have a higher risk of developing cervical cancer.
  - STIs like HIV and AIDS are a result of unsafe sexual behaviour.
- Lifestyle diseases that may result from contributing factors: cancer, tuberculosis, hypertension, diseases of the heart and circulatory system, sexually transmitted infections (STIs) HIV and AIDS

**Concept: Lifestyle diseases**

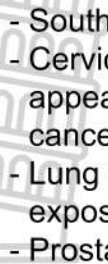
- Diseases linked with the way people live their life and the result of an unhealthy lifestyle; lack of physical activity, unhealthy eating, alcohol, drugs, smoking and as a result of poverty and gender imbalances that are preventable.
- Diseases that mostly have an effect on our lifestyle are cancer, hypertension, diseases of the heart and circulatory system, tuberculosis, sexually transmitted infections including HIV and AIDS.
- The lifestyles of people who live in poverty includes increase deprivation, lack of access in medical care and ability to get help needed, loss of hope and increased stress.
- Some examples of lifestyle diseases include: cancer, hepatitis B, hypertension, diseases of the heart and circulatory system, tuberculosis, and STIs (Sexually transmitted infections, including HIV/AIDS)

KEY CONCEPTS	EXPLANATION
<b>Cancer</b>	These are range of diseases in which abnormal cells increase and spread out of control.
<b>Hypertension</b>	An illness where the blood pressure in the arteries is constantly high.
<b>Circulatory system diseases</b>	Abnormalities of the heart and vessel system
<b>Cardiovascular diseases</b>	Group of diseases that involved the heart, blood vessels, arteries and veins.
<b>Tuberculosis</b>	An infectious disease caused by bacterium which spread through airborne and infectious droplets.
<b>Sexually Transmitted Diseases</b>	Diseases which are spread from person to person during sexual contact.






## Cancers

- 
- South Africa has the highest risk of cancer in the world.
  - Cervical cancer in women affects as many as 1 In 34 South African women and appears while they are still young with weak immune system. It is a slow growing cancer that may not have symptoms but can be found in screening.
  - Lung cancer is a tumour in the lungs caused primarily by smoking tobacco and exposure to asbestos, environmental tobacco smoke, and exposures to other
  - Prostate cancer starts in the male prostate gland (small gland which is part of the male reproductive organ).

## Hypertension

- 
- Refers to 'silent killer' because people are not aware that they are sufferer.
  - Some contributory lifestyle factors include: poor diet, poverty, stressful lifestyle, lack education and difficult yin accessing medical care.

## Tuberculosis

- 
- Leading cause of death in South Africa and most common in conditions of poverty and over-crowding.
  - Pulmonary or lung TB is the most widespread and contagious form of active TB although TB can occur in almost any part of the body e.g. bones
  - People living with HIV are higher risk of developing TB because their immune systems cannot resist the TB bacteria.

## Sexually Transmitted Infections

- More than 1 million sexually transmitted infections (STIs) are acquired every day worldwide.
- Some high level sexually transmitted infections like syphilis, gonorrhoea and HIV in South Africa partly are the results of poverty e.g. women have fewer choices, low status of women e.g. no say in the relationship and violence and abuse against women e.g. women in abusive relationships cannot negotiate safer sex.

## Disease of the heart and circulatory system

- The leading contributory condition to circulatory system disease is hypertension.
- Some other examples include heart diseases and stroke.
- The number one cause of death globally
- Seriously affect low-and middle-income groups and occur equally in men and women.

**Recommend intervention strategies to deal with lifestyle diseases as a result of poverty, gender imbalances and own lifestyle choices: prevent and control early detection, treatment, care and support.**

Intervention strategies to counter lifestyle diseases could include:

- ❖ Ensuring that every school is a Health Promoting School
- ❖ Encourage regular physical activity
- ❖ Educating people about the importance of early detection, regular screenings and visits to the clinic.
- ❖ Educating people about healthy lifestyle
- ❖ Educating people about STIs including HIV
- ❖ Reducing stigma against people with HIV and AIDS
- ❖ Promoting testing for HIV
- ❖ Protecting people from tobacco smoke and banning smoke in public areas
- ❖ Banning tobacco advertising, promotion and sponsorship
- ❖ Raising taxes on tobacco
- ❖ Warning about the dangers of tobacco use
- ❖ Limiting access to a goal
- ❖ Banning alcohol advertising
- ❖ Raising taxes on alcohol
- ❖ Promoting community awareness about nutrition
- ❖ Reducing salt intake and salt content of food.
- ❖ Replacing trans-fat in food poly unsaturated fats.

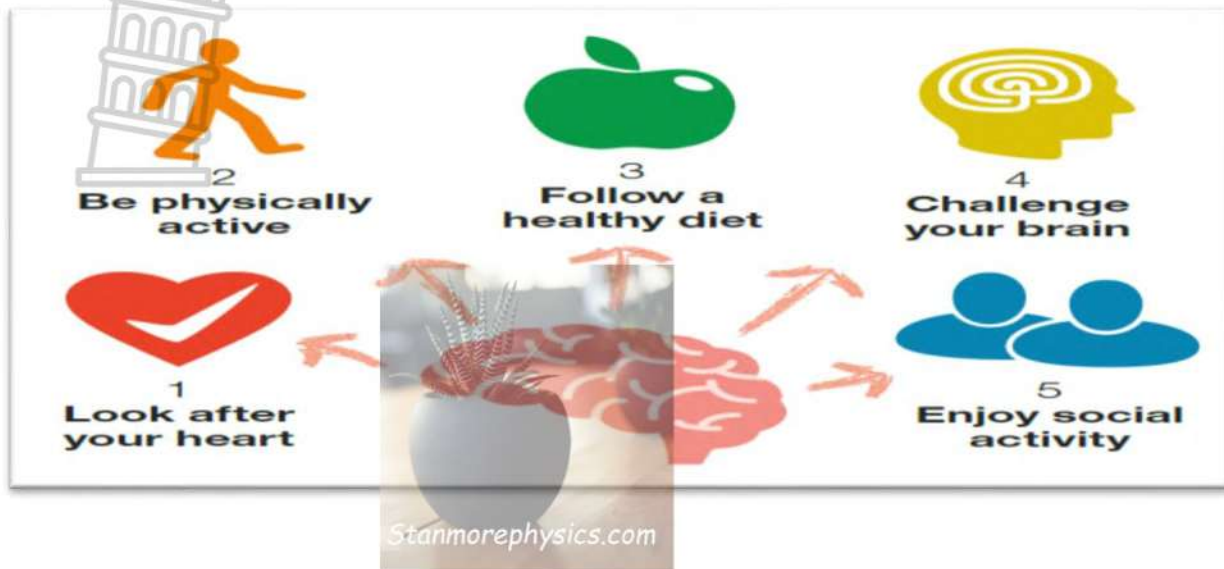
### Glossary:

- Trans fat - is a type of unsaturated fat that naturally occurs in small amounts in meat and milk fat.
- Polyunsaturated fat - is a type of healthy fat that includes omega-3 and omega-6 fatty acids, which are essential for brain function. You must obtain them from food, as your body cannot make them.





Healthy living is the **best way** to **delay** or **avoid** many heart and brain **diseases**. This means being active and fit, eating healthy, avoiding tobacco and managing conditions that can put you at greater risk. Take charge of your health.



### Prevention

The best way to prevent or lower the risk of lifestyle disease is to:

- Avoid
  - ❖ Avoid the bad habits and behaviours that contribute to lifestyle diseases e.g. avoid lot of sugar and salt, avoid all tobacco products, etc.
  - ❖ Abstain - the best way to prevent STIs is to abstain (restrain oneself from doing or enjoying something) from sexual intercourse or use condom properly every time you have sex.
  - ❖ To prevent lung cancer abstain from smoking.
- Adapt
  - ❖ One may lower the risk of cancer by adapting (getting use to) your diet e.g. low meat intake or becoming a vegetarian, high in omega-3 fatty acids; fish is a rich source of omega-3, etc.

### Intervention

- ❖ Protect people from tobacco smoke, banning smoking in public area, raising taxes on tobacco and warnings about the danger of tobacco use.
- ❖ Educating people about healthy lifestyle, STIs including HIV, early
  - ❖ detection, regular screening and visits to the clinic,
- ❖ Promoting testing for HIV
- ❖ Community awareness about nutrition and promoting backyard garden.
- ❖ Limiting access to alcohol, banning alcohol advertisement and raising taxes on alcohol
- ❖ Reducing salt intake and salt content food
- ❖ Replacing trans-fat in food with polyunsaturated fat.





## Control and Management

If you control something, it means you manage it so that it does not become a crisis or disaster. For example:

- To avoid getting or to control the spread of TB you can -
  - open the windows and let fresh air comes into your home
  - help and encourage people to follow the treatment instructions and take their medication.
- To prevent heart attack or stroke if you have hypertension you can-
  - eat healthy e.g. less salt, less fats, et.c
  - do regular physical exercise
  - lose weight
  - stop smoking
  - deal with your stress applying relaxation techniques.



## Early Detection

The earlier the disease is detected, the more likely it can be cured or managed properly. Early management can save life; prevent or delay serious complications.

- Screening test can be done to detect health problems even before symptoms happen; medical examinations and self-examination.
- For example, although hypertension is a chronic disease for which there is no cure, the earlier it is detected, the better the management will be.
- Another example is cancer, where there is good success rate of survival, with early detection.
- HIV testing can lead to early treatment of those who are infected and may prevent them from spreading the disease to others.

## Develop an action plan for the treatment, care and support for people living with lifestyle diseases

### • Treatment

Treatment is medical care e.g. surgery, medication and chemotherapy that deals with disease so that someone can feel better or become healthy again. The aim of treatment is to cure the disease, reduce or ease the symptoms.

- ❖ **Lifestyle changes**; changing diet, exercise, and taking part activities to reduce stress are recommended in combination with **medication** treatment
- ❖ It is important that people have access to treatment and continue taking their treatment because if the course of medication is interrupted e.g. **medication for TB and HIV**, they can develop resistance to drugs (decrease in effectiveness of medication) and cannot be treated with the said medication.

- **Care and Support**

People who get the correct care and support continue their treatment programme.

- ❖ Clinic sister, social workers, psychologists and community support groups form part of care and support programme. Patients' needs are assessed and a care plan is created; education about the disease and referral to the right services and support group.
- ❖ Family
- ❖ Organisations are also involved in care and support e.g. South African National AIDS Council – testing and treatment.

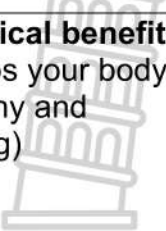


**Commitment to participate in physical activities for long-term engagement to prevent lifestyle diseases**

- Discuss the benefits of long-term participation: Improve physical, mental, social and emotional well-being
  - ❖ ▪ Long-term effects of participation
    - Committing to long-term participation in physical exercise helps prevent lifestyle diseases and has mental, emotional and social benefits.





## The physical, mental, social and emotional effects of long-term participation

<b>Physical benefits</b> (keeps your body healthy and strong)	<b>Mental benefits</b> (helps to keep your mind alert)	<b>Social benefits</b> (helps you to make friends and feel part of a group; contributes to nation-building)	<b>Emotional benefits</b> (helps you feel good about yourself and to cope with your stress and negative feelings)
 <ul style="list-style-type: none"> <li>• Prevention of chronic diseases</li> <li>• Weight management</li> <li>• Stronger bones, joints and muscles</li> <li>• Protection from osteoporosis (bone disease) Better sleep habits and patterns</li> <li>• Reduced risk of heart attack and stroke</li> <li>• Increased protection from viral diseases</li> <li>• Prevention of diabetes</li> <li>• Prevention of cancers</li> <li>• Improved general health and fitness.</li> <li>• Strong immune system</li> <li>• Improve ability to function in daily activities</li> </ul>	 <ul style="list-style-type: none"> <li>• Improved thinking, learning and judgement skills</li> <li>• Clears the mind</li> <li>• Helps to prevent mental diseases</li> <li>• Prevents negative thinking</li> <li>• Reduce stress</li> <li>• Growth of new brain cells in the areas of the brain responsible for memory and learning</li> <li>• A sense of well-being and achievement</li> </ul>	 <ul style="list-style-type: none"> <li>• Meeting people and making friends</li> <li>• Helps to integrate in a new situation</li> <li>• Prevents loneliness</li> <li>• Promotes social support</li> <li>• Decreases absenteeism at school/work</li> <li>• Improves teamwork and leadership skills</li> <li>• Promotes a spirit of co-operation</li> <li>• A sense of belonging</li> </ul>	<ul style="list-style-type: none"> <li>• Increased chemicals in the brain that make you feel happy and relaxed</li> <li>• Feelings of self-worth improve</li> <li>• Improved the mood; laughing and keep you happy</li> <li>• Feel good about yourself</li> <li>• Prevents depression</li> <li>• Prevents stress</li> <li>• Improves physical appearance which enhances self-esteem and increases confidence</li> </ul>



## HOW EXERCISE CAN BOOST BRAIN FUNCTION.

Studies show that making time for exercise can benefit mental health, relationships and lead to a healthier and happier life overall.

### ❖ Reduce Stress

One of the most common mental benefits of exercise is stress relief. Working up a sweat can help manage physical and mental stress. Exercise also increases concentrations of norepinephrine, a chemical that can moderate the brain's response to stress. So, go ahead and get sweaty -- working out can reduce stress and boost the body's ability to deal with existing mental tension. Win-win!

### ❖ Boost Happy Chemicals

Exercise releases endorphins, which create feelings of happiness and euphoria. Studies have shown that exercise can even alleviate symptoms of depression. For this reason, doctors recommend that people suffering from depression or anxiety (or those who are just feeling blue) to exercise frequently. From working out for just 30 minutes a few times a week can instantly boost overall mood.

### ❖ Improve Self-Confidence

On a very basic level, physical fitness can boost self-esteem and improve positive self-image. Regardless of weight, size, gender or age, exercise can quickly elevate a person's perception of his or her attractiveness, that is, self-worth. Exercising in the great outdoors can increase self-esteem even more plus, all that Vitamin D acquired from soaking up the sun (while wearing sunscreen, of course!) can lessen the likelihood of experiencing depressive symptoms.

### ❖ Alleviate Anxiety

The warm and fuzzy chemicals that are released during and after exercise can help people with anxiety to calm down.

### ❖ Boost Brainpower

Various studies have shown that cardiovascular exercise can create new brain cells and improve overall brain performance. Studies also suggest that a tough workout increases levels of a brain-derived protein in the body, believed to help with decision making, higher thinking and learning.

### ❖ Sharpen Memory

Regular physical activity boosts memory and ability to learn new things. Getting sweaty increases production of cells responsible for memory and learning. For this reason, research has linked children's brain development with level of physical fitness. A study showed that running sprints improved vocabulary retention also.

### ❖ Help Control Addiction

Exercise can help in addiction recovery. Short exercise sessions effectively distract drug or alcohol addicts, making them de-prioritize cravings (at least in the short term). Working out when on the wagon has other benefits, too. Alcohol abuse disrupts many body processes, including daily tempos. As a result, alcoholics find they can't fall asleep (or stay asleep) without drinking. Exercise can help reboot the body clock, helping people hit the hay at the right time.

### ❖ Increase Relaxation

For some, a moderate workout can be the equivalent of a sleeping pill, even for people with insomnia. Moving around five to six hours before bedtime raises the body's core temperature. When the body temp drops back to normal a few hours later, it signals the body that it's time to sleep.

### ❖ Get More Done

Feeling uninspired? The solution might be just a short walk or jog away. Research shows that those who take time for exercise on a regular basis are more productive and have more energy than their more sedentary peers.

### ❖ Tap into Creativity

A heart-pumping activity can boost creativity for up to two hours afterwards. Supercharge post-workout inspiration by exercising outdoors and interacting with nature. Next time you need a burst of creative thinking, hit the trails for a long walk or run to refresh the body and the brain at the same time.

### ❖ Inspire Others

Whether it's a pick-up game of soccer or just a run with a friend, exercise rarely happens in a bubble. And that's good news for all of us.

Even fitness beginners can inspire each other to push harder during a sweat session, so find a workout buddy and get moving!

Working out can have positive effects gaining self-confidence, getting out of a funk, and even thinking smarter are some of the motivations to take time for exercise on a regular basis.

Source: Adopted from [https://www.huffpost.com/entry/mental-health-benefits-exercise\\_n\\_2956099](https://www.huffpost.com/entry/mental-health-benefits-exercise_n_2956099)



## WEEK 1

### QUESTION 1

- 1.1. Read the extract below and answer the questions that follow.

**HUMAN FACTORS CAUSING ILL HEALTH**  
**CAN ALCOHOL ABUSE CONTRIBUTE TO HEART DISEASE?**

Alcohol is a source of excess calories and a cause of weight gain that can be harmful in your life. The side effects of alcohol include dependence and addiction. Heavy drinking, on the other hand, is linked to a number of poor health outcomes, including heart conditions.

[Source :Unknown]

- 1.1.1 State FOUR possible economic factors that may lead to substance abuse. (4x1) (4)
- 1.1.2 Explain TWO negative effects of a social factor, such as substance abuse, on the mental health of victims of substance abuse. (2x2) (4)
- 1.1.3 Discuss how a person involved in substance abuse could be unintentionally causing the development of cardiovascular disease (diseases of the heart and circulatory system). (2x3) (6)

## WEEK 1

- 1.2 Read the extract below and answer the questions that follow.

**HUMAN FACTORS CAUSING ILL HEALTH**  
**THE IMPORTANCE OF EARLY DETECTION AND DIAGNOSIS**

An early diagnosis benefits the individual and their family and friends. It can be upsetting living with symptoms like coughing, dehydration, memory loss and changes in personality, particularly if you don't understand why they are happening. As there are a number of conditions that have similar symptoms it is important that an accurate diagnosis is made. Whilst this can be difficult to hear.

[Source :Unknown]

- 1.2.1 State FOUR possible environmental factors that may influence the development of tuberculosis. (4x1) (4)
- 1.2.2 Explain TWO positive effects on early detection of a life style disease such as tuberculosis. (2x2) (4)
- 1.2.3 Discuss how a person suffering from a life style disease like tuberculosis can be given support by family members. (2x3) (6)



**WEEK 2**

2.1 Read the extract below and answer the questions that follow.

***HUMAN FACTORS CAUSING ILL HEALTH***  
**FIRST CASE OF COVID-19 CORONAVIRUS REPORTED IN SA**  
**5 March , 2020**

This morning, Thursday March 5, the National Institute for Communicable Diseases confirmed that a suspected case of COVID-19 has tested positive... The patient consulted a private general practitioner on March 3, with symptoms of fever, headache, malaise, a sore throat and a cough. The practice nurse took swabs and delivered it to the lab.

**Source Adapted From: <https://www.nicd.ac.za/first-case-of-covid-19-coronavirus-reported-in-sa/> (Accessed on 26/07/2024)**

- 2.1.1 Give a definition of the term Covid-19. (1x1) (1)
- 2.1.2 List FOUR precautionary measures, which can be implemented at schools to avoid the spread of Covid-19 pandemic. (4x1) (4)
- 2.1.3 Illustrate TWO negative effects on late detection of a life style disease such as Covid-19 pandemic (2x2) (4)
- 2.1.4 Discuss the negative impact of the COVID-19 pandemic on the management of patients with chronic diseases like cancer or heart disease. (2x2) (4)
- 2.1.5 Discuss the need to commit to participate in physical activities for long-term engagement to prevent lifestyle diseases (2x2) (4)

## WEEKS 3 & 4: CAREERS AND CAREER CHOICES

Investigate and report on the core elements of a job contract: worker rights and obligations, conditions of service

### Core Elements of job contract

- The core elements of job contract are workers' rights, workers obligations and conditions of service which are all determined and protected by legislation.
- The Basic Condition of Employment Act (BCEA), 75 of 1997 sets out the **core elements** (refers to **conditions of service**). The basis of employment contracts can be found in Section 13 of the South African Constitution.
- Employment contract contain numerous vital elements on which the employment is based and are useful for employers to know before they decide to draw up the document.
- An employer needs an employment contract that protects him and his business, while ensuring a suitable work environment for his employee. When both interests are served in fair manner, both the company and the employee reap benefits.
- Providing an employment contract essentially replaces the standard hiring understanding between employer and employee.

### Conditions of service

- Companies and jobs are not the same and they will have different conditions of service. Conditions of service includes things like the **number of hours you will be expected to work** (normally 40 hours per week) as well as the **amount of leave you will be able to take every year**. All of the conditions of service should be covered in your employment contract.
- Depending on your job and responsibility within a company your conditions of service will also indicate items like **disciplinary procedures** for e.g. constant late coming for work, absent without valid reason or any other form of non-compliance with company policy.
- All the conditions of service are covered in the Basic Conditions of Employment Act and each company should set their conditions of service in line with this law.
- This act or law will protect you and your employer from taking advantage of each other or of practising unfairness in the workplace.
- In order to protect you, your conditions of service should also indicate the policies and procedures in case of grievances in your company.

### - Labour laws:

- As a result of South Africa's apartheid past, job reservation and the segregation and exploitation of workers, South African labour is ruled by four major acts or laws. They are the Labour Relations Act, the Basic Conditions of Employment Act, the Employment Equity act and the Skills development Act. These laws were designed to protect the rights of workers and employers and all of them will affect you directly when you start working or looking for a job. (These laws do not apply to members of the South African Secret Service, the National Intelligence Agency or the National Defence force members). All these laws can be found on the website of the Department of Labour. ([www.labour.gov.za](http://www.labour.gov.za))
- All laws have an introduction. This refers to the reason for making and implementing the law and to whom it applies or who is excluded from it. The next part will refer to the "rules" made by the law. It will end by saying how to solve problems.
- Labour Relations Act (LRA) (as amended in 2002)

- The Labour Relations Act covers all the interaction between employers and employees. The act applies to all employers, workers, trade unions and employers' organisations.
- Labour relations are controlled by the government and the regulations it lays down working conditions for employers. The purpose of the act is to make sure that Section 27 of the Constitution of South Africa is implemented in the work place. The act makes sure that the Constitutional Rights of all employers and employees are adhering to.
- Workers' Rights and obligations
  - ❖ Workers and Employers rights are protected in the Labour Relations Act (LRA). Workers' rights in South Africa are outlined in the Bill of Rights or Section 27 of the Constitution of the Republic of South Africa.

### Workers' rights in South Africa

- The right to choose your own trade, profession or occupation.
- The right to fair labour practice
- The right to join a union
- The right to be part of the program and activities arranged by the Union.
- The right to strike
- To keep to the agreement in the job contract.
- Give the employer value for his money by being productive during working hours and not stay away without a valid reason.

### Employers rights in South Africa

- The right to join an employer's organisation
- The right to be part of the program and activities arranged by the employers' organisation.
- To keep to the agreement in the job contract. He cannot change the conditions of employment without consulting the employee.
- Not to engage in unfair labour practice
- To arrange his business practices according to the labour law of the country.
- To apply Affirmative action
- To apply the Equity Act in the work place.





• Labour laws - Identify, define and discuss the:

Glossary

KEY CONCEPTS	EXPLANATION
Employment contract	A voluntary agreement between two parties in terms of which one party (the employee) places his or her personal services or labour potential at the disposal and under the control of the other party (the employer) in exchange for some form of remuneration which may include money and/or payments in kind. Also refer to contract of employment is a kind of contract used in labour law to attribute rights and responsibilities between parties
Act	Law or piece of legislation
Obligations	Refers to duties and responsibilities; things you must do because these are the law, you have promised to them, or they are morally right.
Condition of service	Sets out the duties, responsibilities, hours of work, salary, leave and other privileges to be enjoyed by person employed.
Affirmative Action	Action taken to favour people who were discriminated in the work environment in the past.
Equity	Refers to fairness; equal opportunity and fair treatment in the workplace by eliminating unfair discrimination in any employment policy or practice.
Redress	A way to correct or fix something that is wrong or unfair.; correct or fix injustice experience by groups who have been disadvantaged in the past by developing skills of those who did not have the opportunities or making right what is wrong.
Principle	A basic idea or rule that explains or controls how something happens or works.
Designated groups	People from a certain groups; black people, women and people with disabilities
Recruitment e-recruitment	Finding suitable people for a particular job. Recruitment on line.
Collective bargaining	People negotiating as a group.
Dismissal	Being fired from the job.

## Labour Laws

Over the past few years, the labour laws have changed; replaced with new versions. Here's all you need to know about this Act.

LEGISLATION	EXPLANATION
<b>The Labour Relation Act (LRA)</b>	<ul style="list-style-type: none"> <li>• Address trade union matters, collective bargaining, dismissal law and labour disputes resolution.</li> <li>• Address unfair labour practices and provide key requirements for a fair dismissal</li> <li>• Gives code of good practice; guidelines to deal with issues such as HIV and AIDS, sexual harassment cases and trade union and employer organisation registration</li> </ul>
<b>The Employment Equity Act (EEA)</b>	<ul style="list-style-type: none"> <li>• Focuses on the removal of unfair workplace discrimination</li> <li>• Applies affirmative action</li> <li>• According to the Act, it is not unfair discrimination to promote affirmative action consistent with the Act or to prefer or exclude any person on the basis of inherent job requirement.</li> </ul>
<b>Basic Conditions of Employment Act</b>	<ul style="list-style-type: none"> <li>• Controls and standardise the basic conditions of employment</li> <li>• Covers the basic terms of employment</li> </ul>

## Labour Relations Act

### ❖ Objects of the Act:

The Labour Relations Act aims to promote economic development, social justice, labour peace and democracy in the workplace. It sets out to achieve this by fulfilling the primary objectives of the Act, which are:

- To give effect to and regulate the fundamental rights conferred by section 27 of the Constitution, including the right to fair labour practices, to form and join trade unions and employer's organisations, to organise and bargain collectively, and to strike and lock out.
- To provide a framework for regulating the relationship between employees and their unions on the one hand, and employers and their organisations on the other hand. At the same time it also encourages employers and employees to regulate relations between themselves.
- To promote orderly collective bargaining, collective bargaining at sectoral level, employee participation in decision-making in the workplace and the effective resolution of labour disputes.

- **Key Provisions:**

- Joining Organisations. [Chapter 2]**

Strong trade unions and employer's organizations are necessary for effective collective bargaining. Collective bargaining is an important way of regulating industrial relations and of determining employees' wages and benefits.

In the past trade unions struggled to secure organizational rights (such as permission to enter a workplace or conduct union meetings there). This was a major hamstring for trade unions as this right is essential for building the capacity of trade unions to enable them to bargain more effectively.

The Act therefore sets out to strengthen trade union organisation by supporting freedom of association rights, which enable employees and job seekers to participate freely in union activities, and by supporting organisational rights, which makes it easier for unions to organise employees.

The Act also makes sure that no obstacles exist that will prevent employers to join employers' organisations.

Even though employers' organizations do not have to register with the Department of Labour, they are advised to do so. If they do not register, there is no guarantee for members that there will be a proper constitution or control over finances.

Registration provides some check on abuse, corruption and unconstitutional practices such as racism. It also affords certain rights to unions such as the right to participate in forming a federation of trade unions or a federation of employers' organizations and the right to conclude collective agreements.

If there is a dispute about the interpretation or application of any of the provisions in this chapter, then the party who alleges that a right has been infringed must prove the facts of the conduct. The burden then shifts to the party who engaged in that conduct to prove that the conduct did not infringe any provision of the chapter.

## **Organizing and Collective Bargaining [Chapter 3]**

The Act provides for the following organizational rights:

- ❖ ***Trade union access to a workplace.***

This includes the right of unions to enter an employer's premises to recruit or meet members, hold meetings with employees outside their working hours and conduct elections or ballots among its members on union matters.

- ❖ ***Deductions from employees' wages of trade union subscriptions by the employer for the trade union.***

- ❖ ***Election of trade union representatives at a workplace.***

The more members the trade union has, the more representatives it can elect. These representatives can assist and represent employees in grievance and disciplinary proceedings, monitor the employer's compliance with labour laws, etc.

- ❖ ***Leave for trade union activities during working hours.***

Union representatives are entitled to reasonable time off with pay during working hours to perform their functions as union representatives, or receive training in the functions of union representatives.



### **Strikes and lock-outs. [Chapter 4]**

The Act grants employees the right to strike. It also grants employers recourse to lock out employees. Some of the issues over which a strike or lock-out might be held are wage increases, a demand to establish or join a bargaining council, a demand for organizational rights, etc. Strikes can be either protected or unprotected. If a trade union wants to embark on a protected strike, then certain requirements have to be met. One of the most important requirements is that the trade union must give the employer at least 48 hours' notice of its intention to embark on a strike action. If the employer is the State, then 7 days' notice is required. Once a strike is protected employees may not be dismissed for going on strike, they may not get a court interdict to stop the strike, employees do not commit breach of contract by going on strike and employers may not institute civil proceedings against employees on strike.

### **Participation in workplace decision-making. [Chapter 3]**

The Act provides three options for promoting centralised collective bargaining, i.e.:

#### ❖ **Collective agreements**

Employers and a trade union can negotiate a collective agreement, providing for joint negotiations. The terms and conditions of the collective agreement will then apply only to the parties to the agreement and its members.

#### ❖ **Bargaining Councils**

May negotiate agreements on a range of issues, including wages and conditions of work, benefits, training schemes, and disciplinary and grievance procedures. Council agreements may be extended to all employers and employees in the council's registered scope of representivity, as long as certain requirements are met.

#### ❖ **Statutory Councils**

Is a weaker version of a bargaining council. While the parties to a statutory council can draw up agreements on wages and working conditions, these agreements cannot be extended to employers and employees outside the council. However, agreements on training schemes, provident or pension funds, medical schemes and similar benefit schemes can be extended by the minister to cover all employers and employees in that sector.

### **Registering and managing organizations. [Chapter 6]**

Provision of workplace forums is a major innovation in the Act. These forums are committees of employees elected by employees in a workplace. They will meet employers on a regular basis for consultation on workplace issues.

The general functions of workplace forums are to promote the interests of all employees (not just those of trade union members), to enhance efficiency in the workplace, to be consulted by the employer on certain matters and to participate in joint decision-making on other matters.

### **Settling disputes. [Chapter 7]**

The Act fundamentally changes dispute resolution institutions and procedures. Procedures are planned to be simple and efficient. The Act promotes private procedures negotiated between parties for the resolution of disputes.

It establishes an independent body, the Commission for Conciliation, Mediation and Arbitration (CCMA), which will actively seek to resolve disputes through conciliation and arbitration. It also establishes new courts, namely the Labour and Labour Appeal court, which are the only courts which can hear and decide labour disputes arising from 11 November 1996, and which have more authority and power than the previous courts.

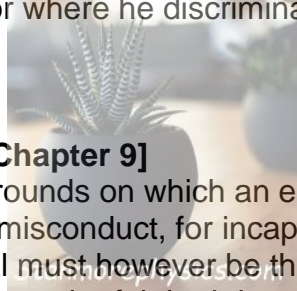
### **Unfair treatment in the workplace. [Chapter 8]**

The Act provides for the regulation of unfair treatment in the workplace via a provision on unfair labour practices. In terms of the Act the following treatments amount to unfair labour practice, i.e.:

- ❖ Discrimination against employees or applicants for employment.
- ❖ Discrimination based on any arbitrary reason, e.g. race, gender, sex, etc.

Discrimination can be either direct (e.g. employer refuses to pay a woman doing the same job as a man the same wage just because she is a woman. It can also occur in an indirect manner, (e.g. employer rules that employees who are absent from work for longer than 30 days in a year will not get a bonus).

Treatment will however not amount to an unfair labour practice where the employer applies an affirmative action policy or where he discriminated on the ground of the inherent requirements of a particular job.



### **Discipline and Dismissals. [Chapter 9]**

The Act provides three grounds on which an employer may dismiss an employee, i.e. where the employee is guilty of misconduct, for incapacity and for operational reasons (retrenchment). Dismissal must however be the last resort for an employer. In order for a dismissal to be valid, it has to be fair both in terms of substance and procedure. In other words, the dismissal must be for a substantive reason such as breaking a rule of conduct in the workplace where the rule was valid and reasonable, the employee knew about the rule, the employer applied the rule consistently and dismissal is the appropriate step to take against the employee.

Even if there are very good substantive reasons for a dismissal, an employer must follow a fair procedure before dismissing the employee. This requires the employer to conduct an investigation into the alleged misconduct. The employer must inform the employee of the investigation, the union should be consulted before the inquiry commences, the employee should be given adequate time to prepare his or her response to allegations levelled against him or her and the employee has the right to be assisted by a shop steward or other employee.

An employee, who feels that he or she has been unfairly dismissed, can lodge a complaint with the Commission on Conciliation, Mediation and Arbitration (CCMA). If a dispute remains unresolved, the employee may refer it to arbitration where it concerns misconduct or incapacity or to the Labour Court where it concerns retrenchment. The employee only has to prove the dismissal and then the onus shifts to the employer to prove that the dismissal was for a fair reason.

The Commission or Labour court can either order reinstatement of the employee, pay from the date of dismissal until the last day of the court or arbitration proceedings if the dismissal is only procedurally unfair, up to two years' wages for automatically unfair dismissals and a maximum of one years' wages if the unfair dismissal is for misconduct, incapacity and retrenchments.

## Obligations imposed by the Act

### 1. Employer

In terms of the organizational rights of registered trade unions, the employer is obliged to grant to trade union representatives access to its premises in order to recruit members or communicate with members or otherwise serve members' interests. The Act also obliges the employer to grant leave of absence to trade union representatives to carry out the work of the union. Where an employee joins a trade union and authorizes the employer to deduct membership fees, the employer is obliged to make such deductions as soon as possible and must then remit the membership fees to the relevant trade union. The employer is also obliged to disclose to a trade union representative any relevant information that will enable the representative to perform his or her functions effectively. *[Chapter 3]*

2. In terms of dismissal of employees, the Act obliges the employer to follow a fair procedure. This includes the requirements that the employer should conduct investigations into alleged cases of misconduct, inform the employee of the investigation, consult the union before the inquiry commences, give the employee adequate time to prepare his or her response to allegations levelled against him or her and the informing the employee of his or her to be assisted by a shop steward or other employee *[Chapter 9]*

Employers are also obliged to keep records of any collective agreements, arbitration awards or wage determinations.

3. **Employee** In terms of the registration of trade unions, the Act obliges trade unions to keep proper records of its income, expenditure and liabilities. To this end, financial statements have to be prepared within six months after the end of each financial year.

4. Registered trade unions are also obliged to keep a list of its members, the minutes of any meetings held and the ballot papers for a period of three years. They must also provide the Registrar of Labour Relations with financial reports, lists of members, changes of addresses, information on the election of its office bearers etc. *[Chapter 6: Part A]*

### 5. Registrar of Labour Relations

The Act makes provision for the appointment of a Registrar of Labour Relations. It obliges the registrar to keep a register of registered trade unions, registered employers' organizations, federations of trade unions, federations of employers' organizations and councils. If a new entry is made or removed from the register, the Registrar must give notice thereof in the Government Gazette within 30 days of the entry or deletion *[Chapter 6: Part C]*.

Source: <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/docs/2000/appendices/000229LRASummary.htm>



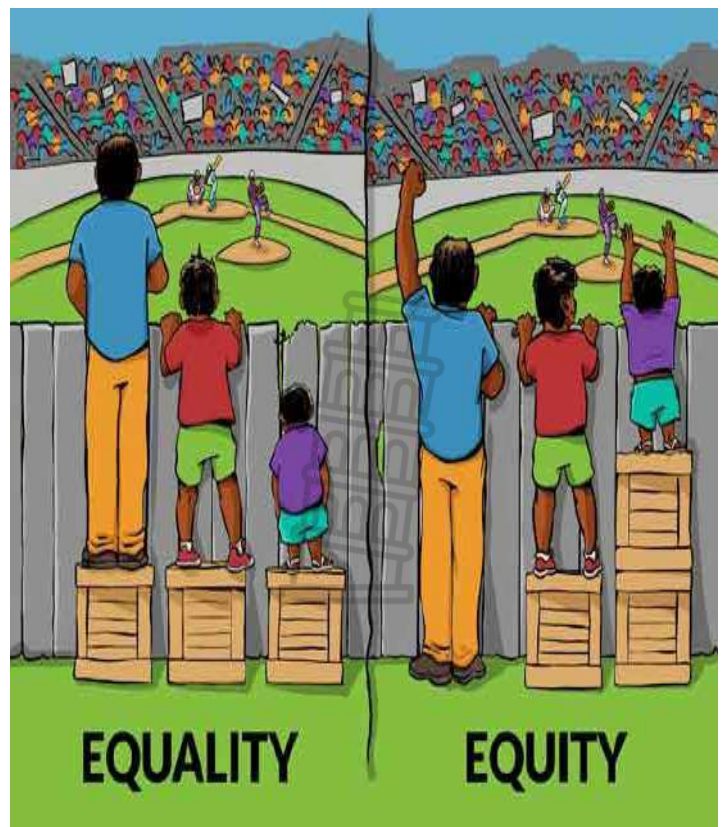
- **Employment Equity Act**

- ❖ South Africa is one of the most culturally, racially and economically diverse countries in the world. To ensure that everyone enjoys equal opportunity and fair treatment in the workplace, the Employment Equity Act, No 55 of 1998 was enacted into law.
- ❖ The Employment Equity Act protects you, and your rights, from any form of discrimination by your employer. Here's all you need to know about this Act.
- ❖ What is the Employment Equity Act?  
The Employment Equity Act is the law that promotes equity in the workplace, ensures that all employees receive equal opportunities and that employees are treated fairly by their employers. The law protects you from unfair treatment and any form of discrimination. The law states that your employer can't discriminate against you directly or indirectly through employment policy or practice on the grounds of:
  - Gender, pregnancy, marital status, family responsibility,
  - ethnic or social origin, colour,
  - sexual orientation, age,
  - disability, religion, HIV status,
  - conscience, belief, political opinion,
  - culture, language, and birth.

## **The purpose of the Employment Equity Act**

The purpose of the Act is to achieve equity in the workplace, by:

- ❖ Promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination.
- ❖ Implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups (A designated group means black people, women, or people with disabilities) to ensure their equitable representation in all occupational categories and levels in the workforce.
- ❖ The act applies to all employees and employers, except to the South African National Defence Force, National Intelligence Agency, and South African Secret Services.
- ❖ The act also protects employees from unfair medical testing and evaluation, it states:



Medical testing of an employee is permissible only when legislation requires testing or when this is justifiable for various reasons.

HIV testing is prohibited unless such testing is determined to be justifiable by the Labour Court.

Psychological testing and similar assessments are prohibited, unless the test is scientifically valid and reliable, can be applied fairly to all employees, and isn't biased against any employee or group.

### **Application of the Act**

According to the legislation the act applies to:

- a. Chapter II (sections 5 – 11) all employers and employees.
- b. Chapter III (sections 12 – 27) applies to designated employers.
- c. A designated employer means an employer who employs 50 or more employees or has a total annual turnover as reflected in Schedule 4 of the Act, municipalities and organs of state. Employers can also volunteer to become designated employers.
- d. A designated group means black people, women, or people with disabilities.
- e. The South African National Defence Force, National Intelligence Agency, and South African Secret Services are excluded from this Act.

- **What's the responsibility of the employer to ensure that the EEA is being implemented?**

A designated employer must prepare and implement a plan to achieve employment equity, which must:

- ❖ have objectives for each year of the plan,
- ❖ include affirmative action measures,
- ❖ have numerical goals for achieving equitable representation,
- ❖ have a timetable for each year,
- ❖ have internal monitoring and evaluation procedures, including internal dispute resolution mechanisms, and
- ❖ identify persons, including senior managers, to monitor and implement the plan.

- **What can you do if you were unfairly dismissed or discriminated against?**

- ❖ An employee, or applicant for employment, may refer a dispute concerning alleged unfair discrimination (or medical or psychological testing) to the CCMA for conciliation. This must be done within 6 months of the alleged discrimination (or testing).
- ❖ If a dispute isn't resolved at conciliation, a party may refer it to the Labour Court for adjudication. The parties to a dispute may also agree to refer the dispute to arbitration.
- ❖ Unfair dismissal disputes in which unfair discrimination is alleged must be dealt with in terms of the Labour Relations Act. The dismissal must be referred to the CCMA within 30 days.

Source: <https://www.westerncape.gov.za/general-publication/employment-equity-act-summary>

## Basic Conditions of Employment Act (BCEA) 2020

- ❖ Department of Labour (National) (The Government of South Africa)
- ❖ South African workers and employers enjoy many rights, thanks to the Basic Conditions of Employment Act. From leave days to the termination of your employment and more, here's all you need to know about this Act.
- ❖ **Who does the Act apply to?**  
The Act applies to all workers and employers except members of the National Defence Force, National Intelligence Agency, South African Secret Service and unpaid volunteers working for charities.
- ❖ **Working hours**
  - This section doesn't apply to:
    - senior managers (those who can hire, discipline and dismiss workers)
    - sales staff who travel
    - workers who work less than 24 hours a month
    - those doing emergency work are excluded from certain provisions.
- ❖ **Ordinary hours of work**
  - You must not work more than:
    - 45 hours in any week.
    - 9 hours a day if a worker works 5 days or less a week.
    - 8 hours a day if a worker works more than 5 days a week.
- ❖ **Compressed work week**  
You may agree to work up to 12 hours a day without paid overtime. This agreement must be in writing. When working a compressed working week, workers can't work more than 45 hours a week, 10 hours overtime or 5 days a week.
- ❖ **Averaging**  
A collective agreement may allow your working hours to be averaged over a period of up to 4 months. Agreeing to this, a worker can't work more than an average of 45 ordinary hours a week and 5 hours of overtime a week. A collective agreement for averaging must be re-negotiated each year.
- ❖ **Overtime**  
Overtime hours
  - If overtime is needed, you must agree to it and may not work for more than 12 hours a day or more than 10 hours overtime a week.
  - Please note that a collective agreement can be made to increase this to 15 hours a week, but only for up to 2 months a year.Pay for overtime
  - Overtime must be paid at one-and-a-half (1.5) times of your normal hourly pay rate.
  - You and your employer may also agree to paid time



### Meal breaks and rest periods

- You must have a meal break of 60 minutes after 5 hours' work. A written agreement may lower this to 30 minutes and do away with the meal break if you work less than 6 hours a day.
- You must have a daily rest period of 12 continuous hours and a weekly rest period of 36 continuous hours. Unless otherwise agreed, this must include Sundays.

### Sunday work

- If you sometimes work on a Sunday, you must get double pay. If you normally work on a Sunday, you must be paid one-and-a-half (1.5) times the normal wage. There may be an agreement for paid time off instead of overtime pay.

### Night work

- Night work is unhealthy and can lead to accidents. If you work between 18:00 and 06:00 you must get extra pay (allowance) or be able to work fewer hours for the same amount of money.
- Transport must be available to the workers.
- If you usually work between 11pm and 6am, you must be told of the health and safety risks. You're entitled to regular medical check-ups, paid for by your employer. You must be moved to a day shift if night work develops into a health problem. All medical examinations must be kept confidential.

### Public holidays

- You must be paid if you work on a public holiday and you're only allowed to work if you've agreed to. You can either get paid double your normal wage or negotiate time off work.

### Leave

#### ❖ Annual Leave

- You can take up to 21 continuous days' annual leave or, by agreement, 1 day for every 17 days worked or 1 hour for every 17 hours worked.
- Leave must be taken by no later than 6 months after the end of the annual leave cycle. You can only get paid for any leave outstanding when you leave the job.

#### ❖ Sick Leave

- You can take up to 6 weeks' paid sick leave during a 36-month cycle.
- During the first 6 months of starting at a company, you can take 1 day's paid sick leave for every 26 days you've worked.
- An employer may want a medical certificate before paying you when you're sick for more than 2 days at a time or more than twice in 8 weeks.

#### ❖ Maternity leave

- If you're pregnant, you can take up to 4 continuous months of maternity leave.
- You can start your maternity leave any time from 4 weeks before the expected date of birth or on a date a doctor/midwife says is necessary for your health or that of your unborn child.
- You may work for 6 weeks after the birth of your child unless a doctor or midwife has advised you to.
- A pregnant or breastfeeding female worker isn't allowed to perform work that's dangerous to her or her child.

### **Your rights as a working breastfeeding mom**

- ❖ When you return to work from maternity leave, you can ask your manager or supervisor for space where you can breastfeed or express milk.
- ❖ According to the Code of Good Practice on the protection of employees during pregnancy and after the birth of a child, arrangements should be made for you to have 2 breaks of 30 minutes per day for breastfeeding or expressing milk. This should be arranged for every working day for the first 6 months of your child's life.
- ❖ A toilet isn't a safe or hygienic space to express milk. Try to get a clean and private space for you to express milk or breastfeed.

### **Paternity leave**

- ❖ Fathers are entitled to 10 consecutive day's unpaid paternity leave. You will have to claim from the Unemployment Insurance Fund (UIF) for those unpaid days.
- ❖ This is applicable to fathers who adopt a child under 2 years old. This leave can be taken from the date that the adoption order is given or when the child is placed in the care of the adoptive parents.
- ❖ The employer should be notified in writing when the leave will be taken unless you're unable to do so.

NOTE: Please confirm with your Human Resources department if your company has adopted the 10-day paternity leave and the conditions attached to it.

### **Family responsibility leave**

If you're employed full-time for longer than 4 months, you can take 3 days' paid family responsibility leave per year when your

- ❖ child is born
- ❖ child is sick
- ❖ for the death of your spouse or life partner, parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling.

NOTE: An employer may want reasonable proof of the birth, illness or death for which the leave was taken.

### **Job information and payment**

Employers must give new workers information about their job and working conditions in writing. This includes all the terms of conditions of employment and a list of any other related documents.

#### **Minimum wage**

- Minimum wage is the lowest wage that an employer should pay to a worker. As from the 1st of January 2019, no worker may be paid below the national minimum wage which is currently set at R20 an hour.
- Your minimum wage is determined by the sector you work in.

### Keeping records

Employers must keep a record of at least:

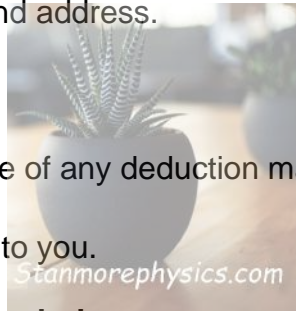
- Your name and job.
- Time worked
- Money paid
- Date of birth for if you're under 18 years old.
- Payment

### An employer must pay you:

- In South African money.
- Daily, weekly, every two weeks or monthly.
- In cash, cheque or direct deposit.
- With a payslip.

### Each pay slip must include:

- The employer's name and address.
- Your name and job.
- The period of payment.
- Your pay.
- The amount and purpose of any deduction made from the pay.
- The actual amount paid to you.



### The pay slip must also include:

- Ordinary pay rate and overtime pay rate.
- The number of ordinary and overtime hours worked during that period of payment.
- The number of hours worked on a Sunday or public holiday during that period.
- The total number of ordinary and overtime hours worked in the period of averaging if there's an averaging agreement.

### ▪ Approved deductions

An employer may not deduct any money from your pay, unless:

- You've agreed in writing.
- The deduction is required by law or permitted in terms of a law, collective agreement, court order or arbitration award.

### ▪ Termination of employment

#### Notice

You or your employer must give notice to end an employment contract of not less than:

- 1 week, if employed for 6 months or less.
- 2 weeks, if employed for more than 6 months but not more than one year.
- 4 weeks, if employed for 1 year or more.
- The notice must be in writing, except for a worker who can't write. If you can't write, you can give verbal notice.

If you live in premises owned by your employer, you must be given 1 months' notice to leave or be given another place to live until the contract is lawfully ended.

Even if you're given notice to leave the premises where you're living, you can still challenge the dismissal using the Labour Relations Act or any other law.



### Severance pay

An employer must pay you if you're dismissed due to retrenchment or restructuring, at least 1 week's severance pay for every year of continuous service.

You're not entitled to severance pay if you unreasonably refuse other employment with the same employer or with another employer.

### Certificate of service

You must be given a certificate of service when you leave a job.

### Child labour and forced labour

- It is against the law to employ a child under 15 years old.
- Children under 18 may not do dangerous work or work meant for an adult.
- It is against the law to force someone to work.

### Variations of Basic Conditions of Employment Bargaining Council

A collective agreement concluded by a bargaining council can be different from this law. It however must not:

- Negatively affect workers' health and safety, and family responsibilities.
- Lower annual leave to less than 2 weeks.
- Lower maternity leave in any way.
- Lower sick leave in any way.
- Lower the protection of night workers.
- Allow for any child labour or forced labour.



### Other agreements

Collective agreements and individual agreements must follow the Act.

### The Minister

The Minister of Labour may decide to vary or exclude a basic condition of employment. Employers or employer organisations can also apply to do this.

### Sectoral determinations

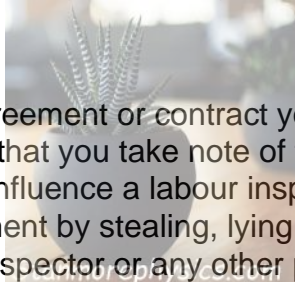
Special rules that still abide by this Act can be made for specific sectors to establish basic conditions for workers in a sector and area.

## Employment Conditions Commission

This Act allows the Employment Conditions Commission to advise the Minister of Labour, Monitoring, Enforcement and Legal Proceedings.

Inspectors play an important role in implementing this law. They need to do the following:

- Advise workers and employers about their labour rights and obligations.
- Inspect, investigate complaints.
- Question people.
- Inspect, copy and remove records.
- Serve a compliance order by writing to the Director-General of the Department of Labour, who will then look at the facts and agree, change or cancel the order.



This Act overrules any agreement or contract you may have signed with your employer or worker and it is important that you take note of the following key points. It is a crime to:

- Try to prevent, block or influence a labour inspector or any other person obeying this Act.
- Get or try to get a document by stealing, lying or showing a false or forged document.
- Pretend to be a labour inspector or any other person obeying this Act.
- Refuse or fail to answer questions from a labour inspector or any other person obeying this Act.
- Refuse or fail to obey a labour inspector or any other person obeying this Act.

Note: If a worker works more than 24 hours a month, a worker is a full time worker and protected by the Basic Conditions of Employment Act.



### WEEK 3

- 3.1 Read the extract below and answer the questions that follow.

#### THE EMPLOYEE'S DUTIES

The core of the EMPLOYEE's duties towards the EMPLOYER is a duty to obey all lawful and reasonable order and to perform such work as she / he is directed to perform which falls within his / her vocational ability.

WORK PLACE The EMPLOYEE will execute his / her duties at the following offices:.....

EMPLOYEE. SERVICE HOURS Service hours will be from 08h00 until 17h00 on weekdays. It will be expected from the EMPLOYEE to work on Saturdays as from ..... up to ..... The EMPLOYER will however not expect of the employee to work more than 45 hours normal hours of work

REMUNERATION The EMPLOYEE will be entitled to the following remuneration: A monthly salary of :.....

( OPTIONAL) An annual bonus equal to one month's salary, payable on the EMPLOYEE's birthday month (\*or: at the end every year during December). This bonus will only be paid after the completion of a twelve (12) months continuous service with the EMPLOYER.

....

#### Source Adapted From:

<https://www.samedical.org/images/attachments/employment-contract-revised.pdf> (Accessed on 26/07/2024)

- |       |   |           |
|-------|---|-----------|
| 3.1.1 | Identify the above job document.  | (1x1) (1) |
| 3.1.2 | Define the term job probation.  | (1x2) (2) |
| 3.1.3 | Describe TWO reasons why this document is important to the employee.                          | (2x2) (4) |
| 3.1.4 | Explain how workers' rights and obligations are protected by a job contract.                  | (2x2) (4) |
| 3.1.5 | Discuss ways on how a similar contract could be used at school level to maintain punctuality. | (2x2) (4) |



**WEEK 4**

4.1 Read the extract below and answer the questions that follow.

**EPWP workers to lose their jobs in eThekweni**



eThekweni Municipality is experiencing service disruptions following a strike by EPWP workers that has spread from a protest occupation outside the city hall. Photo by Nokulunga Majola.

The trade unions in local government in eThekweni are shocked at the cancellation of contracts of about 9,000 EPWP workers...workers' expressed sadness that after working for more than ten years with the hope of full employment, they are now being abandoned. Silindile Sokhela, an EPWP employee and the secretary of the Municipal and Allied Trade Union of South Africa (Matusa), revealed that they used to be called every year when the contract was about to expire to discuss the situation with their employer.

**Source adapted from: <https://elitshanews.org.za/2024/07/25/epwp-workers-protest-disrupts-durban-waste-collection/> (Accessed on 26/07/2024)**

- |       |  |           |
|-------|--|-----------|
| 4.1.1 | Define the term arbitration.   | (1x2) (2) |
| 4.1.2 | State TWO main purposes of a trade Union like Matusa.  | (2x1) (2) |
| 4.1.3 | Elaborate TWO ways in which the Basic Conditions of Employment Act (BCEA), 1997 (Act 75 of 1997) could help EPWP workers in addressing non-compliance with working conditions. | (2x2) (4) |
| 4.1.4 | Discuss TWO ways in which the Labour Relations Act provide protection to the employees.  | (2x2) (4) |

## WEEKS 5 & 6: CAREERS AND CAREER CHOICES

### Principles of equity and redress

#### Glossary

- Equity – refers to fairness; equal opportunity and fair treatment
  - Redress – a way to correct or fix something that is wrong and unfair.
- 
- ❖ The history of South Africa's labour practices has been known by inequality and exploitation; division between black and white, male and female. Skills development and employment equity did not exist e.g. most black women worked on farms or as domestic works with few rights.
  - ❖ The employment Equity Act contains the principles of equity and redress. This is achieved when everybody has the same opportunities and everybody is treated fairly.
  - ❖ Principle of Equity  
The principle of giving extra job opportunities or advantages to people who have traditionally been treated unfairly because of their race, gender, sexual orientation physical differences, marital status, disability, religion, HIV status, belief, political opinion, culture, language and birth.
  - ❖ Principle of Redress  
The principle which deals with rectifying the wrongs or injustices of the past, making right the current wrong and restoring fairness in South African work place.
    - There is an effort to redress the disadvantages of the past and to promote previously disadvantage people like women and disable people.
- 
- What is the difference between employment equity and affirmative action?
    - ❖ **Affirmative action** deals with equal employment opportunities and equal representation in all occupation groups and levels in the workplace.
    - ❖ **Employment equity** has to do with the numbers of workers from different groups in the workplace. Equity is achieved through affirmative action.
    - ❖ Recruitment process: general trends and practices
    - ❖ Recruitment refers to the process of getting the right person to apply for the job in a company. The aim of recruitment is to get a number of qualified or skilled people to apply for a particular job or vacancy.
  - ❖ The recruitment process should be fair, confidential, promote diversity and achieve equity in the workplace.
  - ❖ Various ways to recruit/find people to join a company/business and do a particular job:
  - ❖ Advertisements which is the most common process e.g. newspapers, magazines, career magazines, noticeboards, libraries, etc.
- 
- Recruitment on line (also known as e-recruitment). To apply on line for a job application you may be asked to:
    - ❖ Fill in an online job application
    - ❖ Submit your CV online, including photographs

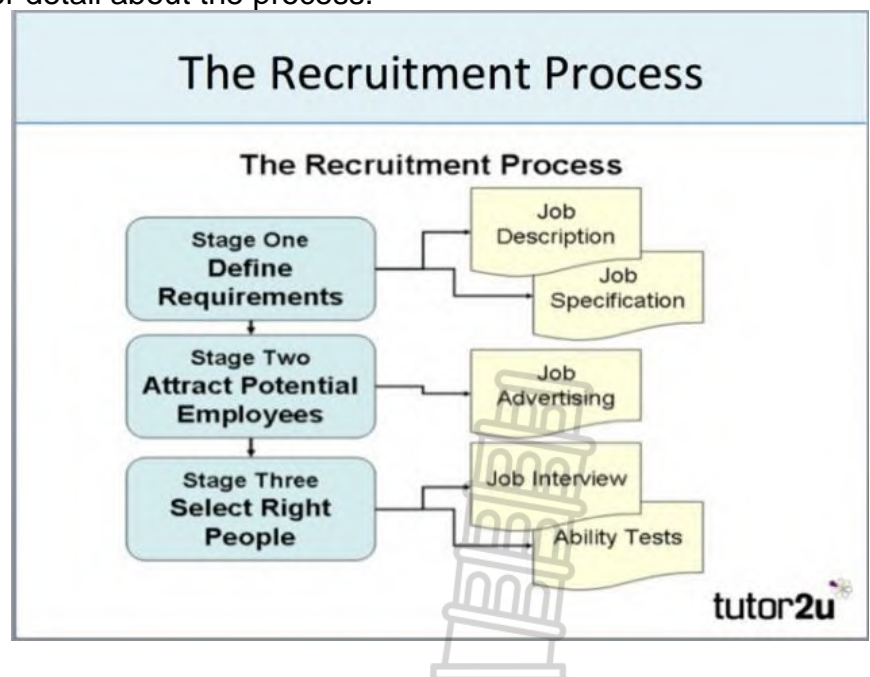
- ❖ Complete some tests to see if you are suitable/qualified for the job.
- ❖ Write a few paragraphs about yourself
- ❖ Make an appointment for telephone interview.
- Some employers use social network sites to advertise jobs e.g.
- ❖ Facebook wherein companies may have a Facebook page only to Careers in the company.
- ❖ Twitter; companies may tweet jobs
- ❖ LinkedIn; many companies use this site to post jobs and find candidates for employment



- See the exemplar diagram below for detail about the process.

#### Glossary

- Recruitment – finding suitable people for a particular job.



#### Trade unions and organised labour

##### Trade unions

- ❖ Organisations that represent the interests of their members in the workplace.
- ❖ Participate in collective bargaining/negotiations with employers e.g. wage increase, improvement in workplace condition.
- ❖ Examples of trade unions: South African Democratic Teachers Union, South African Transport and Allied Workers Union, National Union of Mineworkers

### Trade union official-bearers/officials have the right to:

- ❖ Enter the workplace to recruit members and to communicate with them.
- ❖ Hold meetings with employees at their work place, but outside working hours.
- ❖ Members of a trade union are entitled to:
- ❖ Elect trade union representatives at their workplace
- ❖ Authorise the employer to deduct union subscription/levies from member's wages.

### Trade union representatives/shop stewards are full time employees who have been elected by members of the trade union. They have the right to:

- ❖ Assist and represent employees in grievance and disciplinary proceedings.
- ❖ Get special leave if they are elected as office bearers for union activities e.g. attending conference/training.
- ❖ Check whether employers are keeping to the law in the treatment of employees.
- ❖ Get relevant information from the employer that will allow the representative to carry his/her functions, such as representing an employee at a disciplinary hearing.

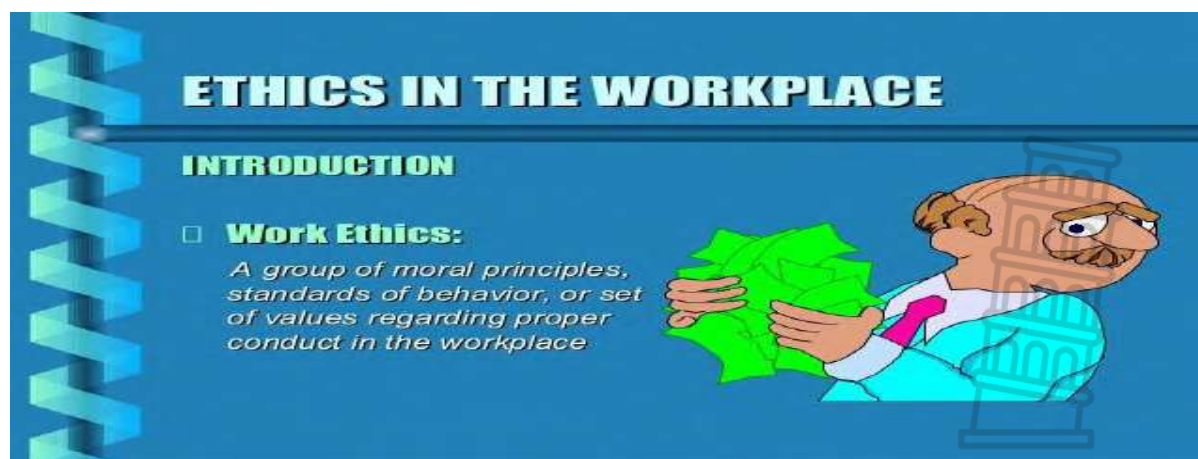
### Organised labour

- Trade unions are a form of organised labour.
- Other forms of organised labour include:
  - Employers' organisation - look after the interests of their members, negotiate with trade unions and keep members up to date on the latest labour laws.
  - Federations – a group of organisation that is made up of smaller groups, such as groups of trade unions or groups of employers' organisation. They negotiate with government and represent their members.

### • Work ethics and societal expectations

#### Glossary

- Ethics – moral principles and standards of conduct that tell us how we should act and behave.



### Work ethics

- ❖ Deals with a worker's attitude towards his or her job and employer. You can compare it with your attitude towards your school and your responsibility towards your schoolwork. It involves attitudes, behaviour, respect, honesty, accountability, communication and interaction with other people. It can be compared with the effort you take to study, how you respect your teachers and fellow students and make your school a better place.



- ❖ Good work ethics will refer to your positive attitude and commitment to your work or in your case your school.
- ❖ Work ethics demonstrate the decisions you make about what is right and acceptable against what is wrong and unacceptable.
- ❖ Work ethics come from within a person and give others a picture of your values, culture and upbringing.
- ❖ People with good work ethics are likely to keep their jobs and make a success at work. They will also benefit from their good ethics by coming in line for promotion.
- ❖ The skills of having good work ethics are referred to as soft skills e.g. the willingness to learn and to be taught by a senior or supervisor, the ability to get along with other workers well, the behaviour and attitude of the worker towards the company, being on time and being at work without taking leave or sick leave unnecessary or without proper reason.
- ❖ Good work ethic is the most important skill in keeping a good job. Good work will start the moment you apply for a job. You will show this by putting in a neat, complete and well organised application without any mistakes.
- ❖ When you start a new job, the first thing your supervisor will notice is the time you arrive and leave your work. It will also show in the way you dress for work, volunteer for new tasks, cooperate with other workers and contribute with new ideas to the company you work for. You will have an attitude of what can I offer the company instead of what can the company offer me.



## Societal expectations

Societal expectation refers to what the society and people in your community expect of other people sharing the community with them. It is about how people expect other people to behave and how to treat each other. For example, society expects you to:

- Work if you are able to do so
- Have work ethics
- Help to build the nation
- Fulfil your potential
- Contribute to the economy
- Pay taxes
- Create jobs for others, if possible
- Mentor others and pass your knowledge

It can almost be compared with our basic human rights in our constitution. Rights like the right to be treated with respect, to be safe, to be treated with dignity and not judged unfairly. It also refers to our environment and the way we expect others to treat the environment we share and protect for the future.



When you enter the world of work people in the workplace will have certain expectations of you and the way you behave. Each society and community will have its own expectations based on the culture, values and religion of the society. When you apply for a job, you should make sure your personal values and beliefs fit in with the expectations of the society.



### The value of work

- How works give meaning to life
  - ❖ Work is not only earning money.
  - ❖ It gives us purpose and meaning and help us to live a fulfilled life (satisfied, contented and happy).
  - ❖ It gives meaning to life because: it allows you to grow and develop, gives you a purpose and goals, use your talents and abilities and as you grow and develop you reach self-actualisation (achieve potential), which is where you come to find a meaning to life.
  - ❖ We find values of work only if we have passion; a love for the work and enjoy doing it because we have chosen our right or correct career.

## **Intrinsic vs. Extrinsic Work Values**

### **Intrinsic Values**

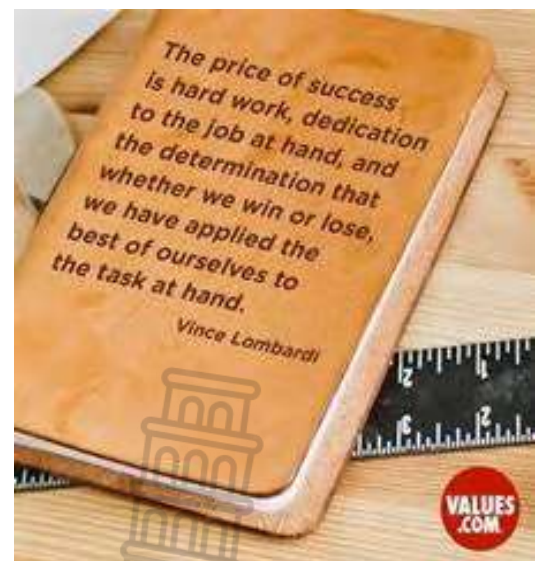
- **Interesting work**
- **Challenging work**
- **Learning new things**
- **Making important contributions**
- **Responsibility and autonomy**
- **Being creative**

### **Extrinsic Values**

- **High pay**
- **Job security**
- **Job benefits**
- **Status in wider community**
- **Social contacts**
- **Time with family**
- **Time for hobbies**

### **Behaviour that helps you to live a meaningful life**

- ❖ Experience life with full attention, focus and interest.
- ❖ Try and learn new things
- ❖ Listen to and express your feelings
- ❖ Be honest
- ❖ Be prepared to be unpopular if your views do not agree with those of the majority
- ❖ Take responsibility and work hard
- ❖ If you cannot find a job, volunteer or study further
- ❖ Explore your potential. Accept that there is always more to learn
- ❖ Never be bored with life





WEEK 5

5.1 Read the extract below and answer the questions that follow.

.... advantages of implementing Employment Equity



Source adapted from: <https://businesslink.co.za/ten-advantages-of-implementing-employment-equity/human-resources/> (Accessed on 27/07/2024)

- 5.1.1 State FOUR principles of the Employment Equity Act (EAA) (4x1) (4)
- 5.1.2 Illustrate TWO disadvantages of the latest trends in technology used for recruitment processes. (2x2) (4)
- 5.1.3 Discuss the functions of trade unions and organised labour in promoting fair labour practices at work places. (2x2) (4)





WEEK 6

6.1 Read the extract below and answer the questions that follow.

**What are ethics in the workplace?**

Workplace ethics refers to a specific set of moral and legal guidelines that organizations may abide by. These guidelines typically influence the way employees and customers alike interact with an organization—in essence, workplace ethics guide how organizations serve their clients and how they treat their employees.

**Source adapted from : <https://www.indeed.com/career-advice/career-development/why-ethics-is-important-in-the-workplace> (Accessed on 27/07/2024)**

- 6.1.1 State FOUR characteristics that employers require from employees. (4x1) (4)
- 6.1.2 Outline why is it important for all employees to follow the stipulated ethical behaviour in the workplace. (2x2) (4)
- 6.1.4 Discuss the significance of understanding your core values to ensure that you find meaning in your work place. (2x2) (4)

## SOME LOW ORDER QUESTIONS

1.1	Choose a description from column B that matches an item in column A. Write down only the letter (A-H) next to question numbers 1.1.1-1.1.5.		
1.1.1	Labour relations Act	A.	Finds employees online
1.1.2	Mission statement	B.	Organization that represent the interest of their members in the workplace
1.1.3	General trends in recruitment	C.	Promotes economic development social justice and democracy in the workplace
1.1.4	Employment equity Act	D.	Prohibition of employment of children and forced labour.
1.1.5	Trade Unions	E.	Promotes equal opportunity at workplaces
		F.	Includes personal views values beliefs and goals

1.2

- 1.2.1 Explain what is meant by the term lifestyle disease (1x2) (2)
- 1.2.2 Which lifestyle diseases are we most at risk from if we avoid physical activity (4x1) (4)
- 1.2.3 State FOUR things you would include in an action plan to show your long term commitment to participate in physical activity. (4x1) (4)
- 1.2.4 Describe TWO benefits of participation in physical activity from an emotional perspective (2x2) (4)
- 1.2.5 What can be done at community level to prevent a Lifestyle disease like diabetes? (2x2) (4)

1.3

- Define the following terms
- 1.3.1 The Labor Relations Act (1x2) (2)
- 1.3.2 The Employment Equity Act (1x2) (2)
- 1.3.3 Basic Conditions of Employment Acts (1x2) (2)
- 1.3.4 Discuss TWO reasons why an employer would be concerned in employing someone with a criminal record. (2x2) (4)

1.4 Give ONE word/term for EACH of the following descriptions. Write only the word/term next to the question numbers (1.2.1 to 1.2.3) in the ANSWER BOOK.

- 1.4.1 Medical condition where the force of the blood pushing against the artery walls is consistently too high. (1x1) (1)
- 1.4.2 A lifestyle with a lot of sitting and lying down, with very little to no exercise. (1x1) (1)
- 1.4.3 Your body's physical capability to sustain an exercise for an extended period (1x1) (1)
- 1.4.4 A selection process used by organizations to help determine whether a job candidate has the necessary knowledge, skills, and abilities to do the job. (1x1) (1)
- 1.4.5 A personal set of values that determines how an employee behaves in the workplace. (1x1) (1)