



I-DEAL



Policymakers to gather when South Africa convene G20 second EWG technical meeting



Employment and Labour Minister Nomakhosazana Meth (in black outfit) together with some of the VIP delegates that addressed and attended the G20 1st Employment Working Group meeting held in Gqeberha at Boardwalk International Convention Centre.

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DIARY OF EVENTS



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04 April 2025 = Inspection and Enforcement Services (IES) branch host a seminar on National Code of Practice for lifting machinery operators as part of health and safety month in Pretoria

08–11 April 2025 = G20 – 2nd Employment Working Group (EWG) meeting at The Arch Convention Centre in KwaZulu-Natal

11 April 2025 = Inspection and Enforcement Services (IES) branch host the launch of the Physical Agents and Noise Exposure Regulations workshop as part of health and safety month at The Lakes in Benoni, Ekurhuleni

15 April 2025 = Inspection and Enforcement Services (IES) branch host a workshop on the recently released Construction Regulations as part of health and safety month in Kempton Park

18 April 2025 = Good Friday (national holiday)

21 April 2025 = Family Day (national holiday)

25 April 2025 = Inspection and Enforcement Services (IES) branch as part of health and safety month commemorate the World Day for Health and Safety in Bloemfontein

27 (28) April 2025 = Freedom Day (national holiday)

28 April 2025 = World Day for Safety and Health at Work 2025. The day was initiated to promote and discuss the importance of having a safe, and healthy work environment. It was declared by the International Labour Organization (ILO) to promote the prevention of occupational accidents and diseases globally. The 2025 World Day for Safety and Health at Work will focus on the impacts of digitalisation and artificial intelligence (AI) on workers' safety and health.

29 April 2025 = Department's Public Employment Services (PES) Branch Management Committee (BMC) meeting

MAY

01 May 2025 = Worker's Day (national holiday)

08–09 May 2025 = Department's Inspection and Enforcement Services (IES) branch hosts an Annual Employment & Labour Law Indaba at the Birchwood Hotel & OR Tambo Conference Centre in Boksburg, Gauteng

22 May 2025 = Department's Public Employment Services (PES) Branch Management Committee (BMC) meeting

29–30 May 2025 = G20 3rd Employment Working Group (EWG) meeting in Geneva, Switzerland

JUNE

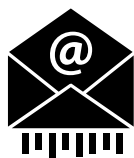
02–13 June 2025 = 113th Session of the International Labour Conference (ILC) is held in Geneva, Switzerland. The Conference sets the international labour standards and the broad policies of the International Labour Organization (ILO). It meets annually. Often called an international parliament of labour, the Conference is also a forum for discussion of key social and labour questions.

June 2025 = G20 – 3rd Employment Working Group (EWG) meeting in Geneva, Switzerland

14 June 2025 = 354th Session of the Governing Body of ILO meets in Geneva, Switzerland. The Governing Body of the International Labour Office is the executive body of the International Labour Organization (the Office is the secretariat of the Organization). It meets three times a year, in March, June and November. It takes decisions on ILO policy, decides the agenda of the International Labour Conference, adopts the draft Programme and Budget of the Organization for submission to the Conference, and elects the Director-General.

16 June 2025 = Youth Day (national holiday)

19 June 2025 = Department's Public Employment Services (PES) Branch Management Committee (BMC) meeting



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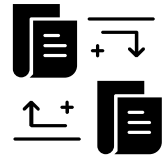
Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA



G20 SOUTH
AFRICA
2025



EDITORIAL



The Department in the month of March embarked on a myriad of high impact as well as strategic projects and activities.

The long-awaited human trafficking and child labour judgement that found the Chinese nationals in the high court has come and passed. The outcome of it came about because of a multidisciplinary blitz inspection exercise led by the Department of Employment and Labour, in collaboration with sister departments and law enforcement agencies. The inescapable power of the law enforcement agencies took its course accordingly.

Although the recent judgement by the Gauteng South Division Court in Johannesburg to find the seven Chinese nationals guilty of human trafficking and child labour was hailed as a landmark ruling, it appears the surface may have been scratched as the problem is bigger than what is being reported.

The judgment has, however, helped to create a precedence in the quest for protection of vulnerable people. An intriguing and commendable precedence indeed.

The work of the Department

of Employment and Labour's Inspection and Enforcement Services (IES) branch, working together with the South African Police Service (SAPS)/ Hawks Unit and the Department of Home Affairs, should be loudly applauded. The saying goes that many hands make light work.

The prosecution of human trafficking and child labour cases has long been a mission for the Courts. Millions of people are at risk daily of human trafficking, described as a form of modern-day slavery in which individuals are transported by force or deception for the purpose of labour, sexual exploitation, and other activities for financial gain.

Despite visible efforts by authorities to curb the scourge of child labour, it continues unabated. A report dating as far back as 2022 by the United Nations Children's Emergency Fund (UNICEF) provided guidance to businesses, policy makers, and other stakeholders towards meeting Sustainable Development Goals (SDG) Target 8.7 on eradicating child labour by 2025. Despite this, we are no closer to eliminating the problem.

South Africa, in its effort to address child labour hosted the International Labour Organization (ILO) child labour conference in 2022 and this ended with "The Durban Call to Action", following the Fifth Global Conference on the Elimination of Child Labour with calls on stakeholders to accelerate action for the elimination of child labour.

Worth noting, according to UNICEF, is the increasing child poverty due to the COVID-19 crisis, which may have set back progress. It said that without social protection mitigation measures, more children will likely be pushed into child labour as a result.

This editorial will not be complete without expressing with great excitement that the Department hosted a successful Group of 20 (G20) First Employment Working Group (EWG) meeting in Gqeberha. We are therefore with high spirits, looking forward to the hosting of the Second EWG meeting expected to be held in KwaZulu-Natal Province in April 2025.

The upcoming meeting will build on issues discussed in Gqeberha, dealing with youth unemployment and issues of digitalisation in the provision of social security.

Teboho Thejane
Editor-in-Chief





Employment and Labour Minister Nomakhosazana Meth (in black outfit) together with some of the VIP delegates that addressed and attended the G20 1st Employment Working Group meeting held in Gqeberha at Boardwalk International Convention Centre.

Policymakers to gather when South Africa convenes G20 second Employment Working Group (EWG) technical meeting

The South African government under the watch of the Department of Employment and Labour is set to host the Group of Twenty (G20) second Employment Working Group (EWG) technical meeting next month in which issues of gender, inequality and income will come under the spotlight.

The upcoming G20 2nd Group of Twenty (G20) Employment Working Group meeting follows the recent successful G20 first EWG held at Boardwalk International Convention Centre (ICC) from 18-21 February 2025 in Gqeberha, Eastern Cape. The G20 first Employment Working Group concluded with a commitment from delegates for a further five-year target called the Nelson Mandela Bay Target to reduce youth unemployment by five percent.

The Nelson Mandela Bay Target on Youth Employment strategies prioritise:

- The creation of more and better jobs for young people to ensure that they are not only employed but also engaged in work that offers dignity, security and opportunities for growth;
- Education and skills systems that equip youth with future-ready, market-driven competencies, preparing them for the jobs of tomorrow in a rapidly changing world; and
- An enabling environment that fosters young entrepreneurs and supports business growth, unlocking the potential of youth-led innovation and enterprise.

The second meeting is expected to be held from

8-11 April 2025 in KwaZulu-Natal Province. It will take place at the Arch Convention Centre, Umhlanga Durban. It is one of four expected to be hosted by the country, culminating with the Labour and Employment Minister's Meeting (LEEM) in August.

South Africa's hosting of the G20 2nd EWG follows its assuming in December 2024 of the Group of Twenty Presidency from Brazil.

EWG stream has identified four priority issues of focus. These include:

1. Inclusive Growth and Youth Employment
2. Gender Equality in the Workforce
3. Addressing Inequality and Declining Labour Income Share
4. Social Security and Digitalization for an Inclusive Future of Work

For the second meeting the focus is expected to be on priority second and third: Gender Equality in the Workforce; and Addressing Inequality and Declining Labour Income Share – will receive attention.

The theme of South Africa's EWG meeting(s) is: Living and working in an unequal world: ensuring Decent Work and decent lives. This theme aligns with that of South African G20 Presidency anchor theme of: Solidarity, Equality, Sustainability.

South Africa's G20 Presidency has some 16 working groups including the EWG. Other upcoming EWG meetings are expected to be held in June and July. The

country is expected to host 130 meetings of various streams/working groups during its Presidency.

During the hosting of the meetings the country will be inviting a number of guest countries, local and international partner organisations and academia to share experiences and present research papers.

Formed in 1999 following the global financial economic crises in Mexico, Asia, Russia, and the United States. The G20 or Group of 20 is an intergovernmental forum comprising 19 countries, the European Union and the African Union (AU). The G20 sovereign countries are: Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey, the United Kingdom, the United States, the European Union and the African Union (expanded inclusion).

The forum exists to address global economic issues ranging from financial stability, climate change, and sustainable development among others. The presidency of G20 runs from 1 December until 30 November and each year a different member country assumes the presidency.

G20 member countries represent some 85 percent of the world's gross domestic product and more than 75 percent of world trade.

By Shadrack Mashalaba



Case of seven Chinese nationals found guilty of human trafficking and child labour - an unprecedented landmark for labour market

The recent judgment by the Gauteng South Division Court in Johannesburg to find Chinese nationals guilty of human trafficking and child labour was a landmark ruling and stands to change the enforcement of labour laws in the labour market.

The sentencing proceedings in the trial of seven Chinese nationals found guilty of human trafficking and child labour at the Gauteng South Division Court in Johannesburg are now set for the end of April.

Department of Employment and Labour Gauteng Provincial Chief Inspector, Advocate Michael Msiza following the judgment, said this was a landmark ruling for labour laws. Msiza said the Court further explained and reiterated who the employer was in the employment relation.

Mr. Msiza said the outcome of this case sets good precedence that labour exploitation will not be tolerated. He said the judgment sends a strong message to those that continue to employ illegal immigrants, that illegality will not be tolerated.

Employment and Labour Deputy Minister, Jomo Sibiya said the amendments to a number of labour laws would come in handy to deal with transgressors. Mr. Sibiya said enforcement of labour laws will be escalated. He said the Department was building its capacity. He cautioned employers to hire foreigner workers with work permits.

Mr Sibiya said the collaboration with sister departments was beginning to yield results, he said the trial relieved the harrowing experiences experienced by the workers, "this rot must come to an end," he said.

The seven Chinese nationals were on 25 February 2025 found guilty on 160 Counts. The criminals are: Kevin Tsao Shu-Uei, Chen Hui, Qin Li, Jiaqing Zhou, Ma Biao, Dai Junying, and Zhang Zhilian. The accused are facing schedule six offences.

The Chinese were found guilty of not registering with the Compensation Fund and declaring their operations; failure to keep records of their earnings; failure to submit their return on earnings; failure to pay and declare assessments; failure to maintain a safe workplace; failure to report incidents; failure to register and declare with Unemployment Insurance Fund Commissioner; failure to

inform the Commissioner on Unemployment Insurance changes; guilty of human trafficking; aiding/facilitating human trafficking; bondage; benefiting from victims of human trafficking; assisting illegals to remain in South Africa.

The seven criminals were arrested on 12 November 2019 in a joint operation carried out at their premises - Beautiful City Pty Ltd based at Village Deep in Johannesburg. The joint inspection blitz was carried out by the Department of Employment and Labour's Inspection and Enforcement Services (IES) branch together with the South African Police Service (SAPS)/ Hawks Unit and the Department of Home Affairs, following a tip-off.

The joint operation uncovered illegal immigrants some of whom were minors working under horror conditions and kept in the locked premises of Beautiful City. The factory produced cotton fibre sheets.

The long-standing trial has been characterised by delays. Some of the key highlights:

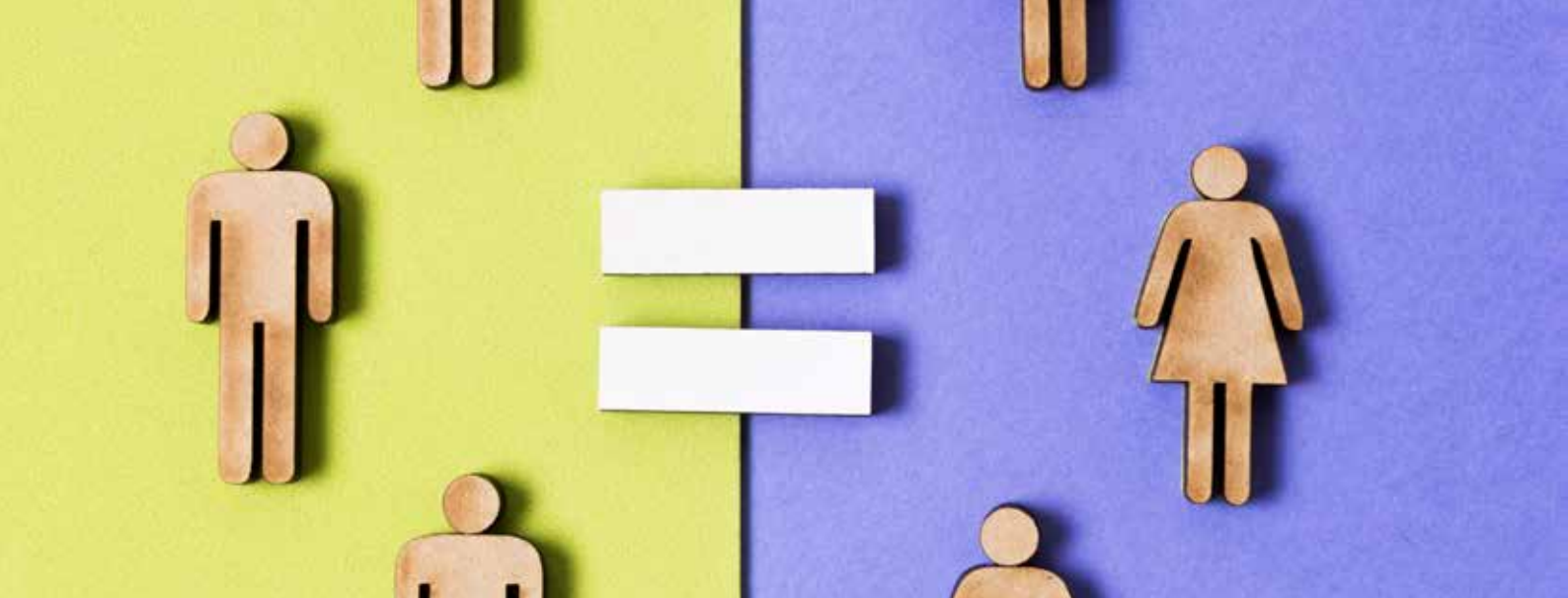
- 21 November 2019: The seven Chinese appear for the first time in the Johannesburg Magistrates Court after a raid of Beautiful City Pty Ltd located at Village Deep in Johannesburg in which 91 workers were found including minors.
- 28 November 2019: The accused make a second Court appearance and the Department of Employment and Labour serves them with a bill of more than R7-million of money owed to workers for paying below the National Minimum Wage, for not declaring workers for the Unemployment Insurance Fund, the Compensation for Occupational Injuries and Diseases Act, contravention of Occupational Health and Safety Act, and Basic of Conditions of Employment Act among labour laws. During the same appearance, Magistrate Molwana grants the media permission to record proceedings subject to following Court guidelines and fair reporting.
- 12 February 2020: A Department of Home Affairs official testified during bail application that the accused had violated immigration laws.
- 24 June 2020: the seven accused were granted bail with endorsements in the JHB Magistrates Court, after they were denied bail on 20 March 2020.
- 17 October 2020: Chinese nationals appear for the first time in the Gauteng South Division of High Court in Johannesburg after their matter is

transferred from the Magistrates Court. They later in the trial pleaded not guilty.

- 29 April 2021: A Malawian witness testified that workers at the Chinese factory were paid a salary of R65 a day and were expected to work seven days a week.
- 10 May 2021: Another Malawian testified of a 'web of abuse' by Chinese nationals. He said workers were being subjected to long working hours, debt bondage, hazardous working conditions, insults, assaults, and violations of basic human rights.
- 01 October 2021: The seven Chinese nationals make a dramatic admission of guilt for violation of South Africa's labour laws. However, the other charges still stand and they will continue to face trial on those. On the same day, another Malawian testified he lost an eye while operating a machine he was not trained to operate.
- 27 March 2023: Department of Employment and Labour's Gauteng Provincial Chief Inspector, Advocate Michael Msiza takes a stand and delivers a "crash course" to a defence lawyer on labour laws during cross-examination.
- 04 April 2023: Warrant, Lulama Kona Officer testified that the Malawian workers including minors did not have papers to be in South Africa.
- 06 April 2023: Court hears how one of the accused tried to elope the country via Lebombo Border post in Mpumalanga
- 01 July 2024: Accused number one takes a stand and tells the Court that no workers were kept at the Beautiful City factory against their will.
- 05 October 2024: The defence in the trial of seven Chinese nationals charged with human trafficking and child labour closes its case.
- 28 November 2024: Both the State and defence present their heads of argument.
- 25 February 2025: The seven Chinese nationals together with their company are found guilty on 160 Counts.

The six accused were remanded in custody, except accused number six (Dai Junying) who is out on medical grounds. The accused came to the Court being pushed in a wheelchair. The sentencing proceedings are now set for 29-30 April 2025.

By Shadrack Mashalaba



Achieving gender equality in employment rates would take almost two centuries

Thirty years after the Beijing Declaration and Platform for Action set out an ambitious agenda for equality, women still face significant barriers in the economy, according to a new International Labour Organization brief.

GENEVA (ILO News) – Thirty years after the Beijing Declaration and Platform for Action set out an ambitious agenda for equality, women still face significant barriers in the economy, according to *Women and the economy: 30 years after the Beijing Declaration*, a new International Labour Organization (ILO) brief released on the occasion of International Women's Day.

Despite employment gaps between women and men narrowing from 27.1 to 23.1 percentage points since 1991, women's employment rates remain far below men's, with only 46.4 per cent of working-age women employed in 2024, compared to 69.5 per cent of men. At the current pace of progress, achieving equality in employment rates would take almost two centuries.

While more young women are pursuing education and training, this has not translated into significant labour market gains. Women hold just 30 per cent of managerial positions globally, with only a modest improvement over the past two decades.

Women continue to be overrepresented in low-paid sectors like nursing and childcare, while men dominate fields like transport and mechanics. They also continue to face lower average earnings and fewer paid working hours globally and are overrepresented in informal employment in low- and lower-middle-income countries.

On the other hand, there has been progress in narrowing the earnings gap between women and men: annually, employed women (including

both employees and the self-employed) earned 77.4 cents for every dollar earned by men in 2024, still a significant gap, but an improvement from 70.1 cents in 2004.

"Three decades since world leaders gathered in Beijing and pledged to advance the rights of women worldwide, significant challenges remain in fulfilling the Beijing Declaration," explained Sukti Dasgupta, Director of the ILO Conditions of Work and Equality Department.

"While progress has been made, millions of women still face persistent barriers to entering, remaining and advancing in decent work. Urgent reforms are needed to address unequal care responsibilities, wage gaps between women and men, and violence and harassment in the world of work, factors which continue to make workplaces more unequal and less safe for women," she said.

The brief presents global trends in employment and working conditions for women and men, highlighting persistent inequalities, often exacerbated by factors such as migrant and disability status. It also underlines systemic barriers to women's employment opportunities and decent working conditions, which stem from deeply rooted structural inequalities, discriminatory social norms, and economic policies that fail to account for the different needs of women and men.

As a cornerstone of global efforts towards the empowerment of women, the Beijing Platform for Action remains a powerful force in shaping policies and laws that foster social and economic progress worldwide. Amid digital, environmental, and demographic transitions, its vision is more relevant than ever.

– (Article sourced from ILO)

PENSION INCREASE

The Government Employees Pension Fund (GEPF) operates in terms of the provisions of the Government Employees Pension Law of 1996 (GEP Law) and Rules together with GEPF's own Pension Increase Policy.

These outline the framework for the annual pension adjustments for its pensioners/beneficiaries.

The annual increase in pensions is composed of four distinct elements, as detailed in the GEPF's Pension Increase Policy, i.e:

1. Basic Increase: This is equivalent to 75% of the year-on-year change in the consumer price index (CPI) for pensioners who retired on or before 1 April of the preceding year. Those who retired after this date receive a prorated increase, based on their retirement duration.

2. Further Inflation-Related Increase: This increase (when applicable) exceeds 75% of the CPI change and applies to pensioners who retired on or before 1 April of the previous year. Pensioners who retired after this date receive a proportionate increase.

3. Catch-Up Increase: This is aimed at pensioners who retired before 1 April of the previous year and whose pensions have dipped below their initial retirement amount, when adjusting for inflation. The increase could be up to 100% of the CPI change from the retirement date to 30 November of the preceding year, subject to affordability by the Fund.

4. Supplementary Increase: This is an additional increase that the Board may award at its discretion. It is not necessarily linked to inflation. It's important to note that the Board may not implement all four elements every year, and may select only certain ones to grant, based on affordability and other factors.

Enquiries may be directed to the GEPF Call Centre: 0800 117 669 The GEPF respects the privacy and personal information of its members and pensioners and therefore subscribes to the provisions of the Protection of Personal Information Act 4 of 2013. Visit www.gepf.co.za to view the GEPF's Privacy Policy and Privacy Statement



WHAT HAPPENS TO YOUR PENSION IF YOU DIE IN SERVICE WITHOUT A SPOUSE OR BENEFICIARIES?

We have no control on what may happen in the future, regardless of how much we plan for it. As a member, it may happen that you pass away while in service without a spouse or beneficiary. Have you ever wondered what happens to your pension in that case?

As stated in the GEP Law, 1996, in the event of a member passing away while in service and not being survived by a spouse or beneficiary, the pension benefit payable will be paid to the estate of the deceased.

The family will be required to register the estate with the Master of the High Court and nominate an executor who will oversee and manage the estate. Members are encouraged to ensure that their nomination forms are always up to date. They can nominate anyone or any organisation as a beneficiary but must be duly completed before submission to the Fund. – (Articles sourced from GEPF)

Launch of LAP and Job & Careers Fair - Mthatha, Eastern Cape

The Department of Employment and Labour led by Employment and Labour Minister, Nomakhosazana Meth together with Deputy Minister Judith Nemadzinga-Tshabalala held the launch of the Labour Activation Programme (LAP) and Job & Careers Fair in Mthatha, Eastern Cape on 28 February 2025.

During the launch, Minister Meth and Deputy Nemadzinga-Tshabalala handed over Labour Activation Programme (LAP) to 12 job creation partners which to the value of R926 Million to creation more than 23 000 job opportunities in the Eastern Cape.

The programme of the day included a jobs and careers where work seekers were assisted with registration onto the Employment Services of South Africa (ESSA) job-matching system, registration of job opportunities, as well as career counselling. The Department also rendered other services such as Unemployment Insurance, Compensation for Occupational Injuries and Diseases, employer services, as well as inspection and enforcement services.





How to Identify a Legitimate Labour Inspector



Identifying a legitimate labour inspector is crucial to avoid falling victim to scams. Here are some key points to help you verify the authenticity of a labour inspector.

1. Identification Card:

Genuine labour inspectors carry an official identification card. This card features the Departmental Logo and the inspector's details.

2. Uniform

Inspectors wear trademark uniforms that are easily recognisable.

3. No Immediate Fines

Legitimate inspectors do not issue spot fines. If non-compliance is found, they follow a specific procedures of issuing relevant notices such as a compliance order or a contravention notice.

4. No Payments Required

Inspectors will never ask for payments for services, either made directly to them or into their bank accounts. All services provided by the Department are free of charge.

5. Verification

If in doubt, you can verify the inspector's credentials by contacting the nearest Department of Employment and Labour office.

6. Reporting Suspicious Activity

Report any suspicious visits or requests to the South African Police Service (SAPS) or the Department's nearby offices.

RIGHTS AND DUTIES OF LABOUR INSPECTORS

Labour inspectors have specific rights and duties to ensure compliance with labour laws, these include the following:

1. Right of Entry

Inspectors have the right to enter any workplace or premises where they believe work is being conducted.

2. Conduct Inspections

They can conduct both announced or unannounced inspections to monitor compliance with labour laws.

3. Investigate Complaints

Inspectors investigate complaints related to contraventions of labour legislation.

4. Issue Notices

They can issue prohibition, contravention, direction and compliance notices to employers who do not comply with labour laws.

5. Collect Evidence

Inspectors can collect evidence, including taking samples and seizing documents or articles that may serve as evidence.

TYPES OF INSPECTIONS

1. Scheduled Inspections

These are risk based and planned inspections based on factors such as accident trends, the

presence of hazardous substances, or the use of dangerous machinery.

2. Unscheduled Visits

Unscheduled visits can occur in response to complaints or requests from workers, employers, or the public. These visits are often unannounced to ensure that genuine working conditions are observed.

3. Random Visits

Random visits are conducted to ensure ongoing compliance and to deter non-compliance. These visits are not pre-planned and can happen at any time.

BASIC CONDITIONS OF EMPLOYMENT ACT (BCEA) ON INSPECTORS AND INSPECTIONS

The BCEA outlines the roles and responsibilities of labour inspectors:

1. Monitoring Compliance

Inspectors monitor compliance with the BCEA and other labour laws by conducting inspections and investigations.

2. Enforcement

They enforce labour laws by issuing notices and taking legal action against non-compliant employers.

3. Proactive Inspections

Inspectors conduct proactive inspections, including Blitz inspections, to ensure compliance with labour legislation.

4. Advocacy and Education

They conduct advocacy campaigns to educate employers and employees about their rights and responsibilities under labour laws.



Gross dishonesty: Engaging in outside activities whilst on sick leave



Department of Employment and Labour Employment Relations Assistant Director, Nkhensani Ramulisa ... warning employees against pulling the wool over employer's eyes.

Gross dishonesty in the workplace is defined as serious acts of deception that have the potential to erode the trust between an employer and employee.

Actions like theft, fraud, and information fabrication as well as engaging in social activities whilst on sick leave can be regarded as gross dishonesty. Sick leave is the time an employee takes off work due to personal illness or injury. This type of leave guarantees that workers can take care of health issues without losing their income hence it is with full pay.

Asking for time off when one is not actually sick, or requesting extra time off when one is well is a form of abuse of sick leave. Officials tend to go as far as taking 2 days off sick every 8 weeks without submitting the medical certificate citing the 8-week rule whilst they attend to personal matters. This amounts to gross dishonesty and is a dismissible offence because of its effects on Department, finances, relationships, and ethics.

In a recent Labour Court judgment in the case of South African Revenue Services (SARS) vs CCMA and Others the employee, who was employed as a junior investigator by SARS, had texted his supervisor on the morning of 7 September 2020 to indicate that he was not feeling well and would complete a sick leave application. As a result, his supervisor excused him from work for the day. The following day, the employee again represented to his supervisor that he was still not feeling well and continued to be excused from work. On 9 September 2020, the employee allegedly consulted a doctor who booked him off from 9 to 11 September 2020.

Whilst watching the 7 pm news on television, the employee's supervisor spotted the employee participating in a protest action called by the Economic Freedom Fighters (EFF) against Clicks on the two days he had called in sick. The employee was subsequently charged with dishonesty and dismissed.

Aggrieved by his dismissal, the employee referred an unfair dismissal claim to the CCMA. His termination was deemed substantively unjust by the Commissioner. Subsequently, SARS reviewed the matter with the Labour Court.

The Labour Court determined that it was substantively fair to dismiss an employee who was dishonest about his sick leave. In reaching its decision, the Court referred to the Woolworths v CCMA and Others case where an employee was dismissed after he applied for sick leave and it was later established that he had travelled to support his local rugby team. The Labour Court found that the employee had acted dishonestly. In this regard, it was stated that if the employee was well enough to sing and clap, then he must have been well enough to tender his services.

In the case of MTN v CCMA and others (2024), it was found that the employee had attended a recreational activity during some of the periods of her alleged sick leave. This was supported by her post on Facebook. The employee was subsequently dismissed for gross Dishonesty.

The employee declared a dispute with the CCMA for unfair dismissal which was supported by the CCMA. She argued that the recreational activities were therapeutic as recommended by her medical practitioner.

The Labour Court found her dismissal to be fair in that there was nothing on the medical certificate recorded that recommended that she can engage in recreational activities for her health.

Abuse of sick leave stands out as a recurrent problem that requires deliberate action. Although officials are entitled to sick leave, frequent absences without a good reason generate suspicions of misuse. To protect the Department's integrity and promote an accountable culture, managers must carefully review sick notes and carry out in-depth fact-finding to ascertain the veracity of claims.

Employees are therefore advised to refrain from any act of dishonesty and instead apply for annual leave, which allows them to take a day off to partake in activities outside of work. – (Ms Ramulisa is Assistant Director: Employment Relations)

By Nkhensani Ramulisa

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Polyester Coating: High-quality finishes for a variety of surfaces.
Linen and Garments: Tailored solutions for both personal and professional needs.

Department hosts an OHS conference for the high risk iron and steel sector - Klerksdorp, North West

The Department recently held an Occupational Health and Safety (OHS) conference to strengthen and continuously improve Occupational Health and Safety systems in order to realise the Decent Work Agenda in workplaces in South Africa.

The conference, by the Department's Inspection and Enforcement Services (IES) branch through the Occupational Health and Safety Chief Directorate was held under the theme: "Improving health and safety in the iron and steel sector". The objective of the gathering was to share best practices and empower small, medium and micro enterprises (SMMEs) to comply, address the challenge of underreporting in the iron and steel sector, reduction and elimination of incidents and injuries in the sector, ensure that the level of compliance with Occupational Health and Safety at workplaces is improved.

The conference focused on various issues relating to OHS and was addressed by Department's officials and invited speakers.

Employment and Labour Deputy Minister, Jomo Sibiya also addressed the conference and said the sector was marred by high levels of occupational accidents, injuries and diseases, "We have to soldier on in our quest to improve the outlook of compliance". The gathering was addressed by different experts from the Department and its stakeholders. The engagement formed part of IES' advocacy to educate on labour law implementation.





Agricultural sector workers seminar - White River, Mpumalanga

The Department of Employment and Labour's Inspection and Enforcement Services (IES) branch recently organised an Agricultural seminar to focus on improving working conditions for workers in the sector.

The main focal point of the seminar was to highlight the shortcomings in implementation of labour laws in the Agricultural sector. The seminar was held under the theme: "Paying the National Minimum Wage is the right thing to do".

The Department lined up a number of presentations focused on: National Minimum Wage Act and Regulations; the Basic Conditions of Employment Act (BCEA); employment of foreign nationals in the Agricultural Sector; Compensation for Occupational Injuries and Diseases Benefits; reported cases to CCMA. The gathering was addressed by different experts from the Department and its stakeholders. The engagement formed part of IES' advocacy to educate on labour law implementation.



SOCIAL PROTECTION HAS A STRONG IMPACT ON THE REDUCTION OF INEQUALITIES



A new ILO working paper finds that higher social protection expenditure is associated with lower income inequality. It emphasizes the role of social protection as a key policy lever for reducing inequalities, alongside other integrated public policies.

GENEVA (ILO News) – The International Labour Organization (ILO) launched its working paper, *Combating inequalities: what role for universal social protection?*, on Thursday, during an event that featured distinguished speakers from the ILO, the World Health Organization (WHO) and United Nations Research Institute for Social Development (UNRISD).

The paper, which was published at the end of 2024, underscores that inequalities remain a global challenge, and that income inequality in particular has reached alarming levels, with households in the lower 50th percentile holding 25 per cent of total income, compared to 30 per cent of total income held by those earning within the 90th percentile. Speakers at the event explored ways in which universal social protection and its financing can help reverse these trends.

The panel was moderated by Shahra Razavi, Director of the Universal Social Protection Department at the ILO, who also delivered the opening remarks. The panellists included Sudhvir Singh, Unit Head - Equity and Health, WHO; Katja Hujo, Head of Bonn office and Senior Research Coordinator, UNRISD; Helmut Schwarzer, Head of the ILO's Public Finance, Actuarial Services and Statistics (PFACTS) Unit, and Umberto Cattaneo, Public Finance Specialist (PFACTS), in ILO's Universal Social Protection Department.

Katja Hujo underscored the structural causes of today's inequalities, rooted in histories of colonialism, exploitation and extractivism. At the same time, these inequalities are both driving today's multiple crises and being exacerbated as a result of the crises.

"Inequality negatively impacts economies and societies by hindering growth, preventing poverty reduction, curbing productivity growth, as well as domestic demand. Social policies, including social protection, are essential to mitigate inequalities, including those based on factors such as gender, race, ethnicity, disability, and citizenship among others. Discussions in the 4th International Conference on Financing for Development and in the Second World Summit for Social Development recognize the need for reducing inequalities through universal social protection and progressive domestic resource mobilization strategies," explained Hujo.

Sudhvir Singh highlighted the importance of investments in social protection to promote health equity.

"Economic inequality is associated with worse health outcomes such as reduced life expectancy, higher infant mortality, higher rates of

metabolic diseases and worse mental health conditions. A fundamental step to ensure health equity is to invest in universal social protection, as well as in universal public services, such as early childhood programs and universal education," said Sudhvir Singh.

Income security, he further underlined, is the single largest contributing factor to self-reported health.

Helmut Schwarzer highlighted that higher social protection expenditure is associated with lower income inequality. "The largest reductions in income inequality are observed for contributory pensions, which make up the largest share of social protection expenditure in many countries."

On average, countries that spend a larger percentage of GDP on a given social protection benefit are also those that obtain a larger reduction in income inequality for paying such benefit," explained the ILO's Schwarzer.

The online seminar also provided an opportunity to look at the impact that the sources of finance of social protection benefits have on the reduction of income inequality. In 23 out of 25 countries where data is available, personal income taxes also lead to a reduction in overall income inequality.

However, such reductions are much lower than those observed for social protection benefits. In 14 out of 25 countries, income inequality is reduced by less than 5 per cent after income taxes are taken into consideration.

"Social insurance contributions play a key role in financing social security. These contributions enable the payment of contributory social protection benefits, which substantially reduce income inequality. However, single-rate social security contributions can be regressive and increase income inequality. Wealth taxes, however, which are not widely used, have the potential to substantially reduce income inequality," explained Cattaneo.

The speakers emphasized the role of social protection as a key, but not the only, policy lever to reduce inequalities.

"Reducing income inequalities cannot be left to social protection systems alone. It requires a wide range of integrated public policies—from access to quality education and skills training, to labour protection, wage policies and formalization strategies, macroeconomic policies that create employment and livelihoods, and investment in quality public services—to reduce the primary distribution of income and make the labour market more equitable, explained Razavi.

– (Article sourced from ILO)

Devoted to uplift those seeking employment: Monde's success story



Department of Employment and Labour's Employment Counsellor based at the Somerset West Labour Centre in the Western Cape, Monde Peter ... exploring intricacies of human cognition.

The Employment Counselling unit within the Public Employment Services (PES) branch of the Department of Employment and Labour (DEL) shares essential information behind Mr. Monde Peter's achievement in enhancing employability and becoming the best-performing Employment Counsellor for the year 2022 in his province.

Mr. Peter is an Employment Counsellor based at the Somerset West Labour Centre in the Western Cape. He holds an Honours degree in Psychology from the University of the Western Cape. In his role, he assists work-seekers by offering career guidance, conducting skills assessments, and providing information on job opportunities. He also helps individuals prepare for job interviews, develop CVs, and understand the various resources available to support their efforts in finding employment.

Additionally, he collaborates with various institutions and organizations to ensure that people around his community can access the appropriate tools to improve their employability.

Mr. Peter indicated that he chose Psychology as a career because he has always been interested in understanding the human mind and behaviour. Growing up, he observed how people's circumstances and their mental states affected their opportunities in life, particularly in the workplace.

Psychology gave him the tools not only to understand these challenges but to also help individuals overcome them. The field's focus on supporting mental well-being and personal development resonated deeply within him, and he believed it could empower people, especially in a country like South Africa, where social and economic inequalities are prevalent.

His take is that in the year 2022 his success as the best-performing Employment Counsellor in his province came from several key skills:

- **Empathy:** He took the time to understand each individual's personal situation and career aspirations, which helped him to offer personalized advice.
- **Active Listening:** He focused on truly hearing the concerns and needs of work-seekers, ensuring that he responded in ways that addressed their specific challenges.
- **Knowledge of the Job Market:** His understanding of industry trends and local employment opportunities allowed him to provide valuable insight into job prospects.
- **Effective Communication:** He was able to explain complex career development concepts in a clear and interpretable manner.

- **Problem-Solving:** He provided practical, tailored strategies for overcoming obstacles, whether it be a lack of experience, skills, or confidence.
- **Commitment:** He worked hard to ensure that the people he assisted received the attention and support they needed, which helped build trust and resulted in positive outcomes.

"The drive to make a positive difference in people's lives motivates me every day. Helping someone gain confidence, secure a job, or even just see new possibilities for their future is incredibly fulfilling," said Mr. Peter.

He also understands how unemployment and underemployment can negatively impact individuals and families, especially in and around his community. He is motivated by the opportunity to help bridge that gap and ensure that work-seekers not only find employment but also find work that aligns with their talents and aspirations.

Mr. Peter aims to develop more innovative programs that connect work-seekers with employers, creating more sustainable employment opportunities. Additionally, he would like to contribute to policy discussions around employment strategies and workforce development, particularly in marginalized communities.

He shared the following message: "To all work-seekers in and around my area, I want to say that your journey may not always be easy, but it is always worth it. Keep believing in yourself, remain persistent, and never hesitate to seek guidance. There are resources, opportunities, and people ready to help you succeed."

"Take the time to invest in your skills, and don't be afraid to step outside your comfort zone. The right opportunity is often closer than you think, and with the right mindset and support, you can achieve your career goals".

We sincerely thank Mr. Monde Peter for sharing his achievement as the best-performing Employment Counsellor in his province and wish him the best in his future and career.

All Work-seekers are more than welcome and encouraged to visit any of the Department of Employment and Labour's labour centres to receive various Employment Counselling services.

The Department of Employment and Labour's Employment Counsellors' contact details are found through this link



[Click on the Link](#)



Alternatively, one may search for the list of the Department's Employment Counsellors' contact details on the Internet.

Contact Centre Number: 086 010 1018 – (Ms. Ledwaba – is an Admin Clerk from the Department's Public Employment Services (PES) branch in the Employment Counselling unit at Head Office in Pretoria).

By Lydia Ledwaba

Taking Services to the People -Northern Cape

The Department of Employment and Labour, along with its entities—the Unemployment Insurance Fund (UIF), Compensation of Occupational Injuries and Diseases (COID), Productivity SA, and Public Employment Services (PES)—conducted a series of taking services closer to the people from 17 to 21 February 2025. On 21 February 2025, a stakeholder engagement was held with employers in Kuruman, Northern Cape, to educate them on the importance of Labour Law and Compliance. On 22 February, services provided to the JTG Municipality communities at the Kuruman Town Hall included UIF, CF, PES, IES, and the Federated Employers Mutual Assurance Company.



Ga-Segonyana Local Municipality Speaker Ms Keamogetse Madikiza welcoming the stakeholders during employer seminar



Northern Cape Chief Director Provincial Operations, Mr. Zolile Albanie outlining the purposes of the event.



Stakeholders listening attentively to the presenters during employer seminar in Oleville Guest Inn



Clients receiving the services



BRIEF

Department to engage with FEDHASA in the 2nd advocacy on labour law compliance

The Department of Employment and Labour is to have the second collaborative initiative with the Federation Federated Hospitality Association of Southern Africa (Fedhasa) on compliance with labour legislation.

The second engagement with the hospitality sector will be held on 04th April 2025, in Kempton Park.

The advocacy is expected to focus on: the general state of the sector; National Minimum Wage Act; Basic Conditions of Employment Act; Occupational Health and Safety; Employment Equity Act; Unemployment Insurance Act; Compensation for Occupational Injuries and Diseases Act; and employment of foreign nationals in the sector.

Minister of Employment and Labour hand over of Labour Activation Programme contracts - Rustenburg, North West

Minister of Employment and Labour, Ms. Nomakhosazana Meth recently handed over Labour Activation Programme (LAP) contracts worth over R779 million to stimulate job creation for 27 000 beneficiaries in the North West Province.

During the event held at the Rustenburg Civic Centre, the Minister was joined by Acting Premier, MEC Madoda Sambatha of Agriculture; Speaker of the North West Legislature, Dr. Desbo Mohono; Executive Mayor of Rustenburg Local Municipality; Councillor Sheila Mabale-Huma with her MMCs, Dr Kenneth Kaunda Executive Mayor, Councillor Nikiwe Num; Bojanala District Executive Mayor, Councillor Susan Nthangeni and senior managers of the Department of Employment and Labour and the Unemployment Insurance Fund.

The North West LAP partners are from the Security, Agriculture, Construction, Engineering, Media, Manufacturing, Entrepreneurship sectors of the economy. The service providers will be expected to recruit the unemployed for training period varying 12 months to three years. The LAP partners submitted their proposals through a stringent process, which will be strictly monitored by the department through monitoring tools and oversight visits.

The LAP Programme is a national initiative to act as a catalyst in job creation by supporting businesses to create employment initiatives, re-skilling of the youth and provide training such as Skills Programmes, Learnerships and Apprenticeship, with the aim of alleviating poverty.

The LAP event took place alongside a Jobs and Career Fair for work seekers and unemployed graduates, to receive career counselling, register and apply for available opportunities on the Employment Services South Africa (ESSA) portal.



Department of Employment and Labour, and employers' round table Discussion - Rustenburg, North West

The Department of Employment and Labour held an Employers' Round Table Discussion in Rustenburg in the North West on 13 March 2025.

Deputy Minister Judith Nemadzinga-Tshabalala delivered her keynote address outlining the importance of such collaborative sessions which play a pivotal role in closing service delivery gaps. She further outlined that it's a national priority to collaborate with key stakeholders and social partners to address the critical issues of unemployment, particularly among youth, women, and persons with disabilities.

Ms Nemadzinga-Tshabalala was hosted by the North West Premier, Hon Kagiso Mokgosi, Executive Mayor of the Rustenburg Local Municipality, Councillor Shiela Mabale-Huma, as well as MEC for Agriculture and Rural Development, Madoda Sambatha.

Stakeholders in attendance included business, organised labour, community organisations, government institutions, as well as employers and employees representatives. Discussions centred on key issues affecting unemployment in Rustenburg, as well as the province at large.



DEL SERVICES

THE DEPARTMENT OF EMPLOYMENT AND LABOUR OFFERS THE FOLLOWING SERVICES:



Public Employment Services

- Career counselling
- Workseeker registration
- Employment facilitation and promotion through the Employment System South Africa (ESSA).



Unemployment Insurance Fund

- Promotion of UI benefits
- Processing of UI claims
- Employer UI/business registration
- Promotion of Labour Activation Programme (TERS, Training Layoff Schemes).



Inspections and Enforcement Services

- Enforcement of compliance to labour legislation by employer and employees.
- Promotion of Occupational Health and Safety regulations.
- Education and advocacy of labour legislation to all stakeholders.



Compensation Fund

- Provision of compensation for disability, illness, and death resulting from occupational injuries and diseases.
- Medical benefits.
- Orthotic and rehabilitation services.



Labour Policy & Industrial Relations

- Facilitates the establishment of an equitable and sound labour relations environment.
- Promotes South Africa's interest in international labour matters through research, analysing and evaluating labour policy.
- Provides data on the labour market, including
- Provides support to institutions that promote social dialogue.

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