



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

[Home](#)

[About Us](#) | [Contacts](#) | [Services](#) | [Media Desk](#) | [Tenders](#) | [Vacancies](#)



[Site Map](#)

Basic Guide to Medical and Psychometric Testing

Employers may not force their workers or job applicants to undergo medical or psychometric tests.

Application

The Employment Equity Act applies to all employers, workers and job applicants, but not members of the

- National Defence Force;
- National Intelligence Agency; and
- South African Secret Service.

The provisions for affirmative action apply to

- employers with 50 or more workers, or whose annual income is more than the amount specified in Schedule 4 of the Act;
- municipalities;
- organs of State;
- employers ordered to comply by a bargaining council agreement;
- any employers who volunteer to comply.

See

- Employment Equity Act

Applies to all employers and workers and protects workers and job seekers from unfair discrimination, and also provides a framework for implementing affirmative action

Medical Tests

Employers may not force workers or job applicants to undergo a medical test unless

- the law permits or order it; or
- it is acceptable because of
 - medical facts;
 - employment conditions;
 - social policy;
 - the fair distribution of benefits; or
 - job requirements.

Testing workers for HIV/AIDS is illegal unless the Labour Court orders it.

Based on Legislation in Section 7, of the Employment Equity Act

Psychometric Tests

Psychometric testing of workers or job applicants is illegal unless the tests

- have been proved valid and reliable;
- are fair to all workers; and
- do not discriminate against a worker or group.

Based on Legislation in Section 8, of the Employment Equity Act