



# **BOWMANS**

THE VALUE OF KNOWING

**PROBONO.ORG**

## **THE LEGAL FRAMEWORK PROTECTING PERSONS WITH TB**

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# THE LEGAL FRAMEWORK PROTECTING PERSONS WITH TB

## APPLICABLE LEGISLATION

- The Constitution of the Republic of South Africa
- The Labour Relations Act
- The Basic Conditions of Employment Act
- The Employment Equity Act
- The Occupational Health and Safety Act
- The Compensation for Occupational Injuries and Diseases Act
- The Protection of Personal Information Act
- The Mine Health and Safety Act
- The Occupational Diseases in Mines and Works Act
- The Healthcare Workers National Health Act

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## THE RECRUITMENT STAGE - PRE-EMPLOYMENT PHASE, STILL AN APPLICANT FOR EMPLOYMENT

- MEDICAL INFORMATION ABOUT TB STATUS
- RIGHT TO PRIVACY
- PROTECTION OF PERSONAL INFORMATION
- RIGHT TO FAIR LABOUR PRACTICES

# THE LEGAL FRAMEWORK PROTECTING PERSONS WITH TB

## DURING EMPLOYMENT

- SICK LEAVE
- TEMPORARY INCAPACITY
- OCCUPATIONAL HEALTH AND SAFETY
- UNFAIR LABOUR PRACTICE
- PROTECTION OF PERSONAL INFORMATION
- RIGHT TO PRIVACY
- COMPENSATION FOR OCCUPATIONAL INJURIES AND DESEASES ACT

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## TERMINATION OF EMPLOYMENT

- Unfair dismissal
- Permanent incapacity
- Automatically unfair dismissal



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**THANK YOU**

