



Attention: Ms Phumelele Sibisi
Parliament
Sent via email: psibisi@parliament.gov.za

25 September 2013

To Whom It May Concern,

SUBMISSION OF COMMENT RE BCEA AND LRA AMENDMENT BILLS AS PER THE REQUEST OF THE SELECT COMMITTEE ON LABOUR AND PUBLIC ENTERPRISES

As a member of Business Unity South Africa (BUSA) and the Black Business Caucus (BBC), we fully support BUSA's original submission to the Parliamentary Portfolio Committee (as re-attached). We further support the submission made by most employee representatives in the attached Parliamentary hearing. All those point to extensive job losses if these Bills were to be passed into law.

In addition we respectfully request that the committee review the Regulatory Impact Assessment (RIA) study that was commissioned by BUSA in respect to the impact of these changes on the South African economy and, in particular, the negative impact on much-needed job creation. This was also presented to the committee and recently to the State President. The RIA report is attached herewith for your attention. This was independently researched and conclusively indicates extensive job losses should these Bills become law.

As an active participant in the nearly five-year-long NEDLAC negotiation process, CAPES would like to express its disappointment at the processes that have unfolded, most specifically the continuous disregard for the submissions made by business and the move away from the negotiated positions concluded at NEDLAC. In particular, we request that the committee consider reverting to Government's submissions:

- 6-month period before any additional protection ("deemed provision") is provided to workers;
- re-introduction of the 6-month probationary period; and
- ballot requirements

We have made representations to Parliament and at the regional public hearings throughout the consultation process but welcome the opportunity to engage further to prevent further job losses.

Should you have any questions, or require any more information in this regard, please do not hesitate to contact the writer.

Yours sincerely,

Mr. Jonathan Goldberg
Chief Operating Officer