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| **COSATU Submission:****Employment Equity Amendment Bill****05 March 2021** |
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**Submitted to:****Portfolio Committee: Labour****National Assembly****Republic of South Africa** |

1. **Introduction**

COSATU welcomes and supports in full the Employment Equity Amendment Bill. We participated in its deliberation at Nedlac in 2018/19.

It is a progressive Amendment Bill that will further strengthen government to achieve the progressive targets of the Employment Equity (EE) Act.

COSATU’s support is based upon the following provisions in the Bill.

1. **Linkages with National Minimum Wage (NMW) Commission**

The provisions linking the EE Act to the NMW Commission and Act are important to ensure synergy and that to hold employers accountable for their compliance with the NMW Act.

1. **Disabilities**

The expansion of the definition of disabilities to include intellectual and sensory is correct and long overdue.

1. **Sectoral Targets**

The empowerment of the Minister to set economic sectoral targets is critical as sectors are not uniform. Whilst some have made progress in achieving their targets, other remain notorious for their failure to do so.

The provisions allowing the Minister to further specify targets according to occupational, regional and sub-regional needs is further welcomed. Particular occupational strands often remain laggards e.g. low skilled jobs or managerial positions.

Equally it is important for targets to take into account regional and sub-regional demographic diversity. South Africa is a diverse nation and this is often linked to geography. A blanket uniform approach does not work and one size fits all targets can cause social strife.

The provisions requiring the Minister to engage when setting targets with the Employment Equity Commission will help to ensure targets are thoroughly considered beforehand.

1. **Employer Consultation with Trade Unions**

The provisions requiring employers to consult trade unions are welcomed and will help strengthen collective bargaining and encourage labour market stability.

1. **Annual Reports**

COSATU welcomes the provisions requiring employers to report on matters related to collective bargaining, compliance with the NMW Act and its provisions as well as sectoral determinations. This will help to support compliance with these progressive and statutory obligations.

1. **Labour Inspectors**

COSATU supports the provisions empowering labour inspectors to enforce compliance by the employers with the EE Act. This is critical to ensuring that inspectors are fully empowered and to ensure that recalcitrant employers are held accountable.

1. **Conclusion**

COSATU supports the Employment Equity Amendment Bill. It is progressive and will assist in seeking to address the legacies of discrimination.

It is fair and rational and empowers the state to deal with obstinate employers. Equally it allows for regional diversity which is a matter requiring sensitivity.

COSATU urges Parliament to prioritise and pass this Bill as soon as possible. It has taken many years to reach Parliament. It should not be delayed any further.

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