**UNREVISED HANSARD**

**MINI PLENARY - NATIONAL ASSEMBLY TUESDAY, 9 MAY 2023**

**VOTE NO 31 – EMPLOYMENT AND LABOUR**

***PROCEEDINGS OF MINI-PLENARY – COMMITTEE ROOM M46***

Members of the mini-plenary session met at Committee Room M46 at 14:00.

House Chairperson Mr M L D Ntombela took the Chair and requested members to observe a moment of silence for prayer or meditation.

# APPROPRIATION BILL

Debate on Vote No 31 – Employment and Labour:

The MINISTER OF EMPLOYMENT AND LABOUR: Hon Chairperson and members of this House, the Ministers and Deputy Ministers present, the senior managers of the department and its entities, ladies and gentlemen, well upfront the priorities of this department this year and during the 6th Administration are on employment, the job creation and preservation

strengthening social dialogue for inclusive growth and transformation ... [Interjections.] ...

Ms R M M LESOMA: ... hon Chair, my apologies hon Minister, if the Minister can be requested to lower the microphone towards his mouth. Thank you.

*IsiXhosa*:

UMPHATHISWA WEZENGQESHO NEMISEBENZI: Yho! Xa ndiqala ukuqhuba nentetho.

*English*:

... strengthening social dialogue for inclusive growth and transformation and decent work, that is health and safety and equity in the workplace. Too massive milestones in the form of the ... [Inaudible.] ... and employment equity amendments received presidential assent in April this year fitting just ahead of May the workers’ month. On employment with the expansion of the mandate in 2019 and the need to reconfigure as employment and labour, department’s focus has been strengthened in regards to job creation and retention in particular the youth employment.

This has been done against the backdrop of the difficult economic conditions both nationally and internationally. Although the economy is showing early signs of rebound, the rate of recovery falls far short of what is required to create sustainable jobs for the most vulnerable in the country, particularly the youth and people with disabilities and African Women. The unemployment rate remains high at 32,7% as at quarter 4 of 2022. One glimmer of light there was an increase of 86 000 in the number of the employed youth during the same.

From the side of the department in order to contribute to the alleviation of unemployment, the Unemployment Insurance Fund, UIF’s labour activation programme will continue to fund projects to maintain and create employment. The Temporal Employer/Employee Relief Scheme, TERS, normally administered through the Commission for Conciliation, Mediation and Arbitration, CCMA, will continue to provide support to the distressed companies that seek to retain their employees. The employability enhancement programme is designed to integrate unemployed people back to or into the labour market.

About 240 000 people will be recruited by the end of the NTSF. The business turnaround and recovery programme implemented through the productivity SA enhances the productive capacity and operational efficiency of the enterprises in order to preserve jobs and minimise retrenchments. In the 2023-2024 financial year, we have consistently achieved what is needed and what is necessary and the number of new youth employment projects will be launched from June across all the provinces.

We have ensured that 50% of all opportunities and subsequent employment goes to women and the youth. The department will closely monitor the implementation and performance of funded labour activation projects. The Unemployment Insurance Fund, UIF, is currently further increase support for job creation. The UIF will continue to pursue the objectives of the

5 billion partnership with the Industrial Development Co- operation in creating and retaining jobs. The fund supports startups and existing businesses. Productivity SA continues to promote employment growth and productivity through the competitiveness improvement services which we call the CIS.

Over the past three financial years the competitiveness improvement services, CIS, programme provided support to

*small, medium and micro enterprises,* SMMEs, in both formal and informal economy and consistently achieved the 100% performance on its planned targets. We are now beginning to see the positive results in the turnaround strategies and labour education programmes. About 186 companies facing economic distress were supported and these interventions resulted in nearly 16 000 jobs being retained.

It is now mandatory for every business that receives assistance from the Temporary Employer/Employee Relief Scheme to implement the business turnaround and recovery programme. In this way, we have created synergy between our financial and nonfinancial instruments aimed at job preservation. It is important to flag that the reconfiguration of the department will strengthen the focus on improved productivity as key to growth and jobs. Productivity South Africa aims to support

37 250 enterprises, placed 1 250 students and youth contributed total of 113 000 jobs over five years’ period. Oiling the wheels of the labour market, the department will launch the upgraded Employment Services system of South Africa which we call, ESSA.

This will make it easier for work seekers to access employment opportunities. The department will also offer more than 200 unemployed graduates an internship opportunity this year extending the programme that was started during the last financial year. These internship programmes are offered by the departments across government at every level. Don’t just look at these 200. It is across departments at every level.

Supported Employment Enterprises, SEE, as part of the legislative mandate will increase employment of people with disabilities and these factories from the current 940 to 1 250 during the current year.

The department will also provide subsidies to 9 organisations that will provide work opportunities to 1 041 workers with disabilities. Focusing on the unemployed youth the department in partnership with the presidency and government technical advisory center, will contribute or will continue to support the development of the pathway management network bringing together multiple online networks of training and employment opportunities also providing support to unemployed youth through the establishment of the innovation fund and support through the national youth service.

On decent work policy and legislation even as the department seeks to leverage its resources to support the job creation and retention we do not lose sight of our traditional mandate to regulate the labour market and the labour relations with the objective of strengthening decent work and conditions conducive to a stable labour market and growth. Policy and legislative priorities during the administration include the national labour migration policy, a draft has been developed by the department in line with the decision of the Ministers of Employment and Labour in the *Southern African Development Community,* Sadc, region. The draft policy recognises the legitimate expectations of South Africans at the same time aligned to the constitutional requirements international law and international agreements.

This draft National Labour Migration Policy and supporting Employment Services Amendment Bill were approved by the Cabinet for public comment in February 2022. So, the department appreciates all the organisations that submitted comments. The policy has been revised accordingly and we are currently engaged in Nedlac stakeholders on the document. The policy forms part of the broader National Employment Policy Intervention. The National Employment Policy which is part of

our legislative amendment, the department in conjunction with the International Labour Organisation, ILO, has developed a draft National Employment Policy to address the country or to address the country’s persistent high unemployment or levels of unemployment to realise the following outcomes amongst others, an inclusive employment growth trajectory for demand side employment growth; harmonious and co-ordinated implementation of all policy activities and plans across government with a direct and indirect bearing of employment and creation; to significantly reduce the unemployment rate and increase the levels of labour force participation by 2030.

So, the draft policy is guided by key policy interventions which are being shared during the consultation with the economic departments before it is presented at the economic cluster and Cabinet. The National Minimum Wage was designed to reduce inequality in the National Labour Market and to establish a threshold for workers’ remuneration. It is a living document but has already benefited about 6 million workers. These workers are generally unorganised and vulnerable to exploitation.

For the past three years the National Minimum Wage level has been adjusted to maintain its value relative to the inflation. Furthermore, the minimum wage for the farm sector was equalised with the general National Minimum Wage in 2021. The minimum wage in the domestic sector was equalised in 2022. and The National Minimum Wage Commission monitors the impact of the National Minimum Wage on employment and wages. The large scale job losses foretold by the naysayers has not happened because of the National Minimum Wage.

For marginal employers who genuinely cannot pay they can apply for the exemption. That is very true. The labour law amendments - and have reported this to Parliament that my department has tabled the labour law proposals to Nedlac for negotiations. The desire of my department is to conclude these amendments as soon as possible given the thrust of these amendments which are intended to contribute to job creation and ease of doing business especially for small businesses.

However, you will not get this thing that the labour market in South Africa is rigid because there is nothing like that in terms of research even internationally. As part of the routine activities to strengthen decent work for 2021 my department

extended 24 collective agreements to nonparties covering only the quarter million employees in different sectors. These agreements cover wages, social security benefits, working conditions and improving livelihood of vulnerable employees and their families. The amendments to the employment equity which some hated most have received presidential assent. Self- regulation for 25 years by the employers has not succeeded in significantly shifting the demographic of the employment particularly in the higher echelons of business to the cost of the African Coloured people living with disabilities but we see people continue to defend the apartheid benefits.

The amendment provides for the Minister in consultation with the stakeholders and underline, in consultation with stakeholders to set sectoral targets and ensure that noncompliant businesses will not do business ... [Muted.] ...

Mr N SINGH: Chairperson.

An HON MEMBER: We do not know whether we are frozen or what? We can’t hear anything.

An HON MEMBER: There is no sound.

Mr N SINGH: Hon Chairperson, sorry to intervene.

The HOUSE CHAIPERSON (Mr M L D Ntombela): Yes.

Mr N SINGH: No sound from the committee room.

An HON MEMBER: Indeed, Presiding Officer we ... [Inaudible.]

...we locked Minister Nxesi. Please, attend to that.

The HOUSE CHAIPERSON (Mr M L D Ntombela): The information and communication technologies, ICT, will attend to that.

The MINISTER OF EMPLOYMENT AND LABOUR: Should I continue, Chair?

The HOUSE CHAIPERSON (Mr M L D Ntombela): I doubt.

An HON MEMBER: We can hear now.

*IsiXhosa*:

UMPHATHISWA WEZENGQESHO NEMISEBENZI: Umele ukuba uyibambile ke le mizuzu yam.

*English*:

... on the equal opportunity in the labour market which is at the core of the decent work and work transformation or work- based transformation. The Occupational Health and Safety Amendment Bill is due for completion by September 2023 for engagement with Nedlac. We trust that proposed steep fines will curb the high levels of noncompliance by some employers. Remember, the object here is to reduce workplace accidents and diseases which in turn also increases productivity which is necessary for economic growth.

The President assented for the compensation for injuries, I mean, compensation for Occupational Injuries and Diseases Amendment Bill on 7 April 2023. The benefits include the inclusion of the domestic workers in the category of employees entitled to injury benefits. The introduction of rehabilitation and return to the work programmes to support the reintegration of injured workers with disabilities into the labour market. To enable the compensation fund to obtain the requisite resources for inspections of the workplaces and to develop preventative programmes with employers that will contribute to safer work places and reduce the number of injuries.

On social dialogue, the department and these entities led by Nedlac are also charged with strengthening the social dialogue. Last year this mandate focused on the establishment of the new social compact. Much was learnt from this process with the focus now on developing specific compacts by economic sector some which have been successfully concluded and these efforts are now focused on defined priority areas currently energy, transport and crime. Nedlac’s achievement in 2022-2023 include the incorporation of the presidential climate commission, the PCC, has a programme under National Economic Development and Labour Council, Nedlac.

The Nedlac convened 22 dialogue sessions focusing on issues such as the government budget planning, electricity generation, the occupational diseases in the mines and the work’s Act, the public employment schemes, food distribution to vulnerable groups and communities. The Nedlac reports were concluded on 10 Bills and policies. The new rapid response team focusing on the cost of living increases was set up. The Nedlac planned activities in 2023-2024 which include progress with the labor law reforms which focus on improving the effectiveness of the labour laws, as well as extending them to

typical workers and the emerging issues such as the future of work, remote work and just transition.

Inspection and enforcement, it is all very well to devise good policies and laws but they have to be implemented and enforced. The department’s inspection and enforcement services, that is labour inspectors, have been expanded and strengthened in the recent years particularly since the COVID-

19 pandemic resulting in over 100 000 health safety inspection in the last years. In relation to our employment equity laws our inspectors are currently focusing on the Johannesburg Stock Exchange, JSE-listed companies to ensure compliance.

*IsiXhosa*:

Ingxaku ke ngoongxowa-nkulu kuba kulapho ityiwa khona imali, abakufuni ukuthobela.

*English*:

For 2022-2023, we referred 238 companies to court for failure to comply and we have said the banking sector which refuses to transform. The national ... [Inaudible.] ... teams are conducting bids programmes focused on high risk and problematic sectors to ensure compliance with the National

Minimum Wage and the Basic Conditions of Employment Act. During the last year, the department carried out over 300 000 Inspections seeking to promote compliance and fair labour practice, decent work and safer work place.

The Inspection and Enforcement Services, IES, also seeks to realise the Durban call to action to combat child labour and to advance recommendation 204 which among others seeks to improve the rights and conditions of workers in the informal sector. The issue of accessing service good legislation and plans can also be compromised by inadequate accessing service. Historical and systemic challenges within the two funds; that is the compensation fund and the UIF are being addressed.

Relevant professional capacity has been sourced to strengthen the programmes to tackle the negative audit findings. For more fundamental and thorough going review of the systems architecture across the funds. These interventions will be strengthened during the current year.

Despite the challenges the funds continue to provide critical social security protection for workers. Through the UIF and the compensation funds which paid benefits of R4 billion in 2022-2023 financial year. The benefits consist of the monthly

pension salaries, funeral benefits and medical expenses. The compensation fund has developed a tertiary ... [Inaudible.]

... programme which is made for the dependants of the permanently and deceased injured workers. So, the UIF will strengthen the monitoring of its investment with the Public Investment Co-operation to ensure due diligence and fair returns.

We are also pleased to report significant progress in recovering COVID-19 Temporary Employee Relief Scheme, Ters, funds that were wrongly or fraudulently paid. The Special Investigating Unit, SIU, assets forfeiture unit, the Presidency Fusion Centres working with the UIF follow-the- money programme have recovered R61 million as of 31 March. There have been 60 arrests with 12 individuals including a Ms Moremi sentenced to 10 years’ imprisonment and Mr L P Gumede sentenced to 20 years. A large additional numbers are still under investigation. The law is coming.

Finally, I need to mention South Africa’s role as the presidency of Brazil, Russia, India, China and South Africa, BRICS, during the current year the second BRICS employment technical working group is meeting to prepare the BRICS Summit

to be hosted in South Africa in Durban later this year. The technical group is focussing to among others; on the relationship between productivity and employment.

Let me take this opportunity in closing to thank the Deputy Minister, the Director-General and the team for their commitment to hard work. What we will not do is to deny our weaknesses deep systemic problems of the two funds but we are on the way to addressing them. We have said it openly. So, the budget allocation to the department is R1 092 225 billion.

Obviously, I move Budget Vote 31.

Ms M L DUNJWA: Good afternoon hon Chairperson, hon Minister, Deputy Minister, Ministers that in the House, Members of this august House, our guests ...

*IsiXhosa*:

... nabasebenzi baseMzantsi Afrika uphela.

*English*:

We are gathered here today to discuss the committee observations for the Department of Employment and Labour Vote. The report clearly shows that, whilst there has been gains in

the creation of jobs, there is still a lot of work that needs to be done to address unemployment in our country.

The committee observed that the Quarterly Labour Force Survey for Quarter 4 of 2022 indicated that, 169 jobs were gained between Quarter 3 and Quarter 4. While the total number of persons employed was at 15,9 million in Quarter 4, however, the number of unemployed persons increased by 28 000 to

7,8 million in Quarter four of 2022. Thus the official unemployment rate decreased by 2% from 32,9 in Quarter 3 of 2022 to 32,7 in Quarter 4 of 2022. The committee acknowledged the slight decrease in the unemployment rate, but cannot ignore the fact that the number of unemployed persons is still staggeringly high.

Moving on to the budget allocation of the department. The committee notes that the budget has decreased from

R4,1 billion in 2022-23 to R4 billion in the 2023-24 financial year. The decrease in the total budget resulted from the decrease in the budget for the programme of Administration and Labour Policy and Industrial Relation Programmes. The administration budget decreased from R1,1 billion in 2022-23 to R1 billion in 2023-24 and the budget for Labour Policy and

Industrial Relations decreased from R1,37 billion to R1,34 billion.

In terms of economic classification, the budget for current payments decreased from R2,2 billion in 2022-23 to

R2,1 billion in 2023-24.

*IsiXhosa*:

Sihlalo, le ngxoxo-mpikiswano yethu namhlanje sithi masiyinikele kubasebenzi beli lizwe kuba kaloku siyenza emveni kokuba besikhe savuyisana nabo ngemini yabo ekuthiwa yiMay Day. Besivuya kunye nabo ...[Ngokungavakaliyo] ... nangenxa yokuba sikhululekile. Mabayazi abasebenzi baseMzantsi Afrika ukuba, aba balapha ngasekunene kum bathi imithetho yaseMzantsi Afrika ingqongqo, into ebangela ukuba batsho kukuba bafuna abasebenzi baphinde babuyele kwaFaro.

*English*:

Under apartheid, labour market was not free for black workers and regulated through the hated pass system, which was a violation of basic human rights.

*IsiXhosa*:

Ukuba awuzange ube ngumsebenzikwaye awuzange ube phantsi kwentamo elukhuni ...

*English*:

... you will not understand why it is important that workers in this country must understand and appreciate that this government, led by the ANC has ensured that regulations are being changed. We have got workers, men and women who perished fighting for the rights and fighting for just laws, which are to govern the labour space. Among those, if I can quickly relate is that, the Labour Relations Act of 1995, the Basic Conditions of Employment Act of 1997, the Employment Equity Act of 1998, the Occupational Health and Safety Act of 2004, the Employment Service Act of 2014 and the National Minimum Wage.

*IsiXhosa*:

Bayakhala xa uthetha ngayo Mphathiswa kuba kaloku baqhele ukubenza izicaka abantu bakuthi. Kodwa masibulele le komiti neli sebe kuba kuye kwapasiswa umthetho othi kubasebenzi abasebenza emakhitshini, uMongameli uye watyikitya kuTshazimpuzi wama-2023 ukuba nabo baziwe kwaye bafakwe ngokusemthethweni. Kaloku kukho umama owatshona echibini

lokuqubha endlwini yomlungu. Ukuba le nto ibuhlungu kangakha ibingenzekanga, abasebenzi abasisebenzelayo sisonke apha kule Ndlu bebengenakho ukuba babe bayawafumana amalungelo.

*English*:

We must on this occasion acknowledge the very important role played by the ANC government through the Minister and the department, that supported workers to Temporary Employee Relief Scheme, Ters during the COVID-19 pandemic to preserve jobs and support people. This is a caring government which is sensitive to the needs of the people ...

*IsiXhosa*:

... kuba kaloku eli sebe nakaloku nje siyayazi ukuba liyayilandela imali ...

*English*:

... which is following up on the money.

*IsiXhosa*:

Iinkampani zabahlobo babo aba bangasekunene kum bayabhala bathi banabesebenzi abalinani elithile bayinikwe imali kodwa bangaze bayise ebantwini. Ngoko ke siyabacela abasebenzi kunye

neenkokeli zabo ukuba ziyijonge le nto kwaye zibaxele. Le nto kuthiwa ngesiNgesi...

*English*:

... you name and shame. The ANC-led government has since the inception of democracy, supported a social compact between business, labour and government through National Economic Development and Labour Council, Nedlac. This has enabled peaceful development of the country in the comparison of the conflict during apartheid system. The social compact is also proving to benefit in relation to the implementation of the Economic Reconstruction and Recovery Plan, which is deep for its success on the work of all the social partners.

*IsiXhosa*:

Sihlalo, phambi kokuba ndiphelelwe lixesha, manditsho kuwe Mphathiswa ndithi, siyikomiti asixolanga kwaye iintliziyo zethu ziligazi kuba la maqumrhu mabini alandelayo elokuqala kusithiwa yi ...

*English*:

... Unemployment Insurance Fund, UIF and the Compensation Fund

...

*IsiXhosa*:

... ezingakhange ziyithi thaca ingxelo yazo zisenza singaphatheki kakuhle. Siyakucela ke, sinyanzelisa ukuba ukusukela namhlanje ...

*English*:

... within 30 days from today ...

*IsiXhosa*:

... siphinde sikubize ukuze uze kusixelela ukuba laa komiti ubuyisekile ukuze ikhangele ukuba kwenzeka ntoni ...

*English*:

... with the Compensation Fund ...

*IsiXhosa*:

... kumaxa indawoni kwaye yintoni eyingxubakaxaka kuba ngabantu bethu abasokolayo. Abahlobo babo ...

*English*:

... called the third parties ...

*IsiXhosa*:

... bayakhala bekhaliswa kukuba iyavalwa impompo. Noxa ivalwa nje impompo, siyaqonda ukuba zikhona izinto ezingahambanga kakuhle.

Siyicelela uxolo ke loo nto kubantu boMzantsi Afrika kuba noko lo rhulumente noxa kuthiwa akakhathali, noxa befuna ukuba yimbumba befuna ukusisusa esihlalweni zikhona izinto esizenzayo kwaye esisezakuzenza ezizakuqinisekisa ukuba abantu bakuthi baza kufumana inkululeko. Inkululeko yasemsebenzini yinkululeko ebaluleke kakhulu. Sihlalo ...

*English*:

... it is also critical to note that, departmental Programme 2 of Inspection and Enforcement Service is very important.

*IsiXhosa*:

Ibaluleke ngantoni le nto yala majoni? Le nto yala madoda nala mankazana angena ephuma ekhangela ukuba abaqeshi bayayilandela imithetho kusini na. Siyazi ukuba imali ayikho. Siyazi ukuba bambalwa, kodwa siyabacela abasebenzi neenkokeli zabo ukuba babe liliso neendlebe zokwenzekayo emisebenzini. Uyabona ke, umntu ongazange waphangela akasokuze ayazi le nto ndithetha

ngayo. Uza kuhleka xa kuthethwa ngokuba kwenzeke ntoni ngemali kuba kaloku akazange abe phantsi kwedyokhwe.

*English*:

Therefore, inspection and enforcement services need to address illegal labour practices in the country, which disadvantage workers.

*IsiXhosa*:

Siza kuthi ke ngexesha elifanelekileyo nanjengoko besikhe saphuma sabheka kwilizwe langaphandle eKenya, sithi thaca apha ingxelo ebonisayo ukuba sibone ntoni na kwaye yintoni esicinga ukuba kufuneka yenziwe. Siyavuya ke kuba xa ndikumamele uthi niza kuza apha kuthi nize kusixelela ukuba nindawoni ngoku nale mimiselo (regulations) ekufuneka siyijongile.

Abantu bakuthi mabangavumi. Masingamavumi singama-Afrika ukuba sohlulwe ngabantu abasafuna ukuba masihlupheke. Abantu abasafuna ukuba umntu omnyama abe sisicaka. Yiyo loo nto ngexesha elalibalulekile le-UDF kwakusithiwa ...

*English*:

... united we stand, divided we fall.

Ngoko ke kubalulekile ukuba abasebenzi bayiqonde loo nto.

*English*:

The role and the contribution of the entities which the report of the department such as the Unemployment Insurance Fund and the Compensation Fund requires a matter of urgency to improve the co-operation.

*IsiXhosa*:

Njengoko benditshilo ke Mphathiswa ...

*English*:

... the annual report plans are clearly detailed in the report and the performance of the department and be showed through enhanced oversight by the committee.

*IsiXhosa*:

Asizi kucenga mntu. Inguqu yona yinto esiza kuyenza ...

*English*:

... whether we are blackmailed ...

... ngokutsho kwamakhumsha, asisokuze sivume ukubuyela kwindawo esisuka kuyo apho ookhokho bethu bona bathi banyamezela. Sifundile ke thina kwaye iza kubaluleka ke loo nto yokuba ...

*English*:

... when we conduct our oversight this year, towards the end of the term, we are not apologetic in terms of the transformation ...

*IsiXhosa*:

... kuba kaloku ...

*English*:

... yes, in all companies, if you can check who is top in the hierarchy of private sectors, it is white males, white males.

*IsiXhosa*:

Ndiyayigxininisa le nto. Amakhosikazi nokuba aleliphi na ibala eza mva kube kubi kakhulu kwabo baphila nokukhubazeka. Ngoko ke sithi, xa sisuka apha, nokuba siyathanda okanye asithandi leyo into siza kuyenza.

*English*:

The ANC supports Budget Vote 31.

Dr M J CARDO: Hon House Chairperson, the ANC has unleashed an avalanche of unemployment in South Africa. It threatens to reduce our country to rubble.

But instead of mitigating the disaster, or preventing further rock falls, the ruling party only deepens the destruction.

Hence its predisposition to policies and laws - like the

Employment Equity Amendment Act, that will trigger a deluge of disinvestment and expedite the nation’s economic collapse.

South Africa sits at the global pinnacle of joblessness, atop

a steep slope of despair, down which people’s dreams and livelihoods come crashing.

Currently, there are over 11 million South Africans without a job, 7,75 million people, according to the strict definition of unemployment used by Statistics South Africa, and a further 3,36 discouraged job seekers, in accordance with the expanded definition.

That makes for an unemployment rate of 32,7%, or 42,6% if you include people who have given up looking for work. Among the youth, the unemployment rate approaches alarming levels of almost 70%.

The so called party of liberation hastens our subsidence. In ANC-run provinces and municipalities, service delivery has

caved in. Everywhere the ANC governs, the physical environment lies in ruins. The upshot is fewer jobs and more crime.

The ANC cannot keep the lights on. Frequently, it cannot keep water flowing from the taps. And every bit of infrastructure

touched by the ANC’s cadres signals the kiss of death. The consequence is a vicious cycle of disinvestment, decline and

job-shedding. Life becomes impossible for employers; businesses shut up shop; and communities are starved of the

means to make a living.

The ANC’s criminality, corruption and incompetence have caused the state to fail. And state failure has brought everything else tumbling down. It has accelerated the avalanche of poverty and unemployment.

The main reason that more than 11 million South Africans do not have a job is because the ANC has failed to make this country a viable place in which to operate a business and employ workers.

No wonder the DA-run Western Cape - the one province where government actually works, and where services are delivered to

residents, has the lowest unemployment rate by far. In the fourth quarter of 2022, the Western Cape accounted for 167 000

of the 169 000 jobs created nationally since the previous quarter, a proportion of 99%.

Nationally, the government’s constitutional sins of commission and omission have edged us into free fall, from the crony

enrichment scheme of Black Economic Empowerment, through attacks on property rights, to chronic underinvestment in

energy infrastructure that has resulted in rolling blackouts.

And now we have the Employment Equity Amendment Act, recently signed into law by President Cyril Ramaphosa. It is another destructive intervention, another boulder dropped upon the populace, which permits the Minister of Employment and Labour to set racial employment targets for national economic

sectors. The law confers upon the Minister powers which are completely incompatible with the principles of a market driven economy.

Meanwhile, the Department of Employment and Labour and its

entities are working sub optimally or not at all.

The Unemployment Insurance Fund and the Compensation Fund could not even get it together to table their annual

performance plans this year. That is a blight on the budget

process, and it makes a mockery of the portfolio committee’s labours. Both funds are dysfunctional and unaccountable.

Tens of thousands of South Africans are still waiting for the

UIF to pay them their unemployment insurance claims. Mothers cannot buy nappies for their babies, and parents cannot put

food on the table because the UIF cannot beat its backlogs.

Instead, the fund dawdles, delays and denies - all the while waging a war of attrition on the unemployed.

The UIF’s functions should be outsourced to the SA Revenue Service, while private sector players should step into the

void created by the Compensation Fund’s pathological inability to process injured workers’ claims.

As for National Economic Development and Labour Council, NEDLAC, we are told that a governance task team has reviewed

the council’s founding documents with a view to refining its mandate. Separately, we are given to understand that there is

a labour law reforms task team operating under NEDLAC’s auspices. But of their proposals and outputs to portfolio

committee knows frustratingly little.

Just about the only departmental entity that provides bang for

its buck and accounts appropriately is the Commission for Conciliation, Mediation and Arbitration, CCMA. But in real

terms that budgetary buck has been scaled back.

The Department of Employment and Labour’s overall budget amounts to R4,1 billion, but very little of that goes towards stimulating job creation in the private sector.

In 2023-2024, the department’s programme 4: Labour Policy and Industrial Relations will be allocated R1,37 billion or third

of the budget. We should be channelling those funds into an overhaul of our rigid labour market regime, Minister.

Only the private sector can create jobs at scale and rapidly absorb predominantly low skilled workers into the economy.

This means we need to unleash the private sector.

We must reform our labour regulations, cut red tape, and scrap the automatic extension of collective bargaining council agreements. We must delete from our statute books overzealous acts of social engineering like the Employment Equity Amendment Act, which destroy jobs. We must empower individual

economic sectors to set their own minimum wages, and offer tax exemptions to small businesses to help them absorb the cost of

minimum wages.

It is time for the DA to rebuild after the ANC’s avalanche of unemployment, and forestall further landslides. Roll on next years’ elections! Thank you. [Time expired.]

*Siswati*:

Mk C N MKHONTO: Sihlalo weNdlu, angibingelele kuMkhuti wemasotja emnotfo eNingizimu Afrika, evenikati lase-Afrika,

nangesheya kwetilwandle, Julius Malema, onkhe emasotja emnotfo lakhona emhlabeni wonkhe jikelele.

*English*:

House Chairperson, this year marks a very important milestone in the politics of South Africa and the working class struggle.

This year marks 10 years since the formation of the EFF, the only radical and militant economic emancipation movement that brings together progressive forces, including workers’ movements under one strategic mission of economic freedom in our lifetime.

This year marks 10 years of unbroken commitment made to the fallen heroes of Marikana, whose massacre inspired the formation of this revolutionary movement.

This year marks 10 years of unbroken commitment to a fight for a national minimum wage equal to a living wage.

This year marks 10 years of defending workers from racist establishments that continue to exploit domestic workers,

security guards, gardeners, artisans, drivers, nurses, mine workers, and many other workers, including those in the financial sector.

As we move towards the celebration to mark the 10-year anniversary, the festival of the poor and working class, President and Commander in Chief, President Julius Malema, launched a plea to all progressive forces to donate and contribute to the revolution.

House Chairperson, let me now turn to the Budget Vote debate on Employment and Labour. When Mr Ramaphosa renamed the Ministry to Employment and Labour in 2019, it was not clear how this change would benefit more than 11 million unemployed people in this country.

The EFF was the only political party that stood firm and rejected the name change as nothing but media cosmetics. This was confirmed when Mr Ramaphosa said it is not his responsibility to create jobs. This was said by a President of a country whose unemployment is the highest in the world. This is a proper demonstration of ideological confusion and neo- colonial state that we are today.

Let’s look at the state of the department and its entities. The whole budget of this department prioritizes administration that does not benefit workers and those unemployed. There is no adequate increase in the budget of inspection and enforcement services. This is despite the fact that workers are exploited daily and work in terrible conditions.

*Siswati*:

Kusandza kuvunywa ngalokusemtsetfweni i-Employment Equity Amendment Act. Uyatibuta kutsi njengoba lwabiwomali lolucondzene nebahloli betekusebenta, lukhushulwa kancane, batawusebenta kanjani babe bete ngisho nemathuluzi ekusebenta.

*English*:

Minister, we asked you in September last year when you were going to fill labour inspector vacant posts; you did not give us a straightforward answer. Even the inspectors that are there do not have tools of their trade.

The collapse of the Unemployment Fund, IUF, and the Compensation Fund is shocking, and it is workers who are suffering today.

*Siswati*:

Bantfu labalimala emisebentini, labatfola tifo emisebentini, bahleli emakhaya balambile ngoba Sikhwama Sekuncephetela asikhoni kubancedza. Asikhoni nekulandzisa kutsi timali tayo itihambisa njani.

*English*:

We don’t know what is happening in these two entities because they failed to table their 2022-2023 expenditure reports and their 2023-2024 annual performance plans, but we must approve their budget as Parliament.

We warned you, Minister, when we were dealing with the Compensation for Occupational Injuries and Diseases Amendment Bill, which was signed into law last month, that the close relationship between the director general, DG, and the commissioner of the Compensation Fund is not assisting.

We went as far as exposing serious self-interest in the manner in which the legislation you introduced was drafted so that tomorrow it can benefit certain people and exposed the corruption that is happening today.

Lastly, Chairperson, the Supported Employment Enterprises that create employment for people living with disabilities have not received preferential procurement status, and there is no justification for why this is taking so long.

*Siswati*:

Indvuna ihlala afaka ticoliso itsi iya emhlanganweni wesigungu lesiphakeme, kutsi iyomela bani kulemihlangano yesigungu lesiphakeme, asati, ngoba solo ema-Supported Employment Enterprises, SEEs, akakayitfoli lentfo lekufuneka acocisane ngawo naletinye Tindvuna kutsi kube nekukhetsatsite ekutsengeni kulama-SEEs. Ngoba uma loko kungenteki kusho kutsi lama-SEEs atawufa, bantfu labaphila nekukhubateka batatitfola bangenamisebenti.

Siyakucela Ndvuna nawuya emihlanganweni yesigungu lesiphakeme, kutsi umele lelitiko ngoba asati kutsi ucocani le.

*English*:

It is high time that Parliament stops this practice of taking old reports and brushing them up, then tabling them as though they are new when we are saying the same thing.

The EFF will not support a budget that does not benefit the working class and the unemployment. We reject the proposed budget for Employment and Labour.

*Siswati*:

Ngiyabonga Sihlalo weNdlu ngaphambili.

Ms M D HLENGWA: Hon House Chair, according to the world economic forum, South Africa is projected to see the highest jobless rate globally. As the most industrialised nation on the African continent, unemployment is estimated to hit 35,6% in 2023. Over one in three persons in the country will be unemployed, the highest in the world. With such a detrimental outlook for our country’s economy mixed with the rampant corruption, and mob control over our power utilities, South Africa is one of the worst economic periods since democracy.

Joblessness in South Africa has become the pandemic of our economic development with very little hope in sight. Our constitutional rights are paid mere lip service with such a high unemployment rate as accessing these rights is only fully realised when people have access to resources and money.

Hon Speaker, we find ourselves in a predicament where we require a strong government to shield the most vulnerable from starvation, yet it is the same government that has brought us into a period of gross financial mismanagement, misconduct, misappropriation of funds and outright corruption. As a result, we lack large-scale investor confidence in our big industry which could bring about job creation. Our small businesses can barely keep afloat with the current costs of doing business due to load shedding. It is futile for any Minister to parade and state a few examples of new businesses that are opening in South Africa as it is simply not enough to address the unemployment rate.

*IsiZulu:*

Ngqongqoshe, kuyasidabukisa thina ukuthi abantu bakithi bahleli abasebenzi nezinkece azikho kodwa yilokhu kukhulunywa nje. Laba abalimalayo abakhokhelwa ngiwufakazi walokho ukuthi ngisho abalimala ezingozini abakaze bayithola namanje inkece yabo. Manje lo-UIF uyasikhalisa kakhulu thina njengabahlali balapha eNingizimu Afrika. Ukuthi kanti kuyoze kube nini la thina siyothi sikhululekile ngokuphelele, sithola izinto ngokuphelele, sikuthola konke ngokuphelele. Kodwa ke i-IFP iyasixhasa le sabiwomali. [Ihlombe.]

Ms H DENNER: Thank you, hon House Chair, and through you, hon Minister, you have sketched a very positive picture here today and credit must be given where its due. But let’s now beat around the bush. We are facing unprecedented unemployment crises. We have been facing one for years and it’s getting worse. We have a department with entities, except for one, that are unable to deliver on its mandate. The unemployment rate is 42,6% and let’s not fool ourselves by excluding discourage workseekers. More than 11 million South Africans who are able to work are excluded from the labour market and the Department of Labour and its entities have fallen short of turning this situation around and supporting workers in need.

*Afrikaans*:

Daar is verskeie redes waarom die Departement van Arbeid bydra tot die werkloosheidskrisis in Suid-Afrika eerder as om by te dra tot die oplossing daarvan. Die agb Minister is gou om met my te verskil wanneer ek verwys na die beperking wat striemende en selfs drakoniese arbeidswetgewing op die privaatsektor se werkskeppingsvermoë plaas. Daar word dan gewoonlik agter die raskaart geskuil met uitsprake soos dat die onreg van die verlede terstond en met oortuiging nou

30 jaar later deur hierdie regering reggestel sal word. Maar

een onreg kan nie deur ‘n ander onreg reggestel word nie. Die gevolg daarvan is die werkloosheidskrisis waarmee ons nou sit.

In plaas daarvan om ekonomiese welvaart te skep, dwing hierdie regering gefaalde politieke ideologieë op die werklike werkskeppers van hierdie land af en des te meer met die oog op volgende jaar se verkiesing. Die wysigingswet op billike indiensname is die nuutste voorbeeld van sosiale ingenieurswese en omgekeerde apartheid. Waarom leer die ANC nie uit die geskiedenis nie? Hierdie ondeurdagte sinnelose wetgewing wat aan ‘n Minister die mag gee om aan privaat besighede voor te skryf wie hulle waar moet aanstel is nie net absurd nie maar dit is ongrondwetlik, en die VF Plus het sy stem by talle ander gevoeg wat hierdie wetgewing in die hof gaan aanveg. Voorsitter, ek kom terug na die entiteite van die departement.

*English*:

The Compensation Fund, an entity that manages billions of rands, and one that is currently in a financial turnaround process, because of among other reasons, its failure to submit statements to the AG for audit purposes for the past 11 plus years, has not submitted an Annual Performance Plan for

oversight by this committee either. Neither has the Unemployment Insurance Fund. I am glad to hear from the Minister that success from turnaround strategies can apparently be seen but you will excuse me Minister if I don’t take your word for it. Where are the APP’S? Where is the accountability? Where is the management of this department?

Why are these 2 largest entities allowed to get away with this? Where are you, Minister?

I am glad to hear you, Minister, acknowledge the problems with these funds. But there is also a large question mark hanging over the UIF and its decision to push through a payment of

R5 billion to a questionable company for a questionable project that even the PIC did not feel comfortable with and when the Minister is questioned about this, his timelines don’t quite match up. So, it makes one wonder, how sincere is this acknowledgement really? Productivity is as it seems not so productive itself. The entity has been trying to get a single source of funding for the past four years with the same observation and recommendation made by this committee year in and year out, yet it seems no movement in this regard. The same is true for supported employment enterprises and I think the hon committee chair mentioned this as well. Year after

year the committee recommends that National Treasury is engaged to develop and implement a preferential procurement policy for government departments to procure from SEE programmes, but the same recommendation is made this year again with no clear progress in the matter. The only truly functional entity of the Department of Labour is the CCMA but the serious lack of funding and resources is threatening to cut the only thin line of credibility that this department has left.

*Afrikaans*:

Voorsitter, ek het begin deur te sê dat dit nie sal help om mooi broodjies te bak nie. Ons is te midde ‘n werkloosheidskrisis en ons sal nie hierdie krisis die hoof kan bied met ‘n departement en ‘n Minister wat die krisis ontken ter wille van politieke redes nie. Die realiteit staar ons in die gesig. Suid-Afrikaners is desperaat om vir hulself en hul gesinne te sorg, maar elke keer kies die regering die ANC bo die mense van die land, en dit gaan julle duur te staan kom.

Ek dank u.

The DEPUTY MINISTER OF EMPLOYMENT AND LABOUR (Ms. B Moloi):

Hon Chair, members of this august House, our Minister Mr Nxesi

and all those Minister and Deputy Ministers watching us on the virtual platform, the hon Chair of the portfolio committee and members of the portfolio committee present in this debate, the director-general of our department, deputy director-generals and senior management of this department, heads of entities, all our invited guests, ladies and gentlemen, I greet you all.

Chairperson, in line with the input delivered by the Minister on policy and interventions, allow me to put few touch points into perspective for the purpose of service delivery clarifications which are aligned with this Budget Vote.

Hon members, today marks almost a year that the Department of Employment and Labour hosted a 5th Global Conference on the elimination of child labour that took place in Durban around May 2022.

As a signatory to the International Labour Organization, ILO, South Africa is in the process of implementing some measures around recommendations 204 of 2015 which propagates the formalization of the informal economy through various interventions such as facilitating access to social security of the people employed in the formal economy itself.

I wish to remind members that those who touched down on our boarders last year for the Global Conference on the elimination of child labour, trusted us with a very important mandate, that South Africa must take the lead in the total realization in the elimination of child labour by 2025 and this includes the informal economy.

Hon members, we meet again just on the eve of the second the employment working group technical meeting that is preparing for the Brics Summit to be hosted yet again in Durban, South Africa around August this year.

We are aware of the rising appetite levels and international interests in this summit due to the state of the geopolitical landscape and the developments around South Africa’s role in the world. As the Department of Employment and Labour, we look forward with great anticipation of yet another successful event.

Hon members, today we come here before this House very proud to showcase and demonstrate our achievements. We do this collectively in the form of government One Plan approach which is your District Development Model. One collaborative effort

that I wish to single out is our collaboration with the Department of Health and the Department of Mineral Resources and Energy on the former mine workers’ compensation.

This programme continues to dignify the lives and families of those who were robbed of their benefits after sacrificing their entire lives in the mines. We have managed to establish a one stop service point between the three departments to assist the former mine workers and their beneficiaries.

Amongst others, the services provided are, intense tracking and tracing of the former mine workers, lodging of complaints at the service sites, provision of medical assessments, retrieval of health records and many other support services.

This is what a true caring government of the people does. Taking care of the disenfranchised, less fortunate, the poor and the vulnerable in society. This is this government’s business, among others, to serve our people.

Hon Chairperson, we are very often criticised for the number of inspections conducted. The department is on the verge of achieving a historic 300 000 mark in terms of the number of

inspections conducted in a financial year. This is a commendable and unprecedented milestone which needs to be applauded.

The trend of non-compliance on the Employment Equity Act has the potential to undermine the country’s transformation agenda. I am sure that we would know that during the third quarter 2022/23 financial year, only 46% of over 3 000 workplaces visited to test their compliance with the Employment Equity Act were found to be compliant. Two hundred and thirty-eight work places were referred to court for failure to comply.

Hon members, it is disheartening to still observe that some work places still seem to be keen to pay fines rather than complying with the law. I am sure that through the new amendment, soon this will be a thing of the past.

We are however encouraged by a handful of companies that elected to settle out of court by complying with solutions that will improve workplaces. I must say that the reconfiguration of the department is meant to address the department’s employment mandate to respond in the most

effective way in creating a conducive environment for employment creation.

The department is implementing a project to reconfigure and unbundle the Unemployment Insurance Fund, UIF, and the Compensation Fund from departments to allow them to operate as a fully-fledged Schedule 3A entities. This project commenced in the first quarter of 2023/24 and is estimated to be completed within a period of 24 months.

Hon members, when the time is right and soon as the process is ratified by all the oversight parliamentary committees, we will give details of the Department of Employment and Labour’s reconfiguration process and update.

We will continue to engage all departments to utilise our Employment Service of South Africa, ESSA, system for all government recruitment programmes. To this end, the upgraded version of the new applications will be launched during the second quarter and this will increase our capacity to expand opportunities for work seekers.

Hon Chairperson, for the 2021/22 financial year, the department has extended 24 collective agreements to non- parties covering up to 1,245 030 employees in different sectors. These agreements range from wage increments, social security benefits and conditions of employment, collective agreements among others.

The extension of these collective agreements to non-parties means improving the livelihoods of vulnerable employees and their families by improving their wages and extending social security benefits that automatically would have excluded them without the extension of these agreements.

These are commendable policy interventions that we continue to make in the lives of our people. We know that the descend on this government’s interventions are some amongst us here in this House especially during this period when we are approaching the national general elections is very often a populist appeal for the ballot. In good and in bad times, our people will always remember those who were on their side.

Despite all the challenges during the 2022/23 financial year the Compensation Fund paid benefits to the total amount of

R4 billion and these funds were spent on the monthly benefits, medical invoices, funding of the injured workers’ rehabilitation, reskilling and reintegration as well as funding bursaries to youth especially those dependent on injured workers.

Hon Chairperson, in terms of the UIF 2023/24, we have 32 kiosks with service delivery capabilities which will be deployed to strategic areas across the country. Eleven service delivery busses across the nine provinces will be provided and free Wi-Fi has already been rolled out at all our 126 labour centres in the country.

As part of the service delivery, a mobile app and Unstructured Supplementary Service Data, USSD, are in the process of being rolled out. The uFiling system online platform will be improved. All Absa clients can now generate the UIF completed bank forms at all Absa ATMs.

The UIF has referred CIVID-19 TERS matters to the centre for criminal investigation and prosecution as per what the Minister alluded to earlier and these details and financial

breakdowns are also available at our disposal to share, should any member wish to have them.

The Supported Employment Enterprises, SEEs, have the capacity of employing 3 000 people with disabilities and that can be achieved. Hon members, this means that 3 000 people will be off the burden of social grants and to make a substantial contribution to the productive economic output of our country, we continue to appeal to all the departments to the services provided by the SEEs.

There is a significant growth and achievement in the number of companies supported by the business turnaround and recovery of Productivity SA contrary to what hon Denner was saying earlier on.

One of the key highlights underpinning this outstanding achievement is because of the resolution the that made it mandatory for every business that received TERS assistance to implement the business turnaround and recovery programme.

I must say, this is one of the practice lessons introduced during the pandemic and there is a very interesting

collaboration between Productivity SA and the SEE. I plead with hon members to please support this budget. Thank you so much.

*IsiXhosa*:

Mnu N L S KWANKWA: Ngunotshe intombi kaNtoshe eNgcamngeni phantsi kweNtaba kaNdoda asinakuze siyixhase el nto.

*English*:

Minister... [no sound]

*IsiXhosa*:

Ndithi nguNotshe intombi kaNtoshe eNgcamngeni phantsi kweNtaba kaNdoda, asingekhe siyixhase le ngxelo. Okokuqala Mphathiswa, kwa olu shishino (industry) uthetha ngalo lwebhanki engafuni kutshintsha, ndandiphangela phaya kwiminyaka eli-10 eyadlulayo. Ndandingu ...

*English*:

... chairperson of the employment equity forum ...

*IsiXhosa*:

... abazange bafune ukutshintsha. Baxolele ukuniqhatha ngokubeka abantu abamnyama ngaphambili kwi...

*English*:

... tellers and enquiries, senior positions being reserved primarily for...

*IsiXhosa*:

... abantu abamhlophe. Okwesibini, niyayazi ukuba kwi ...

*English*:

... restaurant industry ...

*IsiXhosa*:

... nokuba ufuna ukuba ngunogada eMzantsi Afrika, uyayazi ukuba apha kuqeshwa abantu abamnyama abangengabo abemi beli

...

*English*:

... who are here illegally and undocumented.

*IsiXhosa*:

Abafuni nokubabhatala imivuzo ngendlela eyiyo. Bababhatala imivuzo ngeemvulophu kuba abafuni kubonakale ukuba baqeshe abo bantu. Andiqondi ukuba eli sebe lenza ngokwaneleyo ukuqubisana nalo ngxaki. Lo rhulumente waseNtshona Koloni ingakumbi akangekhe ayihoye loo nto kuba kaloku incedisana noosomashishini babo abathi babancedise ngemali xa kufike unyulo, ukuze baxhaphaze abantu bethu baseAfrika abahluphekayo.

Okwesithathu, enye into ekufuneka niyijongile ...

*English*:

... Minister has to do with fact that ...

*IsiXhosa*:

... sinabantwana abaninzi abathweswe izidanga ezikolweni. Simana sibhiyoza apha sibetha imilozi bethweswe izidanga kodwa bafike bangaqesheki kuba kaloku la maqumrhu abamhlophe awafuni ukuqesha abantwana bakuthi abangenawo amava. Zide zikhethe ukuxoka zithi bangoovila-voco vuka kuvuthiwe kuba bengafuni ukubabhatala imali eyiyo. UNyasha Menawu owayephangela eSea Point ngowe-2016 wafika ...

*English*:

... and encountered an experience where ...

*IsiXhosa*:

... umntu omhlophe owayelawula indawo yokutyela wathi akabaqeshi abantu abamnyama baseMzantsi Afrika kuba bangamavila engenabo ubungqina bayo loo nto, efuna nje ukuxhaphaza abantu base-Afrika.

*English*:

That is one of the issues that we must deal with. The other issue is, when we talk about the national budget where we say, we are providing R5,2 billion tax releief to support economic recovery incentives for youth employment, but if ...

*IsiXhosa*:

... asikwazi ukuzijonga ezi zinto zikhuthazayo ukuba zisebenza njani ..

*English*:

.. in the private sector and whether ...

*IsiXhosa*:

... ziyasetyenziswa kusini na ukuze kuqeshwe abantu, siza kuba nengxaki yokuthi abantu baza kuthi bebatsha, bangaqeshwa kwezi ndawo ...

*English*:

... including this thing of saying there is a high demand of digital skills globally meanwhile the country is faced with a digital skills gap.

*IsiXhosa*:

Kufanelekile ukuba onke la maqumrhu karhulumente ...

*English*:

... including the departments ...

*IsiXhosa*:

... ziyancedisana ukuvala ...

*English*:

... this degital skills gap, upskilling and reskilling young people, in order to achiev degital transformation innovation and to improve employment fifures in ta country in general.

*IsiXhosa*:

Bekuthethwa Mphathiswa kusithiwa isebe eli ngakumbi kwezolimo nalapha kule Ntshona Koloni kumana ukuthethwa kamnandi ngayo, siqhathwa ...

*English*:

... in recent years, agriculture has seen an increase in child labour where a total of 70% ...

*IsiXhosa*:

Hayi, hayi ...

*English*:

... this is a conspiracy. Thank you. [Time expired.]

Mr A M SHAIK EMAM: Hon House Chairperson, I heard the hon Minister saying that measures that are being put in place is to protect the interests of employees. I also heard the chairperson saying we are a very caring government. We care about our workers. Well let me say to you Minister and I think you agreed with me the other day, look at the plight of the police officers in this country. They die every day. They get gunned down in this country. What do they get? From the

R13,00, they get danger allowance. For 32 years they now get R23,00, a day. Now let us ask ourselves in this House: Which one of us in this House will send our children in the frontline every single day, putting their lives in danger for R13,00?

However, you never hear anybody here raising concerns about the plight of the Police. You rightfully the other day, hon Minister spoke about these frontline workers. They do not get Reconstruction, Development Programme, RDP, houses. They do not qualify for bank finance, they now live in shacks. Yet we think it is fine and it is alright.

The question is how is it not one of us feel the pain of losing these police officers who are out there all only to protect us and our families and we do absolutely nothing about it. So, I think it is time that we start looking at the plight of all employees.

Now we have a very high unemployment rate in our country. Let us be very honest about it. However Minister, I raised this with you and I want to say again. How is it some of us are so selective even when we visit businesses to see whether they

comply or not. There are those in this country and a very large number of them that are paying the workers R60,00, a day at the expense of local labour!

Now unless we equal that playing field, our people are not going to find jobs. What we need is to get out of our offices and go visit these businesses! You will be shocked at what you will find and actually happening on the ground.

Then the other problem with the high unemployment rate Minister and I think it is something we need to look at. With such a high unemployment rate why should any one person get two salaries from the state? You want to be a teacher and you want to be a counsellor? How can you do justice to anyone of those jobs? Being a counsellor is a fulltime job as far as I am concerned. Being a teacher is also a fulltime job. Which one are you neglecting both of them. But yet we have such a high unemployment rate in this country. We need to look at that and we need to change that if we want to create employment.

I will go to the next point if time allows. I do not know I cannot see the clock here.

Hon Minister, I said this before and I want to say it again. Did you know you will never find one local barber in the entire country? Why foreigners living their countries, come here and want to cut your hair? It must be a lucrative business. So I think if you take every ward and we about 4 500 and just train four of them in each ward, you would have just created just under 20 000 jobs in this country. It is a fact. These people are earning a lot of money! To leave the entire family and their neighbourhood and come here just to do that.

So, there are opportunities that we can actually create if we want to pay attention to it and go that extra mile. The problem we have is that we just want to attack each other and find the weaknesses and all. We do not want to find solutions. These things are there. What I am saying is the reality on the ground.

The inspectors that we have in these labour departments, if you look at good we have to complain today. Minister the queues and queues that these people cannot be attended to! The man says he had to get up at 12 o’clock at night to go and stay in the queue to be attended to if he does not do that it

is not happening. This is the plight of some of our people. Rather than finding solutions, we are talking about this.

I do not know if I have time. Could not ask ourselves one very important question? The NFP will support this Budget Vote. [Laughter.] [Time expired.]

Ms M L DUNJWA: I am sorry hon House Chairperson.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): What is the point of order?

Ms M L DUNJWA: This room is freezing and very cold. Can this be attended to.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Can that be attended to, hon member. Thank you very much.

Yes. It will be attended to, hon members. The hon Mdabe. The floor is yours.

Mr S W MDABE: Hon Chairperson, the Minister and the Deputy Minister present here in the House, Ministers and Deputy Ministers on the platform, hon members.

Chairperson, we are in the election mood. You hear the members the way they talk.

What I’ve heard from the opposition benches thus far reminds me of someone who once said: When intelligence is silent in the face of screaming ignorance, then ignorance wins because it controls the narrative.

Just ... [Inaudible.] ... I need to remind everybody here and the country at large ... [Interjections.] ... it’s me ... that as the ANC we have never waited for things to happen, we have always made things to happen. As the ANC we have always been and we continue to be solution-orientated. We never had luxury of complaining, pointing fingers and apportioning blame. We have always been charged with the task of changing South Africa.

The 1994 democratic breakthrough came about as a result of the ANC working together with all other formations. As we make

things happen and ensuring that each challenge or problem meets its solution. The aim has always been and continues to be converting each and every achievement or milestone into a platform on which to build from.

I’m saying all this, Chairperson, because so many things, the first one, that the labour laws that we formulated, there are those who are fighting tooth and nail that they must be scrapped. Most of the time the DA baffles us because on the one hand they project themselves as darling of the South African 1996 Constitution, on the other hand they oppose laws that get formulated premised on the very same Constitution.

*IsiXhosa*:

Kanti banjani labantu?

*English*:

Chairperson, there was a time in this country where there was a Native Regulation Act of 1911. There are people in this House who want us to reverse and go back to those days and we are refusing, Chair ... [Interjections.] ... the DA in particular ... [Interjections.] ... we are refusing, Chair, because the ANC and its alliance partners consciously fought

for equality, fairness – you heard when the DA speaker was here, is fighting for the enactment of the amendments to the Equity Act. Employment Equity Act, Compensation for Occupational Injuries and Diseases Act, Occupational Health and Safety Act, the National Minimum Wage; when we talk of the National Minimum Wage he says we are encouraging disinvestment. These are laws that are practical translation of South African Constitution of 1996.

Our hard-won constitutionally enshrined labour laws are aimed at ending high levels of exploitation, cruelty, unfair labour practice in the labour market, which are still rife, by the way.

If for whatever reason you think I’m being economical with the truth, just go to Commission for Conciliation, Mediation and Arbitration, CCMA, offices and bargaining council across the country to witness what I’m talking about. So, protective labour laws relating to transformation of all levels of South African workplaces remain very much relevant.

We have labour laws that protect the rights of everyone in the workplace and promote and advance economic development, fair

labour practices, equality, safety, easy access to justice, peace, democracy, social development and transformation.

We certainly do not believe that our labour laws are too rigid, as they are benchmarked against International Labour Organizations, ILO, Convention, that are there to guide all member states on key principles and fundamentals to be observed. These laws weigh ourselves by the ILO and were found to be very flexible.

We live in a country that has triple challenges, which are unemployment, inequality and poverty. Unemployment in this country is deep-seated, it is systemic, it is ... [Inaudible.]

Earlier I spoke of the ANC that is solution-orientated. So, in looking for the solutions of unemployment, that I’ve already characterised, we have to employ multiprong approach. Contrary to some of us ... [Inaudible.] ... that this singular approach of adding employment in the name of the department does not discard all other interventions from different angles.

It is illusionary, Chairperson, to the extreme to believe that by having a department with an attachment to the name

employment, then such a department must, on its own, drop the unemployment rate down to zero. There is no way that such a department would build a factory that would absorb people with no employment. It is a department that will continue to be part of those that make contribution to dealing with unemployment crisis, as the Minister earlier outlined.

The department and its entities continue to ensure that there are job preservations and creation; even those entities that may be struggling on one side, on the other side they do make contributions in job preservations and creation. That is the reason why we will not agree that transactional entities must be outsourced to the private sector, because that would mark the end of all good side about them.

We’ll continue to look at issues of repositioning, restructuring and make both Unemployment Insurance Fund, UIF, and the Compensation Fund effective and efficient, but remain public assets that contribute in the development of the state.

The ANC is the solution-orientated and we always look at the glass as half full as opposed to half empty. So, the interventions that we have discussed and decided on in the

portfolio committee to dealing with the Compensation Fund and the UIF shall be processed until their logical conclusion.

The ANC supports this budget vote. Thank you, Chair. [Applause.]

Mr M BAGRAIM: Chairperson, 29 wasted years, said Mr Vavi representing the largest trade union in South Africa. I personally go much further, 29 destructive years. The department ... [Sound cut off.]

Mr N SINGH: No sound, Chairperson, on virtual.

Ms M B HICKLIN: There is no sound, Chairperson, on the virtual platform.

AN HON MEMBER: Chairperson, on a point of order. I see they are muted up there, again.

Mr W F FABER: Yes, Chair, we’ve got the sound of silence.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): ... [Inaudible.]

... take care of that, please! Can you take care of that!

Mr M BAGRAIM: It’s fine, now.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Okay! Just hold, hon Bagraim. Can you just hold it? Let’s get this done.

Mr M BAGRAIM: I’ll start again. Start my clock again.!

The HOUSE CHAIRPERSON (Mr M L D Ntombela): There are no bonuses, Mr Bagraim.

Mr M BAGRAIM: A DA government at the end of next year will proceed to restructure the department to ensure service delivery.

During the past three years I literally had to respond to

12 000 complaints, stretching from complaints from the Compensation Fund to just about every other entity within the department. even ANC councillors have referred their queries to me ... [Interjections.] ... because they’ve not been able to get responses form the dysfunctional and duplicitous department. it is the height of cheek for the Minister of Employment and Labour to even try and get funding for some of his inactive entities.

Productivity SA has carefully taken South Africa to the second lowest productivity rung in the world. We have spent millions and millions on Productivity SA to enable the rapid slide down the hill.

The three decades of destruction have left over 11 million citizens actively looking for jobs. The situation has carefully orchestrated by the dubious Department of the Employment and Labour.

When a new DA government is sworn-in next year, it will mean a lot of hard work to regularize the situation and reverse the scotched earth policy practice by this very department.

When John F Kennedy took office he said: When we got into office the thing that surprised me the most was that things were as bad as they have been saying they were.

Despite this, the DA has faith in the system and the citizens of South Africa. Your vote is vital. We cannot have business as usual. The DA will ensure that the department receives an urgent overall.

Like Alice through the looking glass, the Minister wants the voters in South Africa to pretend all is well; it is not. You can only pretend when deliberating the budget of the Compensation Fund. They did not even make a presentation to the committee, likewise with the UIF.

Productivity SA is supposed to promote a culture of productivity at the workplace and prevent job losses; the opposite is occurring. All the while costing taxpayers millions of rands.

When the ANC finds itself in a hole, they keep digging. What does the Minister suggest? He suggests, give more and more to Productivity SA and reduce the budget for the CCMA. Who wrote the Minister’s script, John Cleece [English actor, comedian, screenwriter, and producer]? The Minister certainly reminds me of Manuel from Faulty Towers [British television sitcom], I know nothing.

Business in South Africa today gets no help whatsoever from the Department of Employment and Labour. In fact, the department is colloquially now as the handbrake to job creation.

The recent state of the nation address, at last, identified small businesses as job creator. The state of the nation address also identified red tape as hindrance. The Department of employment and Labour should be the entity that takes up those challenges. But, no. Even a call from the President goes unanswered.

People in South Africa have all ... [Sound cut off.] ... experienced the dysfunctionality of the Department of Employment and Labour; long queues, no payments, refusal to reply, rude officials, wrong calculations, I can go on and on; the experience is ... [Inaudible.] ... ongoing, it will not change under the ANC-led governments.

The experience of three decades of wasted and ... [Sound cut off.] ... lives for the better.

The Western Province government is a great example. The voters need to imagine a better life for all. Their single vote will make a difference. Your vote for the DA will put you in control to ensure a DA government answers your plea. For more employment and everything that goes with it, the DA knows that the harsh labour laws are killing jobs. The DA will enable you

to empower yourself, less government, more jobs, true freedom, the DA has the formula for a better future. Thank you, Chair. [Applause.]

Mr M NONTSELE: House Chair, hon Minister and Deputy Minister, hon members and distinguished guests, we are meeting here today to add our voice as a committee in support of the budget that has been presented by the hon Minister as well as the report by hon Chairperson. The budget ... [Interjections.] ... okay. The budget reflects a strategic and well-balanced approach to addressing key priority ... [Inaudible.] ... prevention and preservation employment policy, decent work, health and safety.

In celebrating the 111 years of its existence, the ANC has declared this year, “The Year of Decisive Action to Advance People's Interests and renew our Movement.” This budget allocation represents a transformative investment in our nation’s future and response to the clarion call for an unceasing comprehensive response to the interests of the people and by extension renewal of our movement.

Furthermore, we need just to take leave from the NDP which basically serve as a blueprint for our nation’s long-term development. It envisions South Africa that is prosperous, equitable and inclusive. To achieve these goals, we must prioritise investment in education, health care, infrastructure and skills development. By allocating adequate resources to these areas, we can empower our citizens, reduce inequality and build a strong foundation for future generations.

Hon Cardo has indicated here that we have unleashed an avalanche of unemployment, as a movement – as the ANC-led government. He is ignorant of the 300 years of looting, plunder and destruction of our heritage. He is in fact ignorant of the fact that ... What he is in fact pointing to us as an example is in fact a good example that shows an entrenchment of inequality in the Western Cape. It is unfortunate that we will not be taking leave to just go to Khayelitsha and many other townships where he would see in real life what in fact the DA represents in our communities.

The Economic Reconstruction and Recovery Plan, ERRP, emphasises the need for targeted investment in key sectors to

stimulate growth and create job opportunities, aligning our budgetary priorities with the objectives applying the ERRRP. In this, we can drive sustainable economic development and create conducive investment and an innovative environment. Our government was elected with a resounding mandate to address the pressing challenges facing our society. We pledge to invest in education, create jobs, eradicate poverty and provide essential services to all South Africans.

Top fulfil these commitments, we must allocate sufficient funds to education and skills training programmes, job creation initiatives, social welfare programmes and infrastructure. The current Medium-Term Strategic has been characterised by implementation of highly critical policy interventions with regard to reconfiguration of our labour market. The introduction as already covered by the hon Minister and hon Chair of the national minimum wage and the amendments to Compensation for Occupational Injuries and Diseases Act, Coida, and Employment Equity Act was the highlight of this period and has set a far wider scope in terms of coverage of the vulnerable sectors such as domestic workers for occupational injuries and the powers now vested with the Minister to set employment equity targets.

Taken together, this signifies important milestones in the ongoing struggle for improved working conditions, equity and pursuance of the decent work agenda. Allocating funding for pathway management and partnerships with institution demonstrate our government’s unwavering commitment to equipping individuals with the necessary skills and knowledge to enhance their employability. By investing in education and skills development, we are tackling the root cause of unemployment and empowering individuals to access meaningful employment opportunities. The budget allocation paves the way for a brighter future where our citizens possess the expertise needed to thrive in an ever-evolving job market.

Again, we must also reference here to the hon Mkhonto, a colleague. We work together very nicely in the committee, hon Mkhonto. But I am not patronising ... [[Interjections.] Listen

– listen I am not patronising. There is no collapse of the Unemployment Insurance Fund, UIF. There is no record of that. What we know about UIF is that it has not been able to account for a very huge budget which is evidenced across – everybody has this information. Nobody stands up and challenges the failure of this gentleman who was supposed to appear in Germany. The ... [Inaudible.]

Ms H O MKHALIPHI: Eh! We don’t hear anything.

MR N SINGH: Chairperson, we lost connectivity from your side. [Interjections.]

THE DEPUTY MINISTER OF SMALL BUSINESS DEVELOPMENT (Ms E D

Peters): Chairperson, we don’t have any connectivity. [Interjections.]

Ms T V TOBIAS: Can we be heard from the Chamber. We cannot hear a word. Colleagues on the platform, is it only me or do you also not hear from ...

Mr N SINGH: I think it is all of us. [Interjections.]

*IsiZulu*:

USIHLALO WENDLU (Mnu M L D Ntombela): Bakithi, kahleni bo!

*English:*

Hon members, wait. Hon Buthelezi. Everything is in order, we should continue.

*IsiZulu*:

Qhubeka ...

*English:*

... hon Nontsele.

Mr M NONTSELE: In times of economic distress, it is our duty to provide social insurance benefits and support to both workers and distressed businesses. The budget allocation for the unemployment insurance fund and the temporary employer- employee relief skills showcases our commitment to mitigating the impact of economic challenges and promoting stability in the labour market. By allocating funds to assist businesses in retaining their employees and providing short-term unemployment benefits, we are safeguarding the livelihoods of our citizens and ensuring a resilient economy.

Our government firmly believes in evidence-based policy making. And the allocation of resources for research, reports and publication on priority sectors reflect this commitment. By disseminating research finding, we can make informed decisions and identify areas of growth, hon Cardo, and develop targeted interventions to address economic challenges effectively. This budget allocation empowers us to safe

policies that will drive sustainable economic development and create an environment conducive to job creation. We welcome the planned support through Productivity SA - an entity of the department which goes a long way towards ensuring that there is no conflict of pursuance of high productivity, competitiveness and job creation and retention.

All medium and micro enterprises are the backbone of our economy, and supporting them is crucial for fostering a favourable business environment. The budget allocation for competitiveness improvement services signifies our commitment to nurturing entrepreneurship and enabling these enterprises to thrive by providing them with the necessary tools and resources to enhance their competitiveness which will promote economic growth, job creation and sustainable development.

This budget allocation is an investment in the engine of our economy.

It is important that a dual labour market is not created – that is with regard to how we deal with issues of foreign economic migrants. It is important that a dual labour market is not created in the country through exploitation of both South Africans and foreign nationals, as those in labour-

intensive jobs are paid below the national minimum wage or in a differential weighing scale as has been witnessed with truck drivers. This creates conflicts which takes the form of xenophobic conflict but whose essence lies in the attempt by the employers to pay lower wages with longer working hours to foreign nationals and even to South Africans to ensure exploitation of cheap labour.

This occurs while the cost of living is increasing for the working class. This is not legal as it does not adhere to the legislation and basic conditions of employment. It is also a safety hazard in the case of truck drivers. The law must be enforced to protect workers and it is important that the inspectorate deal with this matter as there is only one labour market based on current legislation and a dual labour market exploiting workers with local or foreign ... [Time expired.] [Applause.] [Interjections.]

The MINISTER OF EMPLOYMENT AND LABOUR: Hon members, let’s just pause for a moment to remember the genesis of the amendment regarding domestic workers. Ms Sylvia Bongi Mahlangu was a domestic worker in a private home in Pretoria for 22 years. I don’t know who the employer was. She sadly drowned in the pool

of her employer on 31 March 2012. Like all domestic workers, she was unconstitutionally excluded from the definition of an employee in our labour laws, and therefore she was not ordinarily eligible for compensation from the fund.

In this country, for centuries domestic workers have given up their lives to bring up your children; children of other people and to maintain your homes. Sometimes you treated them like animals. They would cook, and you would even refuse to sit with them around the table and gave them scraps. These are the black workers. It was never fair. They usually worked for long hours. They were excluded from the provision of our labour laws.

As the department, we have welcomed the action taken by Ms Mahlangu’s family, supported by the domestic workers’ organisation. The unions that are opposing ... taking the matter all the way to the Constitutional Court, we never even opposed that because we knew what it meant. That is why today we trust that the family of Ms Mahlangu may derive solace and comfort from the fact that even with her premature demise, she brought justice to all domestic workers. That is the essence of this.

I have listened carefully to all political parties, led by Comrade Dunjwa of the ruling party, the ANC. They have raised serious concerns about the underperformance in certain aspects of the two funds. I accept the challenges because I’m not a denialist. I have talked about these problems. I have talked about the programme of dealing with this. We’ve been to the portfolio committee. We will still come back when we are summoned or to come and present our interventions. Chairperson and hon members, even if it means you call us every three months to monitor us on what we are implementing, we are ready for that, because we are not denialists.

*Afrikaans*:

Jirre! [Tussenwerpsels.] Agb Denner, ek is verbaas, man. Jirre! Ek het gedink agb Bagraim ...

*English*:

... when he says when the DA takes over.

*Afrikaans*:

Ek dink die man is in droomland, man. Jirre!

*English*:

He’s dreaming to be a government next year. It’s just cheap political talk. However, here is an issue I wanted to raise. This is an issue I wanted to raise.

I must just correct one thing before that. The budget, with regard to the figure I referred to, is a figure after transfers. The total figure is indeed four billion. That’s what I can correct. Just that addition, hon Cardo.

However, to come and say the so-called liberation party ... It’s overboard. In fact ... [Interjections.] No, it is an insult to South Africa’s people because we have been too nice to you. There will come a time when you will regret this resistance. You will regret because we have been too nice.

*IsiXhosa*:

... niphakamise imisila ngoku ...

*English*:

... because we chose peace instead of war and what you are trying to do now is to force us to be more radical. [Interjections.] No, that is what I’m telling you. What you are enjoying today is what was brought by the ANC. Now you

come and tell us we are the so-called liberation party. We will not accept that. [Applause.] [Interjections.] There will come a time ... Our people ...

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Order, hon members!

The MINISTER OF EMPLOYMENT AND LABOUR: ... have been too

tolerant on many issues, including the issue of land and this empowerment we are talking about. I don’t know what you are saying. If you are a black person still defending the DA, you are like a rent-a-black ... rent-a-... [Inaudible.] [Applause.] If you are a black person who ... [Inaudible.] ... where the DA opposes every ... transformation, then you don’t know what you are representing. You don’t know where you are coming from. We will take into consideration ... No, no, the issue of jobs is about transformation. It’s about transforming industry. It’s about transforming what we ... [Interjections.] [Inaudible.] ... the means of production, which you don’t want to transform.

Mr H C C HUSINGER: Chairperson, on a point of order. I’m rising on Rule 85 and I want to bring to your attention for serious consideration what the Minister said now on this

platform, on the basis of accusing members of a particular race of the DA as being of a particular nature through their membership of a political party in representing the people of South Africa in the political party, the DA. It is ...

Mr W T LETSIE: Hhayi, the Minister is right. There’s no order there. [Interjections.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon members on the virtual platform, please mute.

Mr H C C HUSINGER: Chairperson, I therefore request that you consider my objection upon listening to and scrutinising the words of the Minister, and act accordingly. Thank you, Chair.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): I will take that into consideration, hon member.

*IsiZulu*:

THE MINISTER OF SOCIAL DEVELOPMENT: Vele sikhathele yini.

Mnu E T MYENI: Hhayi, sikhatele.

*English*:

Ms M L DUNJWA: Hon Chair, I have been threatened by that member pointing at me. Can he please withdraw? It’s the member of the DA.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Dunjwa, he can’t ... Hon members! He can’t withdraw a finger, hon Dunjwa. [Laughter.] It not possible. That is impossible, hon Dunjwa.

Hon Minister, you can continue.

Mr W T LETSIE: Chair, before the Minister, my hand is up. Please note ... [Inaudible.] My point of order was to the baas [boss] boy speaking on behalf of the kitchen girls and the garden boys there. Is he mandated to do so?

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Letsie, that’s not a point of order. Thank you very much. You can continue, hon Minister.

The MINISTER OF EMPLOYMENT AND LABOUR: Chair, I am mandated to defend the rights of all the workers. I just want to say, we have taken the issues you are raising ... the two funds and

... [Inaudible.] ... some of the inputs, including of the

chair, hon Hadebe**.** They are also looking at us. They are hungry for us on some of these issues, like the two funds.

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Hon Tobias, please mute. Okay, hon Minister.

The MINISTER OF EMPLOYMENT AND LABOUR: However, in terms of defending the track record of progressive legislation in this country, I cannot say it more than what Comrade Mdabe has said it, and everybody is there to see what the workers have benefitted and what the workers are benefitting. [Applause.]

The HOUSE CHAIRPERSON (Mr M L D Ntombela): Thank you very much, hon Minister. Members are reminded that the debate on the Budget Vote on Statistics SA will take place at 16:45 in the Good Hope Chamber and the debate on the Budget Vote on the Office of the Chief Justice will take place at 16:45 in Committee Room M46, which is this one. That concludes the debate and the business of this mini-plenary session. The

mini-plenary will now rise.

The mini-plenary rose at 15:59.