



COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION

PRESENTATION
TO THE
PARLIAMENTARY PORTFOLIO COMMITTEE ON LABOUR
MAY 2020




labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA



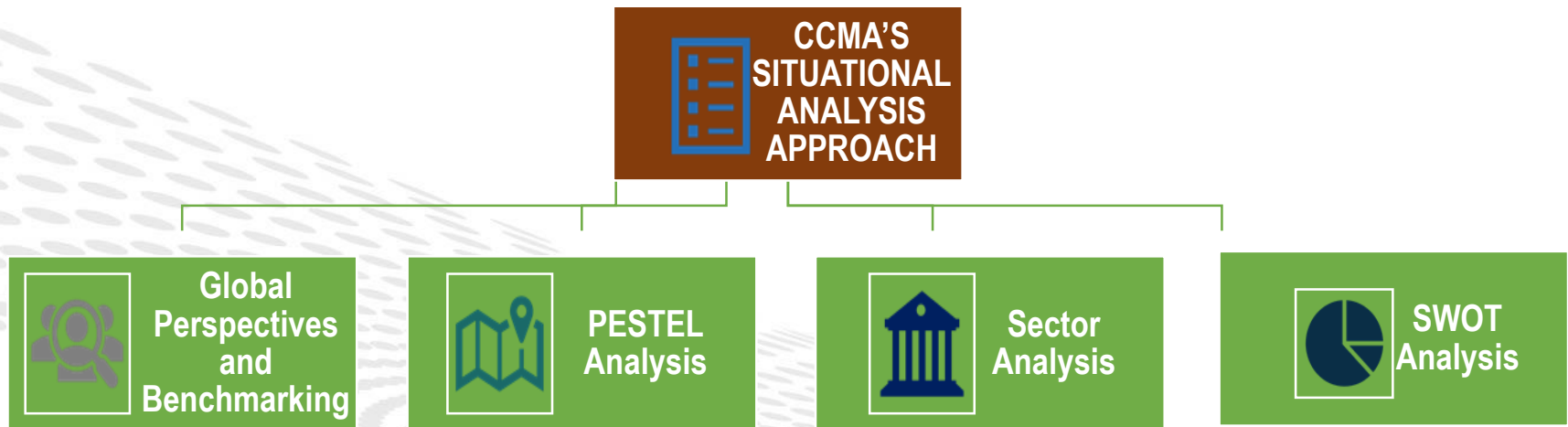
NAME AND SLOGAN OF THE STRATEGY



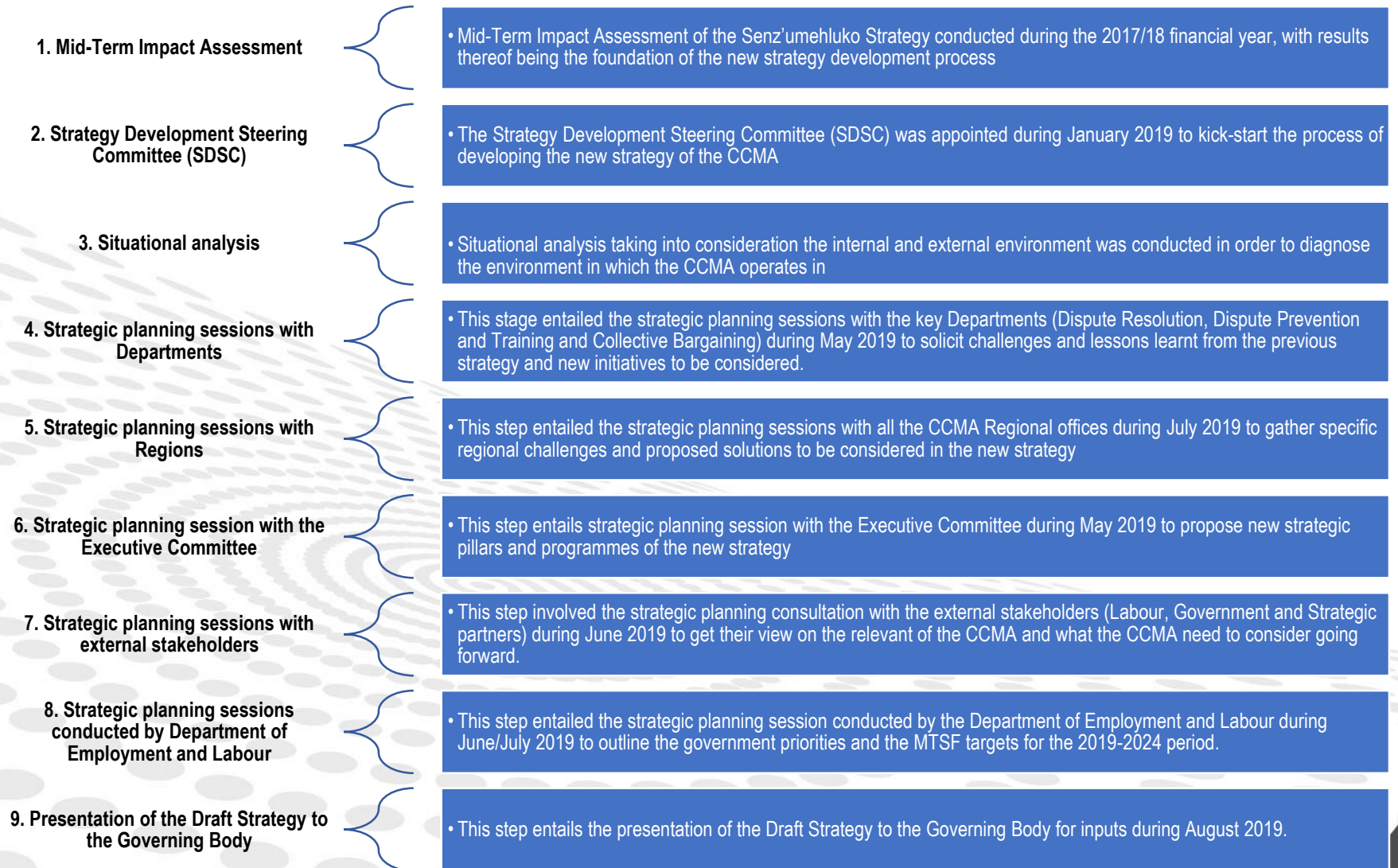
**THE IMVUSELELO STRATEGY
FOR THE FIVE YEAR PERIOD OF
2020/21 – 2024/25**

“I AM BECAUSE YOU ARE”

NEW STRATEGY SITUATIONAL ANALYSIS APPROACH



NEW STRATEGY DEVELOPMENT PROCESS



AUTHORITIES GROUNDING THE STRATEGY

1 Constitutional Mandate

- Section 23 of the Constitution

2 Legislative mandate

- Labour Relations Act 66 of 1995 as Amended and other applicable employment laws

3 Policy mandate

- National Development Plan (NDP) 2030
- Medium-Term Strategic Framework (MTSF)
- Presidential Projects emanating from the Presidential Job Summit Framework (CCMA/BUSA Webtool and the Temporary Employment Relief Scheme (TERS)

4 Institutional Policies and Strategies

- Dispute Management and Prevention Strategy and service delivery model
- Dispute Resolution and Enforcement Service Delivery Model
- Information Technology and Communications (ICT) Strategy
- Human Resources Strategy
- Integrated Strategy Governance Strategy

5 Relevant court rulings

- LAC-judgment in *Lufil Packaging (Isithebe) v CCMA and others* (DA 8/2018) handed down on 13 June 2019
- ConCourt-judgment in *Allan Long v SAB and others* (CCT 61/18); (2019) 40 ILJ 965 (CC); 2019 (5) BCLR 609 (CC); [2019] 6 BLLR 515 (CC) handed down on 19 February 2019
- ConCourt-judgment on derivative misconduct in *NUMSA obo Nganezi and others v Dunlop Mixing and Technical Services (Pty) Ltd and others* (CCT 202/18); 2019 (8) BCLR 966 (CC); (2019) 40 ILJ 1957 (CC); [2019] 9 BLLR 865 (CC) handed down on 28 June 2019

- LAC-judgment in *Imperial Cargo (Pty) Ltd v DETAWU and another* (JA 164/2017) [2019] ZALAC 41; (2019) 40 ILJ 2499 (LAC) handed down on 13 June 2019
- LAC-judgment in *Pailprint (Pty) Ltd v NUMSA and others* (DA 18/2017) [2019] ZALAC 43; (2019) 40 ILJ 2047 (LAC) handed down on 13 June 2019

THE NATIONAL DEVELOPMENT PLAN (NDP) 2030

About the NDP

The NDP is a **plan to:**



Unite South Africans



Unleash the **energies** of its citizens



Grow an **inclusive** economy



Build capabilities



Enhance the capabilities of the state and leaders working together to **solve complex problems**



Outcomes

Economy and Employment

1

Preservation of jobs/employment security
Strengthening dispute resolutions mechanisms
Intensify dispute management and prevention

Economic Infrastructure

2

Environmental sustainability and resilience

3

Inclusive rural economy

4

Targeted interventions in increase the CCMA's presence in remote and rural areas

South Africa in the region and the world

5

Transforming human settlements

6

Strategic alignment and stakeholder management

Improving education, training and innovation

7

Labour market training and development initiatives

Healthcare for all

8

Social protection

9

Vulnerable groups targeted interventions
Outreach and awareness interventions

Building safer communities

10

Building a capable and developmental state

11

Service delivery, clean administration and good governance

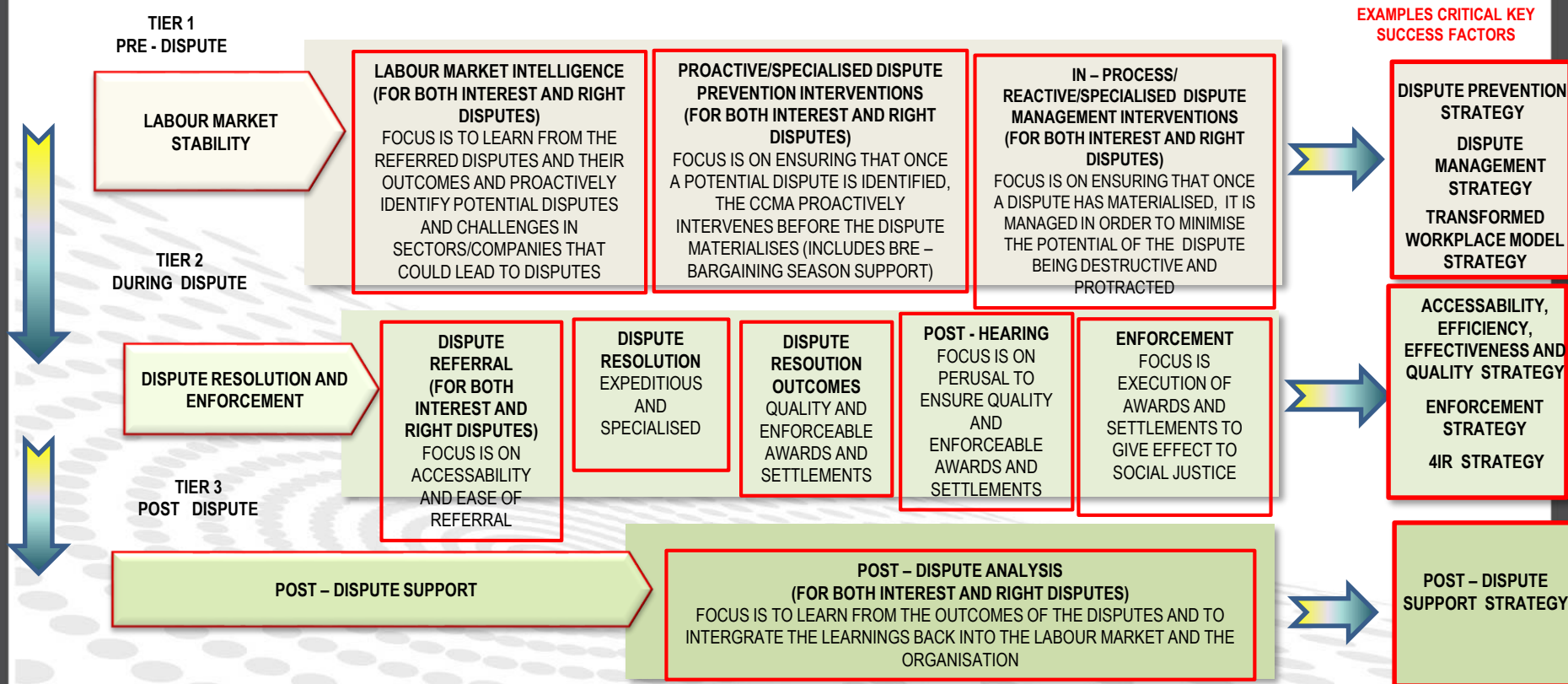
Fighting corruption

12

Nation-building and social cohesion

13

THE STRATEGIC FOUNDATION



SERVICE DELIVERY MODEL: PROMOTE ECONOMIC DEVELOPMENT AND LABOUR MARKET STABILITY

CALL/INFORMATION CENTRE TO DISSEMINATE INFORMATION

Leverage on strategic partners such as HSRC and CSIR for research and innovation
Utilise service providers such as Signal Risk for strategic forecasting

Implementation of the Dispute Prevention Strategy (leveraging on technology to increase accessibility) utilising Specialist Facilitators (Continuous training of Specialist Facilitators through various platforms leveraging on technology)

DISPUTE PREVENTION PROGRAMME

- Early warning and predictive systems to enable timeous and proactive dispute prevention and management
- Continuous environmental scanning and strategic forecasting (globally and nationally)
- Continuous research for innovation

LABOUR MARKET BUSINESS INTELLIGENCE

Outcomes in this regard will be injected into the CCMA as business intelligence for intervention development and organisational planning

- Development/updating of Dispute Prevention Programme and related training materials responding on the needs of the labour market based on the labour market intelligence
- Orientation of international companies entering South Africa as a result of FDIs
- Implement the COGP to mitigate strike action
- Implement bargaining support initiatives (pre, during and post)

- Development/updating of Dispute Management Programme and related training materials responding on the needs of the labour market and based on the labour market intelligence

DISPUTE MANAGEMENT PROGRAMME

Implementation of the Dispute Management Strategy (leveraging on technology to increase accessibility) utilising Specialist Facilitators (Continuous training of Specialist Facilitators through various platforms leveraging on technology)

POST – DISPUTE ANALYSIS

- Analysis of all awards and settlements to identify trends and labour market behavior
- Post dispute support and reconciliation processes
- Generation of learnings and injection into the organisational as part of business intelligence for organizational planning and intervention development
- Generation of learnings and injection into the labour market as white paper to influence legislative reform
- Certify workplaces as per the CCMA's transformed workplace model

ADVOCACY

Outreach and awareness on the following:

- Preventing Psychological Violence (including harassment, bullying and mobbing);
- Preventing physical violence and harassment;
- Preventing sexual harassment.
- Informal sectors and SMMEs;
- Identified vulnerable sectors;
- Constitutional right to equality, freedom of association and fair labour practices

IMPLEMENT MARKETING STRATEGY TO MARKET CCMA DISPUTE PREVENTION, MANAGEMENT AND ADVOCACY SERVICES AND PRODUCTS

SERVICE DELIVERY MODEL: DISPUTE RESOLUTION AND ENFORCEMENT

STATE OF THE LABOUR MARKET DISPUTE RESOLUTION INCLUSIVE OF THE CCMA AND BARGAINING COUNCILS/PRIVATE AGENCIES (INTEGRATED CASE MANAGEMENT SYSTEM)

DISPUTE REFERRAL

DISPUTE OF INTEREST (MEDIATION AND ARBITRATION)

DISPUTE OF RIGHT
(CONCILIATIONS AND ARBITRATION)

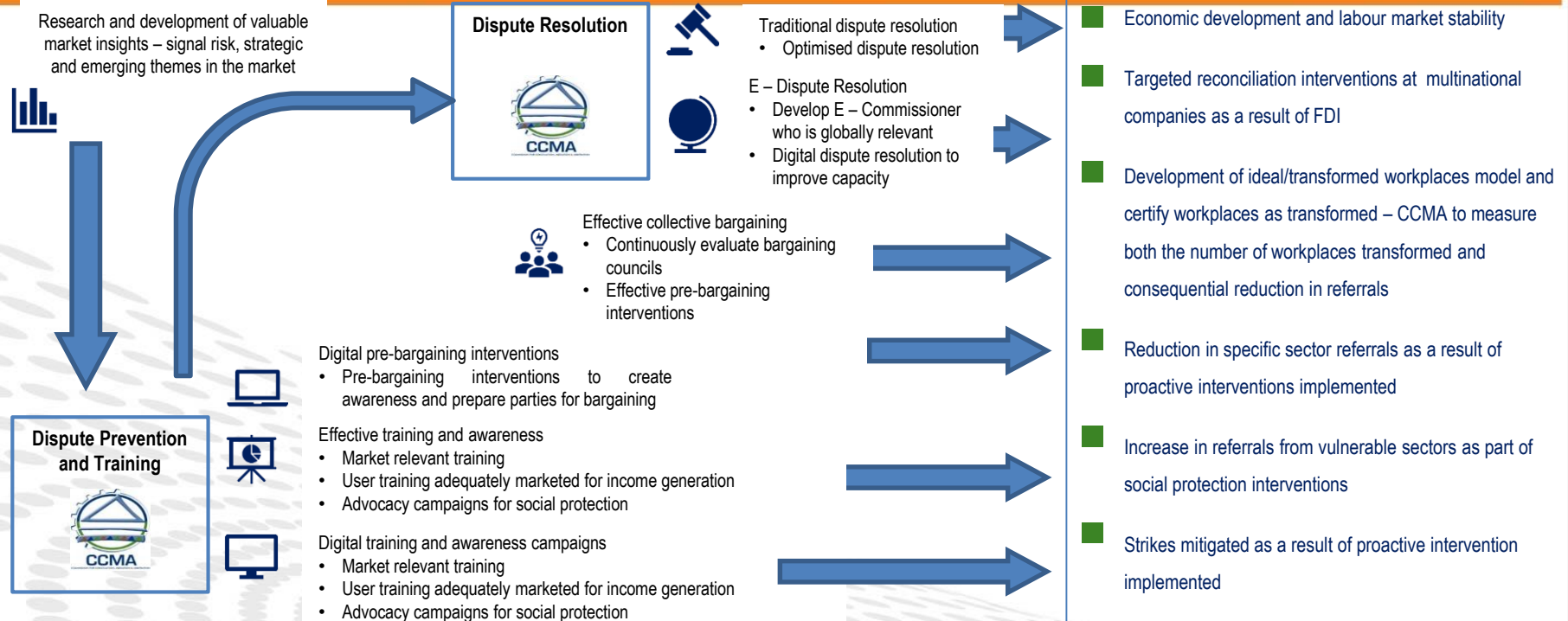
RETRENCHMENTS
(TERS/JOB SAVINGS)

OUTCOMES
(AWARDS, ADVISORY ARBITRATION AWARDS AND SETTLEMENT AGREEMENTS)

POST – HEARING
(QUALITY CONTROL OF AWARDS AND RULINGS TO LIMIT APPLICATIONS FOR REVIEW, RESCISSION AND VARIATION)

ENFORCEMENT
(ADVANCE SOCIAL JUSTICE AND LABOUR PEACE BY FACILITATING THE ENFORCEMENT OF AWARDS)

INTERPLAY BETWEEN DISPUTE PREVENTION AND RESOLUTION



LABOUR MARKET IMPACT

COLLABORATION AND INTERGRATION

- Collaboration and integration to get research information and increase dispute prevention capacity
- Collaboration to maximise impact of collective bargaining and dispute resolutions

EFFECTIVE OPERATING MODEL

- Create a conducive environment for successful strategy implementation, operational excellence and innovation whilst ensuring organisational sustainability and adherence to good governance
- Develop human and organisational capacity towards building a world class institution

NATIONAL IMPACT

- Labour peace and stability
- Job preservation and job creation
- Economic development
- Nation-building and social cohesion

STRATEGIC FOCUS

❑ THE GOAL

Towards labour peace and equity.

❑ VISION

A world – class institution that promotes labour market stability, social justice and job security.

❑ MISSION

To give effect to everyone's Constitutional rights and freedom.

❑ VALUES

Respect, Excellence, Accountability, Diversity, Integrity and Transparency.

STRATEGIC PILLARS



01

- Optimise the organisation



02

- Enhance labour market stability



03

- Support strategy implementation and good governance

EXPLANATION OF THE THREE (3) STRATEGIC PILLARS

Strategic Pillar Name	Strategic intent
Optimise the organisation	This strategy retains the internally – focused strategic imperative of realising a high – performing organisation. This includes organisational configuration to respond to the changing needs of the labour market to enable the CCMA to improve its effectiveness and efficiency. The organisational structure must be purpose – fit to support the delivery of the strategy, with its staff being continuously supported and capacitated to deliver service excellence. Furthermore, the organisation will need to embrace technological advancement brought about by the 4IR, both as a dispute resolution organisation and as an employer. The CCMA will need to equip itself, via infrastructure and human resources, with the requisite skill-set to meet the requirements of the changing nature of work, whilst remaining relevant and accessible to vulnerable groups
Enhance labour market stability	This strategic pillar will be grounded by the CCMA's proactive and relevant labour market interventions. Leveraging on strategic forecasting and anticipatory risk, the CCMA will deploy anticipatory mechanisms for appropriate interventions aimed at DMP in order to stabilize the labour market. This strategic pillar is also focused on ensuring that a post-dispute-analysis is conducted in order to generate labour market intelligence and influence legislative reform, on democratization and transformation of workplaces. This strategic pillar is also focused on ensuring that a post-dispute-analysis is conducted in order to generate labour market intelligence and influence legislative reform. This pillar is also concentrated on democratization and transformation of workplaces. This strategic pillar also includes all special mediation interventions, advisory services, support and special projects, in support of national priorities.
Support strategy implementation and good governance	Focus is oriented on supporting organizational service excellence to support the achievement of the strategic intent. It is important that the organisational priorities mirror service offerings and standards based on sound governance principles and in compliance to all applicable legislative and policy imperatives. To support strategy implementation and service excellence, strategic forecasting and anticipatory risk will be emphasised in order to ensure that proactive and relevant labour market interventions are delivered in a timeous manner, and that the CCMA is responsive to the needs of the labour market. Strategic partnerships and collaborations will be intensified for synergised efforts in solving common challenges and for greater impact. The building and sustaining of strategic alliances is in recognition of the fact that the solutions to the socio – economic challenges confronting the labour market often require more than one form of intervention and to resolve.

PROGRAMMES TO SUPPORT THE STRATEGIC PILLARS

01

High
performance
institution



02

Proactive and
relevant labour
market
intervention



03

Special
interventions
and support



04

Efficient and
quality
dispute
resolution and
enforcement
services



05

Effective
strategy
management
and
governance



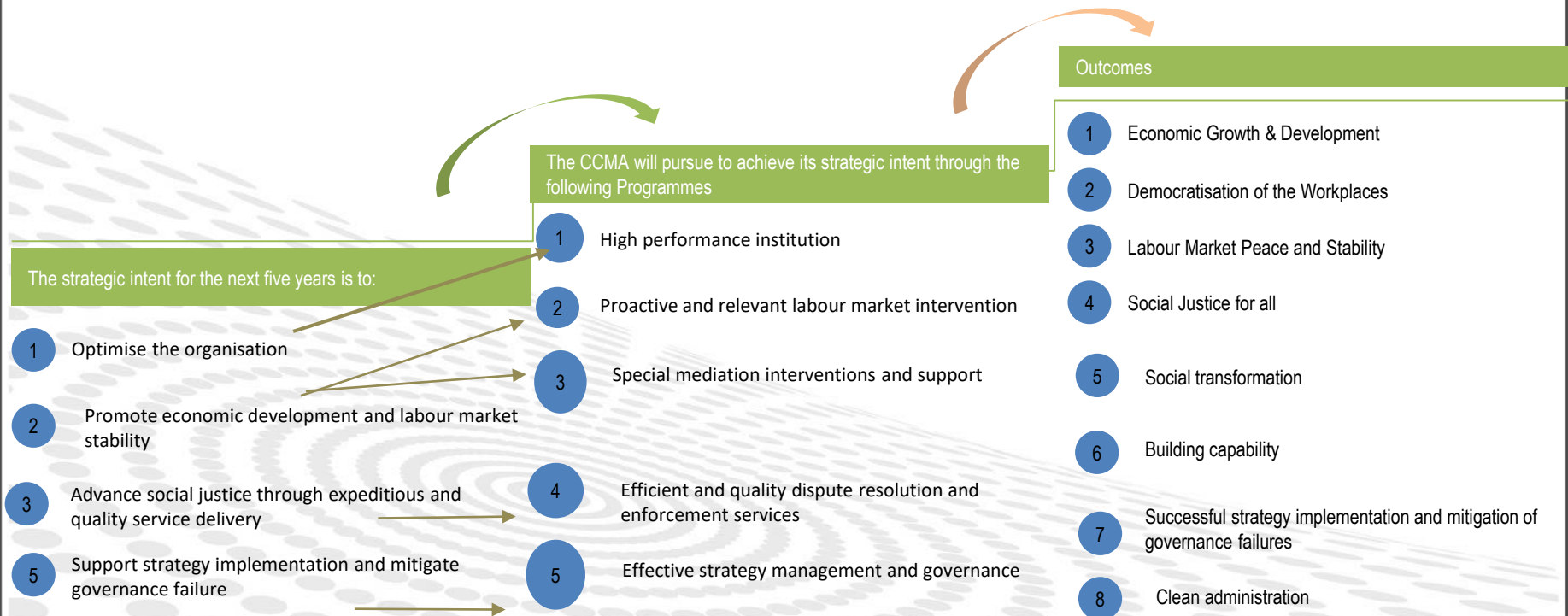
PROGRAMMES TO SUPPORT THE STRATEGIC PILLARS....(CONT...)

PROGRAMME NAME	PROGRAMME PURPOSE
High performance institution	The CCMA. to successfully deliver on its objectives through a cohesive, well – structured organisation, in which people, processes and systems perform optimally. As a publically accountable entity, focus will continue to be on a clean administration and resource optimisation. Focus is the development of human and organisational capacity towards building a world class institution. This requires a series of strategic human resource interventions aimed at attracting, developing and retaining talent. By its very nature, the CCMA is an information intensive organisation, requiring strong, reliable and integrated Information Management Systems, underpinned by the best in range IT platforms, leveraging on opportunities presented by the 4IR to sustain a high performing institution.
Proactive and relevant labour market intervention	Respond appropriately and timeously to labour market developments through focused proactive and reactive labour market interventions for successful dispute prevention and management and workplace transformation whilst promoting and supporting dialogue, democratisation, best employment practices and relationship building in workplaces
Special interventions and support	Respond to special mediation and arbitration requests that support economic development and labour market stability
Efficient and quality dispute resolution and enforcement services	Advance accessible, efficient and quality resolution and enforcement mechanisms. To sufficiently address the growing inequality in the labour market due to external factors changing the nature of work, a proactive approach to the advancement of social justice is required in order to adequately maintain social cohesion, contribute to labour peace and human advancement and progress. The CCMA will focus on initiatives that will ensure increased and effective access to the CCMA in vulnerable areas and amongst vulnerable groups through collaboration with strategic partners and increased access point, as well as initiatives that will enhance the efficiency of service delivery, quality of settlements and enforceability of awards.
Effective strategy management and governance	Provide a catalytic environment for successful strategy implementation, operational excellence, innovation and good governance

STRATEGIC INITIATIVES PER PROGRAMME

PROGRAMME	PLANNED STRATEGIC INITIATIVES
High performance institution	<ul style="list-style-type: none"> Enhance financial viability for organisational sustainability Improve organisational culture in a bid to make the CCMA an employer of choice Improve employee turn-over rate Concentrate on Talent and Succession Planning Reform and modernise the organisation through technology Implement internal programmes that support the environment and contributes to climate change initiatives
Proactive and relevant labour market intervention	<ul style="list-style-type: none"> Targeted workplace interventions through the implementation of the CCMA's Dispute Management and Prevention strategy Collective Bargaining facilitation processes conducted with strategically identified Users Social protection through social dialogue, advocacy and outreach Capacitate, train and build knowledge and skills in the labour market Offer support and advisory services to the labour market as and when required Promote democratisation and best employment practices in workplaces in order to transform workplaces
Special interventions and support	<ul style="list-style-type: none"> Continue to support the Presidential TERS Implement phase 2 of the CCMA/BUSA Webtool
Efficient and quality dispute resolution and enforcement services	<ul style="list-style-type: none"> Comply with legislative prescripts in dispute resolution Improve access to CCMA services Improve the quality of service delivery Intensify employment security measures Better support to Bargaining Councils and Agencies Implement the CCMA's Enforcement Strategy Improve the effectiveness and efficiency of the ESC legislated mandate Proactive intervention with the aim of promoting effective dispute resolution in essential services Conclude the review of old designations Ensure that assist parties, when negotiating Minimum Service Agreements (MSAs), would continue to direct parties to conclude MSAs when making new designations Develop programmes and interventions to ensure protection of the vulnerable and promote accountable, aimed at promoting behavioural change amongst the role players in essential services Create awareness to the beneficiaries of essential services, in order to promote accountability on the part of the providers of essential services.
Effective strategy management and governance	<ul style="list-style-type: none"> Generation of business intelligence through continuous environmental scanning (strategic hindsight and foresight) to keep abreast of changing nature of work to enable appropriate response and impact by the organisation) Embed good governance in order to protection of organisational value by mitigating governance failure, anticipate and respond to the changing contextual environment and legislative reforms and achieve a clean administration Better anticipate strategic risks to enable the organisation to mitigate timeously Ensure the organisation compliances to all applicable legislation and policies Intensify strategic partnerships and alliances to support strategy delivery

LINK BETWEEN THE STRATEGIC PILLARS, PROGRAMMES AND OUTCOMES



2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 1: HIGH PERFORMANCE INSTITUTION

Outcome	Outputs	Output Indicators	2020/21 Annual target	Reporting period
1.1. Enhance financial viability for organisational sustainability	1.1.1. Sustainable and well-resourced organisation	1.1.1.1. Percentage of net surplus achieved	1%	Annually
		1.1.1.2. Ratio of safety to cash margins achieved	3:6	Annually
1.2. Improved employee turn-over rate	1.2.1. Improved Human Resource Management	1.2.1.1. Percentage of Human Resources Plan implemented	100%	Annually
1.3. Improved ICT Service quality	1.3.1. Improved efficiencies	1.3.1.1. Percentage automation and integration of case disbursement (Dispute Resolution Processes) deployed	25%	Annually
		1.3.1.2. Percentage of uptime ICT critical systems implemented	85%	Annually

2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 2: PROACTIVE AND RELEVANT LABOUR MARKET INTERVENTION

Outcome	Outputs	Output Indicators	2020/21 Annual Target	Reporting Period
2.1.Enhanced dispute management and prevention	2.1.1. Orderly Collective Bargaining Processes	2.1.1.1. Number of Collective Bar- gaining Sup- port Processes conducted for strategically identified users	6	Annually
		2.1.1.2. Number of pre – Collective Bargaining Conferences conducted for strategically identified users	3	Annually
2.2. Improved workplace relations	2.2.1. Engaged workplaces	2.2.1.1. Number of targeted workplaces engaged	12	Annually
		2.2.1.2. Number of vulnerable sector projects and delivered to targeted users	12	Annually
		2.2.1.3. Positive rating on the post intervention survey attained	60%	Annually

2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 2: PROACTIVE AND RELEVANT LABOUR MARKET INTERVENTION (CONT...)

Outcome	Outputs	Output Indicators	2020/21 Annual Target	Reporting Period
2.3. Effective essential services dispute management, prevention and resolution	2.3.1. Improved essential service dispute resolution and compliance	2.3.1.1. Number of interventions conducted to promote effective dispute resolution in essential services	15	Quarterly
		2.3.1.2. Number of stakeholders engaged to make inputs on legislative changes	4	Quarterly
		2.3.1.3. Number of interventions conducted to ensure that there are minimums to be maintained during industrial action in essential services	126	Quarterly
		2.3.1.4. Number of Essential Service Designations, Mini- mum Services Agreements, Minimum Service Determinations and/ or Maintenance Service Determinations monitored for compliance and observance	8	Quarterly
		2.3.1.5. Number of awareness sessions on essential services designation conducted	12	Quarterly

2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 3: SPECIAL INTERVENTIONS AND SUPPORT

Outcome	Outputs	Output Indicators	2020/21	Reporting Period
3.1. Effective support to Presidential projects	3.1.1. Contribution to Presidential priorities	3.1.1.1. Percentage of ERS applications processed	100%	100%
		3.1.1.2. Phase 2 of the CCMA/BUSAWeb Tool implemented	100%	100%

2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 4: EFFICIENT AND QUALITY DISPUTE RESOLUTION AND ENFORCEMENT SERVICES

Outcome	Outputs	Output Indicators	2020/21 Annual Target	Reporting Period
4.1. Improved service quality	4.1.1. Resolved disputes	4.1.1.1. Percentage of conciliable cases heard within 30 days at first event (excludes agreed extensions, where certificates were issued, out of jurisdiction cases/withdrawn/ settled by parties cases prior to the matter being scheduled, no process cases and cases which are not conciliable or where conciliation is not first process)	98%	Bi-Annually
		4.1.1.2. Percentage of arbitration awards rendered sent to parties within 14 days of the conclusion of the arbitration proceedings (excludes extensions granted and heads of arguments filed)	98%	Bi-Annually
		4.1.1.3. Percentage of disputes of interests resolved	58%	Annually
		4.1.1.4. Percentage of Section 71 of the LRA Act cases conducted (as and when referred)	100%	Annually
		4.1.1.5. Percentage of Section 73 of the LRA Act cases conducted (as and when referred)	100%	Annually
		4.1.1.6. Percentage of Section 75 of the LRA Act cases conducted (as and when referred)	100%	Annually
		4.1.1.7. Number of self-initiated cases conducted in order to determine whether or not the whole or a part of any service is an essential service	2	Bi-Annually
	4.1.2. High quality of services rendered	4.1.2.1. Quality of awards index achieved	98%	Annually

2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 4: EFFICIENT AND QUALITY DISPUTE RESOLUTION AND ENFORCEMENT SERVICES (CONT...)

Outcome	Outputs	Output Indicators	2020/21 Annual Target	Reporting Period
4.2. Improved access to CCMA services	4.2.1. Improved access and knowledge of CCMA services	4.2.1.1. Number of Users who access CCMA services from identified sectors reached	70 760	Annually
		4.2.1.2. Percentage of advocacy campaign plan implemented	100%	Annually
4.3. Improved compliance with arbitration awards	4.3.1. Improved compliance	4.3.1.1. Percentage of Section 143 in applications issued	2%	Annually
4.4. Jobs Saved	4.4.1. Averted job losses	4.4.1.1. Percentage of jobs saved compared to employees likely to be retrenched as per the cases referred to the CCMA	35%	Annually
		4.4.1.2. Return to Work index achieved	10%	Annually
4.5. Reduced potential for industrial action	4.5.1. Reduced labour market volatility	4.5.1.1. Percentage of mutual interest matters settled	58%	Annually

2020/21 APP PERFORMANCE INDICATORS AND TARGETS: PROGRAMME 5: EFFECTIVE STRATEGY MANAGEMENT AND GOVERNANCE

Outcome	Outputs	Output Indicators	2020/21 Annual Target	Reporting Period
5.1. Optimised governance level	5.1.1. Generation of business intelligence	5.1.1.1. Number of strategic forecasting and situation- al analysis conducted	1	Annually
		5.1.1.2. Number of impact assessments conducted	N/A	N/A
	5.1.2. Good governance	5.1.2.1. Percentage of the Compliance Management Plan implemented to sustain level 5.00 compliance maturity	100%	Annually
		5.1.2.2. Percentage of the Governance Plan implemented to achieve a level 3.00 governance maturity level	100%	Annually
		5.1.2.3. Percentage of the Risk Management Plan implemented to sustain level 5.00 risk maturity level	100%	Annually
	5.1.3. Leveraged strategic partnership	5.1.3.1. Number of service delivery enabling projects in collaboration with relevant strategic partner(s) identified and implemented	1	Annually

CONTRIBUTION TOWARDS NDP 2030 PRIORITIES

1. Economy and Employment

- Preservation of jobs/employment security
- Strengthening of dispute resolution and enforcement mechanisms
- Intensifying dispute management and prevention

4. Inclusive rural economy

- Increasing the CCMA's accessibility and presence in remote and rural areas

5. South Africa in the region and the world

- Establishment and leveraging of strategic partnerships

7. Improving education, training and innovation

- Facilitation of labour market training and capacity building

9. Social protection

- Implementation of advocacy and outreach activities specific to vulnerable groups

11. Building a capable and developmental state

- Optimisation of the organisation

12. Fighting corruption

- Ensuring maximum service delivery, successful strategy implementation, clean administration and adherence to principles of good governance

13. Nation-building and social cohesion

- Promotion of labour labour peace and equity

CONTRIBUTION TOWARDS THE MTSF PRIORITIES

01

Capable, ethical and
Developmental
State

02

Economic
transformation
and job
creation

03

Education,
skills and
health

04

Consolidating
social wage
through
reliable and
basic service

06

Social
cohesion,
Safer
Communities

07

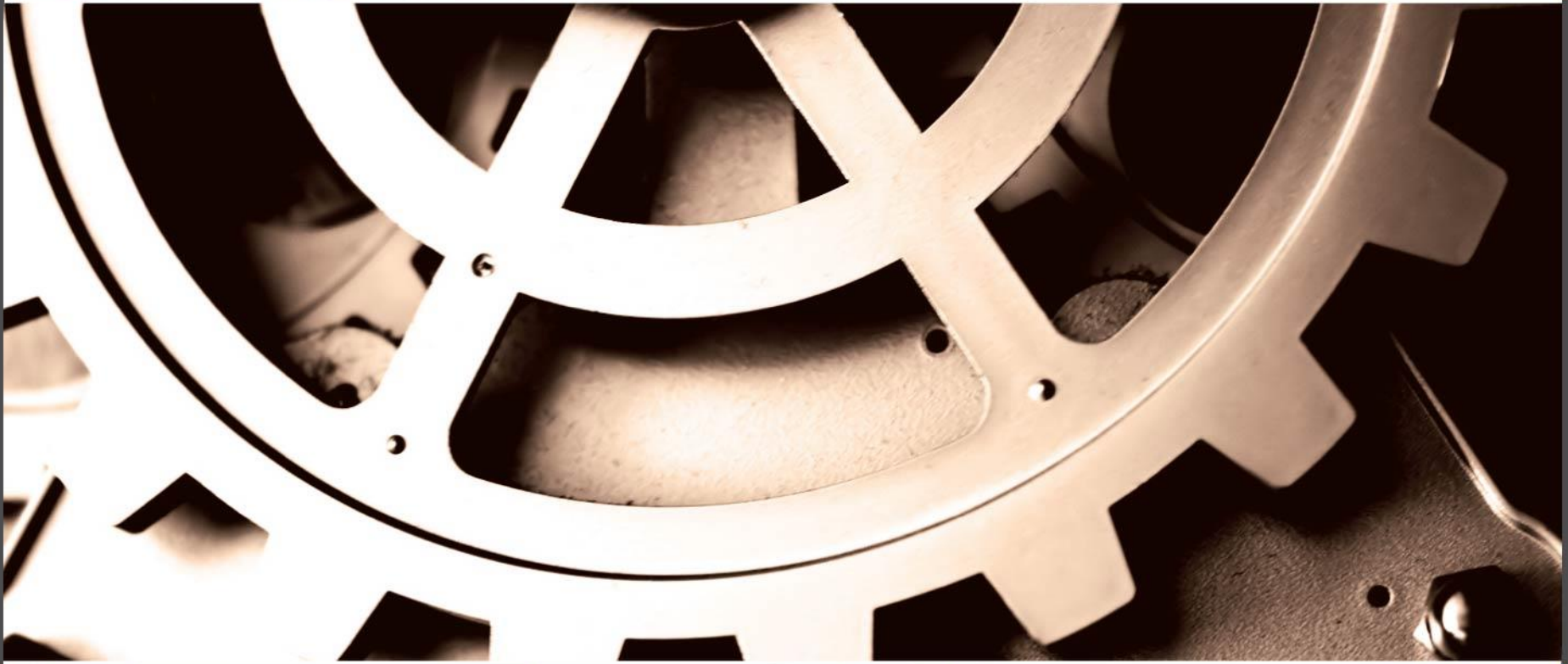
A Better
Africa and
a better
world

2020/20 ANNUAL BUDGET: DEVELOPMENT PROCESS AND CONSIDERATIONS

- ❑ The budget was prepared in line with the MTEF Guidelines issued by National Treasury, as well as the Annual Performance Plan to ensure that is supported by adequate
- ❑ The 2019/20 actual expenditure were utilised for the determination of baseline information, with year on year increments strived for
- ❑ Budget Controllers were engaged for budget inputs in line with the Operational Plans and the Annual Procurement Plan projects that supports the execution of the Annual Performance Plan
- ❑ The 2020/21 CCMA budget and organisational structure are aligned to the successful implementation of the 2020/21 APP
- ❑ The Executive Committee, Audit and Risk Committee and the Governing Body of the CCMA have considered and approved the CCMA's 2020/21 Annual Budget.

OVERVIEW OF THE 2020/21 BUDGET AND MTEF

CCMA PROGRAMMES	Audited Outcome		Approved Budget	Medium-Term Estimate		
<i>R thousand</i>	2017/18 (R'000)	2018/19 (R'000)	2019/20 (R'000)	2020/21 (R'000)	2021/22 (R'000)	2022/23 (R'000)
PROGRAMME 1: High Performance Institution (Administration)	447 909	485 811	500 814	537 036	566 755	587 518
PROGRAMME 2: Proactive and relevant labour market intervention	33 850	30 928	37 097	25 597	27 013	28 019
PROGRAMME 3: Special mediation interventions and support	8 290	8 477	16 399	12 550	13 245	13 738
PROGRAMME 4: Efficient and quality dispute resolution and enforcement services	365 862	424 781	395 490	429 591	453 351	470 238
PROGRAMME 5: Effective strategy management and governance	29 551	36 668	53 377	49 682	52 429	54 382
TOTAL	885 462	986 665	1 003 176	1 054 457	1 112 792	1 153 896



THANK YOU