Since 2003 domestic workers have been covered by the Unemployment Insurance Act 63 of 2001. This law provides for the creation of the Unemployment Insurance Fund (UIF), and governs how and when employers and employees should make contributions to the UIF as well as the benefits that can be paid out to domestic workers by the UIF.

This factsheet explains what the law says about the UIF, including what the UIF is, who can claim from the UIF, how to register for UIF and how to claim from the UIF. The information in this factsheet comes from the Socio-Economic Rights Institute of South Africa (SERI)’s Domestic Workers’ Rights: A Legal and Practical Guide, which can be downloaded here.

REMEMBER:
Workers cannot claim from the UIF if they resign from their job.

But a worker can claim from the UIF claim if their employer goes bankrupt, the contract ends, or they are fired or retrenched.

What is the purpose of UIF?
The purpose of the UIF is to give short-term relief to workers by paying out financial benefits when they become unemployed or unable to work due to illness, maternity leave or adoption leave. It also provides support to the dependents of a contributor who has passed away.

Who can claim from the UIF?
A worker can claim UIF if he or she is registered with the UIF and has become unemployed or unable to work due to illness, maternity leave or adoption leave.

Illness benefits can only be claimed if a worker is ill for two weeks or longer. Maternity benefits can be claimed if a worker is pregnant or has given birth and is taking maternity leave. In the case of adoption leave, a worker can only claim adoption benefits if they legally adopt a child younger than two years old and take time off from work to look after the child. However, only one of the adoptive parents can apply for UIF benefits.

The dependents of a worker who was registered with the UIF can also claim death benefits if their breadwinner passes away.
How does UIF work?

Once an employer and a domestic worker are registered with the UIF, the employer and the domestic worker are required to contribute towards the UIF. The employer will contribute 1% of his or her domestic worker’s wages to the Fund each month. The domestic worker will also contribute 1% of their wages to the Fund. This is done by depositing the required amount into the Fund’s bank account. For more information about this process, go to the Department of Labour’s website (http://www.labour.gov.za/DOL/legislation/acts/how-tos/unemployment-insurance-fund-uif).

Domestic workers who are employed by multiple employers on different days are allowed to be registered for each of the jobs they do.

How to register for UIF?

Employers must register both themselves and their domestic workers for the UIF. This can be done online on the Department of Labour’s website (http://www.labour.gov.za/DOL/), in person at the nearest Labour Centre, through the post, or via fax.

Employers simply have to fill in the relevant forms, which will include information about both the employer and employee. They will then be given an employer’s reference number. Check with your employer to make sure that you are registered for UIF.

How to claim from the UIF?

The UIF will pay out unemployment benefits, illness benefits, maternity benefits, adoption benefits and death benefits.

STEPS TO CLAIM FROM THE UIF

STEP 1: Go to a Labour Centre to sign an unemployment register. You are then required to return every four weeks to sign the register again and show that you still need unemployment benefits. The forms you need to fill in are available directly from the Department of Labour’s offices, or you can download them from its website (http://www.labour.gov.za).

STEP 2: Put in your UIF claim at a Labour Centre in person. You will need the following documents:

- Your identity document (ID or ID card) or passport;
- Proof of your registration as someone who is seeking work (see step 1 above);
- A certificate of service from your employer (this is a written document given by an employer to an employee after termination of employment. It provides proof of the employee's experience and can be used as a reference);
- A copy of your last six pay slips or proof of payment (for example, bank statements);
- A form filled in with your banking details (called form UI-2.8); and
- A form that shows that you are no longer employed (called form UI-19).

You could start receiving your benefits any time from the date of registering your claim up to eight weeks after registering your claim. Eight weeks is the maximum time it should take for payments to start coming, and you will receive payments every four weeks until your benefits are exhausted.

However, if you have registered your claim and have not received any funds after eight weeks, you should gather all of your supporting documents and return to the Labour Centre where you registered your claim to follow up.

To find out where your nearest Labour Centre is, go to the Department of Labour’s website: http://www.labour.gov.za/DOL/contacts/.