

S.A.G.A

SOUTH AFRICAN GROOMS ASSOCIATION



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Maintaining the Integrity of the skills developments for the (HDI's) of the Sports of the Horse Riding Industry

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SAGA SUBMISSION TO THE DEPT OF LABOUR

The **SOUTH AFRICAN GROOMS ASSOCIATION (SAGA)** has been trying to be recognized within the South African Horseracing Industry since 2011.

The reason for this Recognition Agreement was due to the fact that people who work in this sector as Grooms their rights are being violated and they are not treated the same way as other Stakeholders working in this Industry.

We approached the **DEPARTMENT OF TRADE AND INDUSTRY (DTI)** to intervene in this matter at the same the **DTI** referred the matter to the **NATIONAL GAMBLING BOARD (NGB)** to look out the reason of refusal of the Industry to not recognize SAGA as one of the Stake Holders in the Industry.

The **NGB** took this case to the **NATIONAL HORSERACING AUTHORITY OF SOUTHERN AFRICA (NHA)** which is the regulator within the Horseracing Industry.

We discussed this matter from 2011 and the **NHA** promised to sign the Recognition Agreement but subsequently refused to cooperate with **NGB** regarding signing Recognition Agreement during our meetings giving us lame excuses.

In 2013 we met personal with the Minister of Trade and Industry Mr. Rob Davies who concluded that he will appoint a facilitator to take the matter forward.

After the facilitation process the Industry agreed to recognise us official like other Stake Holders in the Industry.

In the Industry we divided into different categories such as in the Industry has the **BREEDERS ASSOCIATION**; these are the people who breed these horses, then the **OWNERS ASSOCIATION**, these are the people who buy and own these horses that are trained and raced in this Industry, then there are **TRAINERS ASSOCIATION**, these are the people who train these horses which are all being recognized.

We also have the **JOCKEYS ASSOCIATION**; these are the people who ride these horses on races that the horses run in.

The **SOUTH AFRICAN GROOMS ASSOCIATION**, these are the people who tames, trains, cleans, feeds, and cure everything on these horses but their Association does not have a say in as far as their rights and requirements are concerned.

We were of the view that forming our own Association as Grooms our voice will be heard by the Industry like other people Associations of and we will bear fruits for the marginalized and Historically Disadvantaged Individuals of this Industry special the Grooms.

All these above Associations voice their dissatisfaction and requirements through the **NHA** processes and they are recognised and respected.

After the Facilitator process they agreed recognised **SAGA** in writing but practically they are not recognised us, only **SAGA** which is not respected like others even though we recognised official by the **NHA**.

We were admitted in the Industries Liaison Committee where all Associations sit and discuss issues that need to be taken care of, we put forward our complaints.

The Liaison Committee never took us seriously they laughed all of our demands as jokes constantly when we raise our complaint.

We then decided to excuse ourselves from the Liaison Committee meetings as it was not willing to resolve or even listening to our complaints.

After we gave up from the Liaison Committee we submitted a report to the **DTI** explaining our dissatisfaction with the way our complaints were handled by the Liaison Committee.

After we submitted our dissatisfaction to the Minister the way of handled our complaints by the Industry, the Minister considered that this Industry needs more intervention of Government because there are lots of misadministration special lacks of development and undermined the Labour Relation Act and Basic Condition of Employment Act.

The Minister decided to draft a National Gambling Policy whereby everybody have to follow the policy to conduct this Industry the process to draft the National Gambling Policy was done procedurally and the draft was given to us to view it.

We were satisfied and happy with the Gambling Policy as it deals with most of the complaints that **SAGA** are experiencing.

The Policy now takes forever to be released as if it is not a matter of emergency since 2013 up until now also according to the Minister of DTI he doesn't know when the Policy will released, he told us about that could be years because it need to via to the certain platform like National Assembly to the Provisional Councils but all along the Grooms are continuing victimised by the Industry.

The Grooms on the other hand are deprived of their rights as human beings because there is no development for to convert those to other spheres within the Industry and the working conditions are very bad.

The rest of the employers in other words the Trainers they are not registered their business from **CIPRO** and from Department of Labour, you find out that when he fires you as groom or you injured at work or you died you can't get an **UIF** or **COIDA** because he is not appearing from Department of Labour as employer even though you worked for him more than 10 years you lose you UIF and benefits as worker.

The employers continuously employed illegal immigrants and the people who doesn't have an IDs and the people who under 18 years.

It is very high inequality in the Industry are treating differently black persons from white persons no matter both are qualify for the same job, but the payment of white persons is more than the one who is a black person here is the evident is below.

1. If the white jockey rides a horse at racing, the payment for winning jockey is getting 10% from the Stake.
2. If the black groom rides a horse at racing, the payment for winning groom is getting fix amount that is less than R3000 whereas the white jockey is getting more than R8000.
3. All members of Grooms are the black people in the Industry and we are more than 2000 country wide and continually we asked them funding for our Association, they refused whereas the above Associations are get funded yearly including outside companies are getting funded more than R2Million but we get nothing whereas we are the one of the Stake Holders in the Industry and developing the Industry.
4. Even myself I fought for a Security Contract because of I do qualify special to the BEE remember we are two companies who doing that service of a Security one is owning by white person.

Out of 4 sites in the Industry I awarded One Site the White person awarded Three Sites, Remember this White person was given a Contract from 2002 up until now, but as far as we know the Constitution say equal opportunity and payment if it is a same job as we do right now in this Security Services.

Let me tell you something Chair it is difficult to solve this matter in this Industry, because whatever they doing to us they know exactly we wasting our time because they are eating with the Government people special those who in the Higher Ranks to the Government some of them are the Ministers.

1. Jeff Radebe he owning a Horse in the Industry and he attending the big events every time but he never questioned anything about the Role of the Groom in the Industry or employment or beneficiation.
2. The time Zweli Mkhize was a Premier in KZN he was also appointed to be responsible for the development in the Horseracing Industry in KZN but he never questioned anything about the Role of the Groom in the Industry or employment or beneficiation.
3. Belinda Scott MEC of Finance in KZN she was appointed to be responsible for the development in the Horseracing Industry in KZN for more than 3 years but she never questioned anything about the Role of the Groom in the Industry or employment or beneficiation.

4. Willis Mchunu the Premier of KZN is currently responsible for the development in the Horseracing Industry in KZN but he is not questioning anything about the Role of the Groom in the Industry or employment or beneficiation.

5. Barbara Creecy she currently MEC of Finance in Gauteng and she responsible for the development in the Horseracing Industry in Gauteng but she never questioned anything about the Role of the Groom in the Industry or employment or beneficiation.

We also reported this situation to the Public Protector she decided to do the investigation whole Industry because there too much corruption there and lots of people are benefiting unduly there and there are lots of misadministration here is a proof that Public Protector is going to do the investigation because of she saw the treatment of the Grooms is not acceptable.

The **NHA** is not care about anything wrong happening to the Groom, for instead here is a Groom who pass way was felt of the Horse the employer never followed the Labour laws during his employment now the wife and children for the deceased are eating on the dusty beans, the **NHA** kept quite whereas they are the regulator here is a Post mortem is attached.

The **SAGA** requires that the Gambling Policy be released immediately because the Grooms are still living in the pre-1994 error.

The resolution for this matter you as department make a suggestion to the Minister of **DTI** to release that National Gambling Policy as soon as possible because there is no other alternative to solve this matter, even Public Protect is going to difficult get a solution without release of this Gambling Policy because it binds all the Stakeholders within the Industry to be ruled by a single legislation.

Also we asking you to arrange an urgently meeting between **SAGA, NHA** together with your department because we cannot wait for the Gabling Policy and Public Protector there are some issues that are very urgently needs your department to attend them immediately such as the Grooms are keep dying, living with the Horses on their Hostel and others living outside the Hostels here is the proof DVD is attached on your Cell.

The Inspector of Department of Labour tried her best to approach the **NHA** regarding our complaints but the **NHA** ignored number of occasion here is a proof is attached.

Chair I real do not understand why the Government its look like have no powers to help us in this situation, because if you looking from the beginning of the Minister of **DTI** to appoint the Facilitator for us and the Industry it was not necessary he should force the Industry to sign a recognition agreement instead of wasting the Tax Payers money. Chair let me tell you the delay of release this National Gambling Policy is very suspicious to us because of everybody investing their own money to that Industry special the Government people.

Our believe is that, the government should take its responsibility about this situation because this Industry is got funded by the Gambling Boards that is the Government for example in Cape Town this Industry funded by Gambling Boards more than **R15Million** per year, Gauteng more than **R50Million** per year, KZN more than **R40Million** per year, Northern Cape more **R9 Million** per year, Eastern Cape more than **R100 Million** per year.

The purpose for the Gambling Boards to fund this Industry it to develop the Industry for special the Historical Disadvantages and when we report to these Gambling Boards for the luck of development for the Industry no one who interested to investigate the matter because they are eating together the grooms must suffered whereas they should benefited like other people.

Another important note is that, as far as we know as grooms the formation of SASCOCO is to make sure the development within any sport, but more than 10 years Gidio Same is involved in this Industry worse and worse he is a one of the Trustees Members and investing his money there and he never questioned anything about the Role of the Groom in the Industry or employment or beneficiation.

One of the Political Organization in South Africa that is **DA** was very sympathetic for the situation of the Grooms and they tried to help us but they failed because they have no powers, currently the **EFF** trying to help us on that situation, but I know they going to fail but they have no powers to intervene only the Government who does have powers to help us but no one who helping us. We hope this time we might get assistance but I'm telling you it is difficult because there are Government people the Ministers and Government Institutions that are involved in that corruption.



C.N. Simoto