



HAIRDRESSING & COSMETOLOGY BARGAINING COUNCIL (KWAZULU-NATAL)

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TO ALL ESTABLISHMENTS

“EMPLOYER RIGHTS”

Whereas we have ventured into this somewhat delicate arena on previous occasions, it is an area which is important enough to go back into at least one more time!

So – does the employer have rights? Yes indeed, the employer should have rights – because s/he is the owner and the employer and hopefully and presumably a responsible one, at that. This situation of disruptive and unwelcome workers becomes avoidable when the employer exercises his rights.

With Rights, come Responsibilities. The employer has a number of these responsibilities - mostly imposed by legislation. This Legislation includes Health & Safety issues, the provision of terms and conditions of employment, adherence to minimum wage, and so on.

With regard Health and Safety issues, the legislation requires that every employer shall provide and maintain as far as is reasonably practicable, a work environment that is safe and without risk to the health of his employee. This includes the notion of a clean, well lit and safe environment. Where safety equipment is issued, it is advisable to make it a standing rule that the equipment so supplied must be correctly used – subject to disciplinary enforcement.

The provision of terms and conditions of employment is probably the most important aspect of the employer / employee relationship. The employer exercises his rights by determining the best operating requirements for his salon. In this, the employer has the added advantage of years of experience in the industry – all captured in the Government Gazette. For example, whereas the gazette allows for up to 45 ordinary hours of employment, the employer might have to find ways to spread those hours over a seven day cycle in a centre. This is then all reduced to a Contract of Employment which is offered to the worker. When the worker accepts the contract, then the worker too, becomes obligated to work in the manner prescribed by the employer.

A final mention of the ‘minimum wage’. This is determined by negotiations between the employer body and the worker body in the industry. It is the RIGHT of the parties to be represented!

Please feel free to contact the writer for further details.

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