

Employment Equity Act, 55 of 1998,  
Section 37

**PLEASE READ THIS FIRST**



**WHAT IS THE PURPOSE OF THIS FORM?**

To enforce compliance relating to paragraphs (a) to (j) of Section 36 of the Act.

**WHO FILLS IN THIS FORM?**

The Inspector.

**WHERE DOES THIS FORM GO?**

The employer.

**INSTRUCTIONS**

- The inspector may issue a **Compliance Order** to a designated employer if that employer has refused to give a written **Undertaking** (EEA 5) in terms of Section 36, when requested to do so; or failed to comply with a written **Undertaking** (EEA 5) given in terms of Section 36.
- The employer must display a copy of this order prominently at a place accessible to the affected employees at each workplace named in it.
- An employer must comply within the time period stated unless the employer objects in terms of Section 39.
- Failure to comply could result in a referral to the Labour Court.

**DEPARTMENT OF LABOUR**



**COMPLIANCE ORDER**

Ref/Case No:.....

Enquiries: .....

Date of issue: .....

Provincial Office/Labour Centre: .....  
(Delete that which is not applicable)

1. Employer: .....

2. Registration No.....

3. Workplace(s): .....

4. You have not complied with the following provisions of the Act as specified in paragraphs (a) to (j) of Section 36.

Paragraph(s): .....

5. Details:.....  
.....  
.....

AND / OR

6. You have not complied with a written undertaking to the following extent:  
.....  
.....  
.....

AND / OR

7. You are required to implement the following within \_\_\_ days of receipt hereof:

7.1 .....

7.2 .....

AND / OR

8. **Fines**

8.1 The Director-General may recommend to the Labour Court to impose a fine in accordance with Schedule 1 of the Act, which Schedule contains the following:

**SCHEDULE 1**

Maximum fine that may be imposed in terms of the Act for contravention of certain provisions of the Act.

<b>PREVIOUS CONTRAVENTION</b>	<b>CONTRAVENTION OF ANY PROVISION OF SECTIONS 16, 19, 20, 21, 22 AND 23</b>
No previous contravention	R500 000
A previous contravention in respect of the same provision	R600 000
A previous contravention within the previous twelve months or two previous contraventions in respect of the same provision within three years	R700 000
Three previous contraventions in respect of the same provision within three years	R800 000
Four previous contraventions in respect of the same provision within three years	R900 000

**9. Objections**

You may object to this compliance order by making representations to the Director-General within 21 days of receipt of this order.

GIVEN UNDER MY HAND ON THIS ..... DAY OF .....

YEAR ..... AT ..... (PLACE)

.....  
**LABOUR INSPECTOR**