



1 July 2024

TO ALL MEMBERS OF THE CEA (TESD)

Dear Sir / Madam

CRITERIA FOR THE ACCREDITATION OF TEMPORARY EMPLOYMENT SERVICE PROVIDERS WHO OPERATE UNDER THE PROVISIONS OF THE BASIC CONDITIONS OF EMPLOYMENT ACT

1. Certificate issued by the Commissioner of Companies and Intellectual Property.
2. Current CEA (TESD) Certificate of membership.
3. An affidavit warranting compliance with regard to relevant legislation, and Collective Agreements.
4. Correct deductions are being made according to collective agreements and applicable legislation.
5. Physical business address of the Temporary Employment Service Provider
6. A list of the Temporary Employment Service Provider's clients, which will remain strictly confidential.
7. Employment contracts to be made available for inspection.
8. Letter of good standing from the Compensation Commissioner;
9. A Certificate of Compliance from the Unemployment Insurance Fund;
10. Tax clearance certificate/pin from SARS;
11. Proof of submission of Employment Equity reports
12. BEE certificate and scorecard
13. A current Private Employment Agency Certificate issued by the Director-General, Department of Employment and Labour.
14. The company policy on ethics must conform to the TESD code of ethics
15. Proof of contribution to CAPES
16. DEL variation order to be submitted if applicable

PLEASE NOTE!!

The TESD, on behalf of member companies operating within the white-collar sector, will make application for variation from the following in terms of the Section 50 of the BCEA providing that the member has successfully undergone an accreditation audit.

- ✓ Section 21 (1) – Payment for Annual Leave
- ✓ Section 27 (3) – Payment of Family Responsibility Leave
- ✓ Section 37 (2)(B) – A Notice of Termination To (2 Weeks)
- ✓ Section 22 (1) To (4) – Sick Leave Cycle



TESD
TEMPORARY EMPLOYMENT
SERVICES DIVISION

(c) (083) 444 1365
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PO Box 1338, Johannesburg, 2000
42 Anderson Street | 6th Floor Metal Industries House
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THE ACCREDITATION PROCESS

The CEA (TESD) has been rolling out the accreditation process for a couple of years now, and we have afforded our members time within which to voluntarily apply to be accredited.

There are different membership categories, and companies will be classified as either an ordinary member, or an accredited member. New members will be afforded a year to become compliant by undergoing and passing the accreditation audit. If the company passes the audit, it becomes a member in good standing, and will be certified an accredited member. If the company fails to undergo the audit, or fails the audit, it remains an ordinary member of the CEA (TESD).

Accredited member companies' names will be published and promoted in industry publications and on various platforms and web-sites (MEIBC, SEIFSA, CEA and the TESD), and they will also be recommended by the Industry, which may assist companies when making applications for tenders, etc.

The Employment Services Board, under the Employment Services Act 2014, is responsible for advising the Minister on the criteria for the registration and de-registration of private employment agencies and the implementation and enforcement of the provisions of the Employment Services Act applicable to private employment agencies. We would like the Employment Services Board to recognise the CEA (TESD's) accreditation, and to work together with us to ensure compliance in our Industry. By being a compliant, accredited member of the CEA (TESD), you would already have obtained the documentation which would be required from the Employment Services Board.

Since the CEA (TESD) is an association that promotes regulation and compliance, it will be obliged to report non-compliant member companies to the Employment Services Board, and there may be certain consequences, which are not always under the CEA (TESD's) control, such as when a Bargaining Council becomes involved, or if the company is de-registered by the Board. There may also be statutory penalties imposed by the Department of Employment and Labour, or the designated agent of a Bargaining Council, for non-compliance.

In light of the foregoing, members are strongly advised to co-operate with our auditors, and to become accredited as soon as possible. Members are encouraged to contact the Association administration at:

christa@associationadministrator.co.za or charlene@associationadministrator.co.za to secure an audit appointment.

The audit process provides for a Temporary Employment Service Provider to qualify for a Certificate of Accreditation, valid for one year, and issued by the CEA (TESD).

The audit is conducted at a fee of **R 940.00** per hour (excluding VAT) which includes the consultation period and the drafting of the audit report, and any other time associated with the audit process. There is also a travelling cost of **R4,75** per kilometer should an auditor conduct an inhouse audit.

A list of criteria that will have to be complied with, will be supplied to the company prior to the audit and we request that you have the relevant information and documentation at hand in order for the audit to run efficiently.

The Confederation of Associations in the Private Employment Sector (CAPES)

The Confederation of Associations in the Private Employment Sector (CAPES) is an umbrella body, formed in 2002, when the need for a unified voice for the South African staffing industry became apparent. CAPES was created specifically to act as the lobbying organisation for the four primary staffing associations, who represent thousands of SME staffing businesses, and several of South Africa's largest corporate staffing companies. CAPES, as a member of Business Unity South Africa (BUSA), has been at the forefront of the NEDLAC negotiations in respect to the staffing industry. CAPES participates in various activities, all of which are vital to the future existence of the TES Industry.



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These activities include representing the TES industry at BUSA and at NEDLAC, CAPES has also been successful in becoming the driver of all atypical labour debates at BUSA and guides the BUSA team at NEDLAC in these debates. CAPES have the interest in, and knowledge of the industry needed in these debates and in negotiating a viable future for the industry.

CAPES IN A NUTSHELL

- Represents more than 1200 independent staffing businesses across all major sectors through the 4 major staffing industries associations;
- Represents in excess of 10 000 core employees;
- Represents a daily average of over 700 000 temporary workers; and
- Through its largest member association, APSO is affiliated to the World Employment Confederation

CAPES is funded mainly in the following ways:

- The major corporate members each contribute a significant monthly levy
- APSO members contribute 0.1% of their payroll, and;
- CEA (TESD) members contribute R 1500, 00 per annum to a CAPES levy as part of their annual membership subscription fees and those members who are not APSO or corporate CAPES members, contribute on a sliding scale according to company size (number of employees) an additional annual CAPES levy.

With regards to the contribution to CAPES, please note that this is compulsory for all TESD members who do not have APSO membership or who do not contribute directly to CAPES. As the confederation for our Industry, CAPES, is continuously lobbying on our behalf, we need to support them financially so that they can continue to do so. Should you not receive the invoices, kindly advise Christa Smith of your correct contact details on christa@associationadministrator.co.za

Members who choose to make the full annual payment will be receiving a 15% discount.

Yours sincerely



Christa Smith

Administrator



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