



The Latest in Legislative Changes

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Monthly Motivation

As May comes to an end and we step into the colder months, we're reminded that preparation is key—not just for the season, but for navigating South Africa's shifting compliance landscape. In this update, we reflect on recent progress and look ahead with a clear focus on the road forward.

BREAKING NEWS

Clocked In but Zoned Out

When does wasting time become a dismissible offence?

<https://labourguide.co.za/employment-condition/working-time-and-overtime/clocked-in-but-zoned-out>

Police To Investigate National Skills Fund

<https://www.skillsportal.co.za/skills-development/police-investigate-national-skills-fund>

Unlock the support you need with our custom retainer plans, designed to align with your goals. From ongoing assistance to specialized services, we offer flexible solutions tailored to your unique needs. Reach out today to discover the perfect fit for you!

Skills Development:

Perfect timing to apply for an Inter-SETA transfer (IST) is NOW!

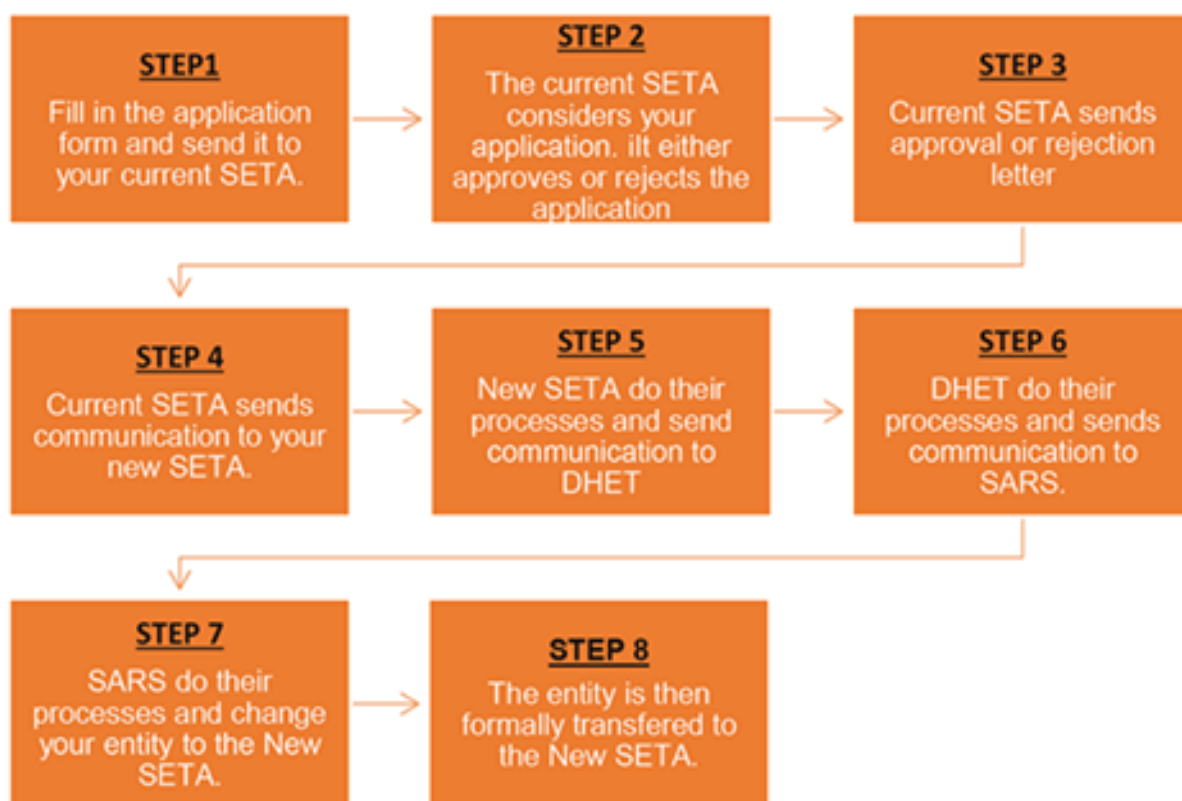
What is an Inter-SETA Transfer?

- It is the process of transferring an entity from one SETA to another SETA.

Reason/s an entity may request for an Inter-SETA Transfer?

1. The core business of the Employer falls within the scope of the SETA as demarcated in Regulations R. 316 of 31 March or R. 656 of 1 July 2005.
2. The core business of the Company / Enterprise has changed since the initial registration with SARS.
3. The Employer falls within the jurisdiction of more than one SETA, and this application to transfer to the new SETA is motivated on the basis of:
 - the composition of the workforce,
 - the amount of remuneration paid or payable to the different categories of employees; and
 - the training needs of the different categories of employees.

Application Process



Registering with the correct SETA has several benefits:

- Counts towards an organization's skills development score (BEE).
- Allows Employers to benefit from tax rebates by claiming back against skills development levies.
- Can function as a cost-management measure, potentially reducing the payroll bill.
- Allows SETAs to approve workplace skills plans, provide funds, and oversee education and training in their sectors.

The transfer process of an employer from one SETA to another, can take anything between three (3) to six (6) months, and longer in some cases.

This means Employers have ample time to transfer prior to the next Skills Development reporting season in 2026.

Let VCA assist you to ensure your organisation is with the correct SETA.



A Reminder to all registered companies to register your Information Officer and Deputy Information Officer/s with the Information Regulator. Should any changes have occurred in relation to the beforementioned, these changes can be updated on the portal.

All registered organisations are also to submit their annual PAIA request report to the Information Regulator by the **30th of June 2025** in accordance with the Promotion of Access to Information Act, section 32.

Employment Equity



The Department of Employment and Labour has Gazetted the 18 Sectoral Targets and the Employment Equity Regulations as of the 15th of April 2025

<https://vcaconsulting.co.za/wp-content/uploads/2025/05/EE-Sector-Targets.pdf>. This means all designated employers are required to compile a new 5-year EE plan in line with these sector targets for the 4 top occupational levels. This plan is to run from the 1st of September 2025 – 31 August 2030. For the Semi-skilled and Unskilled levels, the Economically Active Population (EAP) targets are to be used. The DoEL has also increased the percentage of persons with disabilities to 3% in all sectors except Construction.

The introduction of these sector targets enforces organisations to take accountability for their goals especially considering the introduction of the Certificate of Compliance, needed for organisations doing work with the Government, Organs of State and for Tender purposes. Therefore, it is important that organisations are strategic in setting their annual targets.

The DoEL has started hosting EE workshops across South Africa from the 20th of May 2025 to the 25th of June 2025, starting in the Eastern Cape and ending in Limpopo.

VCA will be attending these workshops to gain a better understanding of the changes to the documents as well as the new online reporting system and will provide feedback to all our clients.

In our previous newsletter we listed the amended documents which designated employers would need going forward. Please see below EE forms to be utilised:

EEA1 - <https://vcaconsulting.co.za/wp-content/uploads/2025/05/EEA1-Declaration-by-Employee.pdf>

EEA2 - <https://vcaconsulting.co.za/wp-content/uploads/2025/05/EEA2-Workforce-movement.pdf>

EEA4 - <https://vcaconsulting.co.za/wp-content/uploads/2025/05/EEA4-Remmuneration.pdf>

EEA12 - <https://vcaconsulting.co.za/wp-content/uploads/2025/05/EEA12-EE-Analysis.pdf>

EEA13 - <https://vcaconsulting.co.za/wp-content/uploads/2025/05/EEA13-EE-Plan.pdf>



Cybersecurity

Cyber threats are on the rise and small businesses are becoming prime targets. Without dedicated IT teams, many companies struggle to manage basic security risks. Choose a partner that offers cost-effective cybersecurity measures designed specifically for small and medium sized enterprises. With support, you can safeguard your business, data, and reputation without breaking the bank.

1.Asset management and access control

- Inventory critical IT assets, ensuring access is granted only to authorised personnel
- Implementation of Multi-Factor Authentication (MFA)

2.Threat monitoring

- Daily monitoring to detect any unusual or malicious activity
- Review critical alerts daily
- Detect and address any incidents

3.Incident response

- Rapid response to detected security events
- Immediate actions to restore operations

4.Awareness training

- Equip your team with essential knowledge
- Run simulations to measure and improve to respond to real-world scenarios



COIDA

Due to the Compensation Fund's system being problematic, they have extended the **deadline for the Return of Earnings submissions** to the **31st of July 2025**.

For the 2024/2025 ROE submission, the Compensation Fund is requesting additional documents to be uploaded before final submissions can be done:

- EMP501
- Details payroll report
- CIPC document
- Confirmation of Registration form
- Power of Attorney – should you make use of a 3rd party



Employees Never Quit

(When They Are)



PAID WELL

Compensation reflects their worth



HEARD

Their voice actually matters



RESPECTED

Not just for what they do, but who they are



CHALLENGED

Growth is encouraged



TRUSTED

Micromanagement doesn't exist



SUPPORTED

Through wins and setbacks



RECOGNIZED

Effort is seen, not overlooked



INCLUDED

A real part of the bigger picture



DEVELOPED

Opportunities to learn and grow



APPRECIATED

Beyond performance metrics



EMPOWERED

Given autonomy, not just tasks



PROMOTED

Hard work leads somewhere

B-BBEE : Brief on the Basics

The B-BBEE Act is a South African law that was designed to rectify the unfair economic situation caused by apartheid. This is done by encouraging companies to include more Black people into Ownership and Management levels.

Companies Defined

- EME: Exempt Micro Enterprise: <R10 million annual Turnover
- QSE: Qualifying Small Enterprise: between R10 and R50 million annual Turnover
- Generic OR Large Enterprise: >R50 million annual Turnover

Who qualifies as Black for B-BBEE

In the context of B-BBEE, defining “Black” people involves the following groups:

- Africans: South African individuals of African descent who are citizens by birth
- Coloureds: A historically diverse South African group of individuals with mixed ancestry
- Indians and
- Chinese: Since 2008 - after a court ruling

Who is exempt from certification

- EME: Can use a Certified Sworn Affidavit
- Non-profit organisations
- QSE with > 51% Black Ownership

B-BBEE levels explained

Points are awarded for your company’s performance across the FIVE key elements:

- **Ownership** [25]; **Management Control** [19]; **Skills Development** [20 + 5 bonus points]; **Enterprise & Supplier Development** [40 + 4 bonus points], and **Socio-economic Development** [5]
- **THREE** of these are **PRIORITY** elements – Ownership | Skills Development | Enterprise & Supplier Development, each requiring a minimum score of 40%

Level 1	100+
Level 2	95-99
Level 3	90-94
Level 4	80-89
Level 5	75-79
Level 6	70-74
Level 7	55-69
Level 8	40-54
Non-compliant	<40

Different Sector Codes

There are currently **TWELVE**:

- Agriculture; Construction; Defence; Finance; Forestry; Generic; ICT; Legal; Marketing, Advertising and Communication; Property; Tourism and Transport

Occupational Health and Safety

Importance of Occupational Health and Safety Audits in the Workplace



The Department of Labor are enforcing stringent laws for organisations who are non-compliant in the area of Occupational Health and Safety. GAP Audits are performed to resolve areas where measures have not been implemented to ensure the health and wellbeing of employees.

These are done by assessing how the OHS Programme complies with legislation and regulations. Factors taken into consideration could be legal appointments, policies, hazard identifications, valid certifications, etc.

Why have it done?

- To identify areas where improvement is needed to protect workers from injury and illness.
- To ensure legislative compliance with the Occupational Health and Safety Act 85 of 1993.
- Level OHS practices, and
- To determine rewards / penalties administered by regulatory and certification bodies.

The OHS Audit process:

- The auditor reviews all aspects of the OHS program in the organisation. This is done against the Occupational Health and Safety Act as well as other relevant regulations.
- Effectiveness of the implementation of these measures is assessed on inspection of the premises.
- The auditor interviews relevant key personnel and confidentially discusses OHS aspects relevant to their roles and responsibilities.
- On conclusion of the audit, a report is sent to Management, highlighting the strengths / areas for improvement within the organisations' OHS program.
- Observations / recommendations made by the auditor as well as action planning for consideration are sent to the organisation for approval.

Upon successful completion of the audit, and the organisation is found compliant, an OHS Compliance Certificate is issued. This certifying document approves a workplace as legally compliant with the Occupational Health and Safety Act requirements. The certificate proves that the organisation has passed all legal standards, required by law to provide a healthy and safe working environment for all. The certificate is valid for a year.



We are here to supply copies of the amended Legislative Acts in booklet form.

The below booklets have changed in the Labour law library:

- Employment Equity Act and Regulations
- 9780639018898
- Unemployment Insurance Act and Unemployment Insurance Contributions Act
- 9780639018911
- Skills Development Act and Skills Development Levies Act 2022 Edition
- 9780639018904
- Occupational Health and Safety Act
- 9780639018828
- Compensation of Occupational Injuries and Diseases Act and Regulations
- 9780639018935
- National Minimum Wage Act and Regulations
- 9780639018881

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Last month we explored what it means to stop postponing your self-care. This month we go a little deeper.



Because the truth is, even when we know rest matters, there's always something (or someone) pulling our attention elsewhere. Which is why the next step in real self-care isn't more effort, it's more boundaries.

Saying yes to your wellbeing means learning to say no to what drains you. You don't have to earn rest with exhaustion.

So here's your reminder:

- Self-care without boundaries becomes wishful thinking
- Let your 'no' be an act of devotion
- Let your calendar reflect your values
- Let your body lead the way

Self-care isn't a checklist. It's a relationship with self. And you're beginning to choose yourself in a deeper way.

This month's self-care homework

- Block off time that's just for you (even if it's 20 mins)
- Set one small boundary with love and clarity
- Choose one daily ritual that makes your body say 'thank you', like drinking a glass of water as soon as you wake up in the morning.

You've already said you matter. Now it's time to act like it.

Sonja McKaiser is a certified life coach and self-care facilitator who's passionate about helping women reclaim power, pleasure, and purpose in midlife. In addition to private coaching, she offers dynamic workshops for teams on topics like vision & goals, leadership, and wellbeing which are designed to spark clarity, creativity, and connection.

Curious about how to bring more self-care into your life or your workplace? You're more than welcome to send an email to hello@sonjamckaiser.com.





**SUCCESS IS NOT FINAL;
FAILURE IS NOT FATAL:
IT IS THE COURAGE TO CONTINUE
THAT COUNTS.**

WINSTON S. CHURCHILL