

# ANNUAL PERFORMANCE PLAN

Department of Labour | 2015 - 2016





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**labour**

Department:  
Labour  
**REPUBLIC OF SOUTH AFRICA**

# **ANNUAL PERFORMANCE PLAN** **Department of Labour | 2015 - 2016**

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# ORGANISATIONAL STRUCTURE

## Top Leadership



SP Holomisa  
MN Oliphant  
T Lamati

Deputy Minister of Labour  
Minister of Labour  
Director-General



T Mkalipi  
V Seafeld  
S Morotoba  
A Moiloa  
PN Tengen  
TB Seruwe  
SS Mkhonto  
BE Maduna

Acting Deputy Director-General: Labour Policy and Industrial Relations  
Acting Deputy Director-General: Inspection and Enforcement Services  
Deputy Director-General: Public Employment Services  
Chief Operations Officer  
Deputy Director-General: Corporate Services  
Unemployment Insurance Fund Commissioner  
Compensation Fund Commissioner  
Chief Financial Officer

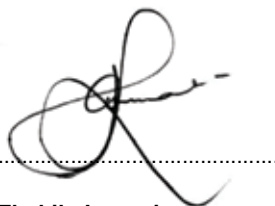
## OFFICIAL SIGN-OFF

**It is hereby certified that this Annual Performance Plan:**

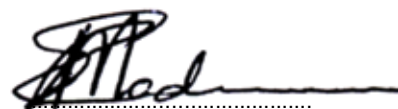
- Was developed by the management of the Department of Labour under the guidance of Minister MN Oliphant, MP
- Was prepared in line with the current Strategic Plan of the Department of Labour
- Accurately reflects the performance targets which the Department of Labour will endeavor to achieve given the resources made available in the budget for 2015 /16 financial year.



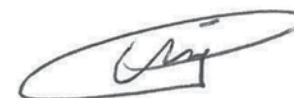
**Aggy Moiloa**  
Chief Operations Officer



**Thobile Lamati**  
Director General



**Bheki Maduna**  
Chief Financial Officer



**IP Holomisa, MP**  
Deputy Minister of Labour



**MN Oliphant, MP**  
Minister of Labour



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## ACRONYMS

ACRONYM	DESCRIPTION	ACRONYM	DESCRIPTION	ACRONYM	DESCRIPTION
AFS	Annual Financial Statements	EEA	Employment Equity Act	NC	Northern Cape
AIA	Accredited Inspection Authorities	EEC	Employment Equity Commission	NDP	National Development Plan
APP	Annual Performance Plan	ES	Employment Services	Nedlac	National Economic Development and Labour Council
APSO	Association for Professional Service Organization	ESA/B	Employment Services Act or Bill	NT	National Treasury
ARLAC	African Regional Labour Administration Centre	ESSA	Employment Services for South Africa	NW	North West
AU LSAC	African Union Labour and Social Affairs Commissions	FEDUSA	Federation of Unions of South Africa	OHS	Occupational Health and Safety
BCEA	Basic Conditions of Employment Act	FS	Free State	OHSA	Occupational Health and Safety Act
CAPES	Confederation of Associations of Personnel Employment Agencies	GCIS	Government Communication and Information Services	PDP	Personal Development Plan
CCMA	Commission for Conciliation, Mediation and Arbitration	GP	Gauteng	PEA	Private Employment Agencies
CD: PO	Chief Director: Provincial Office	HO	Head Office	PES	Public Employment Services
CF	Compensation Fund	HRM	Human Resource Management	PFMA	Public Finance Management Act
CFO	Chief Financial Officer	ICD	Integrated Client Database	PPP	Public Private Partnership
CIO	Chief Information Officer	ICT	Information and Communication Technology	PSA	Productivity South Africa
COIDA	Compensation for Occupational Injuries and Diseases	IES	Inspection and Enforcement Services	PwD	People with Disabilities





ACRONYM	DESCRIPTION	ACRONYM	DESCRIPTION	ACRONYM	DESCRIPTION
COO	Chief Operations Officer	IFS	Interim Financial Statements	RAMP	Renovation and Maintenance Project
COSATU	Congress of South African Trade Unions	ILO	International Labour Organisation	RME	Research Monitoring and Evaluation
CRP	Contract Review Panel	IT	Information Technology	SADC	Southern African Development Community
CS	Corporate Services	JSE	Johannesburg Stock Exchange	SADC - ELS	Southern African Development Community - Employment and Labour Sector
DDG	Deputy Director General	KRA	Key Result Area	SD	Setoral determinations
DEXCOM	Departmental Executive Committee	KZN	KwaZulu-Natal	SDIP	Service Delivery Improvement Plan
DG	Director General	LP	Limpopo	SEF	Sheltered Employment Factories
DHA	Department of Home Affairs	LP and IR	Labour Policy and Industrial Relations	SMME	Small Medium Macro Enterprises
DIRCO	Department of International Relations and Corporation	LRA	Labour Relations Act	SMS	Senior Management Service
DITSELA	Development Institute for Training, Support and Education for Labour	M and E	Monitoring and Evaluation	SP	Strategic Plan
DoL	Department of Labour	MOA	Memorandum of Agreement	TEA	Temporary Employment Agencies
DPSA	Department of Public Services and Administration	MOU	Memorandum of Understanding	UIA	Unemployment Insurance Act
DWCP	Decent Work Country Programme	MP	Mpumalanga	UIF	Unemployment Insurance Fund
EAP	Economic Active Population	MTEF	Medium Term Expenditure Framework	WSP	Workplace Skills Plan
EC	Eastern Cape	MTSF	Medium Term Strategic Framework	WSS	Work-Seeker Services
ECC	Employment Conditions Commission	NACTU	National Council of Trade Unions		

## FOREWORD BY THE MINISTER



There is empirical evidence that nations that look after their citizens are ranked among the most successful and productive in the world. Equally nations that look after the social and economic well-being of their workers are less likely to experience industrial relations upheavals. The fact that most if not all labour unrests centred around social and economic equity deficit bears testimony to this harsh reality.

It is instructive to note that all internationally acclaimed Declarations and Conventions never failed to pronounce on the need for governments to look after its citizens in general and its working people in particular. On 10 December 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights and Articles 23 and 24 thereof were emphatic in spelling out that worker rights are human rights too. The declaration went on to unpack in no ambiguous terms the set of rights that must accrue to the working people.

In June 1955, the People's Convention in Kliptown gave a detailed account of the key pillars which the labour market dispensation, in a true democracy, should embrace. The Core Conventions of the International Labour Organisation re-enforced the labour dimension of the United Nations Declaration on Human rights. Chapter 2 of our Constitution is explicit about the fundamental rights that should accrue to the working people of this country.

"All who work shall be free to form trade unions, to elect their officers and to make wage agreements with their employers; The state shall recognise the right and duty of all to work, and to draw full unemployment benefits; Men and women of all races shall receive equal pay for equal work; There shall be a forty-hour working week, a national minimum wage, paid annual leave, and sick leave for all workers and maternity leave on full pay for all working mothers; Miners, domestic workers, farm workers and civil servants shall have the same rights as all others who work; Child labour, compound labour, the tot system and contract labour shall be abolished." (Freedom Charter of 1955)

Our labour laws are therefore a reflection of Articles 23 and 24 of the 1948 United Nations Universal Declaration on Human Rights, depicts the International Labour Organisation's core Conventions, captures the ideals enshrined in the Freedom Charter and most importantly, provides the legal instruments to make the pronouncements in our Bill of Rights a reality. All of these put together, form the basis for the Department of Labour's raison d'être and they inform everything that we do hence all of these find expression in the broader mandate of the Department. I am very pleased that at the very least the Department of Labour has succeeded to put in place credible policy instruments to deal with each one of these fundamental rights.

We took careful note of what the President in the state of the Nation Address 2015 has given as the line of march on what is to be done in general and the action points that fall within the remit of the Department of labour. The nine-point plan to ignite growth and create jobs and the assignment to moderate workplace conflict will be allocated a prime spot and attention on our Strategic Plan and will be pursued with a highest degree of vigilance.

Our energies in the period under review will, as illustrated in our Strategic Plan, focus on fine-tuning and translating our policies into tangible outputs that make a difference in our society. We will continue to address the existing challenges as part of our monitoring and evaluation going forward.

Therefore the Annual Performance Plan that follows provides the roadmap for the Department of labour in the period ahead and it represents our true commitment to live up to the values and the promise we made to our citizens.

**MN Oliphant, MP**  
Executive Authority of the Department of Labour

## FOREWORD BY THE DEPUTY MINISTER

Inherent in the labour market policy space is the conflict of interests which often lead to many adversarial encounters in the employer-employee interface. The conflict can be positive if it helps shape better outputs and outcomes, but can also be negative if it produces destructive outcomes. Creating a legal framework to manage conflict in the industrial relations world of work founded on the principles of win-win and constructive outcomes, is one of the key functions of the Department either directly or through its family of labour market institutions. We recognise that there are challenges, albeit not insurmountable, that have emerged on this front.

The new industrial relations legislative dispensation could not have come at a better time as it deals decisively with some of the core issues that many commentators have defined as the reasons for the industrial relations instability of the recent past. What makes the labour market policy formulation process unique in South Africa is the high degree of social partners' participation in shaping the architecture of the final product. It is instructive to note that all the labour laws in this country are a product of detailed and often lengthy tripartite engagements with social partners in pursuit of the quest to find consensus at National Level.

Whilst in the early years of democracy, the Department of Labour was occupied with labour market policy reforms, the subsequent years have been about alignment in the main. The latest Amendments to various pieces of legislation have been about alignment with the latest case law, alignment with the country's international obligations, closing the gaps and addressing unintended consequences that have come about since the last Amendments.

The Annual Performance Plan that follows represents the Department of Labour's Master Action Plan which draws its character from, inter alia, the Medium Term Strategic Framework, the National Development Plan and the nine-point plan announced in the State of the Nation Address 2015. The Strategic Plan focuses energies and time on what is to be done as it calls for the observation of high levels of discipline in the execution thereof. The Plan seeks to channel most of the efforts into translating the actions into demonstrable outcomes with the greatest impact within the set timeframes.

We will constantly sharpen our tools as we strive to effectively execute our plans.



**IP Holomisa, MP**  
Executive Authority of the Department of Labour



## OVERVIEW BY THE ACCOUNTING OFFICER

The labour market is one of the foundations of economic growth. It is therefore not a coincidence that when a diagnosis was done to specifically look at the causes of the steady decline in economic growth, labour instability was found to be one of the contributing factors. Our responsibility and aspirations, as the Department of Labour, to the labour market are well articulated in our vision. Our vision states that as the Department we will “strive for a labour market conducive to investment, economic growth, job creation and decent work”. It is important to note that the recovery of the economy depends largely on the strength and resilience of the labour market. We therefore need to build on the work that we have started to protect and stimulate the labour market. Stimulation of the labour market will enable us to fight the triple challenges of unemployment, inequality and poverty.

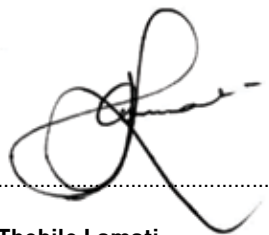
There is no denying that this is indeed a daunting task for our Department to pull off. As a labour market regulator the odds are stacked against us. Our success is a function of our operating environment. We are operating in an environment where the economic outlook of the country and the dwindling resources are proving to be a major impediment to the attainment of our strategic goals. This clearly demonstrates that as an organisation, we do not exist in a static environment. Political, social and economic trends continually impact the demand of our service offerings. All these increased demands result in increased operating costs. The increase in operational costs is not matched by an increase in operational budget but rather the opposite. In the short to medium term we will not have the luxury of supplementing our resources in order to reach our full potential.

We therefore, have to navigate through these obstacles by ensuring that we optimally utilise the limited resources we have at our disposal. We as the Department of Labour leadership count ourselves lucky that we have over 7 000 highly dedicated employees who are itching to convert our strategic plans into tangible outcomes. In order to achieve our objectives we needed a concise and a well thought out plan which provides guidance on how things should be done. A bedrock of any successful strategic plan is a consideration of capabilities and strengths, both objective and subjective. Our strategic planning process has enabled us to realistically and comprehensively assess our strengths and limitations as an organisation. This has afforded us an opportunity to also examine aspects of our operations, including governance and evaluation.

As an accounting officer, I am certain that this Annual Performance Plan serves as a realistic plan that breaths life into the social compact that the public has signed with our government. We have translated the Minister’s performance agreement to a workable administrative programme with clear time frames. The Department as part of its capabilities, has entities that are equally tasked to implement the mandate of the Department. It goes without saying that the public entities and statutory bodies aligned to the Department are indispensable allies. We therefore have begun to appreciate the strategic relationship and capabilities the Department has together with its public entities and statutory bodies. The Department and its public entities and statutory bodies have through the strategic plans developed, made a commitment to work closely in translating the strategic objectives and legislative mandate of the Department into tangible goals.

In conclusion, the Department of Labour leadership wishes to extend its appreciation to the Minister and the Deputy Minister of Labour for their support, political guidance and leadership provided to us during the development of this Annual Performance Plan. This is our expressed commitment to provide our clients with services in an effective and efficient manner. Rising up to the challenge requires individuals to be activists. According to Ross Perot “The activist is not the one who says the river is dirty. The activist is the one who helps clean the river”. Each one of us in the Department will be an activist by ensuring that we achieve our targets.



A stylized, handwritten signature in black ink, positioned above a dotted line.

**Thobile Lamati**  
Director General of Labour

