



Tax & Legislative Information Series...

...Employment Equity Regulations. 2025 - Key Compliance Requirements and Updates



Last updated – June 2025
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Repeal and Replacement of Employment Equity Regulations

- **Repeal Announcement:**

- The Employment Equity Regulations, 2014 (published under Government Notice No. 37873 of 1 August 2014) are officially repealed.
- This repeal is made by Nomakhosazana Meth, Minister of Employment and Labour.
- The repeal is issued under Section 55(1) of the Employment Equity Act, 1998 (Act No. 55 of 1998 as amended).
- The repeal is effective from the date of publication in the Government Gazette (15 April 2025).

- **New Regulations Published:**

- New Employment Equity Regulations, 2025 are introduced and take effect immediately.
- These are also issued under Section 55(1) of the Employment Equity Act, 1998 and follow the advice of the Commission for Employment Equity.

Key Changes

- **New Definitions Clarified**
 - Definitions updated: designated employer, reasonable accommodation, numerical targets, people with disabilities.
 - Clarifies distinction between numerical goals (company-set) and targets (sectoral/ministerial).
- **Employment Equity Plans (Section 20)**
 - Required for all designated employers.
 - Must:
 - Align with sectoral targets.
 - Set yearly numerical goals.
 - Detail affirmative action and monitoring.
 - Be valid for up to 5 years.

Key Changes

- **Annual Reporting (Section 21)**
 - Submit EEA2 & EEA4 forms by the first working day of October annually.
 - Must include:
 - Progress vs. sector targets.
 - Actions taken and justifications for shortfalls.
 - Workforce profile updates.
- **Income Differentials (EEA4)**
 - Report on pay gaps by race and gender.
 - Must justify any disparities found in:
 - Basic salary.
 - Bonuses.
 - Benefits.
 - Focus on closing unjustified income gaps.

Key Changes

- **Sectoral Numerical Targets (Section 15A)**
 - Published by the Minister per sector and occupational level.
 - Plans and reports must reflect these.
 - Employers may apply for deviation with valid, measurable reasons.
- **Disability & Reasonable Accommodation**
 - Mandatory to implement reasonable accommodation where needed.
 - Examples:
 - Accessible buildings.
 - Modified equipment or work schedules.
 - Must be included in EE reporting.

Key Changes

- **Consultation with Employees (Sections 16–19)**
 - Required consultation with employees/representatives.
 - EE Committees must be representative (race, gender, and disability).
 - Keep formal minutes and evidence of consultation.
- **Compliance Certificate (Section 53)**
 - Needed to qualify for government tenders.
 - Employers must:
 - meet or justify equity targets.
 - submit reports on time.
 - comply with the **Minimum Wage Act**.
 - have **no active unfair discrimination findings** in the last 12 months relating to the national minimum wage, race or gender.

Key Changes

- **Record-Keeping (Section 26)**
 - Employers must maintain:
 - EE plans & reports.
 - Committee consultations.
 - Pay data and justifications.
 - Records must be available for inspection.



Checklist for Employers

Task	Responsible	Due Date
Align EE Plans with sector targets	HR / EE Committee	ASAP
Submit EEA2 and EEA4 by 1 Oct	HR / Payroll	Annually
Review and close income gaps	Remuneration Team	Ongoing
Ensure inclusive EE Committee	HR	Immediate
Track reasonable accommodations	Line Managers	Ongoing
Apply for certificate if tendering	Management	As needed

From April 2025, all reports, plans, and actions must follow the 2025 Regulations.

DOL System Portal Changes

- **Major Changes to the DOL system Portal include:**
 - DOL Website, effective from 1 September 2025, will be available throughout the year:
 - Printing of certificate – anytime.
 - Submission – Disabled after the 16th of January.
 - All forms are now available on the login page, as well as FAQs on these forms.
 - Can also now request the previous year's Report (EA11).
 - Important to note on the Reminder Letter:
 - A letter will be sent via email around the 1st of September.
 - Activation can only be done once and must be completed, should be done by the correct person.
 - On Activation, the option to declare designated / non-designated employers for the year.
 - If a non-designated employer, nothing needs to be submitted.
 - Deregistration is now not required, as can be indicated annually.
 - Password requirements – check minimum requirements!

DOL System Portal Changes – EA2

- **Major Changes to the EA2 section:**
 - Compliance certificate button (after login) – non-designated employers can get a certificate of compliance here
 - Answer the questions to navigate to the certificate page
 - Section A of profile – check & update
 - Section B – Questions for Certificate of Compliance
 - If comply – complete declaration (sign)
 - Certificate of Compliance will be immediately available
 - % of EAP targets will be greyed out on the Workforce Profile in the 2025 submission.
 - Table 7.1 will be the next year's target
- **Designated Employer:**
 - EAP – select National or Provincial.
 - Select Industry – make sure correct! If it needs to change, a letter will be required!
 - EEA plan cannot go beyond 5 years “2030” – error will be displayed (validation is done)

DOL System Portal Changes – EA4

- **Major Changes to the EA4 section:**
 - Section C: no changes but data prepopulates from table 1.1 – if changes are required, then need to go back to this table and amend.
 - Section D: Split between D1 and D2:
 - D1 – highest
 - D2 – lowest
 - Section E:
 - Previously reported on the top 10% earners
 - Now report on the top 5% earners
 - Will auto calculate % of difference between top & bottom earner
- Look out for **Reminder vs Acknowledgement**
 - **A reminder** will be sent if something is **not completed or there is an error. Means not submitted!**



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