

THURSDAY, 11 JULY 2019

PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The Council met at 14:01.

The Deputy Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.

ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS - see col 000.

NO NOTICES OF MOTION OR MOTIONS WITHOUT NOTICE

(Announcement)

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Order, hon members! I have been informed that the Whippery has agreed that there will no notices of motion or motions without notice. Before we proceed, I would like to take this opportunity to welcome the Minister and any special delegates or Salga representatives who may be attending today. You are most welcome.

APPROPRIATION BILL

(Policy debate)

Vote No 28 - Labour:

The MINISTER OF EMPLOYMENT AND LABOUR: Thank you, hon Chairperson. I know that the Deputy Minister should be here - we were having a meeting with a stakeholder. Hon Chairperson and members of the Select Committees on Trade and Industry, Economic Development, Tourism, Employment and Labour; the leadership of organised labour, organised business and community organisations; the director-general and senior management of the department; members of the media; honourable guests and members of the public, as I address the National Council of Provinces, it is appropriate that I make the following observations. Although Employment and Labour is a national department of government with no concurrent powers with provinces, it has, nonetheless, a truly national footprint across all provinces and localities.

The department has nine provincial offices, 126 labour centres, 25 satellite offices and 467 visiting points which are part-time offices. To this, we will add 10 specialised youth centres over the next two years. Indeed, we launched the first of these here in Cape Town yesterday - very exciting, buzzing with the young people. They were doing everything there: applying for jobs and so on.

[Applause.] This means that the staff establishment of the department - some 6 000 - is spread proportionally across the

provinces and localities to promote access at the point of delivery. We are going to give you the details later so that as members you are able to visit those which are closer to your constituencies.

This also means that Public Employment Services, Inspection and Enforcement Services, Unemployment Insurance Fund and Compensation Fund claims are all decentralised across the provinces and localities. That also means the resources in the form of payments filter down to the base. Indeed, hon Chairperson, we have allocated 54% of the overall budget of the department, amounting to nearly R1,2 billion, for our provincial operations because we have to deal with what happens on ground.

Hon members will ask the question: What are the implications of the reconfiguration and renaming of the department? Clearly, this reflects that the priority for this Sixth Administration is jobs, jobs and jobs. The renaming and reconfiguration of the department reflect the refocusing from purely labour regulation and relations to the transformation of the labour market, employment and conditions of employment. We cannot achieve this alone. We continue to depend on the private sector to propel employment. That is why the President's investment drive is so important.

So, let me share with you our thinking on the role of the reconfigured department. Firstly, where we can we will leverage the resources of the department and of our entities, which are our

labour market instruments, that's the UIF and the Compensation Fund, to preserve jobs and invest in job-creating initiatives. Therefore, colleagues must remember that a lot of the tools or market instruments are situated with the different departments, but we do have these two major tools which we can leverage. Secondly, as the department, we provide co-ordination and seek to collaborate and align our efforts with other departments and agencies to create jobs and ensure that our people get the skills required by the marketplace. The issue of co-ordination and collaboration is very important, because you have a lot of the initiatives in the different departments sometimes not talking to one another. So, that is one of our responsibilities now. Thirdly, we intensify efforts to strengthen the labour market through the variety of tools at our disposal and in line with the vision of the department to "strive for a labour market conducive for investment, economic growth, employment and decent work".

This must include doing away with red tape. One of the problems in government is red tape. For example, you have a submission going from a director up to the director-general just for some minor approval. We'll have to do away with red tape because it frustrates our people. However, that does not mean that when we do away with red tape we must reduce workers' rights, as proposed by some opposition parties who argue that we have to talk about labour market flexibility and so on, which constantly exaggerates a perception of the supposed rigidity of the labour market. Indeed,

research indicates that there is a relatively high level of relocation and easy movement of labour between firms. In the current situation of deep systemic unemployment and slow growth, government has to use its active labour market policies to improve access to jobs and skills.

Let's go to the specifics. Our Public Employment Services branch has been allocated R611 million to drive the implementation of these active labour-market policies, including providing free career counselling, retraining and upskilling; job placement; and providing subsidies to support workers with disabilities in employment. This includes 13 factories under the Supported Employment Enterprises programme, producing high-quality furniture and linen. They need to be supported by all government structures as well as by the private sector. As we speak, the former Minister of Health has already contracted disabled people to distribute linen - they are also doing some furniture - to a number of hospitals. I think hon members must start arguing that their furniture be ordered from those people so that we can uplift them.

In this financial year, we will also ensure that our entrenched labour market tools, mainly the UIF, as I have mentioned, strengthen our labour activation programme to focus on the following: vocational and remedial training of the unemployed; programmes for the youth in transition from school to work, including apprenticeships and some 130 000 learnerships over three years;

subsidised, targeted measures to provide employment including hiring subsidies paid to private sector employers; and assistance for unemployed persons who wish to start their own businesses.

As part of the transformation, funds have been allocated to three new black asset management companies. They mustn't just give only to white management companies anymore. We are now giving this to black asset management companies to do. Yes, it depends on how many you have. If you do your statistics, you'll know what we are talking about. To achieve this, the UIF has budgeted R7,9 billion over the next three years. The focus is to fund jobs, not just to do training. We have to go beyond training. The department will form partnerships with employers and training institutions, particularly in collaboration with the Department of Higher Education and Training to address the future skills needs of the labour market. The President has said that we must train the youth for digital jobs, which are expected to be created in the wake of the Fourth Industrial Revolution. Our argument is that the Fourth Industrial Revolution should not just be technical. This means that it must talk about human beings and have a human face.

The President has flagged the need for a social dialogue and social compact. The National Economic Development and Labour Council, Nedlac, is critical to this. The department will consult with all social partners to review the constitution of the council to promote greater inclusivity. Governance challenges at Nedlac, which resulted

in disciplinary processes against senior officials, are being firmly addressed.

Hon Chairperson, in October 2018, the Presidential Jobs Summit was convened by Nedlac. Of the 77 commitments made, 70% are on track for implementation. I should mention that in contrast to previous summits, a monitoring and evaluation tool has been put in place to track the outcomes.

Already, these interventions have resulted in the saving of jobs through the Training Layoff Scheme and through a sizeable investment from the UIF's High Social Impact Fund. A total of R1,2 billion was invested in Edcon, preventing the loss of 140 000 direct and upstream jobs. I need to mention that the investment comes with very strict conditions to guarantee the investment capital and a sustainable turnaround in the business.

Hon Chairperson, it is worth noting that the Ministers of Employment and Labour in the SADC region have agreed to develop a regional labour migration policy by the end of 2019. In turn, the department will finalise a new national migration and employment policy in consultation with all the social partners. I think this is the issue we must confront. You can see what happened with the burning of the trucks in Durban. Some of the companies had employed 100% foreign nationals as drivers. You can see the trend is going into agriculture. The trend is there in some other sectors, but what is

disturbing is that employers are preferring foreign nationals, even in retail now. The motive is very simple: to exploit the cheap labour. That's the motive - to exploit the vulnerable workers who are very desperate. We'll have to handle that matter in a sensitive way especially now that we are talking about intra-African trade. We'll have to talk about that properly.

Chairperson, we preserve jobs by improving the productivity and competitiveness of our businesses. Productivity SA, an entity of the department, has done sterling work in assisting SMMEs through its turnaround solution programme. The department is currently reviewing the funding model so that Productivity SA can expand its work.

Chairperson, a stable labour market is necessary for creating an environment conducive to investment. Recent amendments to the Labour Relations Act address strikes or lockouts that are intractable and violent. These have provided for the establishment of advisory arbitration. The CCMA is responsible for implementing these measures. Imagine, hon members, somebody demanding a salary of R16 000 for workers who are earning R5 000, taking them for five months and then taking them back without anything after having lost everything. Is that responsible? Can we allow that?

This year marks 22 years of the existence of the Commission for Conciliation, Mediation and Arbitration, the CCMA, and saw the enactment of the long-awaited National Minimum Wage Act and

employment law amendments, expanding the jurisdiction of the CCMA to provide protection to the most vulnerable workers. Some 194 000 cases were referred to the CCMA during the 2018-19 financial year, compared to 187 000 referrals in 2017 to 2018. The large caseload is indicative of the failure by both business and labour to moderate workplace conflict. Nevertheless, this institution continues to play a critical role in stabilising labour relations.

The National Minimum Wage was initially set at R20 per hour. This is not enough to lift people out of poverty, but it is an important start, and indications are that some 6 million workers will benefit. Inspections to date indicate that 93% of employers are paying the prescribed rate. Prophecies that wholesale retrenchments would follow the introduction of the National Minimum Wage were not borne out. The expected massive spike in CCMA cases has not occurred. By the end of September, the National Minimum Wage Commission will publish research into the impact of the changes on employment, poverty levels and wage differentials.

Hon Chairperson, in pursuit of social justice and a transformed labour market, the department published the Employment Equity Amendment Bill for public comment. The 2018 Employment Equity Report reflects that at top and senior management levels women only account for 23,5% and 34% respectively, whereas persons with disabilities remained at 1% across all sectors of the economy.

The Employment Equity Amendment Bill will be prioritised for tabling in Parliament to regulate the setting of sector-specific employment targets to address the gross underrepresentation of blacks, women and persons with disabilities. In addition, it will also ensure that the Employment Equity Certificate of Compliance becomes a precondition for access to state contracts. A total of R1,2 billion has been budgeted for this programme.

Despite carrying out 167 000 inspections during the current year, we don't have adequate numbers of inspectors to reach every workplace. We rely on the activism of the shop stewards and the public to be our eyes and ears, as well as the goodwill of responsible corporate citizens. Remember, we have 1,7 million registered employers.

Therefore, we don't have enough inspectors to be able to cover a quarter of that number. This means we won't be at every workplace, but we'll rely on the trade union movement, on responsible corporate citizens and on responsible employers. During the course of this financial year, we will add 200 inspectors to the current team that is working to ensure implementation of the national minimum wage. We will be launching a blitz of inspections in the near future with the Deputy Minister and the director-general.

Hon members of the portfolio committee are also welcome to join us when we launch this. We will give you a programme. Our Inspection

and Enforcement Services branch has been allocated a budget of R628 million for the current financial year.

Chairperson, I cannot overemphasise the importance of social protection in our fight against poverty. As part of the government's entrenched labour market policy, the UIF mitigates the effects of retrenchments. Recent amendments to the Unemployment Insurance Amendment Act will expand the coverage and period for UIF beneficiaries from different industries such as domestic workers, interns and those in learnerships. There'll be an increase in the income replacement rate for maternity benefits to 66%. We'll extend a contributor's entitlement to benefits under certain circumstances and there'll also be finance employment services.

The average turnaround time of payment of UIF claims has been shortened from 10 to seven days. So, the UIF contributes to fighting poverty and unemployment in that 20% of the Social Responsibility Investment Fund is invested in high-impact job-creating business ventures across all sectors and provinces. To date, almost R17 billion has been allocated to this fund for investment which has, in turn, created 23 442 jobs.

Hon Chairperson, the recent International Labour Organisation Conference resolved that occupational health and safety be elevated to a fundamental principle and right. Let me mention the good work done by the media in exposing noncompliance and failure to report

accidents by employers. My department is processing the compensation claims of the injured persons concerned. Earlier this year, we launched a campaign to encourage those who have suffered workplace accidents or diseases - and whose claims were not processed - to report this to our labour centres. Furthermore, during this year we will appoint an additional 500 occupational health and safety officers.

Chairperson, we have worked tirelessly to restructure the Compensation Fund and there have been real improvements. We will soon present to this House the amendments to the Compensation for Occupational Injuries and Diseases Act. Thank you, Ma'am. [Time expired.] [Applause.]

Mr M I RAYI: Hon Deputy Chairperson, hon members, hon Minister of Employment and Labour, special delegates, director-general and senior managers, distinguished guests, fellow South Africans, 64 years ago the Freedom Charter was consolidated and subsequently adopted in Kliptown by the Congress of the People. Hitherto, this lodestar still forms the basis of ANC policy orientation.

The Freedom Charter continues to shape the form and content of our resolutions. It was the resolution of this watershed congress which adopted the clause "There shall be work and security!" Upon assuming power in 1994, the ANC-led government has introduced legislation to enhance stability in the labour market.

The Department of Labour has played a leading role in shaping market and labour relations. The promotion of labour standards and rights in the workplace is core to the mandate of the department. This mandate advances the Freedom Charter's intent when it says, "All workers shall be free to form trade unions, to elect their officers and to make wage agreements with their employers."

This Vote advances the interests of the National Development Plan as an ANC policy imperative. The allocations contained in the Vote contribute to the pivotal role of the department in increasing workplace inspections to promote healthy working environments and enhance labour relations by using labour forums, such as the National Economic Development and Labour Council, Nedlac.

The President's clarion call in the state of the nation address places emphasis on encouraging government, business and labour to form a social compact to deal with the challenges of the nation. The ANC-led government has made huge progress in ensuring that the rights of workers enshrined in the Constitution are entrenched, whilst ensuring that business interests are equally protected.

The policy achievements of the ANC have shaped legislation and regulated the workplace since the advent of democracy. The Labour Relations Act of 1995, as amended, was and remains internationally one of the best pieces of legislation to regulate relations between employers and employees.

It was the ANC 2014 manifesto which outlined the need to investigate modalities to introduce a minimum wage as a key mechanism to reducing income inequality. Outcome 4 of the Medium-Term Strategic Framework emphasises creating decent work through inclusive growth. The National Minimum Wage Act is a major contribution towards reducing income inequality and poverty.

The Budget Vote has allocated an amount of R114,1 million for the National Minimum Wage Commission, which is expected to conclude research on the economic impact of the minimum wage on employment, poverty, inequality and wage differentials. The commission will evaluate and review the impact of the Act on improving the lives of our people, and will report back and recommend to the Minister a way forward on future increases.

I agree with you, hon Minister, that safety in the workplace remains a concern for the ANC. The union-led fight supported by ANC-led government legislation has sought over the past years to deal with the incidence of negligence and unsafe working conditions at the workplace. The amended Occupational Health and Safety Act of 1993 will enable inspectors to administer fines to employers who do not comply with safety regulations and who instruct workers to work under hazardous conditions.

Owing to there being fewer workplace inspectors, the number of workplaces that are not visited annually has risen. The vote of

funds allocates R172,6 million to increase the number of inspectors so as to enforce compliance under the subprogramme of Compliance, Monitoring and Enforcement. We agree with you again, hon Minister, that organised labour unions are critical in defending the rights of workers, and the ANC encourages organised labour to be at the forefront in exerting pressure on employers to comply with safety standards.

To ensure fair labour practices and provide justice, an increase of R107,1 million over the Medium-Term Expenditure Framework for the Commission for Conciliation, Mediation and Arbitration has been allocated to ensure that caseloads are addressed and accelerated and to provide training for commissioners and assessors.

The Vote provides for entities, such as the Compensation Fund, to administer compensation for occupational injuries and diseases. The fund has made significant improvements over the years, and dealt with the adjudication of 90% of registered claims within 30 days. This is remarkable considering the backlog the entity has had in the past.

The timely compensation of injured workers assists families to be sustained during this period. The budget allocation increases to R1,3 billion for the compensation of employees. The improvement in the ITC system has led to major improvements in the handling of

claims. It is estimated that the turnaround time of claims of 30 days will shrink to 20 days by the 2021-22 financial year.

The Unemployment Insurance Fund plays a vital role in providing social security in the country and it contributes as short-term unemployment insurance. The fund has budgeted R1 billion for the training of beneficiaries to assist companies in reskilling their workers for retention. The Unemployment Insurance Fund estimates job retention of about 10 000 jobs and increasing the number of jobs through an increase in administration personnel.

The ANC 54th national policy conference in 2017 endorsed creating decent work as a primary focus of economic policy. The idea of decent work underpins work as a source of human dignity, family stability and economic growth. The National Development Plan emphasises decent work as the ability to uplift the social standard of living and living conditions of an individual.

The Vote has been successful in outlining and funding the inspection of the implementation and in enforcing the minimum wage on employers. This will assist in closing the wage gap and will reduce inequalities in households. The Vote is weighted towards inspection and dealing with complaints, and whilst this will minimise the hazardous working environments, it will also contribute to employment through increasing the number of inspectors. We support this Budget Vote. Thank you, Deputy Chair. [Applause.]

Ms H S BOSHOFF: Hon Chairperson, hon members and fellow South Africans, Minister, the time for talk and lip service is over. The time has come for you, Minister, and your government to put actions into words. You need only to look at the ravaged economy which is evident everywhere to understand and feel the dilemma of our unemployed.

Looking at the GDP of the first quarter of this year, that dropped by a mammoth 3,2%, it is impossible, really impossible, for you not to see the real state of the labour market and the continual increase in unemployment. Currently, more than 50% of South Africans are living in poverty.

Looking at the unemployment statistics, government will have to move away from hosting job and investment summits and move towards adopting a summit strategy on how South Africa and its employers will go about adapting to the constant changing demands of our labour market. Government can no longer raise the hopes of our job seekers through these summits, but must offer solutions for real problems such as a slow growing economy and an unskilled and uneducated workforce.

One thing that is abundantly clear is that our labour laws and regulatory authorities are harsh, complex and, to a great extent, invasively excluding millions of South Africans from accessing employment opportunities. Government should ensure that labour

regulations go hand in hand with an economic policy that stimulates growth.

Minister, you say that you are going to take the necessary steps to ensure that inspections and enforcement services are adequately resourced. Minister, you have to tell us how and when?

At the end of the 5th Parliament, we saw amendments to the Unemployment Insurance Fund, with the President trumpeting paternity leave and other extensions to this legislation as a - listen to this - breakthrough but unfortunately it has left a bitter taste in the mouths of many fathers.

Hon Minister, your departmental officials were - and listen to this - unable to roll out a simple piece of legislation as they had not done the administration and paperwork in this regard. Seven months down the line and South Africans still cannot claim paternity leave. Totally unacceptable.

Government now also needs to show the 27,6% or plus minus 10 million unemployed South Africans how they plan on creating employment through inclusive economic growth. What programmes are in place to ensure that a skilled and workable workforce is established, and how does one create a better South Africa, a better Africa and a better world?

Standing here today, I can state that, currently, our manufacturing industries, together with our mining industries, are in decline, causing more and more employees to become statistical figures. The majority of the unemployed in these industries are those, unfortunately, in the lower income bracket who do not have the relevant qualifications to apply for other employment, who do not have the means to further educate themselves or, Minister, have just given up looking for a job.

Hon Chair, one can compare a country like Germany with an unemployment rate of only 3,1% to South Africa's 27,6%. Our rate overwhelmingly includes half of South Africa's youth and, according to the World Economic Forum's 2014 Global Risk Report, South Africa has one of the highest unemployment rates for youth between the ages of 15 and 24. This, Minister, could only be ascribed to the current education system which is failing thousands of our learners every single year.

When it comes to education, Tata Madiba said, "No country can really develop unless its citizens are educated." Having been given one of the highest dividends of the national budget, education remains a failure with a high rate of dropouts and repetitions, and with the majority of our learner's being progressed without gaining the appropriate knowledge and skills required to further their studies and being able to enter the labour market.

We stand on the verge of the Fourth Industrial Revolution, which in all essences is going to add to the unemployment rate as many new projects are designed around automation and robots, artificial intelligence and 3D printers, which have astounding capabilities and will most definitely keep the number of workers at a much lower scale than five years ago.

Once again, it is therefore imperative that co-ordination and collaboration take place between the Department of Employment and Labour with other departments like Basic Education, Higher Education and Science and Technology to ensure that our learners are skilled in this field to remain competitive in the jobs market.

Minister, the question you have to ask yourself is whether South Africa is ready for the impact of the Fourth Industrial Revolution and what the impact on the labour market will be if there is going to be an impact, which, I can say, there definitely will be. What will government do to ensure that all platforms in respect of economic growth are addressed with action plans and implementation dates in place?

Hon Chair, the Minister spoke of amendments to the minimum wage Bill, but did not mention a word on the public sector wage Bill, which amounts to over R500 billion and which is threatening South Africa's financial situation. The spending on the public service is hampering our economic growth and job creation. It is a fact that

ordinary South Africans, who are struggling to make ends meet, are the ones who will be hit the hardest, and you cannot deny it as they will have to fork out even more on an above-inflation public sector wage agreement.

In light of this, we must ask ourselves: How many more jobs could have been created had we not been forced to agree to this above-inflation public sector wage agreement. We all know that South Africa is in dire need of more police on our streets, nurses in our hospitals and teachers in our schools.

Apart from the above, in the 2016-17 financial year this department had irregular expenditure of plus minus R257 million and fruitless and wasteful expenditure of plus minus R129 million, which could have been utilised in creating more jobs for our millions of unemployed. With due respect, Minister, what remedial action has been taken to address this? I have seen nothing. For the past five years, calls have been made by the Auditor-General to implement remedial action, but, alas, fellow South Africans, individuals are eventually only suspended and kept on full pay, with no criminal charges laid.

Hon Chair, in 2018, when President Ramaphosa was elected as the President of South Africa, we all greeted the New Dawn and the Ramaphoria with euphoria, experiencing a surge in the rand and government bonds, coupled with him explaining in detail the reform

strategies he would put in place, like reforming the struggling economy, cracking down on corruption and the replacement of nonperforming Cabinet Ministers. But, alas, so far, it has been lip service and will in all probability remain as such.

The President's state of the nation address saw many feel-good spending pledges, but, again, no detail on the funding was forthcoming.

Hon Chair, another point of discussion is the appointment of Minister Nxesi to the Department of Employment and Labour. As a former leader of the main teachers' union, hon Nxesi had been criticised - yes, Minister, you were - for defending irregular government expenditure on Zuma's private home, the infamous Nkandla, whilst he was the Public Works Minister. A union leader is unlikely to ease labour laws to make it easier to do business.

It would bode well for this department to look towards the Western Cape to understand the dynamics of bringing about change in respect of the unemployment rate. The DA-led Western Cape is the province with the lowest unemployment rate in the country. Yes, in the country; you can say what you like.

Since the third quarter of 2009, the Western Cape has created over half a million jobs and 2,52 million people in this province can now

say they have a job. It's a fact. [Interjections.] Labour and employment have nothing to do with land.

Despite experiencing one of the worst droughts on record, the Western Cape was able to create 29 000 jobs during the 2018-19 financial year. This, hon Chair, needs to be applauded. Whether you like it or not, you have to face the facts.

According to the DA's economic plan, South Africa will succeed in bringing about economic freedom, economic fairness and opportunities if we focus all our efforts on enabling employers to create employment.

In conclusion, we cannot deny that we are in deep economic trouble and no country, hon Minister, can create jobs without economic growth. We can no longer expect ordinary citizens to foot the bill for government's continual failures.

The call is therefore upon you, hon Minister, and your department, to provide clarity on your intervention plans, coupled with implementation dates and budgetary requirements to be able to show ordinary South Africans that you are serious about their future and the future of generations to come. Before I leave the podium ... I have 12 seconds. Hon Koni, speak about the land when it is your turn. Thank you. [Applause.]

Manana B T MATHEVULA: Mutshamaxitulu, xosungula ndzi rhandza ku xeweta Maafrika-Dzonga etindhawini hinkwato laha va hi yingiselaka va ri kona. (*Translation of Xitsonga paragraph follows.*)

[Ms B T MATHEVULA: Chairperson, firstly, I would like to salute all South Africans from all places where they are listening to us.]

Minister, this government and this department have no plan on how to create jobs for the people of South Africa. And because of this, we are facing a high unemployment rate in South Africa. Currently, unemployment stands at 27,6%, but the expanded unemployment rate sheds light on the levels of unemployment we are currently facing. The last Quarterly Labour Force Survey that was released by Statistics SA revealed that expanded unemployment is at 38% - where 34,9% are men and 41,5% are women. Minister, in this country there are too many women, but when it comes to employment men are the ones who are employed more often than women. So, you must fix this, Minister.

Currently, the expanded unemployment rate for those between the ages of 25 and 34 is 44%. Many of these young people are skilled and qualified, but they are sitting at home.

The EFF election manifesto has placed strategic importance on the employment of women and youth in particular. Throughout the country, workers, particularly black workers, are abused and exploited by

white monopoly capital and they are being failed by this department. Just this year in Mopani, Limpopo, hundreds of farm workers at Letaba Estates citrus farm were fired because they refused to accept a monthly salary of R1 000. I think, Minister, it is time for you to visit that side of Mopani, because most of the farmers there are exploiting our people. I think it's time for you to do a site visit in that area. If it were not for the EFF in Limpopo, this matter would not have been resolved. This is the responsibility of your department.

Minister, at ArcelorMittal in Sedibeng, workers are not being paid on time and some outsourced contract workers are paid as little as R2 650. This amount of R2 650 is illegal and is even below President Ramaphosa's ill-conceived and misguided R3 500 national minimum wage. A human being cannot be expected to live in dignity and provide for the family with such a low minimum wage.

We have already seen what happens when workers are injured and forced out of their jobs without any form of compensation. This is a direct consequence of outsourcing as it takes all legal responsibility away from employers as there is a legal loophole. Minister, we must be honest with ourselves when we look at the issue of outsourcing. Outsourcing is the perpetuation and further entrenchment of a colonial system of economic exploitation which relied on the supply of cheap black migrant labour.

Since 1994, the ANC has done nothing to dismantle this economic system of exploitation. As we see throughout the country, security guards and cleaners working at airports managed by the Airports Company SA, Acsa, are outsourced to companies that are continuing with the practice of cheap labour. Workers at Unisa were employed with fixed-term contracts through labour brokers for more than a decade. Workers at Pick 'n Pay, Shoprite and Spar are employed as contract workers through labour brokers. Here in Parliament, cleaners who clean for Ministers and Deputy Ministers are paid through labour brokers as a result of outsourcing. This is a violation of the law as the Constitutional Court has ruled that workers placed by labour brokers automatically become permanent employees after three months.

The Department of Labour has no capacity to enforce any of the labour laws meant to protect workers. Minister, you must be made aware if you do not know that the labour inspectors employed by your department are not doing their job. When they go to the farms, factories, call centres and other places of employment where workers' rights are being violated, they are easily bribed and workers continue to be exploited. Your department needs to do something about this and ensure that labour inspectors do not get seduced by bosses at the expense of our people.

We do not believe in the current Minister as his track record in government is poor, and with him things have either stayed the same

or have got worse. Minister, you have been placed at the head of a department that is expected to find solutions to the unemployment crisis, something the President himself has no solutions for.

According to the NDP, by 2020, which is next year, we are meant to have reduced the unemployment rate to 14%. Currently, it stands at 27%. According to the NDP, 11 million jobs are meant to be created in 20 years. Currently, we are sitting at three million. The reason I bring this up is because the NDP itself is one of the main reasons why our unemployment levels are the way they are. As long as the ANC government is committed to neoliberal economics, unemployment will only increase.

Despite the Jobs Summit held by the President with business leaders where they promised us that they would create 200 jobs, we continue to see the private sector shedding jobs and sending our people back into poverty. Sibanye-Stillwater is getting rid of 3 500 workers; MultiChoice is getting rid of 2 000 workers; and Standard Bank is getting rid of 1 200 workers. There are many others, like PPC Cement and the Tiso Blackstar Group. The private sector has never, and will never have, the interests of South Africans at heart. They are only interested in profit. That is why they are firing so many employees and cannot be relied on to create jobs.

The state must play a direct role in creating jobs driving the rapid expansion of our state-owned entities, SOEs, and by government

insourcing workers to provide services. This will decrease unemployment and create quality jobs.

You just have to look at what Herman Mashaba has done in Joburg to get an idea of what I am talking about. The City is currently in the process of insourcing both cleaners and security staff. Those who listened to our policies like Herman Mashaba have changed the lives of thousands of workers who were victims of abuse and exploitation by labour brokers. They have also learnt that it makes financial sense.

Over and above the need to create new jobs, we need to protect existing jobs and ensure that those jobs pay workers a living minimum wage.

That is why your department must consider developing a job protection Bill, which will protect workers from being the first casualties of bad management decisions at these companies. The National Minimum Wage Act must also be revised. The principle must be that no worker anywhere in South Africa should ever earn less than R4 500 a month. The current minimum of R3 500 is low. There are also too many exceptions. There is no logical reason why farm workers should earn less than other workers. So why has an exception been made for farm workers? It is to continue pleasing white capital.

At the beginning of your speech, Minister, I heard you say that the media is doing a great job. Today, as I stand here, I challenge the media to visit farms and reveal what is happening there.

Hina, tanihi vandla ra EFF, a hi pfumelelani na yona bajete leyi. Ndza khensa. (*Translation of Xitsonga sentence follows.*)

[We, as the EFF, reject this Budget Vote. I thank you.]

The DEPUTY CHAIRPERSON THE NCOP (Ms S E Lucas): Thank you, hon Mathevula. There is a point of order.

Ms N P KONI: Thank you very much, Deputy Chairperson. My point of order is that the hon Mathevula's speech was the first speech in this House this afternoon. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): So, it is in order. I believe you.

Mr K M MMOIEMANG: Hon Deputy Chairperson, members of the National Council of Provinces, the Minister of Labour and Employment, the Table led by the Secretary, Adv Phindela, allow me to take this opportunity to greet you in the name of the ANC. On Tuesday, the select committee had an opportunity to engage with the Minister and the team, particularly with a view to ensure that we get an understanding in terms of the imperatives of a reconfigured

department. Gladly so, the entry point from the Minister was that it is important that as a select committee we understand the nature of our South African economy. Indeed, the challenges that we have raised confirm what the Minister has raised when he said our challenges are structural in nature.

It is also important to note that the Minister confirmed what one of our veterans, former Member of Parliament Ben Turok, said in terms of the need to do a major review of our microeconomic policy and that he was in tandem with author Ntate Makgetla when he said that a structural approach in the intervention of our economy is an imperative, so that we confront the structure of production, distribution, ownership and control, and also mitigate the devastating impact of the spatial structure on our economy which, of course, worsens the situation of the vulnerable.

I think it is also important to note, as correctly pointed out, that this year we celebrate the 24th anniversary of the enactment and adoption of the Labour Relations Act. It is only correct that because this Labour Relations Act was passed under the stewardship and presidency of our icon, Rre Mandela, given the fact that this month is the month of Mandela's birthday. We also pay tribute to the sterling work that he did.

Also, in our interaction with the department, as a starting point, the hon Minister made reference to the state of the nation address

that was delivered by President Cyril Ramaphosa, where he was able to reiterate the ANC's priorities reflected in its 2017 54th national conference and also in our election manifesto, which correctly sets labour and job creation as an integral pillar of our attempt to deal with the legacy of apartheid colonialism. Critical to that pronouncement by the Minister is that at the centre of our national agenda is the creation of jobs, especially for young people and rural women.

More so, emphasis was also on inviting us to ensure that we implement the scrapping of experience as a requirement for entry-level jobs in the public service, because it creates an opportunity for our young people to be able to have access to job opportunities. It is important to outline the fact that the policy orientation of the Vote, as outlined by the Deputy Minister and the team, reiterated those commitments. At the centre of that, as also repeated by the Minister in this House, the public employment programme is designed to promote an efficient, developmental and integrated use of job opportunities and work experience.

We are going to invite the hon Minister to use our province as the pilot study, owing to the number of people that we have in the province, to send a message that, indeed, job eradication is possible. The challenges of the labour market, and grappling with an ever more complex range of issues, requires very specific responses, precisely by virtue of the fact that I reiterated that our problems

are structural in nature. These matters are not new and have been raised before by labour, government and business. There is a commitment to respond to directives arising from these forums which is specifically designed to stimulate the economy and create jobs.

The complexity of the shift in occupational groups, largely due to ever-increasing mechanisation and displacement of employees across sectors, has led to the ANC government coming up with very specific proposals. Therefore, we appreciate the effort, as outlined by the Deputy Minister, of ensuring that we register 700 work seekers on an employment service database, mindful of the fact that the level of unemployment is very high. Of course, we also need to take note that work experience and skills acquired through this public employment programme improve a person's employability.

It is also important to note that the 2019 state of the nation address put an emphasis on the need to ensure that we diminish the unemployment rate. Therefore, we want to confront the statistics released by Statistics SA to ensure that we are able to confront the 27,6% rate of unemployment. We therefore appreciate that the Public Employment Programme has been allocated - as raised by the Minister - R23,3 million to address this scourge. Also, a further R402,1 million has been designed as a subprogramme for counselling and placement. We therefore appreciate that the vote allocation will enable an increase in support for work seekers, greater access to the labour market and an increase in self-service stations.

Moreover, the number of interventions to revive and stimulate growth has been critical with there being a Youth Employment Summit, various presidential summits, a presidential 2018 stimulus package and investment conferences. These summits are making a difference and therefore it is important that the effort outlined by the Minister is geared towards boosting economic growth, which is critical to job creation. It also deals particularly with unemployment and reducing inequality.

The Budget Vote against the backdrop of economic contraction and the inability of the job market to absorb the high demands of job seekers. It is important that we appreciate the effort by the department. As the select committee, we will ensure that we hold them accountable so that Public Employment Services are directly linked to Outcome 5 of the Medium-Term Strategic Framework. Indeed, our National Development Plan goals, which advocate the development of a skilled and capable workforce to support an inclusive growth path, must succeed and this Vote must assist in this regard.

In conclusion, this Vote is in line with the economic priorities of the country, job creation, reducing inequality and upskilling our nation. Thank you, hon Deputy Chairperson. [Applause.]

Mr S F DU TOIT: Hon Chair, Ministers and hon members, "Opportunities are usually disguised as hard work, so most people don't recognise them." This is a quote by Ann Landers. We need to work hard to break

welfare dependency and get our young people ready for the labour market. We need businesses to give them opportunities.

The Minister reaffirmed that the priority of this sixth administration is jobs. He furthermore confirmed that the government cannot do this alone and needs the investment of the private sector to propel employment.

One would therefore expect that considerable effort would be made to ensure stimulation of the economy and the creation of favourable conditions to ensure the sustainability of small and medium businesses. It is, after all, these businesses that should be instrumental to creating new jobs. We say this, because government cannot and should not be the largest employer in South Africa.

Minister, in your speech on the Budget Vote the focus seems to be placed on transformation in the labour market, employment and conditions of employment, instead of broadening the scope of employment and job creation.

Die VF Plus is van mening dat 'n holistiese benadering gevolg moet word om werksgeleenthede en finansiële vooruitgang te verseker. Transformasieteikens en swart ekonomiese bemagtiging moet uit die regeringsbeleid en wetgewing verwyder word. Dit sal die privaatsektor aanmoedig om die beste moontlike personeel aan te

stel, sodat ekonomiese groei bevorder word. (*Translation of Afrikaans paragraph follows.*)

[The FF Plus is of the opinion that a holistic approach should be followed to ensure job opportunities and financial progress. Transformation targets and black economic empowerment must be removed from government policy and legislation. This will encourage the private sector to hire the best possible staff to promote economic growth.]

Youth unemployment is at an all-time high. According to Statistics SA, the unemployment rate among youth between the ages of 15 and 24 is 55,2%, and among graduates it is 31%. Factors which are contributing to unemployment are black economic empowerment and affirmative action. These policies are counterproductive to economic growth ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon member, there is a point of order.

Mr S F DU TOIT: Chair, this is my maiden speech. I am allowed to convey my speech. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): All of us are delivering maiden speeches, but it is fine. Koni, could you sit down and allow the member to continue.

Mr S F DU TOIT: Thank you, Chair. These policies are counterproductive to economic growth of businesses and have proven to be ineffective, as only a select few benefit.

Ms N P KONI: Chairperson, a point of order is a point of order. I am within the Rules of the NCOP.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): It is fine. We have consulted and we are giving you the opportunity to make your point of order.

Ms N P KONI: When we don't disturb ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): We are giving you the opportunity to make your point of order. Can you continue?

Ms N P KONI: We don't disturb maiden speeches when somebody is not dramatic. It's when somebody becomes dramatic, we disturb.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Koni, what is your point of order?

Ms N P KONI: The point of order is, Chairperson, is the speaker at the podium referring to the youth that they are exploiting on the farms and paying with alcohol? Is he referring to that kind of unemployment? That alone is unemployment. You cannot hire somebody

and pay them with alcohol and then say that that is employment.
Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you, hon Koni. We have listened to you. You are not asking a question. There is no point of order. Hon Du Toit, could you continue?

Mr S F DU TOIT: Thank you, Chair. The FF Plus is convinced that unemployment can only be curtailed if government policies are amended to create an environment that is conducive to job creation for all South Africans. It is inconceivable fact that, in this day and age, race is being used as a measure to discriminate against young, willing and able job seekers, who find themselves barred from the job market.

Agb Voorsitter, dit wil voorkom of die fokus eerder op die aanstelling van beamptes geplaas word, wat as waghonde oor werkgewers moet optree, met die stille wete dat afleggings kan toeneem as gevolg van ekonomiese druk wat, ondermeer deur rigiede arbeidswetgewing, soos die Nasionale Minimumloon Wet, veroorsaak word. *(Translation of Afrikaans paragraph follows.)*

[Hon Chairperson, it appears that the focus is rather on the appointment of officers, who should act as watchdogs over employers, realising that retrenchments may increase as a result of economic

pressure caused by, amongst other things, rigid labour legislation, such as the National Minimum Wage Act.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Sorry, hon Du Toit. There is a point of order. Hon member?

Mr T APLENI: No, Chairperson, I just want to ask the member if he is related to John Vorster. They look alike.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): I really cannot hear what you are saying. [Interjections.]

Mr T APLENI: Chairperson, I just want to ask the member if he is related to John Vorster. They look alike. [Interjections.]
[Laughter.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Order! Could you continue, hon member.

Mr S F DU TOIT: Hon Minister, through you, Chair, you claim that there have not been wholesale retrenchments following the introduction of the National Minimum Wage Act. Now, the National Minimum Wage Act has been implemented effectively as of 1 January 2019. We are yet to see the effect of the minimum wage on unemployment. What is certain is that employment has declined by 237 000 and unemployment has increased by 62 000 ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): I'm sorry, hon Du Toit. Could we just get the point of order please?

Ms B T MATHEVULA: [Inaudible.]

Mr S F DU TOIT: Hon Chair, I'm busy with my speech. I won't be taking questions at this stage. Thank you.

These statistics are according to Statistics SA. While there has been a gradual increase in the unemployment rate over the past decade, the decline in formal employment is the biggest year-on-year job loss in recent times. The latest statistics indicate the legislation may well have reduced employment prospects in entry-level positions.

The fact of the matter is that unless there is significant economic growth, the cost of labour for small and medium-sized businesses becomes too high to bear and will leave employers with one of three alternatives: one, seek alternatives for low-skilled labour and make use of technology; two, do the work themselves; or, three, close the business as a last resort and invest in other countries with less restrictive labour legislation for better economic prospects.

The FF Plus has a five-point plan to offer with regard to this. Trade unions' power must be restricted and any irresponsible actions

that lead to the loss of jobs must be prevented and sanctioned by legislation.

In the words of David Bly: "Striving for success without hard work is like trying to harvest where you haven't planted." Let's plant seeds of possibilities, seeds of opportunities. Let's create an environment of hope for an inclusive South Africa where every hardworking citizen can reap the fruits of their labour. Thank you, Chair.

Mr J J LONDT: Good afternoon, hon Deputy Chairperson, hon members, hon Minister, fellow South Africans. I gave you credit, Minister, in our committee meeting earlier this week for already improving on the performance of your predecessor. The fact that you attended a select committee meeting and stayed until the end bodes well for the Sixth Parliament, because we did not have a Minister of Labour who did that during the Fifth Parliament.

The Department of Employment and Labour deserves a Minister who takes the position seriously owing to the crippling unemployment we currently face in South Africa. Minister, you are the new broom that must sweep up and clean the rebranded Ministry.

Unfortunately, this new broom was taken out of an old broom cupboard or Cabinet ...

Rre K MOTSAMAI: Motlatsamodulasetilo, ga ke sa tlhaloganya sepe mo. Ke itshokile nako e telele. Ke ne ke kopa gore go nne le batho ba ba tla kgonang go ntlhalosetsa ka gonne ga go sepe se ke se utlwang mme batho ba tswelela go bua. Nna ke Motswana, ke bua Setswana. Ke lekile gore ke reetse mme Setswana ga seyo. (*Translation of Setswana paragraph follows.*)

[Mr K MOTSANAI: Deputy Chairperson, I do not understand anything here. I have been patient for far too long. I was asking for people to explain things to me because I cannot comprehend anything. I am a Setswana-speaking person. I tried listening, but there is no Setswana interpretation.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): The Table staff will deal with that issue. In the meanwhile, could the member continue while we deal with issue of a Setswana translation?

Rre K MOTSAMAI: Ke kanale efeng Mme, ka gonne selo se ke batlang go se utlwa ke Setswana gore ke kgone go utlwa gore ba reng batho bano. Ba tsena, ba tswa, mme ga ke utlwe Setswana. Ke kopa Setswana. Ke le Motswana, ke emetse Batswana. Batswana botlhe ba ba tletseng fano ba reeditse, ba batla go utlwa, le nna ke kgone gore fa ke bua ke bue ba ntse ba utlwa [Tsenoganong.] (*Translation of Setswana paragraph follows.*)

[Mr K MOTSAMAI: Which channel is it Ma'am? All I want to hear is Setswana so that I can hear what these people are saying. They come and go, but I am not hearing Setswana. I am asking for Setswana. As a Setswana speaking person, I am representing Batswana. All the Setswana speaking people here are listening; they want to hear and understand when I speak. [Interjections.]]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you, hon member. Could you check channel 9? I think we can continue. I heard Setswana here on that channel.

Mr J J LONDT: I do agree; it is important that we can all speak in our own language.

Dit moet ook in al die ander tale wat ons in Suid-Afrika praat vertaal word. (*Translation of Afrikaans sentence follows.*)

[It must also be translated into all the other languages we speak in South Africa.]

So, I would appreciate it if we can fix that. Minister, you are the new broom that must sweep up and clean this new rebranded Ministry. Unfortunately, this new broom was taken out of the old broom cupboard, where you were stored with brooms like Malusi Gigaba and Nomvula Mokhanyana.

Why do I mention your former cupboard colleagues? On Tuesday, you stated: "It is in our national interest to deal with corruption." Yet, for the past few years, you were part of a corrupt cupboard that swept every scandal, every corrupt activity and every valid criticism under the carpet. So, we know that your sweeping powers are there. The question is: Will this new broom sweep it under the carpet or clean up?

I truly want you to succeed. I truly want our President to succeed, because if this government does not succeed, our country is heading for disaster. There are currently 10 million unemployed South Africans. You need to be a Minister that starts fighting for the 55% of the youth that cannot get into the job market.

Hon Mathevula, I want to say well done and commend you on your activism, but I also believe, like many of us, you want a South Africa that works together and goes forward. And by making sweeping statements, you are not helping us. I would love to go with you to these places where they exploit workers, so that we can address that together, but I also want to invite you to come to farms where you will see that there are brilliant relationships between the farmers and the workers. So, I am going to plea that when we speak about issues, we talk specifics and do not make sweeping statements and villainise an entire industry or all people.

Hon Koni, sometimes, it is better that people think you do not know the Rules than to stand up and confirm that you do not know the Rules.

Mr M E NCHABELENG: What is good for the goose is good for the gander. The member was talking about the Minister, without even substantiating ... He said that the Minister was sweeping things under the carpet. He is saying exactly the same thing to the member of the EFF. So, what are you are saying when it is referred back to you?

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): No, no, no, allow me to chair because I am presiding here and I will be listening to everyone. Regardless of what you think about what somebody is saying, first allow us to listen to the person and then we will decide. So, that is not a point of order, hon Nchabeleng. Thank you. You can continue, hon member.

Mr J J LONDT: Hon member, I am always happy to take questions and I am going to assume that that was a question. If you want to ask how it was swept under the carpet ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Londt ...

Mr J J LONDT: I'm busy with my speech, Deputy Chairperson.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): I will tell you if there is a question. Could you continue with your speech?

Mr J J LONDT: Well, Deputy Chair, I am sure that I can respond to it.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Continue with your speech?

Mr J J LONDT: And it's in my speech. That's what you do as a sweeper, Deputy Chair. I know that you are new in this House and things maybe work differently in the Northern Cape.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hayi suka. [Damn it.] [Interjections.]

Mr J J LONDT: But you are allowed to respond to people. So, I can also take you ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Londt, let us respect one another here. Let us respect one another here please.

Mr J J LONDT: ... together with the hon Koni on a crash course on the Rules. It seems like you and the hon Koni do not know the Rules. [Interjections.] [Laughter.] But, ya, don't touch me on my Rules. I

think if you knew the Rules, Deputy Chairperson, you won't embarrass yourself by making rulings.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Londt, could you allow for the hon Landsman ...

Mr E R LANDSMAN: Sit down. Sit down, Chief. Thank you. On a point of order, Chair ... [Interjections.] Allow me to talk or raise a point of order. Stand up and raise ... [Inaudible.] I am being disturbed now.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Landsman, you have asked to raise a point of order, so why are you listening to other people? Speak to me please.

Mr E R LANDSMAN: Hansard production, Chair. The hon Londt must focus on his speech and not attack you as the Chair. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you for your indulgence, but I am fine. I am very capable of defending myself. [Laughter.] Please, hon Londt, continue.

Mr J J LONDT: Hon Landsman, when you stand up on a point of order, you can quote the Rule because you are also embarrassing yourself.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Londt, you cannot be all over the place.

Mr J J LONDT: Hon Deputy Chairperson, you must ask the hon Adv Phindela to teach you what the Rules are. I am allowed to say what I want to during my speech.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Don't be all over the place.

Mr J J LONDT: That is freedom of speech.

The DEPUTY CHAIRPERSON OF THE NCOP: Don't be all over the place.

Mr J J LONDT: I can go all over the place, Deputy Chairperson.

[Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): I would really like the hon Londt to withdraw the fact that he is implying that I am stupid. He is implying that. He is telling me that I must be taught the Rules. You heard him. [Interjections.]

Mr J J LONDT: Hon Deputy Chair, if you cannot apply the Rules correctly, then obviously, there is some Rules that you still need to know. So, if you are going to make a ruling ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): If you say that someone should teach me, you are implying that I cannot read and I don't understand. I am just asking you to withdraw the fact that you are saying that Adv Phindela must teach me. Please could you withdraw that?

Mr J J LONDT: Chairperson, I withdraw that Adv Phindela must teach you and it seems that we are on the same page.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Why don't you offer to teach me? Why do you say that Adv Phindela must teach me? You are out of order.

Mr J J LONDT: Chairperson, I withdraw that Adv Phindela must teach you and I will take up your offer with pleasure and I will come to your office, as you ask, and teach you the Rules. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Come and teach me so that I can teach you also. [Interjections.]

Ms C LABUSCHAGNE: On a point of order.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Labuschagne ... Hon Londt, there is someone that wants to defend you.

Ms C LABUSCHAGNE: Hon Chair, I really want to refer to the Rule that says that we should not allow a conversation between the Chair and any member. Unfortunately, you put it now as an example and there was a whole conversation between you and the speaker. That means that ... Please, let us just be consistent in the House.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): In the next term, you will be the Speaker. [Laughter.] [Applause.] Could we continue, hon Londt?

Mr J J LONDT: Hon Deputy Chair, as I said I will take up your offer and we can go through the Rules together.

It is time that we also take the best practises, even from those with different ideological views, on board and implement them. On Tuesday and today again, you reiterated the importance of removing red tape, which is commendable. There are certain municipalities and provinces that have done a much better job in reducing red tape. In the Western Cape, there is a very good unit that we can learn from and we can roll out that practice. This is not to say that everybody must apply the same practices, but it is something that will help every single business across South Africa.

If you don't want to listen to provinces, a brilliant Private Member's Bill was introduced last year in Parliament by a DA colleague of mine, yet it was shot down, not on the merits of the

case, but because it came from a different party. In this NCOP, especially, the margins are very, very close. If we take hands and work together to improve, we will make great progress.

We have a few suggestions, hon Minister. Unfortunately, my time is running out. I am going to touch on just two of them. There is a jobs Bill that will be introduced now, which focuses on two critical areas for economic recovery - foreign investment and SMMEs. We'll expand on that more when we get to the committee.

Before, I finish, I will reference another quote. It is slightly amended. It is one that you used in this House and in the committee again: The South African working age population is in a critical condition; they are in the ICU on life support. You will remember the quote.

Minister, I plead and beg, please let us take hands, across party-political lines, with all the sectors, public and private, and ensure that we take ourselves out of the ICU, stabilise ourselves and take our country forward. Thank you. [Applause.]

Mr M DANGOR: Hon Deputy Chair, Minister, staff from the department and hon members, thank you for allowing me share some thoughts with you today.

The 25-year review of the performance of government, conducted by the Presidency, reflects that the ANC-led government has safeguarded and entrenched the hard-won rights of workers, including trade union workplace organising, collective bargaining, equal pay for equal work and value, health and safety, affirmative action, skills development, minimum wages for workers in vulnerable sectors, the right to strike and the right of peaceful protest.

These views find expression in Outcome 4 of the Medium-Term Strategic Framework, MTSF, which speaks to decent employment through inclusive growth. This in an effort towards the realisation of the National Development Plan, NDP, in terms of resolving workplace disputes, improving labour relations, enhancing occupational health and safety and the facilitation of job creation.

The 2017 ANC NEC lekgotla resolved that the minimum wage should be subjected to reviews to determine the impact on households and on workers. The Labour Policy and Industrial Relations programme receives an amount of R114,1 million to enable the National Minimum Wage Commission - responsible for reviewing and monitoring the social impact of the minimum wage - to carry out its mandated work, and the R20 per hour wage remains the minimum amount an employer must pay any worker. The commission will be responsible for reviewing and monitoring the economic impact under the programme of Labour Policy and Industrial Relations.

As a member of the International Labour Organization, South Africa has been offered a chance to co-host the 2019 summit on the Fourth Industrial Revolution. I think we need to bear in mind that the agricultural revolution created jobs, the industrial revolution created jobs and gave rise to trade unions, and the technological revolution has made unemployment systemic throughout the world. Look at Occupy London, Occupy DC, the yellow vest movement in Paris. All of those have to do with that particular issue and we need to look at how we look at those policies and take that forward in the Fourth Industrial Revolution, not only in South Africa but internationally. As part of this summit, the changing patterns of labour globally and the future of work will become part of that particular process and that particular summit.

The ANC manifesto calls on government to take steps to strengthen existing laws to ensure faster change in employment equity in the workplace by enforcing accelerated implementation of employment equity targets.

The ANC stands for a safe working environment. The amendments to the Occupational Health and Safety Act enables health inspectors to issue fines immediately and the Act increases the penalties for employers for violations.

South Africa is a signatory to conventions of a number of international bodies. There is, therefore, a legitimate expectation

that we shall uphold these agreements and implement the spirit and intent thereof. Pressure will naturally come from stakeholders to review policy positions. What we do as a governing party is to listen to all and evaluate the balance of evidence prior to coming to any decision.

Unilaterally withdrawing from international agreements and protocols is something we cannot do. We are signatories to the World Trade Organization, the ILO, to mention a few. It is with this understanding that we have opted to strictly regulate labour brokers and to put a stringent bare minimum of three months' employment under the labour brokers Act.

I want to rush forward to deal with some other matters. The regulation of the labour market has received fair criticism by certain organisations. The ANC-led government subscribes to a state that is an enabler, a regulator and a distributor. The state is a custodian of our Constitution and adheres to the Bill of Rights. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.

The President has called for a social compact between government, labour and private enterprise to forge a partnership to have an economic growth path.

The Labour Vote enables the crystallisation of Outcome 4 of the Medium-Term Strategic Framework which calls for decent employment through inclusive growth.

Madam Deputy Chair, I want to talk about an experience that was had in 1994. In 1994, a social compact was brought together wherein all of us - inter party and those of us that in civil society, the trade union movement, the business community and faith communities - had all come together to become active in promoting South Africa and the national interests of South Africa. There were liberals like Brian Guido who, at that particular time, would not talk down the currency. What happens today is that the opposition sometimes sounds like the enemy and not the opposition, because, in fact, they talk down the currency. The currency is actually based more on perception than the facts. If you are representing this country from outside, you have to actually present those kinds of positions.

What happens there is if the country is continually portrayed as corrupt, as inefficient, as nonfunctional, then the currency will go one way, the way the people would want it to go, and in whose interests is that? It may be in the interests of the miners and in the interests ...

Ms C LABUSCHAGNE: [Inaudible.]

Mr M DANGOR: I will not take a question now. I'll take it at the end of the speech.

Ms C LABUSCHAGNE: Deputy Chair, on a point of order. I would like to know if the member will take a question.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): The member already indicated that he's not taking a question, hon member.

Ms C LABUSCHAGNE: Thank you, Chair, but he must communicate that. You must ask him, because that is how it works. Thank you.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): The member already indicated that he's not taking a question. So, hon Dangor, could you continue please? Thank you, hon Labuschagne.

Mr M DANGOR: Deputy Chairperson, I will not take questions at this particular point in time.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): You have indicated.

Mr M DANGOR: The nation requires a comprehensive social compact in which all of us - inter party, labour, and other organs of civil society such as the faith communities - actually come together in

the self-interest of promoting South Africa. It is important that we actually have a South Africa-first approach.

I was listening this morning ... [Interjections.] That's fine. I need the heckling on my left, but that's fine. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Dangor, could I just request that you concentrate on what you're busy with.

Mr M DANGOR: I listened this morning to Roelf Meyer and former president Motlanthe on the radio. They were bringing together ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Dangor, could we just have a moment. Are you rising on a point of order, hon member?

Mr T APLENI: Yes, Ma'am.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): And what is your point of order?

Mr T APLENI: Thank you very much, Deputy Chairperson. This is a concern, because it looks like you are depriving our grandchildren an opportunity to gain from us.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): What is your point of order?

Mr T APLENI: I think there are so many very old people. Now we are subjected to stories - just like that - because those stories should be told to grandchildren.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon member, could we just, for the lack of anything else, respect one another, please. It's the only thing I'm requesting. Could we just respect one another? Hon Dangor, could you continue?

Mr M DANGOR: I listened to Roelf Meyer, who was describing an initiative by himself and others in civil society, including former president Motlanthe. They were talking about farm workers, farm workers' rights and how to promote farm workers. Here was an example of people coming together to promote South Africa and to promote a positive image about South Africa.

My appeal is that all of us act in the self-interest of South Africa, that all of us act as patriots and that all of us act in promoting South Africa in a very positive light. If all of us were to come here and say the kinds of things that some people in the opposition say, then, of course, we could see the rand going in a particular direction. [Interjections.]

Mr K MOTSAMAI: Point of order, Madam Chair.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you very much, hon member. The hon Dangor was just requesting that he be allowed to conclude.

Mr K MOTSAMAI: No, I was just ... He came...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Could I just say something, hon ...? Could you just sit down? Let me say something. There is one thing that I don't understand and this is when an African person does not respect an elderly person. Because the way I grew up, my grandfather was from Cofimvaba, and what we have been taught is that you must respect the elderly. So, even if you have a question on what he's doing or saying, could we just do it respectfully? That's all that I am asking for. Could we just do it respectfully. And then you may continue, hon member.

Mr K MOTSAMAI: Okay, Madam Deputy Chair. I did understand what he was saying but ...

... ke nnile le kgatlhego mo go seo a neng a se bua ka gonne e kete o bua selo se se botlhokwa. Ka jalo, ke ne ke batla go mo botsa potso, ke sa itse gore ke tla bo ke sa tlhomphe fa ke botsa potso, fela nna ke bona e kete ka tlhompha ka potso eo.

A ga a ise a tle a bue le Roelf Meyer ka gore lefatshe la rona re ka le bona jang? Fa a ne a ntse a bua le Roelf Meyer, ga a ka a bua ka lefatshe gore re tla le bona jang ka gonne re a le batla?

(Translation of Setswana paragraphs follows.)

[... I was interested in what he was saying because it seemed as though it was something important. Therefore, I wanted to ask him a question, not knowing if it would be disrespectful to ask this question. I think it is very respectful to ask this question.

Did he ask Roelf Meyer how we are going to get our land back? While he was speaking to Roelf Meyer, did he not mention getting our land back, because we do want it back?]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you, hon member. Hon member, I haven't recognised you. Please sit down. Could we request the Table to look into the issue of interpreting services? I know that the hon Boshoff will now speak about there being no Afrikaans or English interpreting from Setswana. Could we request the Table to look into the issue of interpreting services?

Mr T APLENI: Deputy Chairperson, I think there is something that you said we must correct before we continue. We cannot bring the question of ageism here. When we're talking here we cannot talk about respecting old people. We respect each other here. But when you come here you must be ready to subject yourself to robust

debate. It can't be a question of age. Once we start doing that, hon Deputy Chairperson, we would be making a huge mistake of suppressing debate based on age. So, I'm appealing to you, Deputy Chairperson, that we must not ...

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): This is not even about what you said. It's the way we address one another. It's not just about the elderly. We are saying we are hon members. Let us address each other in an honourable way.

Hon Dangor, could you conclude?

Mr M DANGOR: Deputy Chairperson, in conclusion, my appeal is that ... [Interjections.] ... as patriots we act in the interests of South Africa, and not just in the interests of our parties; that we actually interact in a way where parties can share with each other, learn from each other and contribute to a strong and powerful South Africa. I thank you very much, Deputy Chairperson. [Applause.]

Rre K MOTSAMAI: Motlatsamodulasetilo, ga ke a itumela ka karabo e ke e filweng. Mo Ntlong eno, re tshwanetse go nna le batho ba ba fetolang dipuo, fela tse dingwe ba di fetolelwe mo puong tsa rona. Fano ke botsa Leloko gore fa e ne e le gore o kopane le Roelf Meyer, ba ne ba utlwana se ba se buwang. Potso ya ka ke gore, mo puisanong ya bona, a ba sale ba bua gore lefatshe ba tla le fitisetsa leng go

beng ba lona, gonne Roelf Meyer ke yo mongwe wa batho ba ...

[Tsenoganong.] (*Translation of Setswana paragraph follows.*)

[Mr K MOTSAMAI: Deputy Chairperson, I am not happy with the response that I was given. In this House, we are supposed to have interpreters. However, some languages are not interpreted into our languages. I was asking the member if he met with Roelf Meyer; if there was an understanding of each other in their conversation. My question is: Did they agree on when land will be given back to its owners, knowing Roelf Meyer is one of the people who ...

[Interjections.]]

Die ADJUNKVOORSITTER VAN DIE NRVP (Me S E Lucas): Agb lid, ek dink ons moet voortgaan met die debat. Kan ons orde kry in die Huis?

(*Translation of Afrikaans paragraph follows.*)

[THE DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon member, I think we should continue with the debate. Could we have order in the House?]

The CHIEF WHIP OF THE NCOP (Mr S J Mohai): I am rising to remind members that the House recently adopted the Ninth Edition of the Rules of the House, and to say that all of us, without exception, went through the induction on how we would like to conduct the business of the House. Members being repetitive and irrelevant on a subject matter is the territory of the presiding officer. So, I

would appeal that members not smuggle points of orders through debates from where they are seated. This debate is very structured and we should duly respect one another, especially as we start with this important debate. Thanks, Deputy Chair. [Applause.]

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you, hon Chief Whip.

Ms N P KONI: I just want to assist with something.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Hon Koni, could you assist us after the debate has been concluded? Could you please sit down? We are going to ask the Minister to respond to the debate. [Interjections.] I am requesting you to sit down. [Interjections.] I am requesting you to sit down. [Interjections.] We have already requested the Table staff to address it. [Interjections.] I am requesting you to sit down, my dear.

Ms N P KONI: I am standing on a point of order.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): And your point of order is?

Ms N P KONI: Hon Deputy Chairperson, I have been in the NCOP so I know about this podium. The hon Motsamai does not know that members debating here do not have access to interpreting services. So, that

is the direction I want to give in that members who are at the podium do not have access to interpreting services. He was speaking Setswana, and the hon member at the podium could not get access to an interpretation. Perhaps we could, in the future, provide members in this House with an interpretation. That's all.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you, hon Koni. You may sit down. That is still not a point of order; it is a procedural point. We will discuss it. Hon Minister, you may continue.

The MINISTER OF EMPLOYMENT AND LABOUR: Deputy Chairperson, let me thank all the members who have debated in this particular session and who have given very valuable points and criticisms. I think we have to accept criticisms because they build. But we must differentiate between criticism and anarchy.

All those who spoke here have raised the issue of unemployment as enemy number one of the country. We all agree on that. The problem is that we differ in terms of strategies. And, as the ruling party, we are saying that our priority, our strategy to promote growth, to promote employment and to eradicate poverty is employment creation and preservation by leveraging government labour market tools available to us and to use them to intervene.

We know that the private sector is very important. We are not going to do it alone. We need a labour market which is conducive to investment and which is based on stability, on the appropriate skills - everybody is saying "Skills, skills, skills!" - and on employment incentives. Social justice should be based on social dialogue. Nobody has all the answers. Social dialogue is going to be important, but of course it has to be backed by reinforcement.

I just want to respond to individual issues. Hon Boshoff, if you followed the reports about Nkandla, you would have appreciated that ... [Interjections.] No, you must appreciate this. You would have appreciated that the Department of Public Works was never quoted by the Constitutional Court because it had implemented all the remedial actions which came from them. [Interjections.] We implemented everything. That's why we were never cited by the Constitutional Court. Maybe you were not in this country. [Laughter.]

[Interjections.]

I agree, hon Boshoff, that the majority of those who are unemployed are without education and skills. The problem is when people talk in this country who forget what apartheid did in this country - when others were beneficiaries of apartheid. Beneficiaries of apartheid are in denial about what they did to black people. [Applause.]

Hon Du Toit, the issue of limiting the power of the trade union movement, constraining them, is not going to happen under ANC rule.

I said yesterday that there is a core constituency of those who were disadvantaged and never had opportunities, and we are trying to empower them through the current labour legislation. If you look into the balance of forces, employers are very powerful. They can go to powerful lawyers. They have all the money - everything - while the workers do not have anything.

That's why I accept, provided that it is put properly, the issue the hon member of the EFF raised in that we must visit some of the areas where there's a lot of exploitation together. [Applause.] We must go there together.

I must say in closing, Chairperson, criticise but remember there is a difference between a robust debate and anarchy which will not take us anywhere. Raise the issues properly. [Interjections.] Those who are anarchists know themselves. They were trying to derail the debate. If you raise the issues properly, you make the other side listen to you, and then we will engage and move together. Thank you very much. [Applause.]

Debate concluded.

The DEPUTY CHAIRPERSON OF THE NCOP (Ms S E Lucas): Thank you very much. That concludes the business of the day. Let me just thank the Minister and all the delegates who participated in this debate, particularly those that came especially for it. Hon members, we will

now request you to remain standing until the procession has left the House.

The Council adjourned at 15:50.

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