



NTEU at NMMU

EQUAL WORK FOR EQUAL PAY

Differentiation does not equal unfair discrimination

Note that not all differences in terms and conditions / remuneration are prohibited or will be unfair. Employers are not required to pay all its employees the same remuneration. Only unfair discrimination is prohibited and there are various justification grounds for fair differentiation.

Differences in terms and conditions of employment (including remuneration) of employees of the same employer are not unfair discrimination where the complainant and the comparator do not perform the same or similar work or work of equal value.

A difference in remuneration of employees performing work of equal value will also only be unfair discrimination if the differences are directly or indirectly based on race, sex, gender, disability or any other grounds listed in section 6(1) or any arbitrary ground.

Unfair discrimination on this basis therefore exists only where -
 a) work of similar or equal value is performed; and
 b) differences in remuneration are directly or indirectly caused by a discriminatory ground such as race, gender or disability (or any other ground as listed in section 6 of the EEA).

SOURCE: Griessel Consulting

For more information on this topic, refer to the Code of Good Practice on Equal Pay for Work of Equal Value
<http://www.labour.gov.za/DOL/legislation/regulations/employment-equity/employment-equity-act-code-of-good-practice-on-equal-pay-remuneration-for-work-of-equal-value-1-june-2015>

FREQUENTLY ASKED QUESTIONS



I have resigned and have 25 days leave due to me. Can I take this leave during my notice period? I have told my employer I want to take my leave in my period of notice but he refuses.

Section 20 (5) (b) of the BCEA states clearly that "the employer may not require or permit an employee to take annual leave during any period of notice of termination of employment."

This means that, in terms of the act, an employee is prohibited from taking leave during his period of notice on resignation, and the employer is prohibited from forcing the employee to take leave during any period of notice.

If I should resign and give 24 hours' notice and have already been paid my salary, and is owed 15 days leave, can my employer withhold my leave pay in lieu of notice?

The employer is not permitted to do that. Section 40 of the BCEA makes it clear what payments must be made to an employee upon termination of employment, and this includes outstanding leave pay. The only way this can be overcome is if it is inserted into the employment contract as a condition of employment that should the employee contravene the provisions regarding the period of notice required, then the employer would be entitled to withhold salary or leave pay in lieu of notice.

However, this does not entitle the employer to now rush out and amend all existing employment contracts. If the employer wishes to do that, it can only be done by consultation with existing employees.

SOURCE: <http://www.labourguide.co.za/>

How Can Introverts Promote Themselves in the Workplace?

It is important that each employee takes individual responsibility for their levels of motivation, performance in the workplace and career progression. This is particularly important for those who are of an introverted nature, as these individuals typically perform understated roles and can often become frustrated by their lack of recognition and advancement. Consider the following methods through which introverts can promote themselves and their skills without compromising their nature:

1. Place Faith in Direct Action and Positive Achievements

On a fundamental level, there is very little difference between introverts and extroverts. Quite simply, the latter have a natural talent for self-promotion, which in some instances enables them to advance beyond less confident or articulate colleagues. Skilled managers should retain a comprehensive knowledge of their teams and employees, however, which allows them the opportunity to recognize the value that each individual adds to their business. Introverts should therefore focus on optimizing their output and performance in the workplace, and place faith in their manager's ability to recognize these efforts.

2. Own the Process and Develop your Organizational Skills

On a similar note, it is also possible to shine as an introvert by actively showcasing your core skills rather than simply discussing them. Depending on your specific job role and individual responsibilities, for example, you may have the opportunity to adopt an organized approach to work and develop efficient processes for completing tasks. Through innovative thinking and an ability to own the processes that you oversee, you can display your value as an employee without the need to indulge in verbal self-promotion.

3. Accept Additional Responsibility and Commit to Working Hard

While extroverts may be able to communicate openly and successfully articulate their skills into words, this will mean little unless they can support their assertions over time. For introverts without advanced linguistic or self-promotional skills, however, there is a need to rely solely on hard work and the end results of their endeavors. This provides quieter employees with an opportunity to gain an advantage in the workplace, so long as they are willing to commit to additional work and acquire further responsibility as they progress.

4. Create a Talking Point Around your Work

The art of deflection is a crucial one for introverts to learn, as it enables them to develop a professional reputation based on their performance and work ethic rather than personality. To achieve this, they simply need to create a talking point that is work-centric, whether this involves the methods that they use to achieve results or the sheer consistency of their output. This approach helps introverts to thrive in the workplace, as they can gain recognition without having to change their nature or attempt to express their skills verbally.

5. Change your Perception of Self-promotion

Depending on your chosen industry and the nature of your workplace, you may find that it is difficult to develop your career through deed alone. If the mere idea of self-promotion continues to make you feel uncomfortable, however, this can leave you facing the prospect of stagnating in your role and losing enthusiasm for your career. With this in mind, you may be required to challenge your own perception of self-promotion, and consider it more as an opportunity to articulate your most valuable skills rather than an exercise in disingenuous showmanship.

6. Learn How to Share your Professional Experiences

Once you begin to consider the concept of discussing your skills as an exercise in self-expression, it is far easier to plot a successful and viable career path. It is also important to remember that you can talk freely about your value as an employee without excessively promoting skills and characteristics, especially if you choose to reference personal experiences that have influenced your career. This allows you to focus more on the lessons that you have learned during your career rather than yourself as an individual, which makes it far easier to communicate openly with colleagues and managers alike.

7. Make Time for Yourself During the Typical Working Day

From the perspective of an introvert, perhaps the single most difficult aspect of the workplace is the need to interact with others on a daily basis. This can be both challenging and exhausting, so it is important to identify the aspects of your job that are introvert-friendly and focus on these to create time for yourself. To achieve this, strive to create a working schedule that meets your needs, initially by spacing out meetings with colleagues and working from home for at least one day each week where possible.

SOURCE: <http://www.lifehack.org/articles/work/7-ways-introverts-can-succeed-self-promotion-work.html>

The difference between a flower and a weed is judgement
 - JILL BLAKEWAY