

Important deadline for anyone employing a domestic worker in South Africa



The Department of Employment and Labour (DEL) has gazetted the dates for employers to submit their annual Returns of Earnings (ROEs) for workers, which applies to households employing domestic workers.

According to the Compensation Fund, the window for the 2025 period will be from **1 April 2026 to 30 June 2026**.

The deadline applies to all employers under the Compensation for Occupational Injuries and Diseases Act (COIDA).

Domestic workers had previously been excluded from COIDA, but were added following a 2020 Constitutional Court ruling declaring this invalid.

Since 2021, domestic workers have been entitled to compensation under the act in the event that they are injured or contract diseases while on duty.

This was followed by the 2023 regulations that formalised domestic workers as an employment category, making them eligible for the Unemployment Insurance Fund (UIF).

Domestic workers include cleaners, gardeners, household drivers and caretakers of children and the elderly or frail.

The changes over the past few years require that domestic worker employers register with the Compensation Fund and contribute to it.

Once domestic employers have been registered with the fund, they must then submit their ROE annually.

The ROE is based on the amount the domestic worker/employee earns per year, including overtime and bonus payments.

The DEL said it is encouraging employers to submit the ROEs timeously by using its **online portal**. Failing to do so could result in penalties.

A penalty of 10% will be charged for the late submission of ROEs after the prescribed deadline, the department said.

It added that interest will be charged on accounts made more than 30 days after the invoice date and on overdue accounts.

The department added that it is an employer's responsibility to notify the Compensation Fund of any change in particulars within seven days of such change.

This includes changes to address and other particulars, such as email addresses and contact details.

For businesses, this would also include situations where a business has ceased to exist or where the nature of the business has changed.

Third-party registrations delayed



In addition to setting the ROE window, the DEL also gazetted a formal delay to new regulations requiring third-party intermediaries to register with the fund.

The regulations require all third parties transacting on behalf of an employee, an employer, or a medical service provider to register with the Compensation Fund.

According to law firm Webber Wentzel, any employer who relies on third-party agents to manage their COIDA obligations will ultimately have to verify that those parties are registered or in the process of obtaining registration.

This includes those who use third parties to submit assessments, accident reports, and medical invoices.

These third parties were originally expected to register with the fund starting 1 March 2026. However, the fund said it is still finalising the online process to enable this registration.

“The finalisation and implementation of these processes was envisaged to be completed prior to the approval of the published regulations,” it said, but this was not the case.

Because of this delay, the effective date for compulsory registration of third parties with the fund has been **deferred to 1 January 2027**.

“The Compensation Fund will communicate progress updates and conduct stakeholder engagement and advocacy sessions during the interim period,” it said.