

General information regarding UIF Maternity Benefits

The Basic Conditions of Employment Act gives pregnant workers the right to take maternity leave.

The Unemployment Insurance Act and Unemployment Insurance Contributions Act apply to all employers and workers, but not to -

- workers working less than 24 hours a month for an employer;
- learners;
- public servants;
- foreigners working on contract;
- workers who get a monthly State (old age) pension; or
- workers who only earn commission.

Claiming Maternity Benefits

Workers on maternity leave must apply for benefits at their nearest labour centre in person or organise for someone to go in their place. They must take the necessary documents with them. Workers on maternity leave have the right to claim from the UIF.

If workers want to claim maternity benefits they should use the following steps:

Step 1: Get the documents ready

Before workers can claim, they must get the following documents ready:

- 13-digit bar-coded ID or passport;
- Form UI-19 (completed by employer)
- Form UI-2.7 (completed by employer)
- Form UI-2.8 (for banking details)
- Form UI-2.3 (application form)
- Form UI-4 (follow-up form) and
- Medical certificate from a doctor or birth certificate of the baby.

Step 2: Go to the nearest labour centre

Pregnant workers must go to the nearest labour centre themselves and hand in the documents. If they are too ill, they can organise for someone else to go in their place. Staff at the labour centre will assist them with all the processes and give them more information.

Step 3: Follow all the instructions of the staff at the labour centre

Staff at the labour centre may ask pregnant workers to go to the doctor again or to visit the labour centre at certain times. Workers should do what they ask, or they may not be able to claim.

Number of Leave Days

Pregnant workers are entitled to at least 4 consecutive months of maternity leave.

Contact Details

The Department of Labour's contact number for Grahamstown is 046 622 2104 and, the staff member who deals with maternity leave UIF applications at the Department of Labour, Grahamstown and would be able to assist you is Claire.

Frequently Asked Questions Regarding Maternity Leave UIF Benefits

If my employer pays a % (a portion) of my salary while I am on maternity leave, can I still claim from the unemployment insurance fund (UIF)?

Yes you can. The moment that employers do not pay a 100% of your salary you can claim for the balance of your salary from the Unemployment Insurance Fund (UIF). Example: Your employer pays you 75% p.m. while you are on maternity leave, you can claim the balance (25%) from the UIF. (Remember you cannot receive more than 100% of your salary from the department and your employer combined)

When am I supposed to submit my application to the UIF?

The policy (law) says at least 8 weeks before commencement of maternity leave but the department aren't able to accept submitted forms at this point!

Unfortunately the computer program that the Department of Labour uses cannot process applications before the maternity leave has officially started. You can therefore only submit applications once you no longer receive your full remuneration/salary from your employer.

How long can I claim maternity UIF benefits?

By law you are not allowed to return to work within 6 weeks after the birth of your baby and can claim up to a maximum of 121 consecutive days (four months) maternity leave from the Department of Labour. This will however also depend on how long you have been working for prior to submitting the application/claim. The Department of Labour uses the last 4 years worked to calculate how many credit days you have available. In short for every 6 months that you have worked you receive 1 month's benefits up to a maximum of 4 months.

My employer is paying me in full for the first month of maternity leave. When am I supposed/able to submit my application?

Applications can only be submitted once the full monthly remuneration/salary is no longer being received. If applications are submitted before the last full salary has been received, the application will be rejected by the system.

How much can I expect to receive from the UIF?

The UIF benefit is between 38 - 58% of your salary (up to a maximum of R12478).

For example: If your salary is R12478 or more, you will receive R155.89 per day (about R4676 p.m.). You cannot receive more than this maximum amount.

If your salary is R5000 p.m. you can expect about R72.96 per day (R2188 p.m.), or if your salary is R 3000 p/m you can expect about R47.62 per day (R1428 p.m.)

How long will it take before I can expect to receive my first payment?

It takes between 3-6 weeks from the date the application was submitted for the application to be approved and for the first payment to be made. Note that payment is only made for each day that proof can be provided that you are on maternity leave. Once the application has been approved, proof that you are still on maternity leave will need to be submitted on a monthly basis.

I hear that the department have access to my bank account and can see if I receive any money into my bank account and that they will then reject my application.

This is not true. The only reason the Department require proof of the banking details is to ensure that the bank account is active and that payment is made into the right account. Remember the bank account must be in your own name! You cannot use your husband/fiancé/friend/employers or anybody else's account.

I've claimed maternity benefits in the last four years.

You do qualify to claim for maternity benefits again, even if it is within four years of the previous maternity benefit claim. It is only if you have claimed for sick or unemployment benefits within the 4 years prior to your maternity claim that you will probably not qualify for maternity benefits.

I've am the owner of my own business.

This may prove problematic and will need to discuss the available options with the Department of Labour.

Paid by the hour?

If you are paid by the hour – Add the last six months salary together and then divide by six. Do the same with your UIF contributions. The answer will be the monthly salary and UIF contribution that will be used on the UI.19 and UI2.7 forms.

Who can claim?

- Workers on maternity leave, who pay UIF every month, can claim from the Department of Labour, but only if the full monthly salary is not being received while on maternity leave.

- Workers who miscarry in the third trimester or have a stillborn child can claim for six weeks.
- If you have claimed for maternity benefits within the last four years you are still eligible to claim again.

Who cannot claim?

- If a claim for any other type of benefits from the Department of Labour has been submitted in the last four years for example because you got retrenched or were sick, you will probably not be able to claim for maternity benefits. You will need to phone the Department to check your UIF status.
- If UIF is not being deducted from your salary every month, you cannot claim. (By law your employer is supposed to deduct UIF if you work for more than 24 hours per month).
- You must have a bar-coded ID book. If you are not a South African citizen you cannot claim.
- If you are the owner of your own business you probably cannot claim. You will need to phone the Department to discuss your options as there are ways around this.

Is the UIF payable amount taxed?

- No tax is paid on benefits

What documentation is required?

- 13-digit bar-coded ID or passport;
- Form UI-19 (completed by employer);
- Form UI-2.7 (completed by employer);
- Form UI-2.3 (application form) This is a yellow form and needs to be completed and submitted in yellow as the Department of Labour will only accept the “original” form;
- Form UI-2.8 (for banking details); This form has a section that will be required to be completed by your bank to verify your account to which the money will be transferred to.
- Form UI-4 (follow-up form); This is a yellow form and needs to be completed and submitted in yellow as the Department of Labour will only accept the “original” form; and
- Medical certificate from a doctor or birth certificate of the baby.

Please note: The information included above is subject to changes made by the Department of Labour that we may not always be aware of. The information is intended as a guideline and for assistance only.