



NOTICE TO MEMBERS: DO ALL OF YOUR FOREIGN EMPLOYEES HAVE THE NECESSARY PERMITS?



Dear LWO member

Important: Warning about foreign employees

Employers should be aware that the Department of Employment and Labour conducts regular raids specifically aimed at identifying whether foreign nationals are being illegally employed.

As of May 2026, the South African government has intensified enforcement efforts, committing to the appointment of 10 000 additional labour inspectors to focus on non-compliant businesses. Employers found to be hiring undocumented workers face severe penalties — including substantial fines (recently totalling R680 000 across 68 employers) — as well as criminal charges against business owners or HR managers, which may result in up to five years of imprisonment.

Ensure the following:

- Do you, as the employer, meet the legal requirements to employ a foreign national?
- Does the foreign employee hold a valid work permit or visa?
- Is there an employment contract in place?
- Has the foreign employee been registered for UIF?

Employees without valid permits may still refer unfair dismissal disputes to the CCMA. It is the employer's responsibility to verify and ensure that the foreign employee has the necessary documentation before employment. Where a foreign employee does not possess valid documentation, the employer is still required to follow a fair procedure when terminating employment.

Failure to comply exposes employers to the risk of arrest and heavy fines. Contact the LWO today at 0861 101 828 for assistance in handling these matters legally and fairly.

Kind regards

The LWO Employers Organisation

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