



Bargaining Council for the Furniture Manufacturing Industry - KwaZulu Natal

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NOTICE

COMMENCEMENT OF LABOUR LAWS ACT

TO ALL EMPLOYERS AND EMPLOYEES IN THE FURNITURE MANUFACTURING INDUSTRY

The Labour Laws Amendment Act was completed and activated by Government Gazette number 42805, dated 29 October 2019.

Employees meeting **requirements** of **Parental Benefits** are entitled to:-

- Pro-rata payment from Unemployment Insurance Fund (UIF) in lieu of days unpaid leave.

Employees are not entitled to benefits unless he or she was in employment, whether as a contributor or not, for at least 13 weeks before the date of application for **Parental Benefits**.

The **requirements** of **Parental Leave** are as follows:-

1. An employee, who is a parent of a child, is entitled to at least ten consecutive days parental leave.
2. An employee may commence parental leave on—
 - (a) the day that the **employee's child is born**; or
 - (b) the date—
 - (i) that the adoption order is granted; or
 - (ii) that a child is placed in the care of a prospective adoptive parent by a competent court, pending the finalisation of an adoption order in respect of that child, whichever date occurs first.
3. An employee must notify an employer in writing, unless the employee is unable to do so, of the date on which the employee intends to—
 - (a) commence parental leave; and
 - (b) return to work after parental leave.
4. Notification in terms of subsection (3) must be given—
 - (a) at least one month before the—
 - (i) employee's child is expected to be born..
5. The payment of parental benefits will be determined by the Minister, subject to the provisions of the Unemployment Insurance Act, 2001 (Act No. 63 of 2001).

The **requirements of Adoption Leave** are as follows:-

1. An employee, who is an adoptive parent of a child who is **below the age of two**, is entitled to—
 - (a) adoption leave of at least ten weeks consecutively; or
 - (b) the parental leave.
2. An employee may commence adoption leave on the date—
 - (a) that the adoption order is granted; or
 - (b) that a child is placed in the care of a prospective adoptive parent by a competent court, pending the finalisation of an adoption order in respect of that child, whichever date occurs first.
3. An employee must notify an employer in writing, unless the employee is unable to do so, of the date on which the employee intends to—
 - (a) commence adoption leave; and
 - (b) return to work after adoption leave.
4. Notification in terms of subsection (3) must be given—
 - (a) at least one month before the date referred to in subsection (2); or
 - (b) if it is not reasonably practicable to do so, as soon as is reasonably practicable.
5. The payment of adoption benefits will be determined by the Minister, subject to the provisions of the Unemployment Insurance Act, 2001 (Act No. 63 of 2001).
6. If an adoption order is made in respect of two adoptive parents, one of the adoptive parents may apply for adoption leave and the other adoptive parent may apply for the parental leave.

The **requirements of Commissioning Parental Leave** are as follows:-

1. An employee, who is a commissioning parent in a surrogate motherhood agreement is, entitled to—
 - (a) commissioning parental leave of at least ten weeks consecutively; or
 - (b) the parental leave.
2. An employee may commence commissioning parental leave on the date a child is born as a result of a surrogate motherhood agreement.
3. An employee must notify an employer in writing, unless the employee is unable to do so, of the date on which the employee intends to—
 - (a) commence commissioning parental leave; and
 - (b) return to work after commissioning parental leave.
4. Notification in terms of subsection (3) must be given—
 - (a) at least one month before a child is expected to be born as a result of a surrogate motherhood agreement; or
 - (b) if it is not reasonably practicable to do so, as soon as is reasonably practicable.
5. The payment of commissioning parental benefits will be determined by the Minister, subject to the provisions of the Unemployment Insurance Act, 2001 (Act No. 63 of 2001).
6. If a surrogate motherhood agreement has two commissioning parents, one of the commissioning parents may apply for commissioning parental leave and the other commissioning parent may apply for the parental leave.

Yours faithfully

**BARGAINING COUNCIL FOR THE FURNITURE
MANUFACTURING INDUSTRY, KWAZULU-NATAL**

**A.C. DAVIDS
SECRETARY**