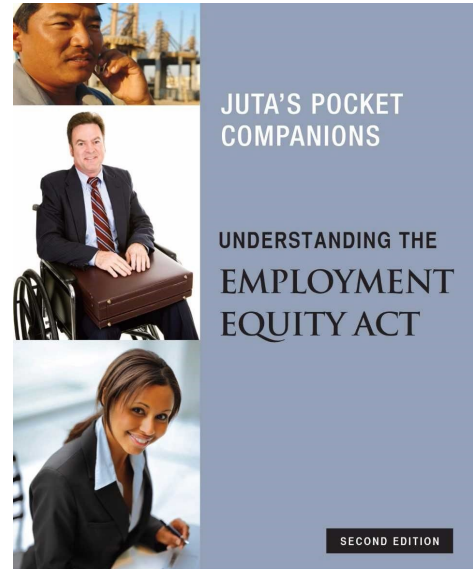


Understanding the Employment Equity Act

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About this Publication:

This second edition of *Understanding the Employment Equity Act* has been updated to include legislative amendments and developments in the case law since the publication of the popular first edition in 2009.

Understanding the Employment Equity Act deals with one of the most innovative instruments of post-apartheid labour market regulation, the Employment Equity Act, 1998 (EEA). The implicit aim of the EEA is not only to redress the imbalances caused by apartheid, it also seeks to combat unfair discrimination and to provide a framework for equal opportunity in employment. This book is an accessible, non-legalistic commentary on the EEA. Important areas such as definitions, purposes, interpretation, unfair discrimination, affirmative action, monitoring and enforcement are covered. *Understanding the Employment Equity Act* also sets out key provisions of the EEA systematically, with leading cases and frequently asked questions (FAQs) to aid understanding.

This book is an ideal companion to *Employment Equity Act 55 of 1998 & Regulations* in the *Juta's Pocket Statutes* series.

Key Features and Benefits

- Systematically explains the Employment Equity Act
- Written in a lucid non-legalistic style
- Key points and frequently asked questions are highlighted
- Published in a handy pocket size format
- Written by experts in the field of employment equity law

Contents Include:

- Definitions, purpose, interpretation and application of the Employment Equity Act 55 of 1998 (EEA)
- Introduction
 - What is the purpose of the EEA?
 - How should the EEA be interpreted?
 - Who does the EEA apply to?
- Prohibition of unfair discrimination
 - Introduction
 - Understanding 'unfair discrimination'
 - Direct and indirect discrimination
 - Who is protected by Chapter II of the EEA, and against whom are they protected?
 - The meaning of 'employment policy or practice'
 - The grounds of discrimination
 - Harassment as a form of unfair discrimination
 - Equal pay for work of the same value
 - Can an employer force an employee to take a medical test?
 - Is psychological testing allowed in our law?
- Affirmative action
 - Introduction
 - The s 9(2) test
 - The affirmative action provisions of the EEA
 - How does the EEA ensure that affirmative action is fairly implemented?
 - Who has duties and who benefits from affirmative action?
 - Who is 'suitably qualified' in terms of the EEA?
 - What are 'affirmative action measures'?
 - The 'Employment Equity Plan'
 - The goal of affirmative action: 'equitable representation'
 - Some controversies about affirmative action
- Monitoring and enforcement of duties under the EEA
 - Introduction
 - Procedures applicable to all disputes
 - Unfair discrimination disputes
 - Affirmative action disputes
 - What happens if there is a conflict of proceedings?

Of Interest and Benefit to:

- Managers and supervisors
- HR and IR practitioners
- Employee representatives and trade unions
- Lawyers looking for quick answers to frequently asked questions