

## Unilateral Changes Labour Guide

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It is possible that some of these unilateral changes could also fall under the heading of unfair labour practice, but that is the subject of another article. It seems that sometimes employers bring about these unilateral changes in an effort to upset the employee to the extent where he will resign, and some of the tactics employed include setting unattainable and unrealistic sales targets, and things of that nature.

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Unilateral | Labour Guide. A complaint that often arises from employees is that the employer has made some or other unilateral change to the original terms and conditions of employment. The change made may be in the form of a sudden reduction in salary for some or other reason, changes to commission structure or a reduction in the amount of commission paid, the removal of or reduction in some other benefits such as a bonus, or something of that nature.

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Unilateral Changes to Terms & Conditions of Employment. By Neil Coetzer, Senior Associate, Employment Law, Benefits & Industrial Relations, Cowan-Harper Attorneys In the recent case of ICHAWU & Others v CCMA & Others (case C308/13, 29 July 2015), the Labour Court was faced with a situation which it summarised as follows:-

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unilaterally to change the terms of an employment contract with an employee, and if it does so without agreement the employee would have the right to either abandon the contract or to sue for damages in terms of the contract. The prohibition on variation includes a lowering of the status of the employee and a change in the nature of

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Unfair labour practices. Nicolene Erasmus In terms of section 185(b) of the LRA every employee has the right not to be subjected to unfair labour practices. According to the first statutory definition, an unfair labour practice was " anything the industrial court deemed to be an unfair labour practice " .

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The Labour Relations Act – section 200A and the BCEA – section 83A - were amended in 2002, and these amendments introduced a rebuttable presumption as to whether a person is an employee and therefore covered by the act.

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Employee Rights in the Face of Proposed Unilateral Amendments When attempting to unilaterally amend the fundamental terms of an employment agreement, employers must be wary of their employees ' legal rights, as well as the associated legal repercussions. In the seminal decision of Wronko v.

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The unilateral variation or change also constitutes a breach of contract which constitutes civil action. If the terms and conditions of the original employment contract are to be changed because of operational requirements of the employer, it is possible that, upon refusal by the employees to accept the changes, the employer may, under certain circumstances, be entitled to embark on retrenchment procedures.

**Unilateral changes to terms and conditions of employment---**

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The Labour Office will give you Form UF128, which needs to be filled in by the deceased's last employer and then submitted at the Labour Centre. The death benefit is the amount that the worker could have claimed if they were unemployed. This is paid out in one payment.

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