

STRATEGIC PLAN FOR

2020/21 – 2024/25

DEPARTMENT OF EMPLOYMENT AND LABOUR





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REPUBLIC OF SOUTH AFRICA

STRATEGIC PLAN FOR

2020/21 – 2024/25
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ACRONYMS

4th IR	Fourth Industrial Revolution
AFS	Annual Financial Statements
APP	Annual Performance Plan
ARLAC	African Regional Labour Administration Centre
AU	African Union
AUC	African Union Council
BCEA	Basic Conditions of Employment Act
Brexit	"British exit"
BRICS	Brazil, India, China and South Africa
CCMA	Commission for Conciliation, Mediation and Arbitration
CD	Chief Director
CEE	Commission for Employment Equity
CoE	Compensation of Employees
COIDA	Compensation of Injuries and Diseases Act
COO	Chief Operations Officer
CSOs	Client Service Officers
CV	Curriculum Vitae
DEXCOM	Departmental Executive Committee
DG	Director-General
DPME	Department of Planning, Monitoring and Evaluation
ECC	Employment Conditions Commission
EEA	Employment Equity Act
EPWP	Extended Public Works Programme
ES	Employment Services
ESA	Employment Services Act
ESSA	Employment Services for South Africa
EXCO	Executive Committee
G&S	Goods and Services
G20	international forum for the governments and central bank governors from 20 major economies
GDP	Gross Domestic Product
GTAC	Government Technical Advisory Centre
ICT	Information, Communication Technology
IES	Inspection and Enforcement Services
IFS	Interim Financial Statements
ILM	International Labour Matters
ILO	International Labour Organisation
IT	Information Technology
JOI	Job Opportunity Index



JSE	Johannesburg Stock Exchange
KPI	Key Performance Indicator
LAP	Labour Activation Programmes
LMIS	Labour Market Information and Statistics
LP&IR	Labour Policy and International Relations
LRA	Labour Relations Act
MOU	Memorandum of understanding
MSS	Management Support Services
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
NDP	National Development Plan
NEDLAC	National Economic Development and Labour Council
NEET	Not in Education, Employment, or Training
NMW	National Minimum Wage
NMWA	National Minimum Wage Act
NMWC	National Minimum Wage Commission
OCOO	Office of the Chief Operations Officer
OHS	Occupational Health and Safety
OHS Act	Occupational Health and Safety Act
PACE	Performance Assessment for Competency Education
PEA	Private Employment Agencies
PES	Public Employment Services
PMO	Project Management Office
PSA	Productivity SA
PSET	Post School Education and Training
QLFS	Quarterly Labour Force Survey
RME	Research, Monitoring and Evaluation
SADC	South African Development Council
SDs	Sectoral Determinations
SEE	Supported Employment Enterprises
SEIAS	Socio Economic Impact Assessment System
SETA's	Sector Education and Training Authority
SMMEs	Small, Medium and Micro-sized Enterprises
SONA	State of the Nation Address
SOP	Standard Operating Procedures
SP	Strategic Plan
SPEEX	Situation Specific Evaluation Expert system used for Psychometric Assessments
TERS	Temporary Employee Relief Scheme
TES	Temporary Employment Services
TR	Treasury Regulations
U.S	United States
UI	Unemployment Insurance
UIA	Unemployment Insurance Act
UICA	Unemployment Insurance Contributions Act



ORGANISATIONAL STRUCTURE

TOP LEADERSHIP




BE Moloi
Deputy Minister of
Employment and Labour




TW Nxesi
Minister of Employment
and Labour




T Lamati
Director-General
Employment and Labour

INSTITUTIONS REPORTING TO THE EXECUTIVE AUTHORITY

Advisory Council for Occupational Health and Safety > Commission for Conciliation Mediation and Arbitration (CCMA) > Commission for Employment Equity (CEE) > Compensation Board > Employment Conditions Commission (ECC) > National Economic Development and Labour Council (NEDLAC) > Productivity South Africa > Unemployment Insurance Board

V Seafield

DDG: Labour Policy and Industrial Relations



A Moiloa

DDG: Inspection and Enforcement Services



S Morotoba

DDG: Public Employment Services



B Matebesi

DDG: Corporate Services



T Maruping

Commissioner: Unemployment Insurance Fund



M Bronkhorst

Chief Operations Officer



B Maduna

Chief Financial Officer



V Mafata

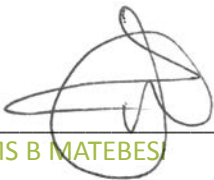
Commissioner: Compensation Fund



OFFICIAL SIGN OFF

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Department of Employment and Labour under the guidance of the Minister of Employment and Labour
- Takes into account all the relevant policies, legislation and other mandates for which the Department of Employment and Labour is responsible
- Accurately reflects the outcomes and outputs which the Department of Employment and Labour will endeavour to achieve over the period 2020/21.



MS B MATEBES
Deputy Director-General: Corporate Services



MS M BRONKHORST
Chief Operations Officer



MS A MOILOA
Deputy Director-General: Inspection and Enforcement Services



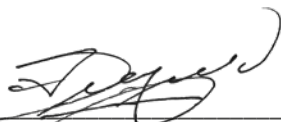
MR T LAMATI
Director-General



MR S MOROTOKA
Deputy Director-General: Public Employment Services

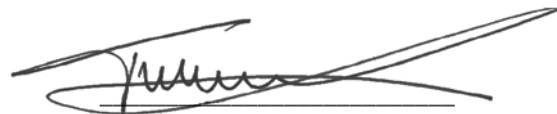


MS BE MOLOI, MP
Deputy Minister



MR V SEAFIELD
Deputy Director-General: Labour Policy and International Relations

Approved by:



MR TW NXESI, MP
Minister



MR B MADUNA
Chief Financial Officer





EXECUTIVE AUTHORITY STATEMENT

The five-year Strategic Plan for 2020 – 2024 reflects the expanded mandate of the Department of Labour to include ‘Employment’ with the focus shifting from labour market regulation to employment creation and the coordination of employment efforts throughout government and its agencies. This Strategic Plan reflects the reconfiguration of the Department to include ‘Employment’, a journey which is already underway. There is a roadmap, but it remains work in progress.

The traditional mandate of the Department of Labour is in no way diminished and includes: labour market regulation, collective bargaining, social security [through the Unemployment Insurance Fund (UIF) and the Compensation Fund (CF)], health and safety, employment equity, supported employment enterprises, and inspection and enforcement.

Indeed the Strategic Plan seeks to strengthen these areas, for example by increasing the number of inspectors and enhancing their training. This is done in order to promote the objectives of decent work and in the belief that a well-regulated labour market, stable labour relations and a safe and humane work environment are preconditions for attracting investment for growth and employment creation.

In line with the policy mandate, we will be developing a national Employment Policy, supported by focused programmes and strategies on employment. This is all the more important in the present fast changing environment of climate change, energy choices and the onset of the Fourth Industrial Revolution (4IR).

In 2019 a Minister of Employment and Labour was appointed to the new Administration with the clear intention of expanding the mandate of the existing Department of Labour the Department of Employment and Labour. As the Ministry, and the Department, we have been conceptualising the practical implications of the reconfiguration to Department of Employment and Labour. This is envisaged in two phases. Phase 1: building on the existing strengths of the Department, and Phase 2: in the words of President Ramaphosa in the June 2019 SoNA speech: the Department will ‘coordinate all Government efforts to create jobs and reduce unemployment’.

Phase 1 [building on the existing strengths of the Department] has two main legs: leveraging existing resources in the Department and its entities (principally the UIF and CF) and utilising existing capacity and programmes to create and preserve jobs. This is already under way and includes the following:

The High Social Impact Fund, for example, R1.2 billion was used to purchase a 14% stake in a recapitalised Edcon (Edgars)

with a saving of 140,000 direct and indirect jobs. This includes strict conditions and a turnaround plan. You can expect future major interventions under this programme.

TERS (the Temporary Employer/Employee Relief Scheme) – we have shifted our focus from endless training schemes in the past – often unrelated to the demands of the labour market – towards support for actual existing jobs in distressed companies. This involves referrals from the CCMA subsequent to the Section 189A process. The scheme will expand its impact with the development of improved turnaround times for applications for TERS funding.

Project Development Partnerships – this programme seeks to assist start-ups and small business – where there is no appetite from the usual funding institutions. The programme is expected to create 10,000 direct jobs plus additional jobs downstream. The programme involves incubation of entrepreneurs and assistance to access markets, as well as a specific project to support blacks, youths and women to establish six new Asset Managers.

The second leg of Phase 1 of the reconfiguration is to strengthen the role of the National Economic Development and Labour Council (NEDLAC) to promote social dialogue between the social partners – labour, business, communities and government - as per the directive of the President. This provides a strong foundation for government's priority of attaining 'inclusive growth'. The implementation of Jobs Summit commitments and recent proposals of Labour to establish a special vehicle to assist Eskom out of its present funding crisis are examples of this. A major objective is to create the conditions for increased business confidence to unlock investment for growth and jobs.

The implementation of Phase 2 ['coordinating all government efforts to create jobs and reduce unemployment'] is envisaged as a longer-term process over the period of the Strategic Plan and will require further research and resources. This phase will be characterised by heightened engagement across government and the private sector in order to increase cooperation and alignment in tackling the current unemployment challenges – what the President refers to as 'joined-up government'.

An important example of this is the close cooperation between the Department and the PMO (Project Management Office) in the Presidency charged with leading the implementation of the Presidential Youth Employment Initiative. This includes accelerating our efforts to pathway young people into the economy. Unemployed work-seekers will receive active support, information and work readiness training to access employment, education and other opportunities. Through a partnership between the Harambee Youth Employment Accelerator and National Youth Development Agency – providing a growing digital platform - we are mapping all of the services that are available to young people so that they can find help and support anywhere in the country.

From the side of the Department, we provide a national physical footprint: 126 Labour Centres, 36 satellite offices and 490 visiting points. We will be opening new Youth Labour Centres in KwaZulu-Natal (Newcastle and Durban) and Gauteng (Johannesburg), adding to the Cape Town Centre which is already up and running. We will continue to provide vocational services through our Public Employment Services (PES). Through this programme, the work seekers will get proper advice

on job opportunities, will be registered on our employment database and, where possible, matched to the job opportunities available.

Improving accessibility to our services is very important in connecting us with our clients. To ensure that our suite of services reach almost everyone, we will be implementing a number of initiatives such as our “Taking services to the people” campaign, procurement of mobile buses, and exploring the possibility of extending our service hours. The Department will recruit young unemployed graduates to work at our key service points. This initiative will go a long way in improving service delivery, providing these young graduates with practical work place experience, and ‘growing our own timber’ in areas of critical skills.

I wish to thank for all their support, in particular Deputy Minister, Ms Boitumelo Moloi MP and the Director-General, Mr Thobile Lamati, as well as the management and staff of the Department and its entities: the CCMA, Productivity SA, the CF, the UIF and SEE (Supported Employment Enterprises).

A handwritten signature in black ink, appearing to read 'Nxesi', with a long horizontal stroke extending to the right.

MR TW NXESI, MP

Executive Authority of Employment and Labour



President Ramaphosa appointed Minister TW Nxesi as the new Executive Authority for the reconfigured Department of Employment and Labour. This is the power assigned to the President in terms of Section 91(2) of the Constitution of the Republic of South Africa, 1996. The Constitution further outlines the Ministerial Responsibilities in Chapter 5.

Just recently, the Minister signed a Performance Agreement with the President to deliver on the Electoral Mandate. The contents of which sets out the powers and functions assigned to the Executive Authority. The performance agreement outlines in detail the electoral mandate prioritised in the 2020/2025 MTSF or the five-Year Strategic Plan. Our 2020/2025 Strategic Plan and the 2020/2021 Annual Performance Plan is a detailed reflection of the SONA Commitments, the NDP Priority areas, specific targets and measurable performance indicators.

Our indicators, baselines and targets also have a direct link to the Medium-Term Strategic Framework (MTSF). The Director General of the Department has submitted to the Executive Authority, the delivery plan towards achieving the set Departmental targets. The Minister and I will be very tough on the evaluation, review and impact assessment of the planned targets and indicators. The 80 to 100% targets set by the President for this Department must be achieved in the following key responsibility areas:

FOREWORD BY THE DEPUTY MINISTER

- Provide political leadership contributing to the country's triple challenges, NDP Priorities and Medium-Term Strategic Framework 2020 – 2025
- Work towards achieving a capable, ethical and developmental state
- Provide institutional oversight on the HOD and the Department of Employment and Labour
- Provide political leadership and oversight. We are mandated to ensure that there's optimal political and administrative interface within the Department, provide support for good governance and participate in international and regional integration programmes and commitments.

This Departmental Strategic Plan and APP is a direct and actionable response to the Performance Agreement of the Minister. Our new mandate is to coordinate all government efforts to create jobs and reduce unemployment. The key responsibility area on political leadership contributing to the country's triple challenges, the NDP Priorities and the MTSF 2020 -2025 also responds to this new mandate.

This Administration led by the Director- General who brings more than 20 years of experience in the Public Service, with the adequate support of all the Deputy Directors-General and all Senior Officials, will achieve all these targets.

In our very short period of this 6th Administration, the Minister and I have tabled very crucial pieces of legislation namely the Employment Equity Amendment Bill and the Compensation for Occupational injuries and Diseases Amendment Bill, that impact on the lives of the ordinary people. We owe it to the collective effort of the hardworking Departmental team, all Branches as well as Entities of this Department for the outstanding work. We know there's still much to be done.

The toughest journey of the next five years has just begun. It's going to be very difficult we know. What makes it even more difficult and yet exciting is the will of the people we serve who constantly need government services.

I wish to thank the Minister, Mr TW Nxesi, and the Director-General, Mr Thobile Lamati, as well as the management and staff of the Department and its entities: the CCMA, Productivity SA, NEDLAC, the CF, the UIF and SEE (Supported Employment Enterprises).



MS BE MOLOI, MP

Deputy Minister of Employment and Labour



On 8 May 2019 South Africa held its sixth general election to select a new National Assembly and Provincial Legislature. On conclusion of these general elections the President of the Republic of South Africa introduced a number of changes in our operating environment. Our Department is amongst the departments affected by the changes introduced by the President. After the general elections the President announced that the Department of Labour will now be known as the Department of Employment and Labour.

The consequential effect of the name change is an automatic extension of the mandate of the Department of Labour to include employment. There were many debates in the media and amongst ourselves as officials of the Department as to what this extension of mandate entails. Amongst other things, the first thing that came to our minds is that Government is serious about creating jobs and our country is embarking on a serious journey to create decent sustainable jobs.

We welcomed the President's announcement; because it confirmed to us that what we were doing all along as the Department through Public Employment Services; the Unemployment Insurance Fund and Productivity South Africa is aligned with the Sixth Administration's focus on job creation generating higher income growth and most importantly serving the people of South Africa better.

The Government's focus on job creation initiatives like the Job Summit and the extension of the mandate of the Department of Labour are understandable; because the South African unemployment rate continues to be a challenge. In the last quarter of 2019 the South African unemployment rate

ACCOUNTING OFFICER STATEMENT

remained at 29.1%. The concerning factor is that the net addition of 45 000 jobs over the quarter was not enough to compensate for the 125 000 people entering the workforce over the same period. It is also alarming to note that over the course of 2019 as whole, there was a net loss of 108 000 jobs. The largest loss of jobs was in the craft, and related trade sector, followed by technicians, elementary workers, plant and machine operators.

The 108 000 job losses had a knock on effect on other sectors such as the Domestic Worker sector. At the end of 2019 the Domestic Worker sector had a net loss of 16 000 jobs. It should be understood that when difficult economic conditions hit, households take a knock and resort to dropping their domestic workers, a way to cut monthly costs. This seems to suggest that we have a deep rooted structural unemployment challenge that affects everyone at all levels and immediate measurable action is required. We believe as the Department of Employment and Labour we cannot tackle this huge responsibility of creating jobs alone.

Therefore, there is only one question that stems from the Department of Labour's extension of its mandate; the massive numbers of people entering the workforce and job losses. That question is "What are we as the Department of Employment and Labour planning to do to accommodate the new entrants in the labour force and prevent further job losses? At face value this appears to be a simple question to answer; therefore, a no brainer. The response to this question is not as simple as the question suggests however, we are excited to respond to the challenge through detailed time bound strategies.

In responding to the challenge the Department has taken stock of all job creation instruments we have as a country; engaged in discussions with our strategic private and public stakeholders entrusted with these job creation instruments and now we are busy crafting a detailed long term Employment Strategy that will inform the mandate of the Department of Employment and Labour. However, the work cannot wait while we are doing all of that; therefore, we had to align our strategic direction as the Department of Employment and Labour with the Sixth Administration is Government priorities. Our Strategic Plan, over the next five-years, 2020/2025 and Annual Performance Plan for 2020/21 gives an indication of our strategic direction and the performance targets which amongst others, will ensure that immediate actionable steps are put in place to stabilize the climbing unemployment rate. I am confident that with the support received from the Minister, Deputy Minister, Oversight Committees, Top Management and the entire staff of the Department of Employment and Labour the actionable steps outlined in our Strategic Plan and Annual Performance Plan will bear positive results.



Mr T Lamati

Accounting Officer of Employment and Labour





PART A OUR MANDATE

DEPARTMENT OF EMPLOYMENT AND LABOUR

PART A: OUR MANDATE

1. UPDATES TO THE RELEVANT LEGISLATIVE AND POLICY MANDATES

The Department of Employment and Labour derives its mandate from the Constitution of the Republic of South Africa and gives effect thereto through a number of Acts which regulate labour matters in South Africa. Such legislation includes the Labour Relations Act (1995), the Basic Conditions of Employment Act (1997), the Employment Equity Act (1998), and the Occupational Health and Safety Act (1993).

The Department of Employment and Labour's legislative framework is informed by the South African Constitution, Chapter 2, and Bill of Rights:

- Section 9, To ensure equal access to opportunities
- Section 10, Promotion of labour standards and fundamental rights at work
- Section 18, Freedom of association
- Section 23, To ensure sound Labour relations
- Section 24, To ensure an environment that is not harmful to the health and wellbeing of those in the workplace
- Section 27, To provide adequate social security nets to protect vulnerable workers
- Section 28, To ensure that children are protected from exploitative labour practices and not required or permitted to perform work or services that are inappropriate for a person of that child's age or their well-being, education, physical or mental health or spiritual, moral or social development is placed at risk and
- Section 34, Access to courts and access to fair and speedy labour justice.

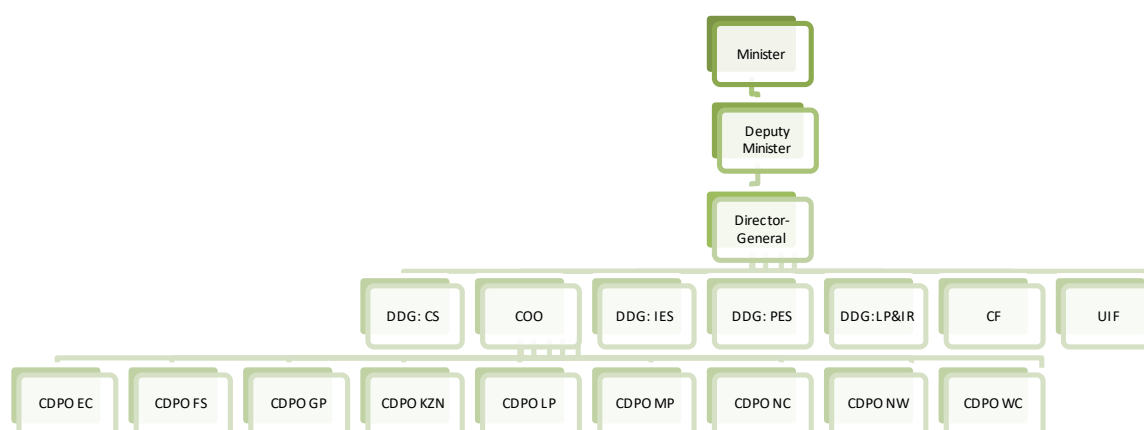
2. LEGISLATIVE AND POLICY MANDATES

The Department administers the following legislation:

Serial No	LEGISLATION	PURPOSE
1	Labour Relations Act, 66 of 1995 (LRA), as amended	The Labour Relations Act (LRA), Act 66 of 1995 aims to promote economic development, social justice, labour peace and democracy in the workplace
2	Basic Conditions of Employment Act, 75 of 1997 (BCEA), as amended	The purpose of this Act is to advance economic development and social justice by fulfilling the primary objects of this Act which are: (a) To give effect to and regulate the right to fair labour practices conferred by section 23(1) of the Constitution by: (i) Establishing and enforcing basic conditions of employment (ii) Regulating the variation of basic conditions of employment (b) To give effect to obligations incurred by the Republic as a member state of the International Labour Organisation
3	Employment Equity Act, 55 of 1998 (EEA), as amended	The purpose of the Act is to achieve equity in the workplace, by (a) Promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination (b) Implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, to ensure their equitable representation in all occupational categories and levels in the workforce
4	Unemployment Insurance Act, 30 of 2001, as amended (UIA)	The Act empowers the Unemployment Insurance Fund to register all employers and employees in South Africa for unemployment insurance benefits
5	Occupational Health and Safety Act, 85 of 1993 (OHSA)	The Occupational Health and Safety Act aims to provide for the health and safety of persons at work and for the health and safety of persons in connection with the activities of persons at work and to establish an advisory council for occupational health and safety
6	Compensation for Occupational Injuries and Diseases, Act 130 of 1993 (COIDA)	To provide for compensation for disablement caused by occupational injuries or diseases sustained or contracted by employees in the course of their employment, or for death resulting from such injuries or diseases; and to provide for matters connected therewith
7	National Economic Development and Labour Council Act, 35 of 1994 (NEDLAC)	To provide for the establishment of a national economic, development and labour council; to repeal certain provisions of the Labour Relations Act, 1995; and to provide for matters connected therewith

Serial No	LEGISLATION	PURPOSE
8	Employment Services Act 4 of 2014 Skills Development Act 97 of 1998 subsections 22 - 24	To provide for public employment services, their governance and functioning, including the registration of private employment agencies To provide for transitional arrangements with regard to regulation of private employment agencies
9.	Unemployment Insurance Contributions Act, 4 of 2002	To provide for the imposition and collection of contributions for the benefit of the Unemployment Insurance Fund; and to provide for matters connected therewith
10.	National Minimum Wage Act, Act 9 of 2018	The National Minimum Wage Act 9 of 2018 aims: (a) To provide for a national minimum wage (b) To establish the National Minimum Wage Commission (c) To provide for the composition and functions of the National Minimum Wage Commission (d) To provide for the review and annual adjustment of the national minimum wage (e) To provide for exemption from paying the national minimum wage (f) To provide for matters connected therewith

HIGH LEVEL ORGANISATIONAL STRUCTURE OF THE DEPARTMENT



Service Delivery Sites of the Department

Services are rendered at nine Provincial Offices, 126 Labour Centres, 36 Satellite Offices and 490 Visiting Points across the country. To deliver on its core business of Public Employment Services, Inspection and Enforcement Services and Labour Policy and Industrial Relations, the Department has a staff complement of 9 250. The Department uses its fleet and fully equipped mobile buses to provide services at satellite offices and visiting points. The provincial breakdown is as follows:

- In the Eastern Cape the Department delivers services at 16 Labour Centres, 5 Satellite Offices and 78 visiting points with a staff complement of 828 posts
- In the Free State the Department deliver services at 11 Labour Centres, 3 Satellite Offices and 69 visiting points with a staff complement of 535 posts

- In Gauteng the Department delivers services at 27 Labour Centres, 1 Satellite Office and 7 visiting points with a staff complement of 1 649 posts
- In KwaZulu-Natal the Department delivers services at 16 Labour Centres, 3 Satellite Office and 49 visiting points with a staff complement of 1 111 posts
- In Limpopo the Department delivers services at 13 Labour Centres, 7 Satellite Offices and 28 visiting points with a staff complement of 553 posts
- In Mpumalanga the Department delivers services at 14 Labour Centres, 2 Satellite Offices and 26 visiting points with a staff complement of 540 posts
- In the Northern Cape the Department delivers services at 7 Labour Centres and 95 visiting points with a staff complement of 342 posts
- In the North West Province the Department delivers services at 10 Labour Centres, 7 Thusong Service Centres and 34 visiting points with a staff complement of 458 posts
- In the Western Cape the Department delivers services at 12 Labour Centres, 8 Satellite Offices and 104 visiting points with a staff complement of 822 posts
- The Department is currently rolling out Kiosks to all Labour Centres, Youth Employment Centres and have other applications such as employment services available on internet and e-gov.

3. UPDATES TO INSTITUTIONAL POLICIES AND STRATEGIES

STRATEGIES

Inspection and Enforcement Services (IES) Branch started with its first strategy in 1999 and by 2001 it was being implemented. The premise of the first strategy was to offer a one-stop service to clients in order to avoid duplications of services and to avoid several inspectors visiting the same workplaces.

By 2008, IES was ready to implement its second strategy, this strategy was different from the first in that it sought to introduce four Pillars of service delivery and in so doing, ensure the professionalisation of the inspectorate. The process was broken up in phases with the first phase focusing primarily on changes to the inspectorate in the provinces in relation to the structure specifically in the provincial offices. The second phase included changes to the inspectors in the Labour Centres, this was halted due to amongst other things, funding.

There was also the introduction of the Standard Operating Procedure which focussed on the standardisation of the manner in which the inspector conducted his/her work daily (before, during and after the inspection or other similar work.

The Pillars are comprised as follows:

1. **Professionalisation of inspectors and services** - Task based inspector to professional inspector.
2. **Customer centred approach** - The client comes first
3. **Improved compliance** - Re-active response to self-monitoring. Prosecutions are prioritised.
4. **Effective and supportive business process management** - Silo to teams and systems –and includes: ICT; Operationalise service package and appropriate structure.

POLICIES

On 1 January 2019, the National Minimum Wage Act (NMWA) was introduced for implementation by IES (monitoring and enforcement) and Labour Policy and Industrial Relations (establishment and implementation of a National Minimum Wage Commission). The primary purpose was to provide for a minimum wage for the most vulnerable. Certain sectoral determinations would still be applicable after the introduction of the NMWA.

The recent updates of various pieces of legislation such as the Employment Equity Act were also being fully implemented in order to give effect to the recent changes introduced.

The Public Employment Services Branch will develop a number of policies during the MTEF period to respond to a number of identified challenges:

1. **Employment Policy** – the policy will be developed in line with the ILO Employment Policy guidelines to ensure that the country has a coordination framework for all employment initiatives in the country. The policy will be consulted extensively to receive maximum input and to ensure buy in or support during its implementation stages
2. **Labour Migration Policy** – the policy is in line with the South African Development Countries (SADC), Ministers of Employment/Labour and Ministers of Interior/Home Affairs for all member states to have Migration Policies that will assist in the management of movement of labour and the African Union (AU) protocol on the movement of labour in the region
3. **Strategy or Employment Schemes framework** – the framework is intended to provide short term employment in the midst of oversupply of labour and few employment opportunities available. The framework is intended to provide short term employment relief especially amongst young people, to stimulate the economy through multiple exit strategies that will allow participants to generate own income
4. **Partnership Agreements** - PES will also embark on a number of partnership agreements that are intended to assist in the capacity development of staff, to expand the PES services and secure commitment by employers to use PES services.

4. RELEVANT COURT RULINGS

a) African Labour Civil Rights Union (ALCRU) v Registrar of Labour Relations: (J 1605/17)

This was an appeal in terms of section 111(3)(b) of the Labour Relations Act. The Registrar of Labour Relations refused to register the Applicant (ALCRU) as a trade union as a result of its shortcomings in terms of the relevant sections of the Labour Relations Act, 66 of 1995 as amended. The Registrar found that the union:

1. Had no members
2. Could not account financially
3. There was no proper formation of the union.

The court found that the Registrar was correct in finding that the union was not formed as a genuine trade union. The Court further found that the Registrar was correct to conclude that the union did not have proper financial control measures. The appeal of the Appellant (ALCRU) was dismissed.

Judgement was delivered on 9 November 2018.

b) Solidarity v Minister of Employment and Labour and 5 Others (J 3092/2018)

The Human Rights Commission published their Equality report titled “Achieving substantive economic equality through rights-based radical socio-economic transformation in South Africa. In short, this report finds that the definition of designated groups as determined in the Employment Equity Act (EEA) is non-compliant with both the Constitution and international law obligations. This report therefore recommends that the EEA be amended in order to target more nuance groups, based on needs and socio economic indicators. Solidarity took the view that the report cannot merely be ignored due to its factual existence. Solidarity was of the view that the Equality report has recommendations that ought to be actioned by the Respondents including the Minister of Employment and Labour.

In summary: The court held that there is no statutory or other regulatory provision that deems the Equality Report binding on government or any other party. The court placed emphasis on the fact that the South Africa Human Rights Commission itself did not intend the Report to be binding and considered it to be a research report intended to contribute to the public discourse and to provide advice and guidance to government in fulfilling its constitutional obligations. Hence, the court found that there was no basis on which this court is empowered to confirm or otherwise enforce the report’s findings and recommendations for the purpose sought by Solidarity or for any other purpose. The court dismissed the application with no cost.

Judgement was delivered on 8 October 2019.





PART B OUR STRATEGIC FOCUS

DEPARTMENT OF EMPLOYMENT AND LABOUR

PART B: OUR STRATEGIC FOCUS

5. VISION

The Department of Employment and Labour strives for a labour market which is conducive to investment, economic growth, employment creation and decent work.

6. MISSION

Promote employment and regulate the South African labour market for sustainable economic growth through:

- Appropriate legislation and regulations
- Inspection and enforcement
- Protection of worker rights
- Provision of employment services
- Promoting equity
- Provision of social protection
- Promote social dialogue

7. VALUES

We shall at all times be exemplary in all respect

We treat employees with care, dignity and respect

We respect and promote:

- Client centred services
- Accountability
- Integrity and ethical behaviour
- Learning and development

We live the Batho Pele Principles

We live the principles of the Department's Service Charter

We inculcate these values through our performance management system.

8. SITUATIONAL ANALYSIS

The Department of Employment and Labour acknowledges the low performance of the South African economy and labour market. While good progress has been noted regarding the implementation of the National Development Plan, and Vision 2030, it appears that not enough progress has been made to achieve the expected transformation and inclusive growth targets. The evidence has shown that the low economic growth in the country is also associated with low absorption rates. Thus, the overall impact will probably result, in the long-term, in diminished purchasing power by the poor or rural communities.

Some of the key features regarding the performance of the economy and labour market can be summarised as follows:

- In the first half of 2018, the Gross Domestic Product (GDP) grew by 0.6% compared with the same period in 2017. An analysis of quarter-to-quarter basis shows a consecutive decline which led to a technical recession from January to June 2018¹. After rebounding by a revised 3,2% in the second quarter of 2019, activity in the South African economy slipped slightly in the third quarter. GDP contracted by 0,6% in the third quarter of 2019.

Key facts from the GDP release for the third quarter of 2019:

- » Real GDP in the third quarter was down 0.6% quarter-on-quarter
 - » Unadjusted real GDP growth in the third quarter was 0.1% year-on-year
 - » Unadjusted real GDP growth for the first nine months of the year, 2019, was 0.3% year-on-year
 - » Nominal GDP in the third quarter of 2019 was estimated at R1.29 trillion, higher than the R1.26 trillion recorded in the second quarter of 2019.
- The low GDP performance compared to the expected goals of 5.4% economic growth per year as set out in the NDP exposes the risks that the country could fail to reduce the unemployment rate to 12% by 2030. In other words, it is noted that the increase in the long-term unemployment rate in the country will probably persist as the GDP continues to show a fragile recovery over time
 - Most people lost their jobs because of the low performance of the economy associated with its technical recession. The picture shows that 86 000 jobs were lost in the past twelve months that led to 0.9% point unemployment rate increase from March 2018 to March 2019³. Of the 6.2 million unemployed persons in quarter one of 2019, almost 56% had an education level below matric, followed by those with matric at 34.5%
 - South Africa's unemployment rate increased by 0.1% to 29.1% in the third quarter of 2019. According to the Quarterly Labour Force Survey (QLFS) released by Statistics South Africa, this is the highest unemployment rate since Stats SA started measuring unemployment using the QLFS in 2008
 - The number of employed persons increased by 62 000 to 16.4 million in the third quarter of 2019, with the number of unemployed persons also showing an increase of 78 000 to 6.7 million compared to the second quarter of 2019, resulting in an increase of 141 000 (up by 0.6%) in the number of people in the labour force. The working-age population (15–64 years) in the third quarter of 2019 was 38.6 million
 - Over the period 2016/17, the proportion of men who participated in the Expanded Public Works Programme (EPWP) and other government job creation programmes decreased from 38.4% to 31.2% while women's participation increased from 61.6% to 68.8%. The largest increase in the share of those who participated in these programmes was in Mpumalanga province, where the participation rate increased by 6.3% points in 2017. These trends could signify that the success in EPWP can be hardest hit by the government budget cuts
 - There was a significant increase of 9% in registration of trade unions between 2017/18 and 2018/19³ as compared to the previous years. In contrast, the membership of trade unions declined by 1.9% over the same period. The biggest decline in the trade union membership was observed in the Trade industry (18.1%) while the Private Household industry shows an increase of 56.4% in the trade union membership between March 2018 and March 2019.

¹ Mining and agricultural production have contracted, import growth has accelerated and investment growth remains muted. Per capita GDP continues to decline as the economy grows more slowly than the population (National Treasury, Medium Term Budget Policy Statement 2018, p.9)

² Statistics South Africa, Quarterly Labour Force Survey, (Quarter one of 2018 and 2019), Statistical release P0211, South Africa.

³ Department of Employment and Labour, Annual Labour Market Bulletin 2018/19 financial year, Pretoria 2017

8.1. EXTERNAL ENVIRONMENT ANALYSIS

South Africa is faced with triple socio-economic challenges of high unemployment, inequalities and poverty as identified in the National Development Plan (NDP) and Vision 2030. The unemployment rate is among the highest in the world, in the third quarter of 2019, unemployment remained at 29% (official definition) or 38.5% (expanded definition) from June 2019. Young people are the most affected group with a youth unemployment rate of 41% (official definition) and 52% (expanded definition)⁴.

Over half of unemployed young people including those that are discouraged from looking for jobs, find it difficult to access opportunities in the labour market as a result of their low levels of education, low skills, lack of experience and other social and economic related factors. The high levels of unemployment also mirror the low levels of economic growth of the country.

Compliance levels to labour laws in the country remains relatively static with one in every three employers complying when inspected. Some sectors have better compliance levels than others. Transformation in the market place remains a challenge with very low compliance levels at Employment Equity - DG review level with little or no movement in relation to black people in senior management level positions and little movement in relation to women in senior positions. The National Minimum Wage Act that was introduced on 1 January 2019 will receive most of the attention throughout the 2020/2021 financial year. There will be a concerted effort to intensify inspections in order to contribute to improved compliance.

OHS has been focused more on the formal sector and to some degree on the SMMEs but very little attention has been given to the informal sector that makes up most of the population. Very little attention has also been paid to the important aspect of HIV/AIDS at the workplace and this should change as it has the potential to destabilise the existing workforce.

PESTEL

According to the Department of Planning, Monitoring and Evaluation (DPME), SWOT and PESTEL analysis are tools suitable for the planning process. The new DPME Planning Guideline provides clear guidelines for conducting Environmental Analysis for a government planning exercise.

The Departmental Environmental Scanning process followed the guidelines provided by DPME in an attempt to identify strategic internal capabilities while trying to understand external influences. Branches and Provinces responded with their unique inputs to the Departmental Environmental Analysis.

Internal strengths within an organisation include dedicated and properly skilled human resource, motivated employees, and adequate financial resources, initiatives for IT systems, developmental performance management system, and strong seamless communication channels. Both Branches and Provinces provided inputs highlighting areas of strengths. The analysis of the internal weaknesses focused on shortfalls in areas that if not strengthened the organisation might not achieve its intended results. Some of the examples that are known as weaknesses include; lacking the required resources, (human, financial, ICT, processes and structure supported by strong organisational culture towards managing for results) is an indication that an organisation will not achieve its mandate and no public value will be created. The Branches and Provinces provided inputs highlighting areas of weaknesses in their respective operational units.

⁴ Statistics South Africa, Quarterly Labour Force Survey, (Quarter two 2019), Statistical release P0211, South Africa

The analysis of the external environment was guided by a PESTEL Analysis with a focus on identifying Threats and Opportunities. The identified threats and opportunities are situations that are presented by the external environment. Some areas that can be considered as threats or challenges include; reduction in budget allocation due to poor economic conditions, unfunded mandates which may lead to failure to meet organisation goals which will affect the image of the organisation, poor or weak relations with unions, lack of support from the public, amongst others.

This exercise provides an organisation a chance to exploit opportunities presented by the external environment in order to meet the goals of the organisation and create public value. The external environment presents opportunities. It should be noted that based on the inputs received, the Department has many opportunities that need to be exploited.

A comparison summary of the PESTEL analysis focusing on external opportunities has been provided. Below is a summary of Branch and Provincial inputs of the Department:

Threats /Challenges	Opportunities	Options for overcoming each Threat	Options for taking advantage of each opportunity
Political Analysis			
<ul style="list-style-type: none"> • More public service protests as people tend to resort to violent protests for effective service delivery • Duplication of Services and government departments and municipalities all having a database of unemployed work-seekers • Political interference in the recruitment and selection process of work-seekers 	<ul style="list-style-type: none"> • Establishing relationships and partnerships with stakeholders such as SETAs and Municipalities to recruit for EPWP projects from PES • Revive the local stakeholder forums where new developments on legislation will be discussed. Make use of local forums to educate the stakeholders • Integration of PES/ LAP/Entities 	<ul style="list-style-type: none"> • The engagement of key stakeholders will help address challenges of inter-government relations • Working through clusters may also assist to overcome the challenge of duplication of services 	<ul style="list-style-type: none"> • In order to create a conducive environment for employment creation, the Department will have to work closely with key stakeholders • Establishing relationships and partnerships with stakeholders such as SETAs and Municipalities to recruit for EPWP projects from PES

Threats /Challenges	Opportunities	Options for overcoming each Threat	Options for taking advantage of each opportunity
Economic Analysis			
<ul style="list-style-type: none"> Shrinking economy with job losses Increased Retrenchments High levels of unemployment, particularly amongst youth Budget cuts may lead to failure to fulfil the mandate 	<ul style="list-style-type: none"> Job summit agreement concentrating on areas with job opportunities to be implemented 	<ul style="list-style-type: none"> Implementation and monitoring of the job summit agreement Lessen the policy regulation burden on small businesses to create a conducive environment for business growth and job creation Economic depression poses challenges to current labour market programmes and policies, necessitating high level of research to be done 	<ul style="list-style-type: none"> The shrinking economy provides an opportunity for the public sector to be innovative and prioritise on how to use government resources effectively Value for money should be created at all times
Social Analysis			
<ul style="list-style-type: none"> High unemployment rate means an increase in beneficiaries and a greater reliance on UIF The slow pace of transformation has negative implication on social cohesion and societal unity Increased immigration resulting in increased unemployment rate High levels of unemployment threaten political and social stability 	<ul style="list-style-type: none"> Strengthening the working relationship with external stakeholders in established statutory institutions such as Chapter 9 institutions and other similar bodies like NEDLAC, CCMA, ILO, amongst others. Increase in compliance rate which in turn leads to an increase in disposable income resulting in alleviating poverty Increased media communication awareness with regards NMW which increases awareness across the country 	<ul style="list-style-type: none"> Engage with community leaders and civil society to avoid interruption of services Implement the policies with vigour as they seek to contribute in the transformation of the labour market 	<ul style="list-style-type: none"> Continue to engage with social partners for buy-in and support Intensify compliance with Departmental legislation and measure the impact

Threats /Challenges	Opportunities	Options for overcoming each Threat	Options for taking advantage of each opportunity
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Technological Analysis

<ul style="list-style-type: none"> Technological advancement posing big challenge to traditional definitions and venues for employment, which also challenge the way research is conducted Fourth Industrial Revolution may pose a threat to job retention due to Technology and Automation of Business Processes Rapid advancing technology: ICT challenges from the Department are hampering our ability to provide “world class” services 	<ul style="list-style-type: none"> Re-skilling, up-skilling and multi-skilling of staff to adapt to the fourth industrial revolution Roll out wi-fi in all centres to assist with services that can be rendered without having to queue ESSA System Interlink with other government departments such as Departments of Education (qualification evaluations) and Home Affairs (verification of ID) 	<ul style="list-style-type: none"> The organisation needs to consider better use of technology as we are in the 4IR which talks to the internet of things and the future of work We are clearly not optimally utilising this aspect to its fullest 	<ul style="list-style-type: none"> New regulations to protect new job categories created by technology Introduction of paperless working environment Install Kiosks in all LC to assist in the influx and specially to have the youth register them on ESSA other than to complete ESSA forms at offices
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Ecological Analysis

<ul style="list-style-type: none"> Climate change is affecting jobs and research on this area is not considered a priority as more urgent priorities are identified due to limited resources within the Department 	<ul style="list-style-type: none"> New research focus on climate change is required to support planning on labour market support to industries that are in danger of being affected Engage with NEDLAC social partners on the future of economy 	<ul style="list-style-type: none"> Implementation of the Job summit agreement deals with green economy 	<ul style="list-style-type: none"> To identify opportunities presented by the green economy
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Threats /Challenges	Opportunities	Options for overcoming each Threat	Options for taking advantage of each opportunity
Legal Analysis			
<ul style="list-style-type: none"> • Low level or poor level of compliance by employers • No legislation that binds other departments or potential employers to employ through Department of Labour (Employment Service Act) 	<ul style="list-style-type: none"> • Improved compliance level • Affiliation to professional bodies • Customised Labour Inspector Qualification / learning academy • Influence legislative changes based on experiences on the ground • Strengthening the relationship with enforcement agencies • Promulgation, amendment and signing of a legislation that can bind all departments and other potential employers to recruit through the Department 	<ul style="list-style-type: none"> • We need to make full use of our policies to adequately protect the worker 	<ul style="list-style-type: none"> • While our threats are very critical, our opportunities have the ability to harness what currently appears to be a challenge • More opportunities and placement will be created

8.2 INTERNAL ENVIRONMENT ANALYSIS

In line with the Presidential Cabinet announcement post National and Provincial Elections in June 2019, the purpose of an internal strategic session was to concretise the President’s injunction to expand the mandate of the Department of Labour and to establish the Department of Employment and Labour along the following lines:

Department of Employment and Labour “will coordinate all government efforts to create jobs and reduce unemployment”, and by extension, it “will be required to change its approach from mere compliance enforcement to facilitating job creation.” [SONA, 20 June 2019]

The strategic session undertaken by the Department followed extensive engagements between the Project Management Office (PMO) in the Presidency and the Department, research and analysis into possible options and the practical steps already taken to strengthen the employment dimension of the Department, which is already implicit in the mission of the Department.

The process of the reconfiguration of the Department of Labour to Department of Employment and Labour is not taking place in a vacuum. The Department and its Public Entities have a massive physical and digital footprint. It has established structures, processes and programmes – though there are challenges around ICT, financial controls (in certain cases) and lack of coordination resulting in working in silos. In addressing these challenges, the Department builds a basis for the expanded mandate, whilst strengthening its capacity to implement the traditional mandate of labour market regulation, compliance enforcement, decent work, among others.

Politically, the Department is tasked with expanding the mandate and charting a way forward towards the creation of the Department of Employment and Labour. Legally and administratively, before the promulgation process is finalised and at the time of tabling this Strategic Plan in March 2020, the Department is still constituted as the Department of Labour. The

task at hand is to close this gap as part of a larger project to streamline the architecture of government. The President will announce the new configuration of government departments at the end of March 2020. The Department is expected to take a lead in making proposals on the future shape and direction it intends to take.

After extensive strategic sessions it was resolved that:

1. That the reconfiguration of Department of Labour to Department of Employment and Labour would take place in two phases:

- Phase 1: Building on the strengths of the current department
- Phase 2: Coordinating all government efforts to create jobs and reduce unemployment.

2. **Phase 1** to consist of the following:

- Expanding the employment dimensions of the current department and leveraging existing resources for greater job creation and retention. The Temporary Employee Relief Scheme (TERS) programme would be an example of this. Therefore, in practical terms, the process of reconfiguration is already underway, albeit in an ad hoc fashion.
- Strengthen the role of NEDLAC for greater engagement with business to foster confidence and investment and to promote participation in job creation and protection. The Department/NEDLAC's leadership of the Presidential Jobs Summit implementation process has provided important indicators of what would be required in this respect. Again, this is an indication that, on the ground, reconfiguration is already taking place.

3. **Phase 2** will entail the following:

- Coordinating all government efforts to create jobs and reduce unemployment is envisaged as a process involving further research, expanded capacity in relation to labour market policy and extensive engagement with stakeholders.

In achieving the abovementioned it was further resolved as follows:

4. The Department will engage the Technical Advisory Centre (GTAC) of National Treasury to provide an objective rapid diagnosis of the Department and its public entities to:

- Identify strengths and weaknesses of the Department and public entities as is, and in the light of the new mandate
- Undertake a skills and resources audits – and deficits/gap analysis
- Assess the impact and cost effectiveness of current programmes and structures of the Department and its public entities, as is – and in relation to the new mandate
- Provide proposals/options to strengthen/leverage existing programmes and for remedial action where necessary.

5. The Department will engage the International Labour Organisation (ILO) to assist to conceptualise the 'End State' for the Department and its public entities:

- Drawing on best international practice
- Concretising the expanded mandate on employment

6. The Department will further strengthen NEDLAC by:

- Finalising processes to appoint an Executive Director and Chief Financial Officer
- Resourcing NEDLAC to provide the necessary services to social partners in line with the previous ILO review of NEDLAC and any further research.

The strategic Planning Process in the Department of Employment and Labour: Stop, Start and Continue Concept

From 2018 to date, to further strengthen its situational analysis and respond to emerging challenges, the Department adopted a new strategic planning approach where Branches and the Funds were assigned a responsibility to complete a STOP, START & CONTINUE Concept. This concept was further developed for strategic planning aligned to the new MTSF of the sixth administration. The Stop, Start and Continue process is three-fold:

- To start projects, initiatives that are great for the service delivery of the Department
- To stop anything that is not beneficial to the service delivery of the Department
- To continue with projects that are yielding intended results in service delivery.

The Department's four Branches and the two Funds further developed their proposals on the stop, start and continue concept for implementation during the 2019/20 planning cycle and the MTEF.

Action plans have been developed by Branches and the Funds to execute the Start, Stop and Continue Concept. The expectation is that Branch Plans and those of the Funds will continue to reflect the Start, Stop and Continue concept for the 2020/25(Five-year) and 2020/21 (one year)planning cycles. Conducting situational analysis during the planning exercise is key in coming up with realistic priorities. The Start, Stop and Continue exercise is a practical example of a situational analysis. The 2020/21 planning cycle is taking place following the national and provincial elections, therefore, it is a requirement for the Department to align its plans with a renewed government agenda and start to implement new priorities. Most importantly, the current planning process requires the Department to position itself to deliver on its new and expanded mandate of Employment.

Programmes	Stop	Start	Continue
Administration	<ul style="list-style-type: none"> • Distant relationship with clients • Haphazard implementation of ICT projects • Missing / delay planned targets on the ICT projects • Reactive behaviour on support response • “Can’t be done” mentality 	<ul style="list-style-type: none"> • Organisational Structure evaluation and alignment to the business of the Department • Improving on communicating Departmental stories in both traditional and electronic media • Prioritisation methodology for ICT projects • Managing and proactive measures on the unplanned ICT downtimes • Provision of solutions to the clients • Proactive in building partnerships with clients and reaching out • Advocacy of the HRM policies and monitoring of implementation • Reorganising and re-assignment of staff that has been rendered “redundant” after implementation of e-gov initiatives • Incorporate the issue of skills transfer to staff on all the contracts and also enforce the employment of locals on these contracts, and monitor • Find a happy place to do work and be productive and effective and inculcate a culture being self-driven 	<ul style="list-style-type: none"> • Improve on the head office provincial coordination and support for corporate services • Leading department in the use of social media • Review of policies in line with the new Public service regulations • Managing unplanned ICT down times • Employee and client satisfaction surveys • Embracing the advent of new technology and smart way of doing administrative processes

Programmes	Stop	Start	Continue
Inspection and Enforcement Services	<ul style="list-style-type: none"> Complaining about limited resources, inter alia and over reliance on the fiscus Tolerating mediocrity around discharging of management functions Not paying enough attention to the CSOs as part of the value chain in relation to capacity building and development, amongst others. 	<ul style="list-style-type: none"> Implement a comprehensive and effective implementation of the case management system (including change management) Commencement of the 2nd phase of specialisation Defining of the calibre of the inspector in the 4th IR Leveraging of technology (usage of drones in investigations and conducting skype inspections.) Conducting inspections through the use of auxiliary inspectors 	<ul style="list-style-type: none"> Training Academy (full implementation) Non-monetary recognition for performance Strengthen monitoring as a governance function (e.g. monitoring of the SOP; filling of vacancies and expenditure of the budget) Strengthen the implementation of the MoUs with the internal and external stakeholders
Public Employment Services	<ul style="list-style-type: none"> Underspending on the budget Stop registering opportunities without verification No current PES Indicator will be stopped 	<ul style="list-style-type: none"> Present a new value proposition to employers, to encourage them to use the PES services In exchange for free quality service, employers must commit to placing work seekers Get closer to the recruitment needs of the individual employers Reduce recruitment costs to employers, freeing up their resources to employ more workers 	<ul style="list-style-type: none"> Improve Quality of service Improve Quantity by widening coverage Improve speed through real time processing Service through targeting individual recruitment needs of employers Digitise the ESSA platform further, by benchmarking and partnering with modern platforms like LinkedIn, and other employment related databases Increase marketing and communication of the PES services Improve the operational efficiency and effectiveness

Programmes	Stop	Start	Continue
Labour Policy and Industrial Relations	<ul style="list-style-type: none"> • Poor planning by departmental officials when applying for visas should not impede on Embassies adherence to strict protocols and such should be respected • Non-compliance with ILO Constitutional obligations under article 19 (unratified conventions) and article 22 (ratified conventions) • Non-compliance with project updates in terms of the Decent Work Country Programme 	<ul style="list-style-type: none"> • Effectively discharging our obligations to international institutions by virtue of our affiliation • Developing effective strategies to encourage conformity with international labour standards internationally and regionally • Strengthening our links in Southern Africa, to encourage a convergence in labour policies between South Africa and her neighbouring countries and to promote regional economic integration by monitoring and assessing labour trends in the region 	<ul style="list-style-type: none"> • Monitoring the impact of legislation through research • Amending legislation in areas where research evidence point to • Socio Economic Impact Assessment truthfully and engage affected stakeholders to get their views and also to action their views where they show advantage to building sound labour markets





PART C

MEASURING OUR PERFORMANCE

DEPARTMENT OF EMPLOYMENT AND LABOUR

PART C: MEASURING OUR PERFORMANCE

9. INSTITUTIONAL PERFORMANCE INFORMATION

The Medium-Term Strategic Framework (MTSF) for the period 2019 -2024 has identified seven key priorities that will be the focus of government for the sixth administration. The Department of Planning, Monitoring and Evaluation (DPME) provided the 2019 -2024 MTSF as the overarching plan of Government over the next five years. Government departments provided inputs to the NDP Five Year Implementation Plan for 2019 – 2024 also known as the MTSF 2019 -2024. Inputs were submitted to DPME on 26 July 2019 right after the National and Provincial Elections. In order to submit consolidated inputs to the NDP Five-Year Implementation or the Medium Term Expenditure Framework for 2019-2024, the Department, inclusive of Public Entities, held its first strategic planning session on the 15 -16 July 2019 to deliberate on the Department's contribution to the MTSF for 2019 -2024.

The planning session was subsequent to a Top Management meeting of the Department of Employment and Labour held on the 02 July 2019 in Cape Town to interrogate the NDP Five-Year Implementation plan for 2019 -2024. Subsequent to the meeting on the 02 July 2019, the Corporate Planning Team (OCCO), met with the Public Entities on 5 July 2019, where a presentation of the NDP Five-Year Implementation Plan for 2019 -2024 was conducted for public entities to interrogate and provide their inputs.

In implementing its new mandate of Employment and Labour, the Department will focus on the following new activities:

- Coordinating and monitoring all employment activities of government, non-governmental organisations and entities
- Streamline the Public Employment Services and the establishment of Employment Centres
- Close cooperation with the Department of Higher Education and Training, the Department of Basic Education and SETA's to enhance the employability of work-seekers by improving their skills levels
- Through Productivity-SA assist SMME's to do business and grow the enterprises.

In addition the Department will enhance and reinvigorate social dialogue and the social impact through the NEDLAC processes.

The Department will establish one integrated ICT system to improve the ease of doing business within the Department, UIF and CF.

The establishment of an Ethics Unit will be instrumental in the intensified fight against corruption and fraud.

Below is a summary of priority areas that were identified as relevant to the Department of Employment and Labour for the MTSF 2019-2024. The final inputs to the NDP Five-Year Implementation Plan/MTSF were formally presented by Branch/Programme Heads, and the Commissioners during the Strategic Planning Session held on the 15-16 July 2019 and chaired by the Director-General. Further refined inputs were provided by the Programmes and Public Entities on the 19 July 2019 and were submitted to the Minister, Deputy Minister and Director- General for sign-off.

The seven Priorities derived from the Electoral Mandate and SONA

- » Priority 1: Capable, Ethical and Developmental State
- » Priority 2: Economic Transformation and Job Creation
- » Priority 3: Education, Skills and Health
- » Priority 4: Consolidating Social Wage through Reliable and Basic Services

- » Priority 5: Spatial Development, Human Settlements and Local Government
- » Priority 6: Social Cohesion, Safer Communities
- » Priority 7: A Better Africa and a Better World

DEPARTMENT OF EMPLOYMENT AND LABOUR (DEL) PROGRAMMES AND ENTITIES

1. Programme 1: Administration: Ministry; Deputy Minister, Director General's Office; Corporate Services (CS), Chief Operations Officer (COO), Chief Financial Officer (CFO)
2. Programme 2: Inspection and Enforcement Services (IES)
3. Programme 3: Public Employment Services (PES)
4. Programme 4: Labour Policy and Industrial Relations (LP and IR)
5. Unemployment Insurance Fund (Schedule 3A Public Entity): UIF
6. Compensation Fund (Schedule 3A Public Entity): CF.

Entities established in terms of various legislations and cabinet decisions to assist the Department in meeting its mandate include:

1. Commission for Conciliation, Mediation and Arbitration (CCMA)
2. National Economic Development and Labour Council (NEDLAC)
3. Productivity South Africa (Productivity SA)
4. Supported Employment Enterprises (SEE)

In the medium-term, the Department of Employment and Labour will contribute mainly to the following Medium-Term Strategic Framework (MTSF) Priorities:

- » Priority 1: Capable, Ethical and Developmental State
- » Priority 2: Economic Transformation and Job Creation
- » Priority 3: Education, Skills and Health
- » Priority 4: Consolidating Social Wage through Reliable and Basic Services
- » Priority 6: Social Cohesion, Safer Communities
- » Priority 7: A Better Africa and a Better World

GOVERNMENT PRIORITIES AND IMPLEMENTING BRANCH/ PUBLIC ENTITY

GOVERNMENT PRIORITY	IMPLEMENTING BRANCH/ PUBLIC ENTITY
PRIORITY 1: Capable, Ethical and Developmental State	Administration (DEL + PE)
PRIORITY 2: Economic Transformation and Job Creation	IES PES LP&IR SEE UIF CF CCMA Productivity SA NEDLAC
PRIORITY 3: Education, Skills and Health	PES Productivity SA UIF CF IES

GOVERNMENT PRIORITY	IMPLEMENTING BRANCH/ PUBLIC ENTITY
PRIORITY 4: Consolidating Social Wage through Reliable and Basic Services	UIF CF IES
PRIORITY 6: Social cohesion safer communities	LP&IR
PRIORITY 7: A better Africa and a better World	LP&IR

INSTITUTIONAL PERFORMANCE INFORMATION

Measuring the impact

Impact statement	A labour market which is conducive to decent employment
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PRIORITY 1: CAPABLE, ETHICAL AND DEVELOPMENTAL STATE

A capable, ethical and development state underpins all seven priorities of the MTSF. It is a vision of strong leadership, a focus on people and improved implementation capability. Facilitating this vision into action will involve a transition to a more functional and integrated government, which is capacitated with professional, responsive and meritocratic public servants to strengthen relations and efficiency. Intergovernmental and citizen engagements are also key enablers of this priority to ensure the joint pursuit of a capable state.

The following key definitions are provided for Priority 1, namely:

Capable state: A capable state has the required human capabilities, institutional capacity, service processes and technological platform to deliver on the NDP through a social contract with the people.

Ethical state: An ethical state is driven by the constitutional values and principles of public administration and the rule of law focused on the progressive realisation of socio-economic rights and social justice as outlined in the Bill of Rights.

Developmental state: A developmental state aims to meet people's needs through interventionist, developmental, participatory public administration. Building an autonomous developmental state driven by the public interest and not individual or sectional interests; embedded in South African society leading an active citizenry through partnerships with all sectors of society.

Measuring outcomes

Outcome	Outcome Indicator	Baseline	Five year target	Implementing Programme
1. Functional, Efficient and Integrated Government	1.1 Reduction in the vacancy rate	10%	Funded Vacant positions filled within 4 months of becoming vacant	Corporate Services
	1.2 Acquisition, maintenance and improvement of ICT services	90 % system availability	95% system availability	Corporate Services

PRIORITY 2: ECONOMIC TRANSFORMATION AND JOB CREATION

Sustainable long-term growth is needed to sharply reduce unemployment. This requires both broad structural reforms as well as targeted interventions. As we navigate an uncertain global environment and local fiscal constraints, we need to rebuild confidence and galvanise investment.

In addition, funds will be transferred to SEE to focus on production and the proceeds generated will be re-invested in the creation of employment for persons with disabilities.

Measuring outcomes

Outcome	Outcome Indicator	Baseline	Five year target	Implementing Programme
2. More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	2.1 Number of jobs created per year through Job Summit agreement initiatives coordinated through the implementation of Jobs Summit framework agreements	New Indicator	Monitor and report on the target set by the Presidential Job Summit agreement (275 000 jobs created per year) ⁵	Labour Policy and Industrial Relations
	2.2 Number of jobs created through the Presidential Comprehensive Youth Employment interventions 1.2.1 Number of youth NEET absorbed in employment	New indicator	1 million youth jobs by 2024 ⁶ DEL: 256 050 (contributors PES: 190 000, SEE and Designated Groups: 1 000; UIF (LAP): 61 050; CF: 4 000)	Public Employment Services
	2.3 Employment Policy developed, consulted, piloted and implemented	New Indicator	Employment policy implemented by 2024	Public Employment Services
3. Investing for accelerated inclusive growth	3.1 Number of Employment Equity Act (EEA) inspections: which includes EE Procedural inspections, DG Reviews and Reassessments, workplaces (designated employers) conducted per year to determine compliance with Employment Equity legislation	EEA inspections conducted in 2018/19 3 610	The five year target is anticipated to be 18 420 workplaces inspected and transformed (inclusive of 1 812 DG Reviews)	Inspection and Enforcement Services
4. Increased economic participation, ownership, access to resources, opportunities and wage equality for women, youth and persons with disabilities	4.1 Number of workplaces inspected per year to determine compliance with the National Minimum Wage Act and the Basic Conditions of Employment Act	172 229 NMWA only implemented on 1 January 2019 ⁷	The inspectors will visit 838 560 workplaces over the next five years	Inspection and Enforcement Services

PRIORITY 3: EDUCATION, SKILLS AND HEALTH

The Department contributes to this priority through the Labour Activation Programmes of the Unemployment Insurance Fund. Details of this are found in their Strategic Plan. The Programme Public Employment Service's involvement is to identify the participants to the Labour Activation Programmes from the unemployed persons that are registered on the Employment Services South Africa system. The numbers will be included under the Annual Performance Plan indicator: Work-seekers placed in work and learning opportunities.

⁵ Labour Policy and Industrial Relations monitor the creation of jobs through the Jobs Summit.

⁶ DEL will identify all key departments and private programmes in the employment space, secure agreement on the reporting mechanisms, prepare and submit reports.

⁷ The FY 2019/20 information is not available to indicate the baseline.

Measuring outcomes

Outcome	Outcome Indicator	Baseline	Five year target	Implementing Programme
5. Safe and healthy work environment	5.1 Number of Employer/User inspected per year to determine compliance with the Occupational Health and Safety legislation	23 027	Year 1 = 23 844 – this target is for existing inspectors in FY 2020/21 4 x Years = 397 776 (2021/22-2024/25) This is what will be achieved in the next 5 x Years = 421 620	Inspection and Enforcement Services

An additional 500 OHS inspectors will be employed by the Inspection and Enforcement Services Branch in the year 2020/21. This will be an entirely new group made up of 100 Principal Inspectors (SR 10) and 400 junior inspectors (SR8). The 500 new inspectors will be trained and mentored in the first year and will therefore not be productive in the first year. The target in the first year will be composed of inspections conducted by existing inspectors. The Target for the remaining four years will be 397 776 which will be composed of both the existing inspectors and the new inspectors. The aggregated total for the full five years will be 421 620 inspections.

PRIORITY 4: CONSOLIDATING SOCIAL WAGE THROUGH RELIABLE AND BASIC SERVICES

A comprehensive, inclusive and responsive social protection system ensures the resilience of citizens. Social protection is critical for income security and protecting human capital during transition phases, as well as promoting the flexibility and competitiveness of the economy, particularly in an environment where change will accelerate as cultural, climate and technological change put traditional livelihood, solidarity and coping mechanisms under more pressure.

Measuring outcomes

Outcome	Outcome Indicator	Baseline	Five year target	Implementing Programme
6. Comprehensive social security coverage	6.1 Number of Employer audits conducted per year to determine compliance with UIA, UICA and COIDA	19 340	Coverage for employees will improve with 131 580 employers visited over the next 5 years	Inspection and Enforcement Services

PRIORITY 6: SOCIAL COHESION, SAFER COMMUNITIES

A socially cohesive and safe South Africa requires a series of intersecting interventions that unite our country. To achieve this vision, a democratic culture of participation and equality must be instilled, but it also requires dedicated interventions to address actions that undermine these values. Achieving social cohesion and safe communities requires strengthening criminal justice platforms, police services and community participation in public policing. This work cannot be done without improving the trust in our public sector and its institutions

Measuring outcomes

Outcome	Outcome Indicator	Baseline	Five year target	Implementing Programme
7. Equal opportunities, inclusion and redress	7.1 Amendment of the Employment Equity Act	Employment Equity Act	Employment Equity Act amended, enacted and enforced by 2024	Labour Policy and Industrial Relations
	7.2 At least 2% annual increase in the representation of Africans in senior and middle management levels	Africans constituted 23.2% and 40.2% at senior and middle management levels as reported by designated employers in 2018 EE Reporting period (2018-2019 EE Annual Report (19 th CEE Annual Report)	Set sector targets and monitor to achieve at least 50% of middle and senior management are African by 2024 ⁸	Labour Policy and Industrial Relations
	7.3 Number of persons with disabilities employed increased annually with at least 1.5% of the total workforce reported by designated employers	Persons with disabilities constituted 1% of total workforce in both Public and Private sectors as reported in 2018 EE reporting period (2018-2019 EE Annual Report (19 th CEE Annual	Set sector targets and monitor to achieve at least 2.5% of employed adults between the age of 15 and 65 will be persons with disabilities by 2024 ⁹	Labour Policy and Industrial Relations
	7.4 Development of Income differential data collection tool (EEA4 form) for designated employers	New indicator	Income differential data collection tool (EEA4 form) for designated employers developed and implemented by 2022	Labour Policy and Industrial Relations

PRIORITY 7: A BETTER AFRICA AND A BETTER WORLD

Over the next five years, we will continue working towards global peace, people-centred development and prosperity for all. We will capitalise on our role in supporting multilateral frameworks to resolve global disputes and assist Africa in laying the foundations for a shared future.

The international relations arena has undergone rapid changes through globalisation. The nature of agreements, both political and economic, are complex and require countries to clearly articulate their foreign policy objectives and identify and forge relationships that will have positive geo-political impacts.

Measuring outcomes

Outcome	Outcome Indicator	Baseline	Five year target	Implementing Programme
8. A Better South Africa	8.1 Country obligation to SADC and AU fulfilled	New indicator	90% of obligations fulfilled	Labour Policy and Industrial Relations
	8.2 Payment of South African contributions to international organisations (in which we are a member) in full and on time	New indicator	South Africa's participation in international organisations is secured to advance national interest	Labour Policy and Industrial Relations

⁸ The underlying architecture of the Employment Equity Act does not allow for the Department to ensure this rate of transformation. The EEA is predicated on voluntary compliance and therefore the Department cannot force companies to transform at this rate.

⁹ The underlying architecture of the Employment Equity Act does not allow for the Department to ensure this rate of transformation. The EEA is predicated on voluntary compliance and therefore the Department cannot force companies to transform at this rate. The Department's proposal in this regard would be to track and report on the employment of persons with disability on an annual basis

Explanation of planned performance over the five-year planning period

Outcome	Outcomes contribution to the achievement of MTSF	Enablers	Outcomes' contribution to the impact
1. Functional, efficient and integrated government	The planned outcomes will contribute towards an ethical and corrupt free public service and lead to building of trust by the Public. The settling and resolution of hot line cases will contribute towards a citizenry that has confidence in government processes	The outcome indicators have a direct relationship with the outcome intended and will ensure a direct response and achievement of the set outcome	Over a period of five years the outcomes should lead to the changed perception of the Public service by citizens and bring the citizens closer to the Public service. Further the Public service should project and ethical behaviour that is representative of people holding public office and that care about the citizens
2. More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	<p>The Public Employment Services, choice of outcomes linked to the NDP, relate to a labour market that is more responsive to economic opportunity. The outcome indicators aim at:</p> <ul style="list-style-type: none"> Raising employment levels and incentivising the entry of young people into the labour market Continuous career pathing and preparing work-seekers for entry and re-entry to the labour market. The NDP envisions unemployment dropping to 6% by 2030. <p>The outcomes will assist many work seekers, to register themselves as work seekers on the national register of the employed, and receive job preparation support, including counselling, psychometric assessment and job preparation</p>	Sufficient budget to enable the establishment of employment centres and provision of equipment is required	The achievement of the outcome indicators will have the impact of improved placement of work seekers into either learning opportunities or permanent jobs
3. Investing for accelerated inclusive growth	<p>Promote sound labour relations and stable labour market, which is critical for economic growth and attracting direct investment that is important to fight poverty, inequality and unemployment. Further promotes decent work, which is inclusive of improved terms and conditions of employment for women, youth and persons with disabilities.</p> <p>The rationale for the choice is the furtherance and the achievement of the intentions of the Constitutional obligations of South Africa, which is to promote fair labour practice and freedom of association. In addition, the indicators will assist South Africa to comply with their International Labour obligations in terms of ratified ILO Conventions and promote sustainable economic growth and employment to advance the objectives of the NDP in accordance with Chapter 3 of the NDP</p>	Enabler is the Labour Relations Act, which requires the registration of labour organisations for the purpose of participating in orderly collective bargaining; and extension of collective agreements to non-parties by the Minister to promote decent work, especially for the vulnerable workers in the labour market	The impact is intended to fight poverty, inequalities and unemployment through sound labour relations and stable labour relations

Outcome	Outcomes contribution to the achievement of MTSF	Enablers	Outcomes' contribution to the impact
4. Increased economic participation, ownership, access to resources, opportunities and wage equality for women, youth and persons with disabilities	<p>Inequality is one of the key issues that still need to be addressed in the South African labour market given the slow pace of transformation. Job creation, job preservation and ensuring that decent work is maintained, where human rights and workers' rights are synonymous. The NDP has, amongst other things its focus in these areas as a priority. The informal sector is undoubtedly a key component of the work of the inspector going forward. Protection of vulnerable workers and those who were previously disadvantaged will become a priority in order to correct the anomalies of the past.</p> <p>Transformation is embedded in the Employment Equity Act and when properly implemented it is anticipated that the desired level of compliance will be achieved. To date, the level of compliance and the anticipated transformation of the labour market have been almost static and over the last twenty years the movement towards full transformation has been nothing short of alarming. It is anticipated that the current structure and work that has been done will support what is anticipated over the next five years</p>	Resources remain one of the key challenges to ensure that employers comply. Monitoring workplaces requires a full suite of resources and a reduced budget will impede progress already made. Inspectors in the office and not on the road means lower monitoring which translates to non-complying employers	Each employer visited should translate to an employer that complies and is transformed. A well trained, well-resourced inspectorate should achieve the intended impact
5. Safe and healthy work environment	<p>Each employee in South Africa has the right to work in a safe and healthy work environment. Through OHS inspections of workplaces the department ensures that employers safeguard their employees from incidents at the workplace by providing the correct protection for those jobs that require it. It also prompts employers to ensure that the buildings are safe and hazard free for the employees to work in</p>	Full complement of Occupational Health and Safety inspectors	Healthy workforce keeps the economy running. It reduces the cost on social protection funds
6. Comprehensive social security coverage	The social protection of workers has been and always will be a priority and deals effectively with the key concerns around the triple scourge of poverty, unemployment and inequality. Inspectors will use all means at their disposal to achieve the desired state	Resources remain one of the key challenges to ensuring that employers comply. Monitoring workplaces requires a full suite of resources and a reduced budget will impede progress already made. Inspectors in the office and not on the road means lower monitoring which translates to non-complying employers. There is a dire need to foster the relevant relationships in critical sectors in order to achieve the desired outcomes	While the ultimate desire would be to achieve a 100% compliance rate, each step taken however will be closer to the desired state. Ways will be found that bring employers to the table in order to move to the ultimate aim

Outcome	Outcomes contribution to the achievement of MTSF	Enablers	Outcomes' contribution to the impact
7. Equal opportunities and redress	<p>Inequality is one of the key issues that still need to be addressed in the South African labour market given the slow pace of transformation. Job creation, job preservation and ensuring that decent work is maintained, where human rights and workers' rights are synonymous. The NDP has, amongst other things its focus in these areas as a priority. The informal sector is undoubtedly a key component of the work of the inspector going forward. Protection of vulnerable workers and those who were previously disadvantaged will become a priority in order to correct the anomalies of the past.</p> <p>Transformation is embedded in the Employment Equity Act and when properly implemented it is anticipated that the desired level of compliance will be achieved. To date, the level of compliance and the anticipated transformation of the labour market have been almost static and over the last twenty years the movement towards full transformation has been nothing short of alarming. It is anticipated that the current structure and work that has been done will support what is anticipated over the next five years</p>	<p>Resources remain one of the key challenges to ensure that employers comply. Monitoring workplaces requires a full suite of resources and a reduced budget will impede progress already made. Inspectors in the office and not on the road means lower monitoring which translates to non-complying employers</p>	<p>Each employer visited should translate to an employer that complies and is transformed. A well trained, well-resourced inspectorate should achieve the intended impact</p>

Outcome	Outcomes contribution to the achievement of MTSF	Enablers	Outcomes' contribution to the impact
8. A Better South Africa	<p>The international labour programme of the Department is a sub-set of the broader South African foreign policy that promotes human rights and a broad developmental agenda both in the continent and the world. South Africa's foreign policy is firmly premised on its domestic priorities; hence, the country expects great dividends from linking the global labour agenda (i.e. promoting rights at work, encouraging decent employment opportunities, enhancing social protection and strengthening dialogue) to domestic priorities such as sustainable economic growth, employment, social justice and ultimately equality for all. The two reports highlight progress in achieving these objectives</p> <p>Transformation is embedded in the Employment Equity Act and when properly implemented it is anticipated that the desired level of compliance will be achieved. To date, the level of compliance and the anticipated transformation of the labour market have been almost static and over the last twenty years the movement towards full transformation has been nothing short of alarming. It is anticipated that the current structure and work that has been done will support what is anticipated over the next five years</p>	<p>The research reports would be developed upon availability of funds to outsource identified research projects and also to fund logistics related to conducting research internally by the department staff</p>	<p>The output contribute in providing policy evidence that is aimed at ensuring the relevance of the department intervention in protecting employees , provide evidence that have the potential for new jobs and reskilling linked to the aim of reducing unemployment, poverty and inequality and also put women and people with disabilities in a position to get into decent and new forms of jobs</p>

KEY RISKS AND MITIGATIONS

Outcomes	Key risks	Risk mitigation
1. Functional, efficient and integrated government	Third parties not providing the services (electricity and network cabling) required to operate daily	Ensure each office have back-up generators and Wi-Fi network
2. More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	Insufficient placement of registered work-seekers in registered opportunities	<ol style="list-style-type: none"> 1. Automation of PES processes 2. Conclusion of strategic partnerships
3. Investing for accelerated inclusive growth	Non-compliance by employers and users with labour legislation	<ol style="list-style-type: none"> 1. To improve compliance with the Employment Equity Act through targeting companies such as JSE listed companies and institutions of Higher Learning 2. Increasing the capacity of inspectors
4. Increased economic participation, ownership, access to resources, opportunities and wage equality for women, youth and persons with disabilities	Non-compliance by employers and users with labour legislation	<ol style="list-style-type: none"> 1. Advocacy programs target problematic and high risk sectors 2. Blitz Inspection Programmes conducted at provincial level into specific sectors 3. Increasing awareness of external stakeholders 4. Increasing the capacity of inspectors
5. Safe and Healthy work environment	Non-compliance by employers and users with labour legislation	<ol style="list-style-type: none"> 1. Advocacy programs target problematic and high risk sectors 2. Blitz Inspection Programmes conducted at provincial level into specific sectors 3. Increasing awareness of external stakeholders 4. Increasing the capacity of inspectors
6. Comprehensive social security coverage	Non-compliance by employers and users with labour legislation.	<ol style="list-style-type: none"> 1. Advocacy programs target problematic and high risk sectors 2. Blitz Inspection Programmes conducted at provincial level into specific sectors 3. Increasing awareness of external stakeholders 4. Increasing the capacity of inspectors
7. Equal opportunities and redress	Insufficient labour market research conducted in terms of monitoring the impact of legislation	Secure labour market research topics from the Branches through the Executive Committee
8. A Better South Africa	Delay in annual obligation notification that will delay payments	Regular communication with the international organisations

11. PUBLIC ENTITIES

Name of Public Entity	Mandate	Outcomes	Current Annual Budget (R thousand)
Unemployment Insurance Fund (UIF)	The Unemployment Insurance Fund contributes to the alleviation of poverty in South Africa by providing short-term unemployment insurance to all workers who qualify for unemployment related benefits. The Fund is financed by a dedicated tax on the wage bill	More decent jobs created and sustained, with youth, women and persons with disabilities prioritised Expanded access to PSET opportunities	1
Compensation Fund (CF)	The Compensation Fund's main objective is to provide compensation for disability, illness and death resulting from occupational injuries and diseases	Comprehensive social security system More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	17 805
Productivity South Africa (Productivity SA)	Productivity SA is mandated by government, organised labour and organised business to improve the productive capacity of the economy and thus contribute to South Africa's socio-economic development and competitiveness	Comprehensive social security system More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	57 069
Commission for Conciliation, Mediation and Arbitration	The Commission for Conciliation, Mediation and Arbitration (CCMA) was established in terms of the Labour Relations Act, 1995 as amended. It is mandated to promote social justice and fairness in the workplace by delivering ethical, qualitative, innovative and cost effective dispute management and resolution services, institution building services, education, training and development, and efficient administration	More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	1 025 990
National Economic Development and Labour Council (NEDLAC)	The National Economic Development and Labour Council was established in terms of the National Economic Development and Labour Council Act, 1994. The Act requires organised labour, organised business, community based organisations and government, as a collective, to promote the goals of economic growth; participate in economic decision making and social equity; seek to reach consensus and conclude agreements on matters pertaining to social and economic policy; consider all proposed labour legislation relating to labour market policy and all significant changes to social and economic policy before these are introduced in Parliament; and encourage and promote the formulation of coordinated policy on social and economic matters	More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	62 114
Supported Employment Enterprises (SEE)	The SEE is established in terms of the Employment Services Act to provide employment for persons with disabilities in the various factories across provinces that manufacture wood, linen and steel products	More decent jobs created and sustained, with youth, women and persons with disabilities prioritised	153 049





PART D

TECHNICAL INDICATOR DESCRIPTION (TID)

DEPARTMENT OF EMPLOYMENT AND LABOUR

PART D: TECHNICAL INDICATOR DESCRIPTION (TID)

Indicator Title	Title of the indicator verbatim from the strategic plan
Definition	<ul style="list-style-type: none"> The meaning of the indicator The explanation of technical terms used in the indicator
Source of data	Where the information is collected from
Method of Calculation /Assessment	<ul style="list-style-type: none"> How the performance is calculated (quantitative) How the performance is assessed (qualitative)
Assumptions	Factors that are accepted as true and certain to happen without proof
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Target for Women Target for Youth Target for Persons with Disabilities
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Reflect on contribution to spatial transformation priorities Reflect on the spatial impact area 1 IFS by 31 October 2019
Desired performance	<ul style="list-style-type: none"> Identifies whether actual performance that is higher or lower than the targeted performance is desirable
Indicator Responsibility	Who is responsible for managing or reporting on the indicator

PRIORITY 1

Indicator Title	1.1 Reduction in the vacancy rate
Definition	<ul style="list-style-type: none"> Vacant post on the approved establishment must be filled in order to deliver service to the community
Source of data	Establishment report and Vacancy Report from provinces, funds for consolidation at HQ
Method of Calculation /Assessment	<ul style="list-style-type: none"> Count the number of vacant posts against total establishment Number of posts vacant divided by total number of posts multiply by 100 equals vacancy rate Provide information on age analysis of vacancies
Assumptions	<ul style="list-style-type: none"> All vacant posts are funded. Adherence to the Standard Operating Procedure on Recruitment and Selection Availability of required skills in the labour market
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth Persons with Disabilities These groups will benefit and statistics will be reported
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> All funded vacant posts filled within 4 months of becoming vacant
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	1.2 Acquisition, maintenance and improvement of ICT services
Definition	<ul style="list-style-type: none"> VICT system is essential for service delivery as all services are computerised. If the ICT services are down clients cannot be served
Source of data	ICT service management reports that determine the downtime or time lost due to a fault in the ICT services or due to electricity problems
Method of Calculation /Assessment	<ul style="list-style-type: none"> Add the reported downtimes together (accumulative)
Assumptions	SITA services are 90% available, Electrical Power downtimes are below 10% and there is no disaster
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth Persons with Disabilities These groups will benefit and statistics will be reported

Indicator Title	1.2 Acquisition, maintenance and improvement of ICT services
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> Systems should be working 90% of the office operating hours
Indicator Responsibility	Deputy Director-General: Corporate Services

PRIORITY 2

Indicator Title	2.1 Number of jobs created per year through Job Summit agreement initiatives coordinated through the implementation of Jobs Summit framework agreements
Definition	<ul style="list-style-type: none"> Monitor and report on the target set by the Presidential Job Summit agreement (275 000 jobs created per year)
Source of data	Progress reports from partners and role players
Method of Calculation /Assessment	<ul style="list-style-type: none"> Statistics from the role players reports added together per reporting cycle
Assumptions	All role players and partners submit reports on time
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth Persons with Disabilities <p>These groups will benefit from the policy – statistics will be requested in this format</p>
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> 275 000 jobs created per year
Indicator Responsibility	Deputy Director-General: Labour Policy and Industrial Relations

Indicator Title	2.2 Number of jobs created through the Presidential Comprehensive Youth Employment Interventions
Definition	<ul style="list-style-type: none"> Monitor the creation of jobs as agreed through the Presidential Comprehensive Youth Employment Interventions
Source of data	Reports from partners and role players
Method of Calculation /Assessment	<ul style="list-style-type: none"> Statistics added together per reporting cycle
Assumptions	All role players and partners submit reports on time
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth People with Disabilities <p>These groups will benefit from the policy – statistics will be requested in this format</p>
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> 200 000 jobs created per year
Indicator Responsibility	Deputy Director-General: Public Employment Services

Indicator Title	2.3 Employment Policy developed, consulted, piloted and implemented
Definition	<ul style="list-style-type: none"> An Employment Policy will be developed, consulted and implemented
Source of data	Approved Employment Policy implemented
Method of Calculation /Assessment	<ul style="list-style-type: none"> Approval of the Employment Policy
Assumptions	Human and financial resources available to undertake the development, consultations, piloting and implementation
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth People with Disabilities <p>These groups will benefit from the policy</p>

Indicator Title	2.3 Employment Policy developed, consulted, piloted and implemented
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> Policy approved and implemented by 2024
Indicator Responsibility	Deputy Director-General: Public Employment Services

Indicator Title	3.1 Number of Employment Equity Act (EEA) inspections: which includes EE Procedural inspections, DG Reviews and Reassessments, workplaces (designated employers) conducted per year to determine compliance with
Definition	<ul style="list-style-type: none"> Subject number of employers to inspection to establish whether they comply with employment law Number - the target number states how many employers will be inspected in a given financial year Employers – Defined in the respective Acts (Employment Equity Act) Inspections – is a process undertaken by the Inspector to determine employer’s compliance with employment law and includes audits, re-assessments and follow ups Compliance – is a state of employer after inspection is conducted and the employer is found to be obedient with employment law Employment law - means all labour legislation administered by the Minister of Employment and Labour (EEA)
Source of data	Source: <ul style="list-style-type: none"> Number – APP, Branch Work Plan, Provincial Work Plan, Labour Centre Work Plan (Targets must be aligned to APP) Employers – as per complaints/ request received and targeted randomly as per APP (notice of inspection) Inspections – Signed Inspection Reports signed-off by Inspector and Supervisor. Compliance – Signed off Inspection report and Inspection register Per Year – financial year (1 April until 31 March) Employment law - means all labour legislation administered by the Minister of Employment and Labour (EEA) Collection of data Process set out in the IES Standard Operating Procedures
Method of Calculation /Assessment	<ul style="list-style-type: none"> Signed off weekly inspection plan per inspector Completed and Signed-off Inspection reports at finalisation of inspections and signed-off IES registers Number of inspections on employers across Labour Centres, Provincial Offices and Head Office to be consolidated Information collected at labour centres collated and submitted to provincial offices Information collected at Provincial Office submitted to Head Office (IES Branch) Information collected at Head office included in Branch Report
Assumptions	The target will be met with a full complement of staff in IES.
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth Persons with Disabilities These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> Target number of employers inspected exceeded
Indicator Responsibility	Deputy Director-General:IES

Indicator Title	4.1. Number of workplaces inspected per year to determine compliance with the National Minimum Wage Act and the Basic Conditions of Employment Act
Definition	<ul style="list-style-type: none"> • Subject number of employers to inspection to establish whether they comply with employment law • • Number -number of workplaces inspected to determine compliance with the National Minimum Wage Act and the Basic Conditions of Employment Act= the target number states how many employers will be inspected in a given financial year Employers - Defined in the respective Acts <ul style="list-style-type: none"> - Basic Conditions of Employment Act - NMWA Act • Inspections - is a process undertaken by the Inspector to determine employer's compliance with employment law and includes audits, re-assessments and follow ups Compliance - is a state of employer after inspection is conducted and the employer is found to be obedient with employment law Employment law - means all labour legislation administered by the Minister of Employment and Labour (BCEA, NMWA)
Source of data	<p>Source:</p> <ul style="list-style-type: none"> • Number -APP, Branch Work Plan, Provincial Work Plan, Labour Centre Work Plan (Targets must be aligned to APP) • Employers - as per complaints/ request received and targeted randomly as per APP (notice of inspection) • Inspections - Signed Inspection Reports signed-off by Inspector and Supervisor. Compliance - Signed off Inspection report and Inspection register • Employment law - means all labour legislation administered by the Minister of Employment and Labour (BCEA,NMWA) • Collection of data • Process set out in the IES Standard Operating Procedures
Method of Calculation /Assessment	<ul style="list-style-type: none"> • Signed off weekly inspection plan per inspector • Completed and Signed-off Inspection reports at finalisation of inspections and signed-off IES registers • Number of inspections on employers across Labour Centres, Provincial Offices and Head Office to be consolidated • Information collected at labour centres collated and submitted to provincial offices • Information collected at Provincial Office submitted to Head Office (IES Branch) • Information collected at Head office included in Branch Report
Assumptions	The target will be met with a full complement of staff in IES.
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> • Women • Youth • Persons with Disabilities • These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> • Throughout South Africa
Desired performance	<ul style="list-style-type: none"> • Target number of employers inspected exceeded
Indicator Responsibility	Deputy Director-General:IES

PRIORITY 3

Indicator Title	5.1 Number of Employer/User inspected per year to determine compliance with the Occupational Health and Safety legislation
Definition	<ul style="list-style-type: none"> • Subject number of employers to inspection to establish whether they comply with employment law • Number – the target number states how many employers will be inspected to determine their compliance with the Occupational Health and Safety legislation) • Employers – Defined in the respective Acts (Occupational Health and Safety Act) • Inspections – Inspections is a process undertaken by the Inspector to determine employer's compliance with employment law and includes audits, re-assessments and follow-ups conducted per year to determine compliance. • Compliance – is a state of employer after inspection is conducted and the employer is found to be obedient with employment law • Employment law - means all labour legislation administered by the Minister of Employment and Labour (OHSA)
Source of data	Source: <ul style="list-style-type: none"> • Number – APP, Branch Work Plan, Provincial Work Plan, Labour Centre Work Plan (Targets must be aligned to APP) • Employers – as per complaints/ request received and targeted randomly as per APP (notice of inspection) • Inspections – Signed Inspection Reports signed-off by Inspector and Supervisor. • Compliance – Signed off Inspection report and Inspection register • Employment law - means all labour legislation administered by the Minister of Employment and Labour (OHSA) • Collection of data • Process set out in the IES Standard Operating Procedures
Method of Calculation /Assessment	<ul style="list-style-type: none"> • Signed off weekly inspection plan per inspector • Completed and Signed-off Inspection reports at finalisation of inspections and signed-off IES registers • Number of inspections on employers across Labour Centres, Provincial Offices and Head Office to be consolidated • Information collected at labour centres collated and submitted to provincial offices • Information collected at Provincial Office submitted to Head Office (IES Branch) • Information collected at Head office included in Branch Report
Assumptions	That there is a full complement of inspectors that are fully resourced.
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> • Women • Youth • Persons with Disabilities • These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> • Throughout South Africa
Desired performance	<ul style="list-style-type: none"> • Target number of employers inspected exceeded
Indicator Responsibility	Deputy Director-General:IES

¹⁰ The underlying architecture of the Employment Equity Act does not allow for the Department to ensure this rate of transformation. The EEA is predicated on voluntary compliance and therefore the Department cannot force companies to transform at this rate.

PRIORITY 4

Indicator Title	6.1: Number of Employer audits conducted per year to determine compliance with UIA, UICA and COIDA
Definition	<ul style="list-style-type: none"> Subject number of employers to inspection to establish whether they comply with employment law Number – the target number states how many employers will be inspected Employers – Defined in the respective Acts (UIA; UIAC & COIDA) Inspections – is a process undertaken by the Inspector to determine employer's compliance with employment law and includes audits, re-assessments and follow-ups conducted per year to determine compliance. Compliance – is a state of employer after inspection is conducted and the employer is found to be obedient with employment law Employment law - means all labour legislation administered by the Minister of Employment and Labour (UIA, COIDA) including legislation administered through the Minister of Finance (UICA)
Source of data	<p>Source:</p> <ul style="list-style-type: none"> Number – APP, Branch Work Plan, Provincial Work Plan, Labour Centre Work Plan (Targets must be aligned to APP) Employers – as per complaints/ request received and targeted randomly as per APP (notice of inspection) Inspections – Signed Inspection Reports signed-off by Inspector and Supervisor. Compliance – Signed off Inspection report and Inspection register Per Year – financial year (1 April until 31 March) Employment law - means all labour legislation administered by the Minister of Employment and Labour (UIA, COIDA) including legislation administered through the Minister of Finance (UICA) Collection of data Process set out in the IES Standard Operating Procedures
Method of Calculation /Assessment	<ul style="list-style-type: none"> Signed off weekly inspection plan per inspector Completed and Signed-off Inspection reports at finalisation of inspections and signed-off IES registers Number of inspections on employers across Labour Centres, Provincial Offices and Head Office to be consolidated Information collected at labour centres collated and submitted to provincial offices Information collected at Provincial Office submitted to Head Office (IES Branch) Information collected at Head office included in Branch Report
Assumptions	That there is a full complement of inspectors that are fully resourced.
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth Persons with Disabilities These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> Target number of employers inspected exceeded
Indicator Responsibility	Deputy Director-General:IES

PRIORITY 6

Indicator Title	7.1 Amendment of the Employment Equity Act
Definition	<ul style="list-style-type: none"> The proposed EE amendments to the Employment Equity Act must be submitted to Parliament and promulgated before implementation
Source of data	EE Amendment Bill submitted to Parliament
Method of Calculation /Assessment	<ul style="list-style-type: none"> Copy of the Government Gazette of the EE Amendment Act after promulgation

Indicator Title	7.1 Amendment of the Employment Equity Act
Assumptions	Parliament finalise the amendments and the President promulgates on time
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> • Women • Youth • Persons with Disabilities • These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> • Throughout South Africa
Desired performance	<ul style="list-style-type: none"> • Transformed and inclusive economic growth in the South African labour market
Indicator Responsibility	Indicator Responsibility Deputy Director-General: Labour Policy and Industrial Relations

Indicator Title	7.2 At least 2% annual increase in the representation of Africans in senior and middle management levels
Definition	<ul style="list-style-type: none"> • Set sector targets and monitor to achieve at least 50% of middle and senior management are African by 2024¹⁰
Source of data	EE annual report
Method of Calculation /Assessment	<ul style="list-style-type: none"> • Count the EE annual report
Assumptions	All designated employers meet their sector targets
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> • Women • Youth • Persons with Disabilities • These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> • Throughout South Africa
Desired performance	<ul style="list-style-type: none"> • Transformed workplaces to reflects the country's populations composition
Indicator Responsibility	Labour Policy and Industrial Relations

Indicator Title	7.3 Number of persons with disabilities employed increased annually with at least 1.5% of the total workforce reported by designated employers
Definition	<ul style="list-style-type: none"> • Set sector targets and monitor to achieve at least 2.5% of employed adults between the age of 15 and 65 will be persons with disabilities by 2024
Source of data	EE annual report
Method of Calculation /Assessment	<ul style="list-style-type: none"> • Count the EE annual report
Assumptions	All designated employers meet their sector targets
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> • Women • Youth • Persons with Disabilities • These groups will benefit although not specifically reported in the statistics
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> • Throughout South Africa
Desired performance	<ul style="list-style-type: none"> • Transformed workplaces to reflects the country's populations composition
Indicator Responsibility	Labour Policy and Industrial Relations

Indicator Title	7.4 Development of income differential data collection tool (EEA4 form) for designated employers
Definition	<ul style="list-style-type: none"> EEA4 form is a data collection tool required by section 27 of the EEA to be utilised by designated employers in reporting the Income Differentials on an annual basis
Source of data	Income Differential (EEA4) developments will be informed by both the CEE and NMWC's inputs and the public inputs gathered through the public hearings and written submissions
Method of Calculation /Assessment	<ul style="list-style-type: none"> Count the EEA4 form developed and published (VS: Copy of the Income Differential (EEA4) developed and published in the Government Gazette)
Assumptions	All designated employers will use the income differentials report (EEA4) as required by the EEA
Disaggregation of Beneficiaries (where applicable)	<p>All designated employers will benefit by reporting income differentials of all workers, including:</p> <ul style="list-style-type: none"> Women Youth Persons with Disabilities
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> The EEA4 is applicable to all designated employers in the whole South African labour market
Desired performance	<ul style="list-style-type: none"> Improved collection of quality data on Income Differentials in the whole South African labour market
Indicator Responsibility	Labour Policy and Industrial Relations

PRIORITY 7

Indicator Title	8.1 Country obligation to SADC and AU fulfilled
Definition	<ul style="list-style-type: none"> Labour related obligations emanating from SADC and AU meetings require action from SA
Source of data	Obligation report
Method of Calculation /Assessment	<ul style="list-style-type: none"> Assess if obligations were honoured or not
Assumptions	All obligations are notified to the relevant branches for execution
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Women Youth Persons with Disabilities These groups will benefit and statistics will be reported
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> All obligations honoured
Indicator Responsibility	Labour Policy and Industrial Relations

Indicator Title	8.2 Payment of South African contributions to international organisations (in which we are a member) in full and on time
Definition	<ul style="list-style-type: none"> Annual membership fees must be paid in order to participate in ILO and ARLAC meetings
Source of data	Proof of payment (payment advice)
Method of Calculation /Assessment	<ul style="list-style-type: none"> Payment advice date compared with date of annual notification of due fees
Assumptions	Annual membership fees notification received on time
Disaggregation of Beneficiaries (where applicable)	<ul style="list-style-type: none"> Workers and employers
Spatial Transformation (where applicable)	<ul style="list-style-type: none"> Throughout South Africa
Desired performance	<ul style="list-style-type: none"> Payments made within 30 days
Indicator Responsibility	Labour Policy and Industrial Relations



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2020/21 – 2024/25

DEPARTMENT OF EMPLOYMENT AND LABOUR











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