



employment & labour

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Employment and Labour
REPUBLIC OF SOUTH AFRICA

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Officials of Government from Department of Employment and Labour and partners - Compensation Fund; Rand Mutual Assurance; Federated Employers Mutual; Organised Business - Business Unity South Africa (BUSA) and Black Business Council (BBC); Organised labour - Cosatu, Fedusa, Nactu and Saftu recently signed an Occupational Health and Safety (OHS) Accord. In the Accord parties committed themselves to work in partnership to create healthy and safe working environments and development of best practices in OHS, and mitigate and eliminate incidents such as occupational diseases facilities in the workplace as a fundamental right for all workers.

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1. Department of Employment and Labour takes the lead in implementing the national Labour Market Information System
 2. "There is simply no culture of compliance with labour laws in South Africa" – IG Moiloa
 3. Employers have the right to discipline employees for misconduct outside working hours
 4. Frequently asked questions on salary structure

DIARY OF EVENTS



OCTOBER

29 October 2024 = Minister of Employment and Labour, Nomakhosazana Meth to brief the media on the ministry first 100 days in office in Cape Town

NOVEMBER

28 October – 07 November 2024 = International Labour Organization (ILO) holds the 352nd session of its Governing Body

05 November 2024 = Compensation Fund hosts its exco meeting

07 November 2024 = Unemployment Insurance Fund (UIF's) Labour Activation Programme Committee (LAPC) meeting

13-14 November 2024 = Commission for Conciliation Mediation and Arbitration (CCMA) hosts its Exco meeting

13-15 November 2024 = Department's Inspection and Enforcement Services (IES) hosts an Occupational Health and Safety Conference

14 November 2024 = The Department hosts its Exco meeting

15 October 2024 = UIF Exco meeting

18-19 November 2024 = G20 Leaders' Summit in Rio de Janeiro, Brasil. G20 has 19 member countries, plus the African Union and the European Union.

19 November 2024 = Productivity SA Exco monthly meeting

21 November 2024 = Employment Services Board Executive Committee meeting

22 November 2024 = Department hosts a DEXCOM meeting

25 November 2024 = Department's Corporate Services hosts branch meeting

25-26 November 2024 = CCMA hosts an International Agencies Conference

26 November 2024 = UIF Investment Committee meeting

27-28 November 2024 = CCMA hosts an Indaba (webinar)

28 November 2024 = Compensation Fund hosts its Manco meeting

28 November 2024 = Productivity SA board meeting

29 November 2024 = National Economic Development and Labour Council convenes its Manco meeting

DECEMBER

03 December 2024 = Compensation Fund hosts its exco meeting

04 December 2024 = Department's Labour Policy & Industrial Relations branch hosts its meeting

05 December 2024 = Compensation board meets

05 December 2024 = CCMA hosts its Exco meeting

05-06 December 2024 = Employment Services board meeting

10 December 2024 = Productivity SA Exco monthly meeting

11 December 2024 = UIF Exco meeting

12-13 December 2024 = Department's Inspection and Enforcement Services branch at head office hosts its Management Committee meeting

JANUARY

13 January 2025 = CCMA hosts its Exco meeting

15 January 2025 = Employment Equity reporting season closes

17 January 2025 = National Economic Development and Labour Council holds its Manco meeting

19 January 2025 = Department's Labour Policy & Industrial Relations branch hosts its meeting

20 January 2025 = Unemployment Insurance Fund Exco meeting

22 January 2024 = Unemployment Insurance Fund Board meeting

24 January 2025 = National Economic Development and Labour Council convenes its Executive Committee meeting

24 January 2024 = Supported Employment Enterprises hosts its exco

28 January 2025 = Productivity SA exco monthly meeting

30 January 2025 = The Department hosts its Exco meeting

30 January 2025 = CCMA Governing Body holds its meeting

30 January 2025 = National Economic Development and Labour Council convenes its Manco meeting

30 January 2025 = ES Board Employment Schemes Subcommittee Meeting

31 January 2025 = Compensation Fund hosts its Manco meeting

EDITORIAL

With the October month about to set, it is worth it to recognise and appreciate environmental changes that goes with it. It is during this time of the year that plants start producing shoots and others blossoming.

Ooh! By the way: Did you know that October as we know today as the tenth month of the year was originally the eighth month of the year? The name 'October' is derived from the Latin word 'octo,' which means "eight". In the early Roman calendar, it was indeed the eighth month of the year and the year started in March, making October the eighth month.

It was however, when the Romans converted to a 12-month calendar that October became the tenth month. This, after they tried to rename this month after various Roman emperors but the name stood the test and the name October remained.

As the Department through our entity, Productivity SA, we recognise October as productivity month.

The Department equally embraced the productivity month, with a hype of activities around the country. This was done by engaging and hosting a number of events including; Taking Services to the People of Pietermaritzburg (Mpophomeni); Inspection and Enforcement Services (IES) Employment Standards conference; the Construction Conference; in advancing safe work environment the Department along with the Compensation Fund, signed an Occupational Health and Safety cooperation pact with Federated Employers Mutual Assurance and Rand Mutual Assurance.

The pact brings together experts in the field of OHS as well as professional bodies with the intention to strengthen partnership among stakeholders in a journey to prevent occupational injuries and illness.

The highlight of the month was the ES conference which was at another level with quality speakers and discussions. It has set new standards to be followed.

Let the blooming excitement brought about by the eighth or tenth month of the year be the standard for us to be held close to our hearts and never to be dropped.



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CONTACTS AND SERVICE POINTS

Department of Employment and Labour takes the lead in implementing the national Labour Market Information System (LMIS)

The Department of Employment and Labour has launched a Labour Market Information System.Stat (LMIS.Stat) – a tool that will be useful to assist users navigate and get an understanding of the South African labour market dynamics.

By launching the initiative the Department of Employment and Labour will now play a critical role in housing this LMI System because of its key strategic responsibilities on labour market issues.

LMI System acts as a tool for designing and evaluating public policies, providing strategic information to reduce incomplete and inaccurate information, and guiding decision-making through the analysis and dissemination of key labour market indicators and timely information on labour market dynamics.

The system aims to bridge the information gap between data producers and users by providing a free data dissemination system for easy access to policymakers, civil society, and stakeholders, such as government institutions, statistics agency, employers, unions, universities, researchers, technical colleges, Sector Education and Training Authority, non-governmental institutions, academic institutions, learners and student amongst others.

Department of Employment and Labour Chief Director in the Labour Policy and Industrial Relations (LP&IR) branch, Siphon Ndebele told the gathering to launch the Labour Market Information System and research report on social protection in Boksburg recently that the LMIS.Stat system represents a significant step forward in addressing the challenges facing the country relating to the management of evolving data systems.

The Department of Employment and Labour has launched the system in partnership with the International Labour Organization (ILO) and Statistics South Africa (Stats SA).

In recent years, countries in the Southern African Development Community (SADC) region have built up systems that facilitate understanding the dynamics of the labour market and make information accessible to interested policymakers and researchers. These systems are known as “labour market observatories”.

Department of Employment and Labour Inspector General, Aggy Moiloa said the Inspectorate was looking forward to the launch of the system that will provide timeous data. Ms Moiloa said the Inspectorate was operating in an environment where there was no culture of compliance and this system would come in handy.

She said that the country has a growing informal economy – this would serve as one of the key labour market indicators and help in shaping well-thought policy.

LMIS Directorate within the Labour Policy and Industrial Relations (LP&IR) branch will play a critical role in the collection, analysis, and dissemination of labour market information statistics in line with the strategic goal of monitoring the impact of labour legislation in the Department.

As the country struggles to centrally access the labour market information, the national LMI System is a mechanism or a process for gathering, organizing, providing, and analyzing information about the state of the labour market, occupation, and jobs including key changes taking place in the labour market.

It provides an essential “single source” of information for labour market policy formulation, monitoring, and evaluation of policies that are better focused and targeted.

LMIS system will also offer a quick access reference and data analysis by all stakeholders worldwide. While the project is ongoing, the launch will display 50 labour market indicators. It is expected to include all other relevant South African labour market indicators that assist in measuring and monitoring Decent Work and Sustainable Development Goals targets.

Commenting on research report on social protection in South Africa released during the LMIS launch Dr Tim Kohler – from the Development Policy Research Unit (DPRU), University of Cape Town said although South Africa had a comprehensive social security system it was still inaccessible to some.

Mr Kohler said South Africa spends about 1,5 percent of its gross domestic product on social security. He said social protection was necessitated by the structural unemployment afflicting the economy.

He said in addition to providing relief social protection helped bring individuals back to the labour market.

The lack of universal social protection leaves many unable to withstand economic shocks, exacerbating poverty and inequality, said Mr Ndebele.

NB: The LMIS system can be accessed through - <https://de-staging-lmis.labour.gov.za/>

By Shadrack Mashalaba



Portfolio Committee tells Employment and Labour management to find alternative facility for provision of services to Mamelodi people and deal with Kempton Park Labour centre issues raised by clients

Employment and Labour Portfolio Committee Chairperson, Boyce Maneli; with Unemployment Insurance Fund Director in Gauteng, Dingaan Basimane and Pretoria Labour Centre Manager, Albertina Phasha during the recent parliament committee's week-long oversight visit of Departmental operations in Gauteng Province.

The Portfolio Committee on Employment and Labour has told Gauteng management to find alternative and proper offices for required labour services to the people of Mamelodi and deal decisively with issues raised by Soshanguve, Tembisa and Kempton Park residents.

The clients on the queues complained about poor service and bad attitude by some officials at Soshanguve and Kempton Park Labour Centres hence their decision to come to Pretoria. The clients told the committee that while cutting of expenses by going to the nearest Labour Centre makes sense you may end up waiting for more than six months to be properly serviced.

Clients said they would rather risk the little they have to get quality service. They acknowledged that the queue is long but it is orderly managed and if the system is working properly the officials provide quality service and in a professional manner.

The committee has applauded Pretoria Labour Centre management for meticulously dealing with long queues and providing much needed services to the clients irrespective of where they come from.

Chairperson of Employment and Labour Portfolio committee, Boyce Maneli encouraged them to continue the selfless service they provide to all the people who depend on their hard work.

"It is evident that there are public servants who are still committed to serving their communities and are dedicated to their calling despite the challenges. In identifying these challenges, we will be able to overcome them with practical solutions" said Mr Maneli.

However, he cautioned Management of the Province and the department to find solution to closure of the nearest Labour Centres and poor performing offices.

"We must give credit where it is due, especially to public servants who rise each and every day to serve our community with honesty and integrity. It is important, nevertheless to remember that overworking officials can lead to burnout. For

Pretoria Labour Centre employees to continue serving the public at the required level, be productive and healthy they need to be protected and appreciated," he said.

The Portfolio committee conducted an oversight visit to Pretoria Labour Centre and interacted with clients on the queues. At first they thought that the long queues were as a result of poor services but it was contrary to that. The clients who came from all different areas indicated that they chose Pretoria Labour Centre because of good services they always receive and that they do not mind traveling expenses because of the quality of work the office provides.

The Chairperson indicated that they divided themselves into groups - other members went to Soweto Labour Centre and they were supposed to deal with Pretoria and Kempton Park Labour Centre.

Unfortunately, with time not on their side they will no longer go to Kempton Park but they will come back and conduct an oversight especially after clients raised poor services and bad attitude by some Kempton Park Labour Centre officials.

On closure of Mamelodi Labour Centre - the committee advised the management to find an alternative accommodation, so that Mamelodi residents should not spend too much money travelling long distance.

On UIF Bus contract coming to an end, the Chairperson said that they will follow up on the matter because the bus was providing an essential service in ensuring that those who are less fortunate and unemployed can be assisted at their convenient places.

A report with recommendations will be sent to the relevant people for speedy interventions and solution, concluded the chairperson.

By Mishack Magakwe

DEPARTMENT RECEIVES CREATION OF EMPLOYMENT FOR YOUTH MEMORANDUM



Employment and Labour Deputy Minister, Jomo Sibiya and JSE Director of Marketing and Corporate Affairs, Ms Vuyo Lee.

Employment and Labour Deputy Minister, Jomo Sibiya has on behalf of the Department received and accepted a memorandum demanding creation of employment for youth and an end to poverty at JSE Securities Exchange in Sandton from African National Congress Youth League.

The marchers demand for mass creation of employment in the country and companies that have received a fair share of the capital from Public Investment Corporation (PIC) to grow investment in infrastructure capital projects for the creation of more than two million unskilled, semi-skilled jobs, with more than 5000 skilled jobs.

According to the marchers the country is sitting at more than 16 million South Africans who are unemployed, 70% of that is youth. Whilst three million people work in an informal economy, where their income are very low, one million being domestic workers with low levels of income. This, they say is happening amidst the high cost of living.

Deputy Minister accompanied by JSE Director of Marketing and Corporate Affairs, Ms. Vuyo Lee met the marching delegation at JSE and indicated that the department would respond to the memorandum which also addresses unemployment and other issues affecting youth.

"We view your presence as an endeavor to hold us accountable. We want to reiterate that we are committed to working with you in finding solution," said the Deputy Minister.

The memorandum also demands inclusion of mineral export quarters where South African mining sector invest in beneficiation of the mineral resource, centralisation of enterprise and supplier development for free education. They also demand centralisation of all JSE-listed companies enterprise and supplier development into centralized pot for funding of higher education and support for small businesses.

Other concerns are rural development and eradication of poverty, nationalisation of key strategic economic sectors and fight against drugs and alcohol abuse.

By Mishack Magakwe



Employment and Labour Deputy Minister, Jomo Sibiya having a discussion with Department's Public Employment Services branch Director in Gauteng, Mpfariseni Netshisaulu.



“There is simply no culture of compliance with labour laws in South Africa” IG Moiloa

Department of Employment Labour Inspection and Enforcement Services (IES) branch Inspector General (IG), Aggy Moiloa ... disrespect a tool of the weak.

Department of Employment Labour Inspection and Enforcement Services (IES) Inspector General (IG), Aggy Moiloa has bemoaned the lack of respect and adherence to the country's labour laws.

She cited an example of the Employment Equity Act saying that after its introduction the picture was motionless, although there is a slight “movement” the picture was still artificial.

Ms Moiloa was speaking recently during a Department of Employment and Labour's Employment Standards (ES) conference held at Olive Convention Centre in Durban. The three-day conference was held under the theme: “Advancing Social Justice through Effective Labour Inspections”. The conference was attended by various stakeholders ranging from Departmental officials, inspectors, academia, business, and labour federations.

The IG appealed to inspectors to ensure that as they carry out their work they must ensure that this was sustainable.

“We must be mindful that we have uninformed workers. When we turn our backs against workplaces – we must make sure that workers will be able to stand for themselves,” as the relationship between worker and employer is that of a skewed balance of power.

She said there was a growing and worrying trend in the country that of deliberate and increased preference to employ undocumented foreign nationals to undermine the country's labour laws.

“Much as we are about regulating the labour market – ours is also to ensure that those in employment remain employed,” Ms. Moiloa said.

She said the inspectorate was moving the route of digitisation, “yes, we are not where we want to be – but we are also not where we were”. She appealed to the inspectorate not to be predictable but should strive to constantly shift the goalposts.

According to Ms Moiloa once an inspector has inspected a workplace there should be sustainable compliance. She said the inspectorate had embarked on a pilot in a number of provinces and the initiative intended to harvest information and ensure efficiency in follow-ups.

“We don't want to do ‘hit and runs’. We also cannot admire problems. We must be champions of change,” she said.

By Shadrack Mashalaba

PORTFOLIO COMMITTEE ON EMPLOYMENT AND LABOUR- GAUTENG PROVINCE OVERSIGHT

Parliament's Portfolio Committee on Employment and Labour recently conducted an intensive oversight visit to the Department's operations in the Gauteng Province. The delegation of no less than 10 members of parliament visited the Department's head office in Pretoria and were welcomed by Acting Director General, Viwe Mlenzana. The members of parliament had a series of meetings with departmental officials.

The delegation also paid visits to the head offices of the Unemployment Insurance Fund and the Compensation Fund. As part of the visit the committee members joined the Department on an inspection of a farm. Their oversight also included visits to the Labour Centres in Pretoria and Soweto.



DEPUTY MINISTER JOMO SIBIYA CALLS FOR ENHANCED CONSTRUCTION HEALTH AND SAFETY AT OHS CONFERENCE

The Deputy Minister of Employment and Labour, Jomo Sibiya, delivered the keynote address during the Occupational Health and Safety (OHS) Conference: Construction Conference on 14th October 2024 at Premier Hotel in Kempton Park. This two-day conference was themed "Enhancing Construction Health and Safety."

In his opening remarks, the Deputy Minister highlighted three strategic priorities, focusing on the second, which addresses the "Reduction of Poverty and Tackling the High Cost of Living." He emphasised to delegates that every workplace incident or injury has the potential to exacerbate poverty levels. Victims of occupational hazards place additional strain on the country's health and safety systems and are often temporarily or permanently laid off, negatively affecting their livelihoods and potentially plunging them into poverty. He stressed that "Health and safety are commodities that cannot be traded for anything in this world."

To combat unemployment and poverty, the Minister explained that the President had appointed them to create an environment conducive to employment, ensuring that labour is prioritised over capital. He stated, "The Department of Employment and Labour is in the business of saving lives. We have witnessed too many disasters; we must not be known as a country that fails to comply with safety standards. What happened in George, where 34 workers lost their lives, must never happen again. One death, one injury, is too many. Construction is inherently high-risk and, as such, requires special attention."

According to Statistics South Africa, in the third quarter of 2023, approximately 347,000 people in Gauteng were employed in the construction industry, an increase of 14,000 compared to the previous year. The Western Cape and KwaZulu-Natal also reported high numbers of construction workers, with 253,000 and 241,000 respectively. Across the country, around 7,500 construction

sites operate daily, excluding about 5,000 informal sites, bringing the total to an estimated 12,500 sites in operation each day.

"At least 1.5 to 2 fatalities occur weekly in the construction sector," the Deputy Minister noted. "Our statistics confirm that construction ranks among the top four high-risk industries in the country. In the previous financial year alone, compensation payouts for injuries and diseases in the construction industry amounted to over R500 million. Failure to manage health and safety has a direct negative impact on our country's economic growth. The funds used for compensation could instead be directed toward poverty reduction. More than 70% of the incidents we deal with could have been prevented."

The Deputy Minister made it clear that it would be unwise to place the sole responsibility for health and safety in the construction sector on inspectors only. "To succeed in addressing health and safety challenges, everyone must play their part," he said. He emphasised the importance of partnerships between government and the private sector, noting that "partnership" should be the common goal.

The Deputy Minister acknowledged the presence of the International Labour Organization (ILO), organized labour, and business representatives at the conference, commending the valuable contributions these bodies make to the department. He also expressed his gratitude to the OHS inspectors for their daily efforts, encouraging them to embrace research and new approaches. He reminded the delegates that construction workers deserve recognition for the critical work they do, stating that without them, inspectors would not have jobs. The Minister reassured the inspectors that the department would continue to provide them with the necessary tools to carry out their important work.

By Sekhothali Lekalakala

PRINCIPLES

THO PELE PRINCIPLES



Minister Meth reiterates priorities for Employment and Labour in a meeting with BUSA

Employment and Labour Minister, Ms Nomakhosazana Meth, addressing the meeting between the Department and Business Unity South Africa (BUSA), at the Laboria House Head Office, on 01 October 2024.

Employment and Labour Minister, Ms Nomakhosazana Meth, has emphasized her priorities in her first meeting with the Business Unit South Africa (BUSA), earlier this month (01 October 2024).

The Minister said the journey to familiarise "ourselves with the Department and its entities is taking place along the reality of ensuring efficient and effective service delivery" and said that she requires "impactful collaborations with social partners to partner in ensuring that change is brought along".

She said aligned to this reality was the distinctive accountability brought about by the Government of National Unity (GNU), which has resolved to dedicate the next five years to actions that will advance three strategic priorities; to drive inclusive growth and job creation, to reduce poverty and tackle the high cost of living, and to build a capable, ethical and developmental state.

The Minister also thanked the presence of BUSA as the contributors to the Unemployment Insurance Fund (UIF) and Compensation Fund (CF). BUSA is the apex business organisation representing South African businesses.

"I must say that being the Minister of Employment and Labour made me to appreciate the role that the Department and its entities play in the labour market even more. Our unique labour market has presented us with so many opportunities albeit with challenges, but our challenges as a country are not insurmountable.

"The scourge presented by the triple challenges of unemployment, poverty and inequality has become an integral part of our livelihoods and that is also manifesting at the workplace level. More and more workers find themselves struggling even with some form of wages," said Minister Meth.

The Minister said it was of fortune to provide employees with help through the social security offered by the UIF and CF in instances where workers become unemployed, are unable to work due to illness, maternity etc. or are injured on duty or have contracted diseases on duty.

"These funds are positioned as provision of short-term relief cushioning the workers from the socio-economic elements that engulf our society.

"The contribution from business as the employers through UIF monthly contributions and CF annual assessments has placed the UIF and CF in a good stead. Thank you for the role that you play as business even at NEDLAC for being the voice that helps to define the policies of our country, said the Minister.

Minister Meth outlined the following summary of her priorities in the Seventh Administration:

1. Coordination of employment interventions within government through collaborations, partnerships and corporations

- Presidential Youth Employment Initiatives (PYEI)
- Labour Activation Programme (LAP)
- Employment Services of South Africa (ESSA) to be regulated for all employers to utilise and assist with the coordination of the employment mandate
- National Labour Migration Policy (NLMP)
- National Employment Policy (NEP)

2. Good Corporate Governance

- Improvement of Auditor General of South Africa (AGSA) and Internal Audit (IA) audit outcomes

- Efficient functioning of statutory bodies and committees viz. Boards/Governing Bodies of entities, Risk Committees, Audit Committees

3. Improved service delivery

- Unemployment Insurance Fund (UIF)
- Compensation Fund (CF)
- Temporary Employer/Employee Relief Scheme (TERS)
- Business Turnaround and Recovery (BT&R)
- Strengthen the Ex-mineworkers outreach with other stakeholders

4. Strengthen the institutional capacity of the Department

- Health and Wellness of DEL Family officials
- Injection of 20 000 Labour Inspector interns into the Inspectorate to strengthen capacity
- Expand the reach and business coverage of Supported Employment Enterprises (SEE) within the Public Service
- Strengthen the capacity and impact of Productivity South Africa in the labour market

5. Market the mandate, services and programmes of DEL and Entities

- Operation Yazini – Know your Ministry

By Siyabulela Dzanibe

Department of Employment and Labour's Employment Standards (ES) conference quotable quotes

The Department of Employment and Labour recently held a three-day Employment Standards (ES) conference at the Olive Convention Centre in Durban.

The theme of the three-day conference was: "Advancing Social Justice through Effective Labour Inspections". The inspectors' conference was attended by representatives of business, labour federations (Cosatu, Nactu, Fedusa, and Saftu), and representatives from academia.

The conference was held for the inspectorate to encourage maximum compliance with employment and labour laws. Below is what the key speakers said at the conference:

"The Statement of Intent of the Government of National Unity (GNU) was characterised by among others principles of transparency, accountability, integrity, and good governance. These are the principles we have fully embraced as the Department as we embark on the execution of our strategic objectives. The work of IES embodies these principles in their entirety as expressed through the work of inspection and enforcement,"

– **Employment and Labour Minister, Nomakhosazana Meth.**

"We made some shockwaves in the Hospitality sector after a relentless spate of coordinated national raids that saw us conducting 2681 national high-impact coordinated blitz inspections in just 4 days. We were able to enforce over R10 million, in just four days, most of which were penalties on behalf of the vulnerable workers. The outcome of those inspections is surely, but a tip of an iceberg of the noncompliance patterns in these problematic sectors," –

Employment and Labour Minister, Nomakhosazana Meth.

"The role of our Inspection and Enforcement Services is critical in safeguarding workers' rights, ensuring compliance with labour laws, and upholding fair practices. This priority speaks directly to the need for enhanced capacity in our labour inspectorate, ensuring that the protections afforded by our laws are implemented on the ground," –

Employment and Labour Minister, Nomakhosazana Meth.

"It is therefore imperative for Labour Inspectors to protect the gains of Government in order to advance Social Justice. They play a critical role as DEL's foot soldiers in ensuring that employment and labour legislation are complied with; thereby contributing towards the transformation of the South African Labour Market,"

– **Employment and Labour Minister, Nomakhosazana Meth.**

"The inspectorate must recognise the critical role played in health and safety by workplace health and safety representatives and registered trade unions and must involve them actively in their workplace inspections, investigations, and accident inquiries,"

– **Cosatu Secretary-General, Solly Phetoe**

"We want to raise our concern that the department is not doing enough to address the issue of occupational health and safety through inspections. I think we can all agree that the department is not fully capacitated to conduct inspections, it simply does not have enough capacity, hence employers are getting away with a lot,"

– **Cosatu Secretary-General, Solly Phetoe.**

"Inspection reports are public documents and should be made available to the public, but this is not the case. It is even difficult for us as a Federation to obtain such reports even if we write to the department. Why is it so difficult to get those reports? Why are they not easily accessible on the website of the department? How do we as a Federation know how many inspections are being conducted and the fines imposed if this department even struggles to send such reports? The inspectorate must speed up accident investigations and inquiries and finalise their reports without delay,"

– **Cosatu Secretary-General, Solly Phetoe.**

"The Employment Standards conference is an opportunity to re-sharpen each other,"

- **Department of Employment and Labour Inspection and Enforcement Services (IES) Inspector General, Aggy Moiloa**

"Employers will always try to cut corners,"

- **South African Federation of Trade Unions (Saftu) General Secretary, Zwelinzima Vavi.**

"After Marikana things started to fall apart,"

- **South African Federation of Trade Unions General Secretary, Zwelinzima Vavi**

"A Feudal system exists in the cleaning and security sectors,"

- **South African Federation of Trade Unions General Secretary, Zwelinzima Vavi**

EMPOWERING YOUTH: HOW PES AND PYEI ARE TRANSFORMING EMPLOYMENT OPPORTUNITIES IN SOUTH AFRICA - EMPLOYMENT AND LABOUR



The Department of Employment and Labour's Public Employment Services (PES) plays a crucial role in addressing unemployment and facilitating job creation. The PES is dedicated to providing a range of services aimed at improving the employability of job seekers and matching them with suitable employment opportunities. These services include job placement and career counselling programs. By offering these services, the PES helps to bridge the gap between job seekers and employers, ensuring that the labour market functions more efficiently.

One of the key programs under the PES is the Employment Services of South Africa (ESSA) system, an online platform that connects job seekers with potential employers. ESSA allows job seekers to register their profiles, search for job opportunities, and receive notifications about job openings that match their skills and qualifications. Employers, on the other hand, can use the platform to post job vacancies and search for suitable candidates. This system has been instrumental in streamlining the job search process and making it more accessible to a wider audience. The system is available at no cost to employers and work seekers alike.

The PES also collaborates with various stakeholders, including government departments, private sector organisations, and non-governmental organisations, to create and implement employment initiatives. One such initiative is the National Pathway Management Network (NPMN) under the Presidential Youth Employment Initiative (PYEI), which aims to address the high unemployment rates among the youth in South Africa. The NPMN is a comprehensive program that seeks to create job opportunities and provide skills development to young people, thereby enhancing their employability.

The link between the Employment and Labour's PES and the NPMN is evident in their shared goal of reducing unemployment and improving the employability of job seekers. The PES supports the PYEI by providing the necessary infrastructure and resources to the NPMN to implement the initiative. This includes leveraging the ESSA system to connect young job seekers with employment opportunities created under the NPMN's SA Youth Mobi. Additionally, the PES offers career counseling and skills development programs that are tailored to the needs of young people, ensuring that they are well-prepared for the job market through its Labour Centers, Youth Centers, Mobile visiting units, and online services.

The NPMN, in turn, complements the efforts of the PES by focusing specifically on the youth demographic, which is disproportionately affected by unemployment. The initiative provides young people with work experience, training, and support services that prepare them for the job market. It also emphasises the importance of entrepreneurship, encouraging youth to start their own businesses and contribute to economic growth. By focusing on both immediate job creation and long-term career development, the NPMN aims to reduce youth unemployment through innovative solutions and foster a more inclusive and dynamic labour market in South Africa.

There are several success stories from young people who have benefited from the collaboration between the Public Employment Services (PES) and the Presidential Youth Employment Initiative (PYEI). One notable example is the Basic Education Employment Initiative (BEEI), which has placed nearly 600,000 young people as school assistants in over 22,000 schools across South Africa. These positions have provided valuable work experience and skills development, significantly improving the employability of the participants.

Another success story involves the "Jobs Boost" program, a collaboration between the NPMN and the National Skills Fund. This program aims to train and find quality, long-lasting jobs for 4,500 young people from marginalised communities. By focusing on demand-led skilling, the initiative ensures that the training provided is relevant to current skills gaps and emerging needs in the job market.

These initiatives have not only provided immediate employment opportunities but have also helped young people develop the skills and experience needed for long-term career success. The positive impact on their lives and communities highlights the effectiveness of the collaboration between PES and NPMN in addressing youth unemployment in South Africa.

The collaboration between the Department of Employment and Labour's PES and the NPMN has also extended its benefits to the Department of Home Affairs (DHA). Through this partnership, the DHA has been able to create job opportunities for young people in various capacities, such as administrative assistants, data capturers, and customer service agents. These roles not only

provide valuable work experience but also help improve the efficiency and effectiveness of Home Affairs services.

Young employees gain practical skills and experience in handling administrative tasks, managing data, and interacting with the public, which enhances their employability for future job opportunities. Additionally, the increased workforce helps Home Affairs manage its workload more effectively, reducing wait times and improving service delivery to the public. This collaboration has thus created a win-win situation, where young people gain meaningful employment and the Department of Home Affairs benefits from an energised and capable workforce.

Employers are also encouraged to participate in the NPMN. Employers continue to play a significant role in supporting youth employment through the Presidential Youth Employment Initiative by engaging in several key activities. Some offer internships and apprenticeships specifically for young people, providing valuable work experience and helping youth develop the skills needed for their careers. By collaborating with the Department of Employment and Labour's PES and using platforms like the Employment Services of South Africa (ESSA), employers can post job vacancies and actively seek out young candidates for their open positions. Additionally, employers can offer training programs that focus on skill development for young employees, including on-the-job training, workshops, and mentorship programs that help youth gain the competencies required in their fields.

Even Small and medium-sized enterprises (SMEs) can actively support the PYEI in several impactful ways. SMEs can offer internships and apprenticeships tailored for young people, providing them with essential work experience and skill development. By collaborating with the Department of Employment and Labour's PES and utilising platforms like the ESSA, SMEs can post job vacancies and seek out young candidates for their open positions. Additionally, SMEs can implement training programs that focus on developing the skills of young employees, including on-the-job training, workshops, and mentorship opportunities.

Supporting young entrepreneurs is another avenue for SMEs to contribute. They can provide funding, mentorship, and resources to help young people start and grow their businesses, either through corporate social responsibility (CSR) initiatives or partnerships with organisations that focus on youth entrepreneurship. SMEs can also develop recruitment strategies specifically targeting young job seekers, such as participating in job fairs, partnering with educational institutions, and leveraging social media to reach a younger audience. Furthermore, SMEs can engage in public-private partnerships by collaborating with government agencies, non-governmental organisations, and other stakeholders to create and implement programs that support youth employment.

By implementing these measures, employers can significantly contribute to reducing youth unemployment and promoting a more inclusive and dynamic labour market in South Africa. This approach not only benefits young individuals but also enables employers to cultivate a skilled and motivated workforce for the future.

According to the Oct-Dec 2023 NPMN progress report, the Presidential Youth Employment Initiative (PYEI) has made significant progress in reaching young people across South Africa. The National Pathway Management Network, a key component of the PYEI, now reaches more than 4.3 million young people. Additionally, over 1.27 million earning opportunities have been created and accessed by young people through various PYEI programs. This includes initiatives like the Basic Education Employment Initiative (BEEI) and the revitalised National Youth Service (NYS), which have been instrumental in providing work experience and skills development to the youth.

The Department of Employment and Labour's Public Employment Services plays a vital role in addressing unemployment and facilitating job creation in South Africa. Through its various programs and initiatives, including the ESSA system, the PES helps to bridge the gap between job seekers and employers. The collaboration between the Employment and Labour's PES and the Presidential Youth Employment Initiative further strengthens these efforts, providing young people with the necessary skills and opportunities to succeed in the job market. Together, these programs contribute to a more efficient and inclusive labor market, ultimately driving economic growth and development in South Africa.

The Department of Employment and Labour, working for you.

By Petunia Lessing



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“
Employees should
be mindful of
their behavior
outside of the
work environment
”



Employers have the right to discipline employees for misconduct outside working hours

The Department has a right to discipline and even dismiss employees for misconduct that happened outside of the workplace if it can be shown that there is a link between the misconduct and the Department, its operational requirement, and where it occurred in the context of the working relationship.

The Department cannot dictate employee's conduct outside working hours, as the employee's personal life does not fall within the ambit of the working relationship. However, the Department could have an interest when the employee's conduct affects the employee's ability to do his/her work and if the conduct of the employee tarnishes the good name and reputation of the Department.

In *Rubric Consulting (pty)Ltd v Dixon and Others* (JR1972/14) the employee whilst on a personal trip in Hong Kong became inebriated, hijacked a taxi, and drove recklessly before being apprehended. The employer dismissed the employee and the Labour Court confirmed that the dismissal was substantive and fair.

Should the Department wish to discipline officials for the conduct that happened outside working hours and outside the working place, the Department bears the onus of proving that it has a sufficient and legitimate interest in the employee's conduct which justifies action taken by an employee.

In *Horn v Beesnaar NO & others* [(2022) 43 ILJ 115 (LAC)] the court held that the Labour Court Appeal confirmed this aspect where an employee assaulted a co-employee outside working hours and the working environment.

It is important for the Department representatives to show that despite the conduct not being directly related to employee employment, it does impact the employment relationship in one way or another.

- The conduct happened in a place over which the employer has jurisdiction.
- The conduct happened during an off-site event organized by the Department (e.g. Workshops, training, and team building).
- The Department's reputation and good name were adversely affected by

the employee's conduct.

- The employee conduct affected the relationship at work.

Item 7(a) of Schedule 8 to the Labour Relations Act 66 of 1995 (the LRA) provides a guideline for the treatment of misconduct “in, or of relevance to, the workplace”.

In *Hoehchst (Pty) Ltd v Chemical Workers Industrial Union & Another* - it was made clear that an employer is not necessarily precluded from disciplining an employee's misconduct that occurs away from the workplace, but that the decision to discipline is subject to a factual enquiry.

This enquiry would include but would not be limited to the nature of the misconduct, and the nature of the work performed by the employee - the relationship between the employee and the victim, the impact of the misconduct on the workforce as a whole, as well as on the relationship between employer and employee and the capacity of the employee to perform his job.

On the issue of appropriateness of sanction, the LAC held in *Department of Home Affairs and another v Ndlovu and others* (DA 11/2012) [2014] ZALAC 11; [2014] 9 BLLR 851 (LAC); (2014) 35 ILJ 3340 (LAC) (handed down on 27 March 2014) that, in order to prove that the sanction of dismissal was appropriate, the employer needs to present evidence to prove breakdown in the employment relationship.

Such evidence is not necessary where the breakdown is apparent or obvious from the nature of the offense and or circumstances.

Employees should be mindful of their behavior outside of the work environment, as it can have repercussions in the future. It is important for employees to protect the image of the department, as any actions that tarnish the department's reputation will result in consequences. Management will take appropriate action in such cases. – **(Mr Chauke is an Employment Relations Officer in the Department of Employment and Labour's Employment Relations Unit).**

By Ntshuxekani Chauke

PRODUCTIVITY SA AGM – KEMPTON PARK

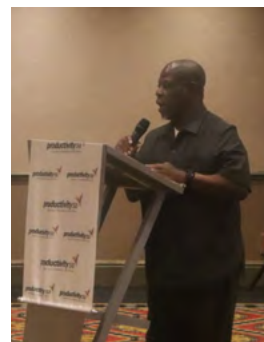
Productivity SA recently held its yearly gathering that brings together its shareholders and board of directors together to reflect on the state of the organisation.

Topping the agenda and resolutions was the adoption of minutes; presentation of the audit and risk committee report; presentation of the organisation's performance and financial statements in 2023/2024 financial year; budget for 2024/2025 financial year; Productivity SA Priorities over the Medium-Term Strategic Framework for the 2019 – 2024; Productivity SA Annual Performance Plan for the period 2024/25 and budget for the period 2024/25 financial year.

Productivity SA Acting Chief Executive Officer: Amelia Naidoo said the organisation had achieved a clean audit for 2023/24 financial year. Ms Naidoo on the performance front Productivity SA had achieved a 77 percent performance rate. She said since year 2020 Productivity SA had assisted 5 780 enterprises employing 40 000 employees. Ms Naidoo said priorities going forward will include supporting 80 percent of black-owned enterprises; 30 percent women owned; and 30 percent youth-owned businesses.

The AGM was held under the theme: **"Together we thrive".**

Deputy Minister Jomo Sibiya who also attended the AGM with fellow Deputy Minister Phumzile Mgcina said with the country efforts designed towards agenda 2030, skills development to support entrepreneurs and enterprises in both the informal and formal economy with a focus on youth, women and people with disability; enterprise development and support for ecosystem are key.





Minimizing the negative effects of AI-induced technological unemployment

As Artificial Intelligence (AI) reshapes the job landscape, fears of widespread unemployment clash with optimism for productivity gains.

Current debates on Artificial Intelligence and jobs have centred on two opposing viewpoints: the pessimists, who fear widespread unemployment and a future without work, and the optimists, who see new technology as the means to relieve workers of mind-numbing tasks, and where vast productivity gains will usher in a richer and more glorious future.

But there is also space for an intermediate position, which acknowledges the risks as well as the potential rewards. Let me call them the realists.

The realist view, first and foremost, acknowledges that the outcomes are not set in stone. Societies can decide how, and if, technology is deployed, how the possible gains are distributed, and what happens to those affected, for better or for worse.

It recognizes that most jobs won't disappear as there are limits to what AI can do, and even greater limits to what it can do well. But it also recognizes that there will be some job losses and that the consequences for the workers who do lose their jobs are not pretty, both in terms of the immediate unemployment effects but also future employment and earnings.

Historical lessons on technological unemployment

Economic history is full of stories of hardship suffered as a result of technological innovation. Writing on technological unemployment in the Industrial Revolution, the historian Ben Schneider documents the negative long-term effects for both women and their families caused by the mechanization of hand spinning. In the 1770s, hand spinning in Britain provided work for more than eight percent of the population, primarily women and – in those days – children. The loss of this home-based work, commencing in the 1780s and persisting for half a century, reduced rural incomes, as the women were not able to substitute the income loss. The new factory jobs that did emerge were in urban centers and were far fewer: in 1850, such employment accounted for less than one per cent of the population, with fewer than half of the jobs occupied by women and girls.

The mechanization of telephone switchboards is another example. In the 1920s, the US telephone industry Mechanization, much of which occurred

during the 1920s and 1930s, led to an 80 percent drop in employment. While the elimination of these entry-level positions did not negatively affect women entering the labour market, operators who were made redundant were more likely to be unemployed when compared with their peers, and if they did find a new job, it was likely to be lower paying.

Short- and medium-term consequences of AI on employment

While we know that eventually these technological innovations, but also other inventions in shipping, transport, digitalization and other areas, were beneficial for economic growth and employment expansion overall, we shouldn't ignore the negative consequences of technological unemployment in the short to medium-term.

Our research at the ILO suggests relatively small employment losses from generative AI, but effects that will Clerical support workers includes professions, such as customer service workers, receptionists or secretaries, that have experienced declining employment levels over the past 10-15 years, and where the effects of AI are just beginning to take hold. Many of these clerical support jobs are held by women. As a result, women are 2.5 times as exposed to automation risks than men. Overall, we estimate that 2.3 per cent of employment (or 75 million jobs) is at risk of automation because of high exposure to generative AI technology. In high-income countries, the share is greater at 5.1 percent of employment (or 30 million jobs), as this type of work is more prevalent.

How infrastructure affects AI's dissemination

Also troubling is that there is not much of a buffer to the risks of automation, even in some developing countries. A recently published ILO-World Bank study by my colleague, Pawel Gmyrek and his co-authors, finds that in Latin America, many of the occupations that could benefit from the productivity-enhancing effects of AI do not currently use a computer at work, and thus will miss out on these benefits, whereas workers in jobs at high risk of automation are, for the most part, using computers. Thus, inadequate infrastructure is a bottleneck to productivity gains in some occupations, but not in those at risk of automation.

And while not all jobs will be shed, those who do lose their jobs will struggle recovering, especially in Latin

America where the labour market is comprised of high shares of informal work, particular own-account.

The literature is clear that unemployment, whether for technological or other reasons, inflicts a longer term "scar" on workers, both in the likelihood of recurring bouts of unemployment, but also in lower subsequent earnings over time. The findings hold regardless of the country, the economic cycle, or the characteristics of the worker. Study after study, each more sophisticated than the last, confirms the result.

But the studies also show the importance of transfer payments in reducing immediate income loss as well as in reducing scarring effects by allowing workers the time to search for re-employment that is of good quality. For this reason, scarring effects are less severe, though still evident, in countries with more robust labour market institutions and social protection systems. Which is why policies are so important.

Policy solutions to minimize job losses

The first, best solution is to avoid job loss. One way to do this is to encourage technological innovation that complements human labour rather than replaces it, as advocated by Acemoglu and Johnson in their recent book, *Power and Progress*. Another option – that is more feasible in the short-run – is to redeploy those staff at risk of technological unemployment to other jobs within the same organization. In addition to redeployment, the ILO's Termination of Employment Recommendation, 1982 (No. 166) encourages employers to explore other solutions, including through adjustments to working hours and hiring policies, and to undertake such measures after consultation with employers' and workers' organizations.

In the event of job loss, other policies are needed, including income support through unemployment insurance or other social protection measures. There is also a need to develop and institute reskilling and upskilling programmes that can prepare workers for new careers in the digital economy, as well as in the growing green and care economy. Preparing workers for these jobs and supporting public and private investments in these sectors will go a long way to minimizing the negative effects of technological unemployment.

– (Article sourced from ILO)

Frequently asked questions on salary structuring of a Total Cost to Employer



The Office of the Chief Financial Officer (CFO) embarked on an initiative on the transferring of skills and decentralisation of salary structuring to the Human Resource Management (HRM) personnel at the Provinces, Public Entities, and Funds.

As a result, an approved training plan was emailed on 02 May 2024 to all the Deputy Directors (DD): Human Resources Management (HRM), Chief Directors of Provincial Operations (CDPOs), Chief Executive Officer (CEO), and Commissioners.

The training session targeted all officials who are required to structure their salary package, namely the Occupational Specific Dispensation (OSD), Middle Management Services (MMS), and Senior Management Services (SMS) members.

Despite challenges experienced when visiting either the Provincial Office, Public Entity, or Fund, there was great reception and positive engagement to those who managed to attend. The Office of the CFO is appreciative of the role played by all stakeholders and the feedback received through the evaluation forms.

It was as a result of the attendees' active participation that Frequently Asked Questions were published.

1. QUESTION: What is salary structuring?

ANSWER: It is the determination of your basic salary as per the predetermined percentages from the Department of Public Service and Administration (DPSA) from the Total Cost to Employer (TCE) package and allocation of other allowances according to one's individual needs.

2. QUESTION: Who is required by law (Public Service Act 1994, Education Act, etc.) to structure their salary package?

ANSWER: Any employee appointed (permanent or temporal) under the Public Service Act, 1994 who is either an Occupational Specific Dispensation (OSD) member, Middle Management Services (MMS) (salary level 11 to 12), and Senior Management Services (SMS) members (salary level 13 to 16).

3. QUESTION: Which allowances can you structure for?

ANSWER: All permanent employees who are in the TCE package can be structured for 5 allowances however, temporary employees who are in the TCE package can additional structure for pension allowance. All these allowances to be structured are 100% taxable however, only the motor car allowance is 80% taxable.

NB: Any allowance that is not structured its amount shall be accumulated to your Non-pensionable cash (NP cash) allowance as a benefit.

Herein below are the allowances to be structured:

ALLOWANCE 1: You can structure for a motor car allowance however; it should not exceed a maximum of 25% of your basic salary.

NB: Any official who has structured for motor car allowance needs to have a logbook in order to record all official trips travelled during the tax year.

NB: If you have structured for a motor car allowance you do not need pre-approval for the use of your own/private vehicle to travel to an official trip however, an invitation or travel plan can be attached when processing your claim on SMARTGOV or PERSAL system.

NB: As per the latest T&S policy, employees who have not structured for a motor car allowance must always get pre-approval prior to embarking on an official trip when processing their claims on SMARTGOV or PERSAL system. This excludes the SMS members as per the SMS Handbook.

ALLOWANCE 2: You can also structure for 13th cheque/service bonus that will be paid to you on your birth month or any month of your choice. When you have structured for the 13th cheque you need to specify your tax method (recurring or non-recurring).

NB: If you have chosen your tax method to be spread across the tax year, you will then receive your service bonus in full (100%). If you have chosen not to be spread, then your bonus will be taxed before you receive it.

ALLOWANCE 3: You can again structure for a medical aid of any amount as stipulated in your medical aid certificate from any registered medical aid scheme. There is no subsidy to be received from your Employer however, there more dependents you have there more tax rebates you will receive.

ALLOWANCE 4: You can structure for housing allowance even if you own or rent or stay with a relative or friend at their residence. Housing allowance does not have any impact on your mortgage bond, credit score profile, and address of residential.

ALLOWANCE 5: Temporal Employees who are at the TCE package can structure for pension allowance of which 7.5% will be an employee contribution and 13% as an employer contribution.

4. QUESTION: What is the advantage of choosing a lower or higher percentage to structure your salary package?

ANSWER: The OSD members have only one percentage to choose from to structure their basic salary, whereas the MMS members at level 11 can either choose 70% or 75%. The MMS members at level 12 can either choose 70% or 76% however, the SMS can choose either 60% or 70%.

NB: Your contribution and savings towards your pension are determined by the percentage opted for the basic salary. The bigger the percentage for your basic salary the more contribution towards your pension fund.

QUESTION: If you are not structured for a motor car allowance, what are the pros and cons of claiming a travel and subsistence T&S allowance?

ANSWER: When you process your claim on SMARTGOV / PERSAL you will be paid a flat rate per kilometer travelled regardless of the engine capacity of your vehicle.

NB: All employees (salary level 1 to 12), excluding Senior Management Members who have not structured for a motor car allowance, need pre-approval for the usage of their own/private vehicle must be sought. Pre-approval is granted by any senior manager (salary level 13 – 16).

5. QUESTION: When can you effect changes to your salary structure?

ANSWER: You can effect changes to your structure anytime however, it is always advisable to effect changes to your structure towards the beginning of a tax year (01 March) in order to avoid any negative tax and financial implications. Thus, you can increase, decrease, or remove your motor car allowance at the beginning of every tax year.

NB: Whenever you effect an amendment in your structure it should always be in an open month payslip (#5.6.5). Any amendment that was backdated will yield a disallowance (debt) against your income.

6. QUESTION: What is a non-pensionable (NP) cash allowance and is it taxable?

ANSWER: This is any amount remaining to be structured after all other allowances have been structured accordingly. The NP cash is 100% taxable as per your income tax bracket.

7. QUESTION: Who can show me the correct calculations on my salary structure?

ANSWER: Your HRM at the Funds, Public Entity, Provincial Office, and Head Office, respectively will assist you with any queries relating to you. – **(Compiled by Mr Sithathu, Senior State Accountant - Directorate: Financial Management).**

By Malusi Sithathu



WHY SOCIAL PROTECTION IS ESSENTIAL TO SHIELDING THE WORLD'S MOST VULNERABLE FROM THE IMPACTS OF THE CLIMATE CRISIS

The ILO brings together thought leaders and experts to discuss the findings of its social protection report, focusing on the structural inequalities that permeate the climate crisis, and the role of social protection in protecting those most climate vulnerable and in ushering in a just transition.

NEW YORK (ILO News) – The ILO's recently launched <https://www.ilo.org/node/664696> shed an important light on structural inequalities that permeate the climate crisis, highlighting the role of universal social protection in fostering a just transition.

The discrepancies and structural inequalities that the report revealed were the topic of discussion at the global launch of the report, on the sidelines of the UN General Assembly. The meeting brought together the ILO Director-General Mr. Gilbert F. Houngbo, South African Minister of Environment, Forestry and Fisheries, George Dion, representing President Ramaphosa, and a high-level panel with human rights and climate justice activist, Kumi Naidoo, General Secretary International Trade Union Confederation (ITUC),

Minister Dion said, "the fight against climate change and the pursuit of social justice are inextricably linked. Social protection systems are the foundation upon which we can build a more resilient, inclusive, and sustainable world."

He concluded by calling for a commitment to universal social protection as a prerequisite to ensuring that "response to the climate crisis is grounded in human-centered principles of social justice and human rights (in order to) chart a course towards a greener, and a more just and equitable future for all."

Long-time human rights and climate activist Kumi Naidoo raised the importance of reframing the discussion to focus on people's needs, especially the most vulnerable.

"The climate justice movement ... needs to recognize that we have had a blind spot. We have been so focused on mitigating emissions and adaptation; we have forgotten the vulnerability of millions around the world. We need to put social protection well within the climate movement," Mr. Naidoo said.

UN Youth Advocate Tyeisha Emmanuel, who is from Anguilla, a Caribbean island at substantial risk of flooding and other climate-related disasters, shared her country's real-life experience with this.

"Despite small island developing states contributing less than one per cent of global emissions we bear the brunt of the climate crisis. Hurricanes, rising sea levels, and other extreme weather events are destroying our homes, livelihoods, food, and futures," explained Emmanuel.

There was consensus across the board that social protection is a pre-requisite for a just and sustainable transition.

Luc Triangle, General Secretary of the International Trade Union Confederation, pointed out that "without social protection you can never have a just transition."

US Council for International Business President and CEO, Whitney Young Baird, noted that social protection systems "are and will be key in the context of a just transition, especially considering that the climate crisis will exacerbate existing challenges."

For her part, UNEP's Aggarwal-Khan pointed to the role of social protection in facilitating nature-based solutions, addressing the health impacts of climate change, and ensuring that newly created jobs in green sectors of the economy are decent.

The speakers also agreed about the urgent need for coordinated and coherent global policy response with climate action and universal social protection working in tandem, to realize human rights and social justice.

"No country on its own can address the complex interplay between social protection, climate change, and just transition. The challenges we face are global in nature and require a coordinated global response," stressed Minister Dion. – **(Article sourced from ILO).**



The No country on its own can address the complex interplay between social protection, climate change, and just transition

Luc Triangle, President and CEO of United States Council for International Business, Whitney Young Baird, Director of UNEP's Industry and Economic Division, Sheila Aggarwal Khan, UN Youth Advocate, Tyeisha Emmanuel, and ILO Special Representative to the UN, Cynthia Samuel-Olonjuwon.

The report found that in the 20 countries that are on the frontlines of the climate crisis more than 90 per cent of the population do not have access to any form of social protection cash benefit, be it child and family or unemployment benefits, or any support that can protect them from the ravages of climate change. In the 50 most climate-vulnerable countries, 75 per cent of the population – or 2.1 billion people – also lack any social protection.

"Universal social protection systems can shield people from the consequences of climate breakdown, support essential climate policies and drive a just transition to a more sustainable planet. To achieve this, we must ensure that everyone is adequately protected," noted the ILO Director-General.

Nowhere is this need to protect everyone clearer than in Africa. Even though the continent is among the most vulnerable to the climate crisis, only 19.1 per cent of Africans are covered by at least one social protection benefit.



WTO INITIATES SELECTION PROCESS FOR NEXT DIRECTOR-GENERAL

Singing, dancing and ululating were the order. On 8 October 2024, the World Trade Organization (WTO) formally commenced the process for appointing its next Director-General.

The process will be led by Ambassador Petter Ølberg of Norway, the Chair of the General Council, in accordance with the WTO's "Procedures for the Appointment of Directors-General".

Ambassador Ølberg issued a statement on 4 October, indicating that WTO members supported an early start of the process ahead of the originally planned schedule. The selection process will adhere to the established procedures, ensuring transparency, inclusiveness and alignment with the Organization's best interests.

WTO members have until 8 November to submit nominations. After

nominations close, candidates will have a three-month window, ending on 8 February 2025, to engage with members and present their qualifications.

A final two-month period, until 8 April 2025, will be devoted to a process of consultations to allow the General Council ultimately to arrive at its choice for appointment.

The incumbent, Director-General Ngozi Okonjo-Iweala, who began her term in March 2021, has confirmed her intention to seek reappointment. Her current term is scheduled to conclude on 31 August 2025.

– (Article sourced from WTO).



Mbali Sikhonde

Disability Manager in the
Mpumalanga Province

Casual Day Highlights the Impact of Compensation Fund on Workers

Casual Day is an annual event that takes place on the first Friday of September every year. Citizens can support by raising awareness and purchasing the merchandise available. This year, the theme was "I SEE YOU" which transcends the ordinary acts of seeing with eyes, focusing on recognizing the inherent worth, dignity, and uniqueness of each of us' <http://casualday.co.za> 2024.

To commemorate Casual Day 2024, I conducted a worksite visit for one of the compensation funds injured employees. He was employed as a truck driver and sustained an injury that resulted in the loss of his lower leg.

Mr Nditsheni Mukwevho (54) was employed as a truck driver for a cruise cargo company in Mbombela. He was admitted to Netcare rehabilitation hospital and sustained a traumatic amputation above the knee in a work-related truck accident close to the Mpumalanga border.



Mr Mukwevho

shows his prosthetic legs.

The Compensation Fund (CF) covered the cost of admission, operations, and rehabilitation services until he was discharged in May 2024. He was then referred for orthotics services received an above knee prosthesis (artificial leg) and attended outpatient therapy sessions.

He returned to work in August 2024, considering his new physical limitations, the company offered alternative employment as a tracking controller. The employer provides reasonable accommodation and offers alternative employment in consideration of his new limitations.

This has helped fill the income gap and prevent unemployment. He is a candidate for Compensation Fund benefits: monthly pension, medical care, and further maintenance of his prosthesis to allow him to reintegrate into society/labour market.

He is a father of six and his wife stays in another province with their minor children. As part of his benefits, the CF vocational rehabilitation directorate has benefits to cover the cost of tertiary education for his beneficiaries, should they be accepted at any facility in the future.

The medical service unit is available at processing centres (Secunda and Mbombela) and Provincial Office. Referrals can be sent to Mbali.sikhonde@labour.gov.za or office B29 P/O eMalahleni. – (Mbali Sikhonde, Disability Manager: Mpumalanga)

By Mbali Sikhonde

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REPUBLIC OF SOUTH AFRICA



EMPLOYMENT STANDARDS CONFERENCE – IN DURBAN

The Department of Employment and Labour hosted its annual Employment Standards Conference at the Olive Convention Centre in Durban on 08 -10 October 2024. The Conference enjoyed support from both Employment and Labour's Minister Nomakhosazana Meth, Deputy Minister Sibiya, Inspector General Aggie Moilola, Senior Managers from national and provincial offices, PCI's and Inspectors from all parts of the country. Representative from organised labour, academia, and business also graced the conference.



DEPARTMENTAL MONTHLY EXCO MEETING – LABORIA HOUSE, PRETORIA

Department of Employment and Labour Acting Director General (ADG), Viwe Mlenzana has said his tenure would focus on addressing bottlenecks that impede service delivery. Chairing the recent monthly Executive Committee (Exco) meeting, he said the forum should strictly concern itself with strategic issues. He said matters of operation will be delegated to Operations Committee (Opsco).

Henceforth, he said the position of Chief Operations Officer (COO) would cease to exist and Chief Directors Provincial Operations (CDPOs) will report directly to the office of DG. He said the Department over the past few weeks has been dominating headlines for good reasons, "Let us keep up the momentum".

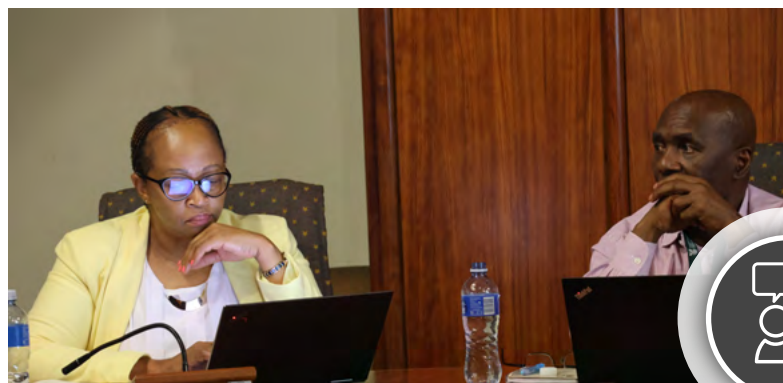
Some of the key highlights of the Exco meeting were that: the recruitment of new inspectors to beef up the inspectorate to reach a target of 20000 personnel would be managed through a project manager. A task team made up of Chief Financial Officers, Audit and Risk Management has been put in place to deal with Audit findings/matters, especially those experienced in the Funds.

Exco resolved to "translate and practicalise" the extended mandate (employment) of the department. The forum noted the work of Nedlac in amending labour laws. The proposals amendments cover the following legislation: Labour Relations Act and associated Code of Good Practices mostly in respect of dismissals, retrenchments, collective bargaining and strike action; Basic Conditions of Employment Act;

Employment Equity Act; and National Minimum Wage Act to streamline the process of national minimum wage setting.

Public Employment Services (PES) should create employment schemes. PES is also considering introducing a new innovation called Job World concept – an initiative which could be staged over a week or more.

On the financials - as at end of September 2024 (midway) following an allocation of more than R3,8-billion the Department had spent more than R1,8-billion – this represents expenditure of 47 percent. Administration had spent 48 percent of its allocation, IES 41 percent, PES 53 percent and Labour Policy and Industrial Relations 43 percent.



LABOUR MARKET INFORMATION SYSTEM AND RESEARCH REPORT ON SOCIAL PROTECTION LAUNCH – BOKSBURG

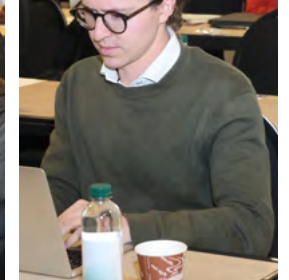
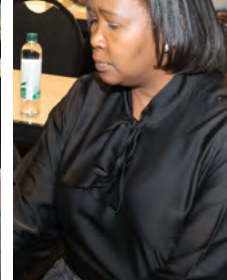
The Department of Employment and Labour has launched a portal that offer a necessary mechanism to collect, access and distribute data for use by policy makers and various stakeholders in decision making on labour market issues. The portal will enable policy makers for use in the long-term planning of the country.

The Labour Market Information System.Stat will help improve knowledge collection, management and access of labour market information and statistics.

LMIS.Stat is an initiative by the Department together with Statistics South Africa in partnership with International Labour Organization (ILO) – which is a technical supporter. In the Southern Africa Development Community the system has already been launched by Botswana, Namibia, Seychelles and Zimbabwe.

In summary the system will benefit decision makers for the formulation and monitoring of policies, offer a system alert about possible gaps between labour supply and demand, inform about employment opportunities and available workforce, inform training institutions of unmet training needs.

NB: The LMIS system can be access through - <https://de-staging-lmis.labour.gov.za/>



"OUR FORMER MINISTERS WILL BE IN OUR HEARTS FOREVER"



The late Mr Tito Titus Mboweni, is South Africa's former Labour Minister.

This month South Africa lost two Ministers who are strongly linked with the Department of Employment and Labour. Mr Tito Titus Mboweni and Mr Shepherd Membathisi Mdladlana were former Labour Ministers a forerunner to Employment and Labour.

Mr Mboweni was born on 16 March 1959 and took his permanent rest on 12 October 2024. He served as Minister of Labour from May 1994 to July 1998 in South African President Nelson Mandela's cabinet. While Minister Mr Mboweni was the architect of South Africa's post-Apartheid labour legislation, which allowed for collective bargaining and the establishment of labour courts.

Mr Mboweni was the first Labour Minister after 1994 in the democratic dispensation. He served as Minister of Finance of South Africa in the government of President Cyril Ramaphosa from 2018 to 2021.

He was the eighth Governor of the South African Reserve Bank, replacing Chris Stals and the first Black South African to hold the post from 1999 to 2009. He oversaw the launch of the inflation targeting policy to help the bank achieve price stability and dealt with the rand's depreciation. He was sworn in as Minister of Finance on 9 October 2018, following Nhlanhla Nene's resignation.

Mr Mboweni was a founding member of Mboweni Brothers Investment Holdings and a former international advisor of Goldman Sachs International. He has also served in the New Development Bank (BRICS Development Bank) and other private sector boards.

He has previously served in the ANC's Policy Department which was responsible for managing ANC policy processes.

In her message of compassion to Mr Mboweni family - Employment and Labour Minister, Nomakhosazana Meth said: "I am deeply shocked and pained by the passing away of this Comrade and Colleague. It seemed so sudden and unexpected. In Mr. Mboweni, we have lost a brilliant, astute and selfless activist. He will be remembered for his contribution to the labour law framework and economic development of the country. He will be sorely missed. On behalf of the Department and Ministry, sincerest condolences to the family of Mr Mboweni, all his friends, comrades and the country".

While Mr Mdladlana died aged 72 years old. He was the Minister of Labour of the Republic of South Africa from July 1998 to 2009. Before becoming a Minister, Mr Mdladlana was a teacher by profession and he formally obtained his degree at the University of South Africa in 1997.

From 1972 to 1981, Mr Mdladlana taught at Vukukhanye Primary School in Gugulethu. From 1982 to 1994, he was the principal at Andile Primary School in Crossroads, Cape Town.

He succeeded the late Mr Mboweni and continued to hold the post into Thabo Mbeki's administration. Mr

Mdladlana was the founder of the South African Democratic Teachers' Union.

Following his cabinet career, Mr Mdladlana served as Ambassador in Burundi and High Commissioner to Canada.

In her message of condolence to Mr Mdladlana family, Ms Meth said the former Minister worked tirelessly to hold accountable, employers who were failing to comply with employment equity (EE) legislation.

"It is a sad week for the nation and for the Department in particular to lose two former Ministers within a short space of time. Mr. Mdladlana, who was the longest serving Labour Minister, was a principled man with high moral standards. He was a selfless and reliable leader and Comrade. He leaves behind a huge impact and legacy within the Department, having ensured that labour inspectors received improved remuneration and enjoyed protection." He continued on the footsteps of Mr. Mboweni, to champion the rights and wellbeing of workers. A testament to his passion for labour rights. On behalf of the Department and Ministry, we hereby wish to extend our sincerest condolences to the beloved family of Mr. Mdladlana, and all his friends and comrades," said Minister Meth. Their memory stays with us forever. They will be forever remembered and stay forever in our hearts. "To live in hearts we leave behind is not to die" – so said, Thomas Campbell.

(Compiled by Shadrack Mashalaba with additional information sourced from Wikipedia, IOL and SABC)



The late Mr Shepherd Membathisi Mdladlana, is former South Africa's Labour Minister.