



labour

Department:  
Labour  
REPUBLIC OF SOUTH AFRICA



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## How to Notify the Director General for employers who cannot report

### How to Notify the Director General for employers who cannot report

This document explains to employers how and when they have to notify the Department of Labour that they will not be able to submit Employment Equity reports on time

### Application

The Employment Equity Act applies to all employers, workers and job applicants, but not members of the –

- National Defence Force;
- National Intelligence Agency; and
- South African Secret Service.

The provisions for affirmative action apply to –

- employers with 50 or more workers, or whose annual income is more than the amount specified in Schedule 4 of the Act;
- municipalities;
- organs of State;
- employers ordered to comply by a bargaining council agreement;
- any employers who volunteer to comply.

### See

- Employment Equity Act

Applies to all employers and workers and protects workers and job seekers from unfair discrimination, and also provides a framework for implementing affirmative action

### What to include in the notification

- Employers must notify the Director General in writing
- The notification must be on a official company letterhead
- Clearly indicate the employer's contact details
- State the reason why the employer is not able to report by the reporting due date
- The document must be signed by the company CEO

### How to submit a notification to the Director General

Notifications can be submitted by:

By hand:

Employment Equity Registry  
Laboria House

215 Schoeman Street

PRETORIA

Post:

Employment Equity Registry

The Department of Labour

Private Bag X117

Pretoria 0001

Fax:

012 3094737 / 3094188

Notifications **cannot** be submitted to Labour centers or Provincial Offices.

### When to notify the Director General

Notifications must be received no later than the **last working day of August** in the same year employment equity reports are due.

### What will the Director General do?

- The Director General will examine the reasons that were given by the employer
- The Director General will decide whether to accept or reject the notification, which may lead to the non-acceptance of the notification.
- The Director General's decision is final.

### Related Links

- Basic Guide to Employment Equity Reports  
Under the Employment Equity Act, employers must submit reports of their equity figures
- How to Submit Employment Equity Reports Manually  
All employers are requested to submit Employment Equity Reports to the Department of Labour.
- Form EEA2 - Employment Equity Report  
This form gives the format that employers must use when they do their employment equity reports

- Form EEA4 - Income Differential Statement

Employers must complete form EEA4 and send it with their employment equity reports.