



ANNUAL PERFORMANCE PLAN

2022/23



THE EXECUTIVE AUTHORITY'S STATEMENT

The 2021/22 financial year continued to be challenging because of the COVID-19 pandemic and accompanying lockdown measures implemented to combat the spread of the virus. COVID-19 challenges presented the Commission for Conciliation, Mediation and Arbitration (CCMA) and the labour market with new challenges and exacerbated existing problems of slow economic recovery. However, an opportunity was presented to the CCMA to review its service delivery model and digitalise its processes, such as digitisation of referral forms and conducting web-based hearings.

Government fiscal challenges resulted in budget reductions of all government departments and entities including the CCMA. This meant that budget allocations no longer corresponded with the competing operational needs and labour market demands. The CCMA amended the 2020/21 Annual Performance Plan (APP) to ensure that resources meet competing operational needs as a result four (4) output indicators were discontinued.

Despite the CCMA's targets and programmes being impacted by the COVID-19 pandemic and budgetary constraints, the strategic direction and priorities of the CCMA remained the same. Central to the work that was delivered in the past financial years of 2020/21 – 2024/25 Medium Term Strategic Framework (MTSF) by the CCMA was the extensive planning processes aimed at re-positioning the CCMA appropriately to respond effectively to the legislated and discretionary mandate, the new policy imperatives of government, as well as the needs of the labour market.

The 2022/23 APP will strive to implement the strategic imperatives of the Strategic Plan and ensure that interventions are executed as planned. During the 2022/23 financial year, the CCMA will continue to reform and modernise the organisation through technology, proactively engage and capacitate the labour market, deliver expeditious dispute resolution, including disputes related to essential services. Under the auspices of the CCMA, the Essential Services Committee (ESC) continues to play a critical role geared towards adapting to the changing needs of the labour market to improve essential service dispute resolution and compliance within the essential services community.

I wish to thank the CCMA Governing Body, the CCMA Director and Senior Management, Commissioners and Staff, for their contribution to the labour market over the years. I endorse the 2022/23 APP and hereby commit to supporting the successful implementation thereof.

Signature

A handwritten signature in black ink, appearing to read 'Thembelani Nxesi', written over a horizontal line.

Thembelani Waltermade Nxesi, MP
Hon. Minister of Employment and Labour



THE ACCOUNTING AUTHORITY'S STATEMENT

The 2022/23 financial year will be the third year of the implementation of the five (5) year Imvuselelo – The Revival 2020/21 – 2024/25 Strategy, for the period 2020/21 – 2024/25 MTSF. Despite the challenges COVID – 19 and budget constraints, the CCMA rose to the occasion and delivered impressive results in the 2020/21 financial year. Achievement of most of the strategic and operational targets are anticipated to be achieved for the 2021/22 financial year.

The 2022/23 APP continues to present the CCMA's intentions to re-ignite its efforts of ensuring that the strategic intent and MTSF priorities as outlined in the Imvuselelo – The Revival 2020/21 – 2024/25 Strategy are realised. Despite the anticipated challenges of the 2022/2 financial year, the CCMA is prepared to continue to strive to make a meaningful contribution towards labour peace and equity. Labour market stability, peace and equity are even more important now during the turbulent socio-economic conditions.

On behalf of the Governing Body, we are confident that through this 2022/23 APP, the strategic direction continues to be clear, and all efforts are geared to carrying out the CCMA mandate, which is "*advances economic development, social justice, labour peace and the democratisation of the workplace*". The programmes contained herein will operationalise the service delivery and strategic intent of the CCMA. The CCMA will also contribute to thought leadership and facilitate social dialogue on global topical issues such as mandatory vaccinations and remote working. The 2022/23 APP is consistent with the Imvuselelo – The Revival Strategy and has aligned its outcomes to key government policy instruments and priorities for the sixth government. This 2022/23 APP will guide CCMA Management and staff as they navigate the task of allocating resources to deliver the mandate of the CCMA.

I would like to take this opportunity to thank the Portfolio Committee on Employment and Labour (PCEL), the Minister of Employment and Labour, the Department of Employment and Labour (DEL), the National Treasury, the Governing Body and Committees, as well as sister entities, social and strategic partners, for their vision and guidance throughout the years.

The CCMA's Executive Management Team, Commissioners and staff remain resilient in, delivering the mandate of the CCMA.

Signature

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S. H. COETZEE

Enos Ngutshane
Chairperson of the CCMA Governing Body



THE ACCOUNTING OFFICER'S STATEMENT

The CCMA prides itself on being regarded as a highly efficient dispute resolution institution despite the volume of referrals. 154 143 referrals were received during the 2020/21 financial year. This constitutes a decrease of 30% in the number of referrals received as compared to the same period of the 2019/20 financial year. The overall marked decline in the number of referrals must be seen in the context of COVID-19 and hard lockdown when walk-ins of Users into CCMA offices were suspended. The CCMA continued, in the 2020/21 and 2021/22 financial years, to record impressive performance and compliance to legislative requirements of its dispute resolution processes. Despite the budgetary constraints, the organisation also continued with its value – add discretionary activities such as job-saving and dispute management and prevention, aimed at proactive labour market intervention and labour market capacity building.

The 84% performance registered for the 2020/21 financial year is commendable, under the most difficult times of budget cuts and reprioritisation of resources. The 2021/22 continued to be challenging, however, the CCMA forged ahead; a true test of character, commitment and resilience demonstrated by the CCMA. The attitude of our personnel is a rare treasure and quality that we must preserve.

The ESC plays a critical role to promote dispute resolution in essential services. As part of its statutory obligations, the ESC is obliged to monitor and evaluate essential service designations, Minimum Service Agreements (MSAs) and Minimum Service Determinations (MSDs). The indicator, percentage of Section 75 of the LRA cases conducted is removed for the 2022/23 financial year because, as of 2020/21 financial year, the ESC started educating parties on engaging themselves and concluding their own collective agreements. The awareness is yielding positive results thus no referrals were received for Section 75 in the 2020/21 financial year. The ESC endeavours to balance the right to strike with the need to ensure that essential services do not collapse to avoid the endangerment to life, personal safety or health of the whole or part of the population.

All programmes, output indicators and annual targets in the 2022/23 APP are linked to the clearly defined impact and outcome indicators of the strategy. In preparing the budget for the 2022/23 financial year, the budget has forecasted an increase of 9.9% from the previous financial year which may still result in the CCMA being unable to meet its competing demands.

I am confident that with the support of the Portfolio Committee on Employment and Labour, the Executive Authority, the Accounting Officer, DEL sister entities, social and strategic partners, as well as the commitment and selfless services of the Executive Management, Senior Management, Staff and Commissioners, the CCMA will achieve great things in the 2022/23 financial year.

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Cameron Sello Morajane
Director of the CCMA



OFFICIAL SIGN-OFF

It is hereby certified that the CCMA's 2022/23 APP was developed by the Management of the CCMA, under the guidance of the Governing Body. The 2022/23 APP considers all the relevant policies, legislation and other mandates for which the CCMA is responsible. It accurately reflects the outcomes and outputs which the CCMA will endeavour to achieve for the 2022/23 financial year.

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CCMA Director


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Enos Ngutshane
Accounting Authority
Chairperson of the Governing Body

Signature:



Thembelani Waltermade Nxesi, MP
Minister of Employment and Labour



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LIST OF ABBREVIATIONS/ACRONYMS

4IR	: Fourth Industrial Revolution
APP	: Annual Performance Plan
BCEA	: Basic Condition of Employment Act
BUSA	: Business Unity South Africa
CCMA	: Commission for Conciliation, Mediation and Arbitration
CMI	: Case Management and Information
CMS	: Case Management System
COGP	: Code of Good Practice
CPI	: Consumer Price Index
DEL	: Department of Employment and Labour
DP&WO	: Dispute Prevention and Workplace Outreach
DR	: Dispute Resolution
EEA	: Employment Equity Act 55 of 1998
EMC	: Executive Management Committee
ESC	: Essential Services Committee
FDI	: Foreign Direct Investment
FY	: Financial Year
GDP	: Gross Domestic Product
HR	: Human Resources
ICT	: Information and Communication Technology
LRA	: Labour Relations Act 66 of 1995
LC	: Labour Court
MP	: Member of Parliament
MSA	: Minimum Services Agreement
MSD	: Minimum Services Designation
Stats SA	: Statistics South Africa
MTBPS	: Medium Term Budget Policy Statement
MTEF	: Medium Term Expenditure Framework
MTSF	: Medium Term Strategic Framework
NDP	: National Development Plan



NMWA	: National Minimum Wage Act 9 of 2018
N/A	: Not Applicable
NSC	: National Senior Commissioner
NT	: National Treasury
OECD	: Organisation for Economic Cooperation and Development
PCEL	: Portfolio Committee on Employment and Labour
PESTEL	: Political, Economic, Social, Technology, Environment and Legal
PFMA	: Public Finance Management Act 1 of 1999
POPIA	: Protection of Personal Information Act 4 of 2013
PPI	: Producer Price Index
QLFS	: Quarterly Labour Force Survey
SACCAWU	: South African Commercial, Catering and Allied Workers Union
SAC	: Single Adjudication Committee
SADC	: Southern African Development Community
SASCOC	: South African Sports Confederation and Olympic Committee
SMME	: Small, Medium and Micro Enterprise
SOP	: Standard Operating Procedure
SSA	: Sub-Saharan Africa
SWOT	: Strength, Weakness, Opportunities and Threats
TERS	: Temporary Employee/Employer Relief Scheme
UIF	: Unemployment Insurance Fund



PART A: OUR MANDATE

1. UPDATES TO THE RELEVANT LEGISLATIVE AND POLICY MANDATES

1.1. CONSTITUTIONAL AND LEGISLATIVE MANDATES

The following are the Constitutional and Legislative mandates that the CCMA derives its mandate from:

Table 1: Constitutional and Legislative mandates

CONSTITUTION AND LEGISLATIONS	MANDATES
Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)	The CCMA constitutional mandate is drawn directly from Section 23 of the Constitution of the Republic of South Africa that deals with labour relations.
The Labour Relations Act, 1995 (Act no. 66 of 1995) [as amended] (LRA)	<p>The CCMA's legislative mandate is derived principally from the LRA which gives effect to and regulates the fundamental rights conferred by Section 23 of the Constitution. The CCMA's legislative mandate is drawn from the purpose of the LRA itself, which is "to advance economic development, social justice, labour peace and the democratisation of the workplace." Section 115(1) of the LRA identifies the mandatory functions of the CCMA as follows:</p> <ul style="list-style-type: none"> • Establish picketing rules in respect of protected strikes and lockouts • Arbitrate certain categories of disputes that remain unresolved after conciliation • Consider applications for accreditation and subsidies of bargaining councils and private agencies • Administer the Essential Services Committee • Conciliate workplace disputes • Facilitate the establishment of workplace forums and statutory Councils • Compile and publish statistics and information about its activities • At least every second year, review any rules made in terms of this section <p>Section 115(2) and (3) of the LRA set out the discretionary functions that enhance the delivery of the CCMA mandate, while not replacing the delivery of the mandatory functions. The discretionary functions include but are not limited to the following:</p> <ul style="list-style-type: none"> • Supervise ballots for unions and employer organisations • Provide training on any aspect of employment law • Advise a party to a dispute about the procedures to follow • Offer to resolve a dispute that has not been referred to the CCMA • Make rules on practice and procedure • Publish guidelines on any aspect of the LRA
The Employment Equity Act, 1998 (Act 55 of 1998) (EEA)	<p>The CCMA also derives part of its mandate from specific provisions of the EEA Chapter II, which deals with the prohibition of unfair discrimination. Section 10 of the EEA provides that the CCMA must:</p> <ul style="list-style-type: none"> • Conciliate any dispute referred to it in terms of EEA; and • Arbitrate disputes that remain unresolved after conciliation according to the stipulations of EEA. <p>Section 52 of the EEA provides that the CCMA must conciliate disputes relating to the interpretation and application of Part C (Protection of Employee Rights) of Chapter V (Monitoring, Enforcement and Legal Proceedings) of the EEA.</p>



Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997) (BCEA)	The mandate of the CCMA is also derived from Chapter Five (Termination of Services – severance pay) and Chapter Ten (Monitoring Enforcement Legal Proceedings) of the BCEA.
National Minimum Wage Act, 2018 (Act No. 9 of 2018) (NMWA)	<p>The NMWA has as its purpose as the advancement of economic development and social justice by way of protection of employees from unreasonably low wages and improving wages of the lowest-paid employees and furthermore, promoting collective bargaining and supporting economic policy. The NMWA states that the payment of the minimum wage is read into the employment contract as a term and condition of employment. It therefore cannot be changed unilaterally and can only be 'ignored' if the employee is offered a higher wage by way of agreement. Since the enactment of the NMWA on 1 January 2019, the functions of the CCMA have been expanded upon to adjudicate all labour-related matters pertaining to the NMWA. The legislative role of the CCMA is to ensure enforcement and compliance with the NMWA.</p> <p>In a gazette published on 8 February 2021, the minister said that the national minimum wage is now R21.69 for each ordinary hour. This change took effect on 1 March 2021. Thus, the national minimum wage will change from R20.76 per hour to R21.69 for each ordinary hour that an employee works. This is an increase of approximately 4.9%. All sectors will be subject to the new national minimum wage.</p> <p>The gazette also provides exceptions for several worker groups, namely:</p> <ul style="list-style-type: none"> • Farmworkers are entitled to a minimum wage of R21.69 per hour • Domestic workers are entitled to a minimum wage of R19.09 per hour • Workers employed on an expanded public works programme are entitled to a minimum wage of R11.93 per hour <p>The national minimum wage is the amount payable for the ordinary hours of work and does not include payment of allowances (such as transport, tools, food or accommodation), payments in kind (board or lodging), tips, bonuses and gifts.</p>

1.2. POLICY MANDATES

The policy mandates informing the strategic position and purpose of the CCMA are summarised as follows:

Table 2: Policy Mandates

POLICY	MANDATE	
National Development Plan 2030 (NDP 2030)	The NDP 2030 aims to reduce inequality and eliminate poverty by 2030. The CCMA aims to contribute towards eight (8) outcomes which are as follows:	
	NDP 2030 OUTCOMES	CCMA CONTRIBUTIONS
	Outcome 3: Economy and Employment	<ul style="list-style-type: none"> • Preservation of jobs/employment security • Strengthening of dispute resolution and enforcement mechanisms • Intensifying dispute management and prevention
	Outcome 6: Inclusive Rural Economy	<ul style="list-style-type: none"> • Increasing the CCMA's accessibility and presence in remote and rural areas
	Outcome 7: Positioning South Africa in the World	<ul style="list-style-type: none"> • Establishment and leveraging of strategic partnerships
	Outcome 9: Improving Education, Training, and Innovation	<ul style="list-style-type: none"> • Facilitation of labour market training and capacity building
Outcome 11: Social Protection	<ul style="list-style-type: none"> • Implementation of advocacy and outreach activities specific to vulnerable groups 	



	<p>Outcome 13: Building a Capable and Developmental State</p> <ul style="list-style-type: none"> • Optimisation of the organisation 														
	<p>Outcome 14: Fighting Corruption</p> <ul style="list-style-type: none"> • Ensuring maximum service delivery, successful strategy implementation, clean administration, and adherence to principles of good governance 														
	<p>Outcome 15: Nation-building and Social Cohesion</p> <ul style="list-style-type: none"> • Promotion of labour peace and equity 														
Medium Term Strategic Framework (MTSF 2019 – 2024)	<p>The CCMA was guided by the MTSF 2019-2024, which is regarded as an implementation and monitoring tool of the NDP 2030. In the attainment of the NDP 2030 goals, the MTSF 2019-2024 identifies seven (7) priorities for the five (5) year strategic period. For the 2022/23 financial year, the CCMA will contribute towards the following six (6) MTSF Priorities:</p> <table border="1"> <thead> <tr> <th>MTSF PRIORITIES 2019 – 2024</th> <th>CCMA INTERVENTIONS</th> </tr> </thead> <tbody> <tr> <td> <p>Priority 1: Capable, Ethical and Developmental State</p> </td> <td> <ul style="list-style-type: none"> • Embed good governance to the protection of organisational value by mitigating governance failure, anticipating and responding to the changing contextual environment and legislative reforms and achieving a clean administration • Better anticipate strategic risks to enable the organisation to mitigate timeously • Ensure the organisation compliances to all applicable legislation and policies • Improved strategic management </td> </tr> <tr> <td> <p>Priority 2: Economic Transformation and Job Creation</p> </td> <td> <ul style="list-style-type: none"> • Expeditious resolution of disputes, leveraging on technology to expand outreach services, enhance efficiencies and ensure effective dispute resolution • Preservation of jobs/employment security • Reducing red-tape and the associated costs related to labour law advice for SMMEs </td> </tr> <tr> <td> <p>Priority 3: Education, Skills and Health</p> </td> <td> <ul style="list-style-type: none"> • Facilitation of labour market training and capacity </td> </tr> <tr> <td> <p>Priority 4: Consolidating the Social Wage through Reliable and Basic Services</p> </td> <td> <ul style="list-style-type: none"> • Improving coverage and efficiency of social insurance </td> </tr> <tr> <td> <p>Priority 6: Social Cohesion and Safer Community</p> </td> <td> <ul style="list-style-type: none"> • Strengthening of dispute resolution and enforcement mechanism • Improving accessibility of the CCMA services by the vulnerable groups • Managing and preventing disputes in the workplaces • Assisting the vulnerable in the enforcement of arbitration awards • Reducing the potential for industrial action </td> </tr> <tr> <td> <p>Priority 7: A Better Africa and World</p> </td> <td> <ul style="list-style-type: none"> • Optimisation of the organisation </td> </tr> </tbody> </table>	MTSF PRIORITIES 2019 – 2024	CCMA INTERVENTIONS	<p>Priority 1: Capable, Ethical and Developmental State</p>	<ul style="list-style-type: none"> • Embed good governance to the protection of organisational value by mitigating governance failure, anticipating and responding to the changing contextual environment and legislative reforms and achieving a clean administration • Better anticipate strategic risks to enable the organisation to mitigate timeously • Ensure the organisation compliances to all applicable legislation and policies • Improved strategic management 	<p>Priority 2: Economic Transformation and Job Creation</p>	<ul style="list-style-type: none"> • Expeditious resolution of disputes, leveraging on technology to expand outreach services, enhance efficiencies and ensure effective dispute resolution • Preservation of jobs/employment security • Reducing red-tape and the associated costs related to labour law advice for SMMEs 	<p>Priority 3: Education, Skills and Health</p>	<ul style="list-style-type: none"> • Facilitation of labour market training and capacity 	<p>Priority 4: Consolidating the Social Wage through Reliable and Basic Services</p>	<ul style="list-style-type: none"> • Improving coverage and efficiency of social insurance 	<p>Priority 6: Social Cohesion and Safer Community</p>	<ul style="list-style-type: none"> • Strengthening of dispute resolution and enforcement mechanism • Improving accessibility of the CCMA services by the vulnerable groups • Managing and preventing disputes in the workplaces • Assisting the vulnerable in the enforcement of arbitration awards • Reducing the potential for industrial action 	<p>Priority 7: A Better Africa and World</p>	<ul style="list-style-type: none"> • Optimisation of the organisation
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<p>Priority 7: A Better Africa and World</p>	<ul style="list-style-type: none"> • Optimisation of the organisation 														
Presidential Job Summit Framework, 2018	<p>During the 2015/16 financial year, the results of a study commissioned by Business Unity South Africa (BUSA), revealed that hiring and fulfilling legislative and fair employment practices proved to be a constraint for the effective establishment and management of SMMEs. The CCMA's statistics at the time suggested that 80% of referrals to the CCMA were disputes that arose from SMMEs. This revelation led to the birth of the CCMA/BUSA SMME Labour Support Web Tool initiative, which was subsequently included in the Presidential Job Summit Framework agreement of 2018. The overall objective for the development of the CCMA/BUSA SMME Labour Support Web Tool initiative was to collaboratively develop a free-to-use, self-service, web-based tool for SMMEs (or other interested users) for:</p> <ul style="list-style-type: none"> • Providing SMMEs with labour relations best practices and guidance free of charge 														



	<ul style="list-style-type: none">• Improving employer and employee understanding of employment law in the SMME space• Improving SMME compliance with employment law• Reducing red-tape and the associated costs related to labour law advice for SMMEs• Contributing to SMME workplace stability and certainty
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1.3. UPDATES TO INSTITUTIONAL POLICIES AND STRATEGIES

The following section provides progress on some of the key institutional policies and strategies. The progress will indicate the approved policies and strategies. Below are the key policies and strategies which the CCMA has prioritised for the next five (5) years:

a) **Dispute Prevention and Workplace Outreach (DP&WO) Strategy and service delivery model**

The Dispute Resolution (DR) department has revised and ensured the approval of the two Standard Operating Procedures (SOP) on Dispute Prevention and Workplace Outreach (DP & WO) and the DR Complaints Management to ensure that they both comply with the Protection of Personal Information Act 4 of 2013 (POPIA) and the associated regulations.

b) **Dispute Resolution and Enforcement service delivery model**

The DR Department has ensured the approval of SOPs to primarily align with the requirements of the Protection of Personal Information Act 4 of 2013, to the Dispute Resolution processes. The following SOPs were approved:

- SOP on Dealing with Heads of Argument
- SOP on Processing of s143 Applications
- SOP on Dealing with Cases under COVID-19 lockdown
- Case Management System User Guide and SOP
- Continuous Development and Training Standard Operating Procedure
- Protection of Personal Information in Dispute Resolution Processes and Interventions

c) **Information and Communication Technology (ICT) Strategy**

During the financial year 2020/21, the Policy on Information Security was approved. The purpose of the policy is to ensure the security, confidentiality, integrity, and availability of information.

d) **Human Resources Strategy**

The approved Human Resources Strategy is in place and is aimed at supporting the effective execution of the Imvuselelo Strategy of the CCMA. The HR Strategy facilitates a dynamic and successful CCMA that delivers exceptional performance and services through suitable qualified, optimally developed and engaged staff of the CCMA. While the Human Resources Strategy is aligned to the Imvuselelo Strategy, it directly contributes to programme 1 of the Imvuselelo Strategy by ensuring capacity for high-performance CCMA.



e) Talent Management and Succession Planning

The Talent Management Framework is in place and was approved in 2021. It is aimed at providing a standardised and integrated approach to managing talent, succession and career management to ensure consistent application across the CCMA. Talent management is the proactive management of the demand and supply of critical skills in the short and long term, which includes the identification, planning, attraction, development, retention and monitoring of both the supply and demand of critical positions and key talent.

Succession planning is an integral part of talent management. Succession planning is at the centre of the talent management process. The talent management framework identifies key roles and maps out ways (career pathing) to ensure the CCMA has the right people with the right skills, capabilities, and experiences in the right place at the right time.

f) Governance Strategy

In an endeavour to embed the culture of good governance in the CCMA, the Governing Body approved the 2020/23 Governance Strategy that outlines the direction to be undertaken by the CCMA to achieve good corporate governance. The Corporate Governance Strategy aims to promote the four (4) fundamental guiding principles of good corporate governance: responsibility, accountability, transparency and fairness to ensure that applicable regulatory frameworks are in place to enforce them. Moreover, it aims to support the attainment and delivery of the highest governance maturity level as indicated in the Corporate Governance maturity roadmap.

2. UPDATES TO RELEVANT COURT RULINGS

Several landmark judgements have also influenced CCMA processes and approaches. Key to note are the following court judgements:

- **Labour Court Judgment:** In *South African Sports Confederation and Olympic Committee (SASCOC) v Commission for Conciliation, Mediation and Arbitration and Others* (JR 2642/2019) [2021] ZALCJHB 23 (1 March 2021), the Labour Court was to decide whether employees are entitled to disclose an investigation report which forms the basis of the charges against them during CCMA proceedings. The Court found that employees will not be entitled to disclosure of an investigation report where such report was not used in the disciplinary enquiry and will not be relied upon by the employer during arbitration proceedings.
- **Labour Court Judgment:** In *Eskort Ltd v Mogotsi and Others (LC)* (unreported case no JR1644/20, 28 March 2021), the Labour Court had to decide whether COVID-19 protocols were taken seriously and whether diligence and experience were exercised in the enforcement of rules. In this case, Mr Mogotsi was dismissed for gross misconduct (for failing to disclose to his employer that he had taken a COVID-19 test) and for gross negligence (in that after receiving his results he failed to self-isolate, continued working and put the lives of his colleagues at risk). The Commissioner found that the sanction of dismissal was inappropriate as the employer's disciplinary code suggested only a final written warning for this type of dismissal and reinstated Mr Mogotsi. The court found that the Commissioner had concluded that Mr Mogotsi's conduct was "extremely



irresponsible in the context of the pandemic". That should have been the end of the matter. The court was critical of Commissioners who paid lip service to the provisions of the LRA and the Code of Good Practice. It found that reference to these provisions without applying them to the facts of a case was a meaningless exercise. The court reiterated that, ultimately, irrespective of what a disciplinary code may say, a commissioner is obliged to assess the nature of the misconduct in question, determine if, whether combined with other factors and the evidence led, the misconduct in question can be said to be of a gross nature. Once that assessment is made, and the invariable conclusion to be reached is that the misconduct in question is of such gross nature as to negatively impact on a sustainable employment relationship, then the sanction of dismissal will be appropriate. It found that "fancy" COVID-19 protocols were meaningless if they were not taken seriously.



PART B: OUR STRATEGIC FOCUS

1. VISION

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

2. MISSION

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

3. VALUES

The core values and operating principles of the CCMA are outlined in the table below:

Table 3: Core values and operating principles of the CCMA

VALUES	OPERATING PRINCIPLES
Respect	<ul style="list-style-type: none">▪ In the execution of our duties, to act with respect for all, valuing those whom we serve and those whom we work with
Excellence	<ul style="list-style-type: none">▪ We continuously do our best in delivering on our mandate and in service to our people, executing our duties with a sense of urgency, professionalism and world-class quality
Accountability	<ul style="list-style-type: none">▪ We hold ourselves responsible for our actions and the outcomes of our work▪ In being accountable, we are committed to each other and all we do and take responsibility for our actions and our performance
Diversity	<ul style="list-style-type: none">▪ By embracing diversity and inclusivity, we learn from each other daily, while sharing and celebrating who we are and what we do. We embrace inclusivity and celebrate the differences of our people
Integrity	<ul style="list-style-type: none">▪ We act impartially without fear, favour, or prejudice, objectively balancing the diverse needs of social partners, being honest and ethical in all we do, doing the right thing, even when no one is looking
Transparency	<ul style="list-style-type: none">▪ We work in a manner that is open, fair and transparent▪ Guided by our statutory obligations and commitment, we are open in our dealings with everyone we serve

4. UPDATED SITUATIONAL ANALYSIS

This section will discuss the external and internal environment influencing the CCMA's performance as well as factors that will influence the 2022/23 APP and targets.



4.1. UPDATED EXTERNAL ENVIRONMENT ANALYSIS

The objective of the external environmental analysis is to ascertain how changes in the world of work impact the CCMA's business operations and its overall trajectory. The external environment analysis is broken down into the global impact on the South African economy and the labour market; reforms, investment in infrastructure and COVID-19 vaccine; economic forecasts: the South African market; COVID-19 and impact on the labour and the CCMA and the PESTEL Analysis.

4.1.1. THE GLOBAL IMPACT ON THE SOUTH AFRICAN ECONOMY AND THE LABOUR MARKET

The global economic recovery remained strong and was at pre-pandemic levels. This development was underpinned by support measures from central banks and governments as well as increasing rates of vaccination. Unfortunately, economic recovery remained uneven, with advanced economies on a sustainable recovery trajectory while emerging market and developing economies continued to experience subdued economic growth. The global economy was projected to grow at a rate of 6% in 2021 and 4.9% in 2022. Improved global economic growth rates were characterised by increased demand for commodities resulting in higher commodity prices and stronger consumer spending, especially for commodities. It was anticipated that advanced economies would return to pre-pandemic growth rates in 2022 while emerging markets and developing economies would remain below pre-pandemic levels¹. Headline consumer price inflation had increased throughout the world due to higher commodity prices, supply-side constraints and stronger consumer demand as economies began re-opening. However, this is expected to taper off in 2022. Inflation continues to increase in the Eurozone. The most recent figures for October 2021 indicated that consumer prices were up by 4.1% compared to a year earlier, making this the highest rate since July 2008. Food and energy prices remained volatile. The United Kingdom experienced the highest inflation rate in a decade with consumer prices increasing to up to 4.2% in October 2021 compared to the same period in 2020. Inflation in the United States of America was roughly 2% higher as compared to other advanced economies; this was attributed to supply chain disruptions. Economic indicators suggested a modest acceleration in China's economic activity in October 2021 after growth bottomed in September 2021. Both retail sales and industrial production accelerated from their September growth rates. However, fixed asset investments appeared to have slowed down and house price inflation abated².

For a significant proportion of emerging market economies, higher prices for energy and food had led to increased inflation worsening the plight of already vulnerable populations. Furthermore, output and employment gaps remained in numerous countries, especially in emerging markets and developing economies with lower COVID-19 vaccination rates. It has been noted that slow vaccination rollout could result in weaker recovery and larger job losses, especially for emerging market

¹ <https://www.treasury.gov.za/documents/mtbps/2021/speech/speech.pdf>

² <https://www2.deloitte.com/us/en/insights/economy/global-economic-outlook/weekly-update.html>



and developing market economies. In addition, across the globe, labour markets have not yet recovered to pre-pandemic levels. The recovery of labour markets is linked to economic developments in individual countries³⁴.

The economic activity within the Sub-Saharan Africa (SSA) region is expected to sit at 2.8% at the end of the 2021 annualised year and is projected to rise to 3.3% in 2022⁵. It remains important to note that countries in the SSA region were already facing significant economic and labour market challenges before the onset of the COVID-19 pandemic. South Africa, like other African countries, was already in recession before COVID-19 hit; faced limited public and private investment; was confronted with high levels of debt; and was experiencing a fragile fiscal situation. This situation contributed significantly to stalled economic growth which indirectly affected the labour market negatively, and South Africa is no exception as it continues to experience rising unemployment⁶.

The overall performance and the execution of the CCMA's mandate requires an economy that has stability and is effective and efficient whilst using its scarce resources. To address the challenge of unemployment, South Africa requires high rates of sustained economic growth. South Africa's macro-economic policy environment, infrastructure asset base, schooling system and regulatory frameworks are all key to growth. However, improving and reforming these factors is a long-term process.

South Africa is forecasted at a growth of +3.5% this year (2021) and +2.1% in 2022 according to the World Bank, Global economic prospect report. It also highlighted expectations for global growth to expand by 5.6%, the fastest post-recession pace in 80 years. This projection is also upwardly revised from January 2021's global growth forecast of 4%⁷.

South Africa's economic climate has presented challenges in the run-up to the 2021 budget. The South African government tabled an emergency budget in mid-2020 in the middle of the COVID-19 pandemic when it faced an expected budget revenue shortfall of R312 billion since the 2020 budget. The subsequent Medium Term Budget Policy Statement (MTBPS) had to allocate additional resources towards an economic recovery plan, along with an economic stimulus to ensure that the economy can build a sustainable recovery after the estimated 7.2% decline in economic output in 2020. As a result, and in line with global trends, South Africa's debt rose sharply in 2020. So too did debt projections over the next five years to meet the spending needs that arose from the pandemic, including the funding of continuity support measures to households and businesses along with other economic recovery plans⁸.

According to Statistics South Africa (Stats SA), the South African economy grew by 1.1% in the first quarter of 2021 (January to March) which translated into an annualised growth rate of 4.6% with the South African economy remaining 2.7% smaller than it was in quarter 1 of 2020 (January to March). In quarter 2 of 2021 (April to June), the South African economy grew by another

³https://www.oecd-ilibrary.org/sites/490d4832-en/index.html?itemId=/content/publication/490d4832-en&_ga=2.264514125.316749660.1635329409-1284658004.1555074532

⁴ <https://unctad.org/news/recovery-resilience-hanging-together-or-swinging-separately>

⁵ <https://www.worldbank.org/en/news/press-release/2021/06/08/world-bank-global-economic-prospects-2021>

⁶ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_795453.pdf

⁷ <https://www.worldbank.org/en/news/press-release/2021/06/08/world-bank-global-economic-prospects-2021>

⁸ <https://www2.deloitte.com/za/en/insights/economy/emea/africa-economic-outlook.html>



1.2%, however, the economy remained 1.4% smaller than it was prior to the COVID-19 pandemic. Although the economy is growing, real GDP remains below pre-pandemic levels^{9 10}.

The Organisation for Economic Cooperation and Development (OECD) acknowledges that COVID-19 caused job loss for millions of workers in South Africa. However, it notes that before the COVID-19 pandemic, Foreign Direct Investment (FDI) was already declining due to policy uncertainty and other structural issues (such as lack of adequate infrastructure, financial challenges experienced by the government and regulatory restrictions). The OECD's considered position is that resolution of the aforementioned challenges coupled with strong economic growth (above 4% per annum) is required to ensure a sustainable economic recovery path and future economic prosperity for South Africa¹¹.

4.1.2. REFORMS, INVESTMENT IN INFRASTRUCTURE AND COVID-19 VACCINE

The 2020/21 budget pinned the hopes to a path to economic recovery based on a complex set of reforms even though there were significant budget cuts across government departments and public entities. These budget cuts are driven by the raising of public infrastructure spending; the commitment to exceptional spending cuts to bring about a significant recovery to raise growth; the raising of the tax revenue; and the rebuilding of a sustainable economic trajectory that allows for job creation and inclusive economic growth. These reform strategies were crucial for the reversing of the decline in GDP per capita which between 2015 and 2019 fell by an annual average of 1%. Without a growing economy, South Africa faces a cycle of persistently low economic growth, a fast-growing unemployment rate and an increased reliance on social security programmes, thereby further burdening the fiscus¹². To achieve an effective recovery plan, South Africa will need to enact further reforms in the short term that will advance its economy for sustainable growth and allow the country to achieve the socio-economic and development goals as detailed in its National Development Plan¹³.

These reforms are based on the following priority goals:

- *Increasing investment in infrastructure*
- *Encouraging private sector investment and private-public partnerships through efficiency reforms*

An amount of R791 billion was allocated over the medium term to public sector infrastructure spending, the bulk of which was slated to go to transport and logistics (R287 billion) and energy (R149 billion). The budget has also noted that government cannot continue to drive investment, given the poor value for money from public spending. Reigning in spending while increasing investment forms a major focus of this latest (2021/2021-medium term) budget and the fiscal pressures the government is currently experiencing mean that the private sector will have to play a role in assisting the government and the economic growth. The national budget also made provision for around R17.3 billion in relation to COVID-19 vaccine-related spending, of which

⁹ <http://www.statssa.gov.za/?p=14423>

¹⁰ <http://www.statssa.gov.za/?p=14660>

¹¹ <https://www.oecd.org/economy/south-africa-economic-snapshot/>

¹² <https://businesstech.co.za/news/business/504119/here-are-the-work-from-home-rules-under-south-africas-level-4-lockdown/>

¹³ <https://www2.deloitte.com/za/en/insights/economy/emea/africa-economic-outlook.html>



R10.3 billion was budgeted explicitly to fund a vaccine rollout programme with an increase in the contingency reserve from R5 billion to R12 billion for further vaccine purchases¹⁴.

4.1.3. ECONOMIC FORECASTS: THE SOUTH AFRICAN MARKET

Forecasts were run on selected indicators, such as the unemployment rate, retail sales, the South African currency, the Consumer Price Index (CPI), etc. in order to determine if the South African economy has adequate “give” (room) for the creation of new jobs in the near coming future or if it can predictably survive the onslaught brought on by the mammoth job losses suffered since March 2020; when the COVID-19 pandemic arrived in South Africa. The latest findings from Stats SA indicate that the annual Consumer Price Inflation (CPI) is 5,0% in October 2021. The main contributors to the 5,0% annual inflation rate were food and non-alcoholic beverages; housing and utilities; transport; and miscellaneous goods and services. Food and non-alcoholic beverages increased by 6,1% year-on-year and contributed 1,1 percentage points to the total CPI annual rate of 5,0%. Annual fuel inflation has been consistently higher than overall headline inflation since April 2021. The annual percentage change in the PPI for final manufactured goods was 8,1% in October 2021. From September 2021 to October 2021 the PPI for final manufactured goods increased by 0,7%. The developments noted for the PPI and CPI are not positive; neither do they bode well for the labour market. It is envisaged that from these projections the CCMA will have ample proactive ground to prepare for influxes in case referrals in response to the changing economy.

The current South African labour climate is currently rather unstable with an increasing unemployment rate that rose from 32.6% to 34.4% in the second quarter of 2021. The forecasts ran as of the 25th of November 2021, before the release of the Stats SA QLFS Report, indicated that an upward increase of the unemployment rate in 2022 is still to be expected; with an increase of at least 1% from 34% to 35.5%. However, that decrease is likely to be stationed at 33.44% if the economy manages to recover. In this regard, the Quarter 3 QLFS Report supported this forecast/projection in that the latest unemployment rate rests at 34.9% as of the 30 November 2021.

The further projected increase in the unemployment rate is dependent on the assumption that all economic factors as they currently stand remain constant. The increase in the unemployment rate is then likely to spur an increase in labour disputes or the volatility of the labour market in South Africa. In efforts to corroborate the above assumption, projections were run on the CCMA’s provincial case referral load from 2022 until 2024 (fully highlighted under demand for CCMA services) and the findings supported that there is a projected increase in the demand for CCMA services to be expected in the following provinces: Gauteng, Western Cape and KwaZulu-Natal.

According to the Quarterly Labour Force Survey (QLFS) of the 3rd quarter of 2021, young people between 15-24 years were the most affected group in the South African labour market, with the official unemployment rate being 66,5% in the 3rd quarter. This rate, 43,8% of young people aged 25-34 years, which is almost six in every ten young people in the labour market being unemployed. These statistics have a consequently negative impact on the economy hence the noted forecasts on retail sales which also shows a decrease meaning the number of individuals able to contribute to the economy in the form of expenditure

¹⁴ <https://www2.deloitte.com/za/en/insights/economy/emea/africa-economic-outlook.html#>



(spending power) are expected to decline. In this regard, the CCMA can expect an increase in referrals over the coming two (2) years resulting from the confounding impact the COVID-19 pandemic has had and is likely to still have on jobs and the economy.

4.1.4. COVID-19 FORECASTS AND IMPACT ON THE LABOUR MARKET AND THE CCMA

The full effects of COVID-19 on the South African labour market continue to unfold in a context where vaccine rollout is currently underway and where certain economic policies are being implemented to support economic revival and revitalisation of key economic sectors. The anticipated implications on the CCMA are that there may be a gradual increase in the caseload as the sectors continue shedding jobs due to repetitive lockdown measures aimed at curbing the spread of COVID-19.

It has been noted COVID-19 induced job loss has eroded about a decade worth of employment growth from the implementation of the initial hard lockdown in March 2020 to date. The findings of a recent study on the effects of COVID-19 on the South African labour market tentatively indicate that of those who were affected by job loss from March 2020, 95.2% were not union members. Furthermore, job recovery remains subdued and is characterised by an ever-increasing unemployment rate (currently at 34.4% of the highest in the world, confirmed by Stats SA). The full effects of COVID-19 on the South African labour market continue to unfold in a context where vaccine rollout is currently underway and where certain economic policies are being implemented to support economic revival and revitalisation of key economic sectors ^{15 16}.

At a closer look in the CCMA's backyard, the COVID-19 pandemic has affected several of its offices nationwide with 105 CCMA employees within the Gauteng office having been infected with the virus. Other CCMA offices affected by the pandemic reported the number of infected staff during this period (April- December 2021) as follows; in KwaZulu-Natal (63), Mpumalanga (34), Western Cape (23) and Eastern Cape (15). Regional offices in Mpumalanga continued being the second-highest in terms of having COVID-19 related office closures (11) after Gauteng. In total, the CCMA thus far has had 381 employees infected by COVID-19, with 62 active cases and 12 deaths with offices closing 90 times for disinfecting purposes. The aforementioned CCMA data is from March 2020 to 31 December 2021 as received from the Employee and Wellness Unit.

The COVID-19 projections show that these five (5) provinces; Gauteng, KwaZulu-Natal, Free State, Eastern Cape and Western Cape are expected to be the most impacted by an increase in positive COVID-19 infections with a projected increase of between 200 thousand and 1 million new infections (<https://www.nicd.ac.za/diseases-a-z-index/disease-index-COVID-19/surveillance-reports/modelling-consortium-projections/>) to be recorded in a year (2022) if all current realities remain the same in each province. However, should there be a significant increase in the number of vaccinated individuals slowly ushering the realisation of "herd (people) immunity", this will ultimately affect the current projections. Until the latter is realised in significant proportions, the reality affirms the projections in that as per data provided by the National Health Department as of 13 December 2021, the following provinces were identified as hotspot areas with the Omicron variant dominating the new cases; KwaZulu-Natal, Gauteng, Western Cape and North West, followed closely by Mpumalanga and Limpopo with more than 6 000 active cases. Therefore, CCMA offices

¹⁵ <https://mg.co.za/business/2021-05-08-COVID-19-kills-a-decade-of-employment-growth-in-sa/>

¹⁶ <https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/wits-school-of-governance/documents/COVID-19%20and%20the%20labour%20market-.pdf>



in the afore-mentioned provinces can expect COVID-19 related disruptions in their operations which may impact them realising their set targets for the financial year 2022/23.

Since March 2020, there has been an observed 40% decline in active employment in South Africa because of COVID-19 (Jain et al., 2020). Half of the job losses that occurred due to COVID-19 comprised of job terminations, a disruption in the labour market that can still be expected if the spread of the virus is not contained. In particular, vulnerable groups such as women, black Africans, the youth and those less educated groups are and will continue to be disproportionately negatively affected (Ranchhod & Daniels, 2021) by the ripple effect the COVID-19 is causing in the labour market. As such, it is proposed that the CCMA's dispute prevention and resolution measures be aimed at addressing the plight of these vulnerable groups to realise some forms of stability and sustained participation in the labour market.

The pandemic has forced many organisations to consider and adopt new ways and means of conducting normal business and new office modelling strategies aimed at containing the spread of the virus. One such strategy, following the remote working from home strategy, has been the adoption of new space modelling. In noting the provinces projected to be affected by the COVID-19 virus, there is a need to consider an evaluation of the office's capacity and the consideration of neighbouring spaces that can be used when these offices experience COVID-19 related temporary closures.

4.1.5. PESTEL ANALYSIS

A detailed report on the strategic forecasting and situational analysis report has been prepared and utilised to extract the PESTEL and SWOT analysis. The wave of political unrest in South Africa is undoubtedly slowing down the economic development process. Therefore, winning the support and confidence of the public and investors, considering these political challenges, becomes very critical if economic advancement is to be achieved. The ongoing political unrest ultimately affects the large investment including foreign direct investments, as a result, job creation suffers greatly with job losses being more eminent. The continuous increased tensions between the government and the political parties as well as respective supporters bring about a high likelihood of protest action as a result denting business confidence with further retrenchments and an increased workload for the CCMA.

According to the National Treasury, gross loan debt is expected to increase from R3.95 trillion, or 80.3% of GDP, in 2020/21 to R5.23 trillion, or 87.3% of GDP, by 2023/24. Debt-service costs will rise from R232.9 billion in 2020/21 to R338.6 billion in 2023/24. These costs, which were already the fastest-rising item of spending, now consume 19.2% of tax revenue. Funds that could be spent on economic and social priorities are being redirected to pay local and overseas bondholders. Over the next three years, annual debt-service payments exceed government spending on most functions, including health, economic services, and peace and security. As a result, the government will not introduce measures to increase tax revenue in this Budget and previously announced increases amounting to R40 billion over the next four years will be withdrawn.

Although South Africa is the most diversified and industrialised economy in Africa, economic performance has been rather subdued over the last 10 years. This has been attributed to low commodity exports, weak investor confidence policy uncertainty and rigid local labour markets. Key socioeconomic challenges also include high rates of poverty, social inequality, unemployment,



disparities in access to public services and unequal access to land (which remains a sensitive topic). Other issues include violent crime, periodic anti-immigrant violence, labour unrest and frequent protests over public service delivery and corruption. The impact of COVID-19 may further lessen economic growth with devastating results for the overall economic outlook.

Against such a background, the CCMA is likely to find itself with an influx of referrals as unemployment (which was already high prior to the COVID-19 outbreak) continues to accelerate. Without the stated structural changes, together with the economic fallout from COVID-19, a higher rate of unemployment is anticipated following the recent increase of 34.9%. For the CCMA, such an outcome will probably translate to an increased caseload, specifically for retrenchments.

While there is no rapid and easy solution for reducing social costs while improving organisational performance, delivering on social imperatives should not be overlooked. The result of a substantial poor population, a defining feature of economic inequality, is a less effective lower-income workforce characterised by higher disease and mortality rates, higher health care costs and progressively deepening poverty for afflicted groups. The impact of the societal analyses on the CCMA both internally and externally speaks to the need for the organisation, within its reduced fiscus, to find innovative means towards ensuring that staff is continuously upskilled by leveraging on its strategic partnerships and introducing new policies aimed at ensuring that the basic conditions of employment (lunch breaks, safety, etc.) are adhered to during teleworking engagements. Externally, the CCMA must continue to ensure that users are fully and effectively serviced by ensuring that the services are always accessible to the public and that Users are not exposed to touts and fraudsters claiming to be representatives of the CCMA. Given the limited resources available to the CCMA, the continuous use of mutually beneficial strategic partnerships must be sustained. As noted significantly in the forecasting of unemployment, it is well noted that vulnerable sectors are currently (during the new variant of COVID-19 pandemic) and will see much more influx and a higher demand for CCMA services across the country. The ongoing riots and subsequent costs may potentially impact the labour market by way of increased job loss.

While the COVID-19 pandemic presents challenges to several businesses, it also presents several opportunities and threats. Organizations need to take this opportunity to re-assess their business models by taking full advantage of the developments in technological infrastructure, which have received a renewed appreciation during this pandemic when remote working from home strategies have been employed by most employers. The CCMA has not been spared in this regard in that it has also employed working from home strategies in a bid to safeguard the health of its staff and users; this has also called for increased use of its digital platforms and the need to ensure that same is user-friendly and accessible to all.

The extent of the ramifications of the COVID-19 pandemic on the country, our economy, and various institutions are still unclear, particularly in the long term. Whilst the economy has taken quite a dip, the other more immediate and obvious consequence has been the rapid adoption of digital technology. It may be useful in the future for the CCMA to prioritise its digital footprint by continuing to modernise its digital service offerings as influenced by advancements in the technological field.

The other dimension of sustainability in the CCMA is its contribution to preserving environmental quality; commonly referred to as environmental impact. Disinvestment in the Agriculture sector is likely to follow this key policy change resulting in significant job losses. Given the low skills and vulnerability of most workers in this sector, ensuring social justice for them will be a challenge;

giving ample field for the CCMA to intervene by empowering these vulnerable groups. The CCMA may also need to expedite the processes and systems in place to ensure that vulnerable sectors are not marginalised. Hereunder is the summarised version of the PESTEL analysis:



Figure 1: PESTEL Analysis



4.2. UPDATED INTERNAL ENVIRONMENT ANALYSIS

The objective of the internal environment is to give an understanding of how the organisation is structured and configured to deliver on the mandate of the institution and to explore other internal institutional factors which may impact the organisation's ability to achieve its set outcomes. The section deliberates on the service delivery environment, strategic initiatives per programme as well as the demand for CCMA services at a provincial level, and the top eight (8) referral sectors. The section focuses on the organisational structure and human capital, SWOT analysis and concludes with a section covering the challenges experienced by the organisation as well as ICT Projects to be undertaken in the 2022/23 financial year.

4.2.1. THE CCMA'S SERVICE DELIVERY ENVIRONMENT

During the 2020/21 financial year, a total of 154 143 cases were referred to the CCMA compared to 221 547 cases referred in the 2019/20 financial year. There was a decrease in the number of cases referred in the 2020/21 financial year of 67 404 which is translated to 30%. The overall decline in the number of referrals must be seen in the context of COVID-19 with the resultant hard lockdown which resulted in the closure of offices between 26 March 2020 until the reopening on 18 May 2020. Preceding the lockdown, a directive had already been issued that no member of the public could refer disputes physically at CCMA offices. Walk-in referrals were only received when offices around the country opened on the 20 May 2020 for the receipt of physical referrals and closed again on the 1 August 2020. The figure below shows the CCMA five (5) year case referrals:

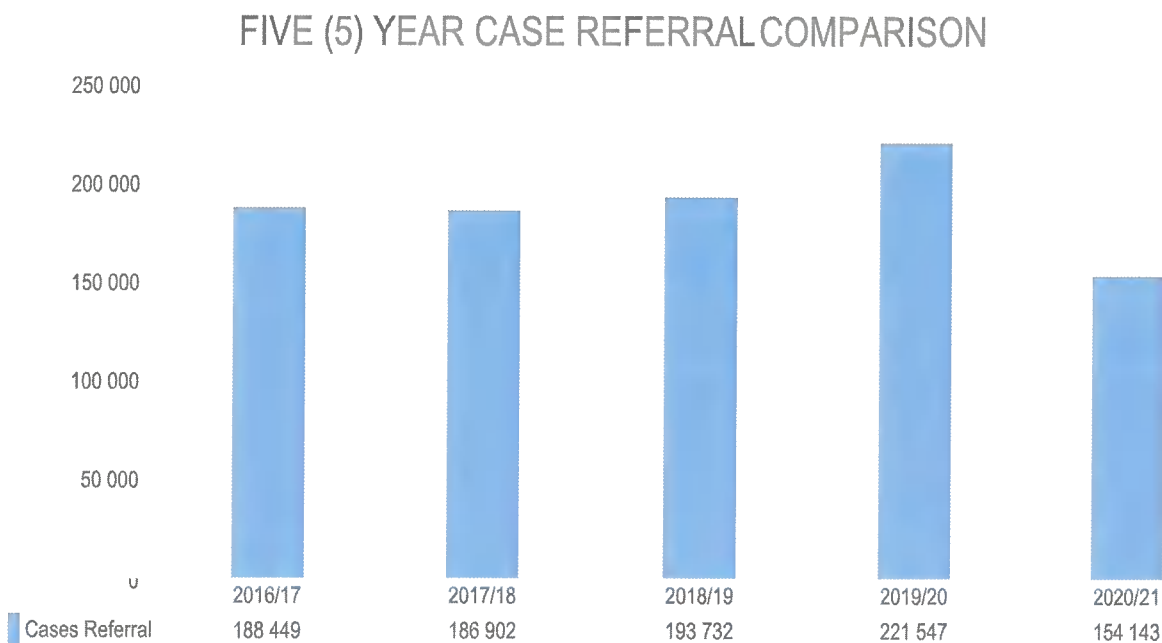


Figure 2: Five (5) year case referral comparison



The CCMA continues to make use of digital initiatives which include e-referral forms, conducting web-based hearings and conducting hearings at employer's/union offices and state-owned offices, amongst others. During the 2021/22 financial year, initiatives are underway to improve on the CCMA e-Referral digital platform which is integrated with the Case Management System (CMS). This system is public-facing and is designed to provide an alternative to physical walk-ins into CCMA offices by the public intending to submit referrals, in part, to respond to the prevailing risks posed by the COVID-19 pandemic. As part of the integration and automisation of case disbursement (Dispute Resolution processes), the CCMA intends to deploy 50% in the 2021/22 financial year. This integration and automisation aim to move towards paperless-based processes and enhance and leverage technologies to improve efficiencies and provide quality services at a low cost to the public.

As at end of quarter three (3) of 2021/22 financial year, a total of 116 514 cases were referred either collectively or individually. A total of 89 056 cases were referred individually and contain a disaggregation by age, and gender. The top eight (8) referring sectors from individual referrals were as follows: Business/Professional services with 21 673 (20%); Safety/Private security with 13 505 (15%); Retail with 11 002 (13%); Building/Construction with 6 597 (6%); Domestic with 6 070 (5%); Food/Beverage manufacture (3 531); Agriculture/Farming (3 691) constituted four percent (4%) respectively and Mining with 2 867 (3%). Case referrals received from the top eight (8) sectors were disaggregated as follows: Male at 46 488 translated to 67%; Female at 22 448 translated to 33% and Youth at 29 960 translated to 43%. The Business/Professional Services constitute most women referrals with 7 407 followed by Retail Sector at 4 837 and Domestic Sector with 4 539.

4.2.2. THE CCMA STRATEGIC INITIATIVES PER PROGRAMME

The strategic intent of the Imvuselelo – “The Revival”, 2020/21 – 2024/25 Strategy focuses on the internal revival of the organisation, transforming it into a modern, optimised institution – a strategic imperative towards realising a high-performance organisation. The operationalisation of the Imvuselelo – “The Revival”, 2020/21 – 2024/25 Strategy will be delivered through five (5) programmes. The following is a tabulation of the strategic initiatives planned per programme:

Table 4: Strategic Initiatives per Programme

PROGRAMME	UPDATES ON PLANNED STRATEGIC INITIATIVES
Administration	<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 interventions	<ul style="list-style-type: none"> • Implement the targeted workplace interventions through the CCMA's DP&WO Strategy • Facilitate the Collective Bargaining Support processes with strategy identified users • Facilitate social protection through social dialogue, advocacy, and outreach • Capacitate, train, and build knowledge and skills in the labour market



PROGRAMME	UPDATES ON PLANNED STRATEGIC INITIATIVES
	<ul style="list-style-type: none"> • Raise awareness on the CCMA services through the delivery of the Advocacy Campaign • Offer support and advisory services to the labour market as and when required • Promote democratisation and best employment practices in workplaces to transform workplaces • Improve the effectiveness and efficiency of the ESC legislated mandate • Proactive intervention to promote effective dispute resolution in essential services • Ensure that parties are assisted when negotiating Minimum Service Agreements (MSAs), would continue to direct parties to conclude MSAs when making new designations • Create awareness to the beneficiaries of essential services, to promote accountability on the part of the providers of essential services.
Special interventions and support	<ul style="list-style-type: none"> • Implement Phase 3 of the CCMA/BUSA Web tool
Efficient and quality dispute resolution and enforcement services	<ul style="list-style-type: none"> • Comply with legislative prescripts in dispute resolution • Comply with legislative prescripts in ESC legislated mandate • Improve access to CCMA and ESC services • Improve the quality-of-service delivery • Intensify employment security measures • Better support to Bargaining Councils and Agencies • Implement the CCMA's Enforcement Strategy • Review of designations
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 to protect 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 complies with all applicable legislation and policies • Intensify strategic partnerships and alliances to support strategy delivery

4.2.3. THE DEMAND FOR CCMA SERVICES

The CCMA anticipates its caseload to grow in the 2022/23 financial year to 185 929. This represents an increase of 17% compared to cases referred in the 2020/21 financial year of 154 143. The CCMA also anticipates that case referrals will grow in all the provinces. Projections were run on the CCMA's provincial case referral load for 2022 until 2024 and the findings supported that there is a projected increase in the demand for CCMA services in the following provinces, which have currently experienced labour unrest, Gauteng, Western Cape, and KwaZulu-Natal. It is thusly recommended that the CCMA prioritises the distribution of its resources to these provinces to allow the current staff to effectively cope with the forecasted increase in demand. The figure below highlights the 2020/21 case referrals, 2022/23 anticipated case referrals and the percentage increase of case referrals. The figure below depicts the provincial forecasting of case referrals for the 2022/23 financial year and the percentage increase:



Projected Provincial Demand for CCMA Services in 2022/23

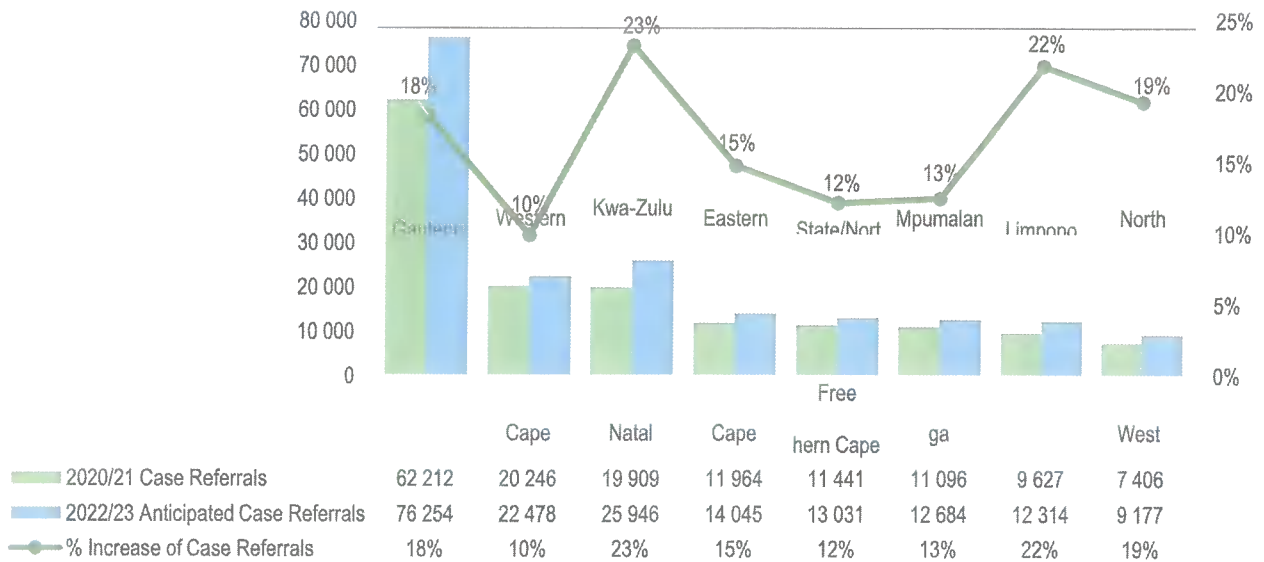


Figure 3: Projected Provincial Demand for CCMA Services in 2022/23

The sectors from which the CCMA is to receive a lot of case referrals in 2021 until 2024 are as follows; the Business/Professional sector, the Safety/Security (private) sector, the Retail sector, the Building/Construction sector, the Domestic sector, the Food/Beverage manufacture, the Agriculture/Farming sector, and the Mining sector. When looking at the former year's (2020/21) forecasts that ran in the 2020/21 Situational & Forecasting Report, these sectors were projected to have the highest case referral in 2021 and when looking at the current reality, as of September 2021, these sectors do indeed carry the most referrals (highlighted in the previous section). The forecasts run currently in 2021 project that this will be a constant feature for the next three (3) years, starting with 2021 – dependent on variables staying constant. It is recommended that CCMA interventions be tailor-made for these sectors specifically and that robust engagement is held with key role-players within the respective sectors to ensure that the magnitude of the labour disputes is stabilised if not marginally prevented.



4.2.4. INFORMATION AND COMMUNICATION TECHNOLOGY

The table below depicts the ICT Projects that will be undertaken in the 2022/23 financial year to address some of the challenges identified in the situational analysis:

Table 5: ICT Projects

NO	ICT INITIATIVE	DESCRIPTION
1	eLearning	Develop a complete end-to-end eLearning platform
2	IT Infrastructure Refresh	Replace ageing ICT Infrastructure with amongst others Cloud computing
3	Define Enterprise Architecture	Define To-Be Architecture that is linked to business direction and strategy
4	Enhance CCMA/BUSA Webtool	Update and integrate the Webtool with the rest of the digital tools of CCMA
5	Deploy E-commissioner Project	Development of Bots Phase 2
6	Customer Service-Interface	Kiosk Deployed
7	Paperless Dispute Resolution	Dispute Resolution Digitisation Phase 3
8	Automation	Electronic Documents & Records Management
9	New Form of Work Platform	Platform Subscription Implementation
10	Wireless Project	Wi-Fi national rollout
11	Contact Centre	Deployment of Contact Centre

4.2.5. ORGANISATIONAL STRUCTURE AND HUMAN CAPITAL

The CCMA is a national public entity in terms of Schedule 3A of the Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999). The CCMA has Provincial Offices that report to the NSC: Dispute Resolution. The CCMA strategy has five key programmes, which are driven at the Macro level and implemented at the Micro level. Each Department in the Macro Structure will account for targets within the programmes. During 2021/22 financial the CCMA went through a review of a Macro Structure which a position of Senior Manager: Dispute Prevention and Training is a new addition to the macro-structure. The incumbent will be reporting directly to the Director. The below illustration is the reviewed CCMA's macro-structure designed to purpose-fit the strategy for successful execution:



Figure 4: CCMA Organisational Structure

The organisation is operating in an approved structure. The total number of approved posts stands at 1 046, however, only 945 of these posts were filled. The CCMA has a complete complement of eight (8) Provincial Senior Commissioners (PSCs) who are responsible for the management of each of the CCMA's provincial offices with the support of thirteen (13) Regional Senior Commissioners (RSCs) who are responsible for overseeing the CCMA's regional offices (satellite offices). Many of the organisation's employees are within the 'skilled technical' occupational level and are between the ages of 61-65, 36-45 and 20-35. The CCMA's staff complement has a lot more staff who are aged between the ages of 36-45 and 46-55. The table below provides the number of CCMA employees:

Table 6: CCMA Employment and Vacancies as of 31 December 2021

Level	2021/22 No. of Employees	2021/22 Vacancies
Top Management	5	1
Senior Management	13	2
Professionally Qualified	220	56
Skilled	643	30
Semi-skilled	44	6
Unskilled	13	0
TOTAL	938	95



4.2.6. SWOT ANALYSIS

An internal review was conducted to ascertain whether the organisation can deliver on its mandate. The below is a tabulation of the findings from the SWOT analysis conducted:

Table 7: SWOT Analysis

STRENGTHS	WEAKNESSES
<p>Brand and reputation</p> <ul style="list-style-type: none"> Increased awareness of the CCMA's constitutional mandate, services and products The CCMA brand is recognised and respected by the public and all stakeholders Growth and better awareness of the ESC and its services High user satisfaction rating on capacity building interventions Recognition of the CCMA intellectual property by academic institutions in South Africa and SADC dispute resolution institutions, resulting in increased demand for CCMA training courses Achievement of a sound workplace amid the COVID-19 pandemic 	<p>Financial constraints</p> <ul style="list-style-type: none"> CCMA's reduced grant is becoming insufficient to meet the statutory mandates of the CCMA Inadequate financial resources to respond to ICT infrastructure needs Lack of funding to write and publish outreach material in all official languages Inability to deliver all the planned activities such as S143
<p>Skills</p> <ul style="list-style-type: none"> Forefront in dispute resolution in South Africa CCMA employees have a diverse skill set at all levels and CCMA maintains good retention of skills A good relationship with external stakeholders Increase in skills level amongst full-time commissioners 	<p>Weak performance management system</p> <ul style="list-style-type: none"> The performance management system remains largely manual with a lot of human interferences which make it susceptible to human error Misalignment between the organisational performance management and personnel performance management systems
<p>High performance</p> <ul style="list-style-type: none"> The legislated mandate is implemented efficiently and effectively, in meeting statutory requirements High performance in public interest disputes contribute to labour market stability and healthy labour relations The CCMA is resilient despite additional requests and a dynamic environment The CCMA plays a positive role in ensuring good labour practices, providing support and guidance in collective bargaining processes 	<p>Personnel capacity constraints</p> <ul style="list-style-type: none"> Capacity constraints throughout the CCMA Limited availability of Senior Commissioners to assist with essential services matters Insufficient capacity building for support staff, more focus is on commissioner training Lack of dedicated and competent resources to manage the implementation of POPIA and PAIA
<p>Good training delivery capability</p> <ul style="list-style-type: none"> The CCMA training and capacity building interventions are valued by the CCMA's Users and the public at large 	
<p>Competent personnel</p> <ul style="list-style-type: none"> The culture of high performance, excellence and maximised service delivery is progressively being embedded in the organisation The proactive approach during the recruitment process 	<p>Lack of technology integration</p> <ul style="list-style-type: none"> Lack of integration between core ICT systems Lack of full governance processes to manage records management processes
OPPORTUNITIES	THREATS
Leveraging technology	Fourth Industrial Revolution (4IR)



<ul style="list-style-type: none"> • Optimise online conciliation, arbitrations, and training platforms • Developments in ICT to enhance service delivery and improve business efficiency and internal and external communications • Adoption and broader implementation of Cloud computing initiatives • Increase mobile platforms for CCMA Users • The new way of doing things for those who have resources has proved to be expedient • Increasing accessibility using online platforms • The utilisation of radio and television for reaching Users with limited network access 	<ul style="list-style-type: none"> • Impact on the unemployment rate • The Increased cyber risk with the new normal where remote working has become predominant • Lack of resources (people and ICT) to respond to high response rate from Users through mobile platforms • Reputational damage due to the non-compliance with POPIA
<p>Playing a role in policies</p> <ul style="list-style-type: none"> • Influence on the future Employment Law Amendments to the LRA (1995, as amended) and other policy interventions <p>Project Management function</p> <ul style="list-style-type: none"> • Establishment of project management function within the director's office 	<p>Increased rate of referrals (impact/outcome)</p> <ul style="list-style-type: none"> • Constant high referral rate received by the CCMA exerts pressure on CCMA business processes and poses a risk on the efficiency and effectiveness of the organisation • Non-alignment between employment law amendment, expanded jurisdiction and available CCMA resources
<p>Enhancing and creating new partnerships</p> <ul style="list-style-type: none"> • Exploration of partnerships focused on survival mechanisms for retrenched workers • Working closely with the UIF to streamline the TERS to improve its efficiency and effectiveness (strength as well) • Partnerships with universities to provide qualification for the training of prospective commissioners and stakeholders 	<p>External stakeholder's threats</p> <ul style="list-style-type: none"> • Risk of bargaining councils being rendered ineffective which will increase caseload • Media publish information on cases that will be referred before CCMA has sight of these cases • Increased functions transferred to the CCMA without additional budget • Potential for COVID-19 disputes arising from mandatory vaccination • Increase in legal representation and challenges regarding EEA disputes and non-compliance to minimum wage linked to proposed changes EEA
<p>Enhancing awareness</p> <ul style="list-style-type: none"> • Optimise all types of media including social media platforms to increase awareness of the CCMA mandate, services, and products 	<p>Economic challenges</p> <ul style="list-style-type: none"> • State of the economy impact negatively on budget availability
<p>Enhanced services and enhanced training</p> <ul style="list-style-type: none"> • Playing a more proactive and innovative role in the Collective Bargaining • Monitoring of wage agreements and providing support to minimise industrial action • Conducting of collective bargaining support processes • Provision of customised Executive and Management Development Programme 	<p>Constant interruptions of operations</p> <ul style="list-style-type: none"> • Interruptions to operations due to office closures relating to the COVID-19 pandemic • Potential increase in sick leave due to COVID-19 related complications adversely affecting service delivery (increased postponement rate)

4.2.7. CHALLENGES EXPERIENCED BY THE CCMA

The CCMA was challenged to continue service delivery during times of the COVID-19 pandemic, balancing the constitutional right of social justice against the constitutional right of health and safety of the employees, users, and stakeholders. The limited financial resources negatively impacted the effective execution of the strategy, caseload management and sourcing of core talent resulting



in a high vacancy rate for the CCMA. Taking into consideration the demand for CCMA services and products by the labour market, it was important for the CCMA to consider how it will respond to these demands within a limited budget.

The CCMA receives funding from the fiscus through grant transfers from DEL. During the 2020/21 financial year, the entity experienced a budget reduction after the President declared a national state of disaster in South Africa in terms of the Disaster Management Act, 2002, in response to the COVID-19 pandemic. The impact on the baseline reprioritisation of the entity was a reduction of R90.2 million from the initial grant allocation of R1.025 billion for the 2020/21 financial year. The decrease of 9.6% on the government grant over the previous year brought the total of the grant allocation to R935.8 million in the 2020/21 financial year. This reduction continued to weaken an already strained financial system and impacted the organisation's ability to deliver on its core mandate. The re-prioritisation of the CCMA budget due to decreasing fiscal resulting in an increased risk of operating within policy environment with unfunded policy statements potentially impacting/ hampering service delivery imperatives.

The suspension of the utilisation of part-time Commissioners due to budget constraints also had an impact on the capacity of the CCMA to deal with all referrals received and impacted on the turnaround of hearing arbitration. This factor did not negatively affect the statutory timeframes for rendering arbitration awards, but the organisation took longer to hear and finalise arbitrations.

There are also challenges that are experienced at a provincial level. These challenges pertain to accessibility by Users. This is mainly in the context of the COVID-19 pandemic that has negatively impacted their operations. The national lockdown and the need to adhere to the regulations resulted in delays in capturing cases and negatively affected the ability of the provinces to fully render the services to users. There have been instances where a backlog of cases has been reported. While online platforms have been identified as an alternative to physical/face-to-face conduct and conducting virtual meetings and training, there was a challenge emanating from the fact that commissioners were not fully capacitated to utilise the online platforms.

The budget constraints will require employees to do more which could create burnout and fatigue for individuals. The recruitment processes of some vacancies within the organisation were placed on hold. This decision has had an impact on critical vacancies and succession planning of the organisation. Implementation of capacity-building initiatives designed for skills development and succession planning for support staff was placed on hold. Existing human resources are expected to be stretched even further with high fatigue levels, leading to increased absenteeism and lower productivity.

Despite the ICT initiatives highlighted in the previous sections, the CCMA still experiences inefficiency because of processes that are either still manual or not fully integrated. This results in some of the departments failing to respond to the changing technological environment. In terms of data security, there is a need for the CCMA to also develop and implement strategies to manage and safeguard data and the need to embark on initiatives to replace the current ageing hardware fleet.

The ESC has highlighted several challenges that are negatively impacting its operations. The main challenges relate to budgetary limitations. Due to these budgetary constraints, the ESC has been unable to expand its capacity that will enable it to fully render services demanded by Users. Furthermore, the Committee has been operating with minimum resources. While the ESC has the responsibility to promote effective dispute resolution in essential services, its role is not to resolve disputes involving employees who perform essential services. For example, disputes arising in public health are dealt with by the respective Bargaining Council.



Furthermore, the ESC experiences a limited buy-in on the conclusion of the Minimum Service Agreements (MSAs), particularly from the Public Service Bargaining Councils. Whilst the creation of MSAs and MSDs by the legislature restores the right to strike to those employees who conduct essential and maintenance services and who did not previously enjoy the right to strike, some unions are more worried about the number of employees who can strike as MSAs and MSDs only allow a limited number of employees to strike whilst the other employees continue to render essential services during a strike.

The COVID-19 pandemic resulted in a change in the conventional way of working and the setup thereof with many employees having to work remotely. Appropriate policies and legislation have and are still being introduced and implemented to ensure that employees' rights and the employer's obligations are met and governed accordingly. Looking at the CCMA, as an employer, policy provisions for the governance of teleworking have been introduced by the Human Resources Unit to ensure sufficiently and stabilized productivity levels and the management of staff working remotely. Issues dealing with employees' working hours, log on times, servicing of laptops, etc. need clear guidelines driven towards protecting the rights of its employees whilst ensuring that the organisation reaps its just rewards from its hired resources.



PART C: MEASURING OUR PERFORMANCE

1. INSTITUTIONAL PROGRAMME PERFORMANCE INFORMATION

1.1. PROGRAMME 1: ADMINISTRATION

1.1.1. Programme Purpose

The CCMA aims to successfully deliver on its objectives through a cohesive, well-structured organisation, in which people, processes and systems perform optimally. As a public accountable entity, the focus will continue to be on a clean administration and resource optimisation. The focus is on 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.

Table 8: Outcomes, Outputs, Performance Indicators and Targets for Programme 1: Administration

Outcome	Outputs	Output Indicators	Annual Target						
			Audited Performance			Estimated Performance			
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
1.1. Enhanced financial viability for organisational sustainability	1.1.1. Sustainable and well-resourced organisation	1.1.1.1. Percentage of net surplus achieved by 31 March 2023	New	New	1.99%	1%	1%	1%	1%
		1.1.1.2. Ratio of safety to cash margins achieved by 31 March 2023	New	New	0.89:1	1:1	1:1	1:1	1:1
1.2. Improved employee turn-over rate	1.2.1. Improved Human Resource Management	1.2.1.1. Percentage of Human Resource Plan Implemented by 31 March 2023	New	New	195%	100%	100%	100%	100%
1.3. Improved ICT Service quality	1.3.1. Improved efficiencies	1.3.1.1. Number of ICT Projects on automation and integration of case disbursement (Dispute Resolution Processes) deployed by 31 March 2023	New	New	25%	50%	3	3	N/A
		1.3.1.2. Percentage of uptime ICT critical systems implemented	New	New	87%	95%	95%	99.9%	99.9%

Table 9: Output Indicators, Annual and Quarterly Targets for Programme 1: Administration

Output Indicators		2022/23 Annual Target	Q1	Q2	Q3	Q4
1.1.1.1.	Percentage of net surplus achieved by 31 March 2023	1%		N/A		1%
1.1.1.2.	Ratio of safety to cash margins achieved by 31 March 2023	1:1				1:1
1.2.1.1.	Percentage of Human Resource Plan implemented by 31 March 2023	100%	N/A	50%	N/A	50%
1.3.1.1.	Number of ICT Projects on automation and integration of case disbursement (Dispute Resolution Processes) deployed by 31 March 2023	3		N/A		3
1.3.1.2.	Percentage of uptime ICT critical systems implemented	95%	95%	95%	95%	95%



1.1.2. Explanation of planned performance over the medium-term period

Table 10: Explanation of planned performance for Programme 1

OUTCOME: 1.1. ENHANCED FINANCIAL VIABILITY FOR ORGANISATIONAL SUSTAINABILITY		
OUTPUT: 1.1.1. SUSTAINABLE AND WELL-RESOURCED ORGANISATION		
Rationale	Contribution towards enhanced financial viability	Contribution towards economic development and labour market stability
The CCMA will efficiently manage its resources to balance its strategic and operational costs efficiently.	Cost optimisation has become an important consideration for the CCMA. Cost optimisation contributes towards the organisation's sustainability.	It is envisaged that the ability of the CCMA to offer its services in a cost effective manner will have ripple effects on the labour market.
OUTCOME: 1.2. IMPROVED EMPLOYEE TURN-OVER RATE		
OUTPUT: 1.2.1. IMPROVED HUMAN RESOURCE MANAGEMENT		
Rationale	Contribution towards improved employee turn-over rate	Contribution towards economic development and labour market stability
Poor human resource management can cause excessive employee turnover, which will compromise the CCMA's ability to deliver services.	The ability of the CCMA to deliver superior and quality service to the User resides mainly with its employees. It is envisaged that having a succession plan in place, effectively utilising the human potential, having engaged employees and focusing on employee retention will contribute substantially to the ability of the CCMA to deliver quality services.	The reduction of employee turnover is seen as a mechanism to preserve institutional memory, retain skilled employees and development of future leaders. Employee retention enables the CCMA to maintain consistency in its service provision and cost-saving in terms of recruitment and training of new employees. Developing a pool of leaders and managers who together with staff facilitate the achievement of the CCMA mandate is important.
OUTCOME: 1.3. IMPROVED ICT SERVICE QUALITY		
OUTPUT: 1.3.1. IMPROVED EFFICIENCIES		
Rationale	Contribution towards improved ICT services quality	Contribution towards economic development and labour market stability
The CCMA will enhance and leverage technologies to improve efficiencies.	Over the next five (5) years, the CCMA thrives to be up to date with technological trends and to leverage on the opportunities presented by 4IR. On the main, the CCMA is geared towards the automation of its processes and to move towards paperless-based processes.	The strategic implementation of ICT infrastructure and services shall respond to the business requirements of the CCMA. It is envisaged that proper systems will result in the streamlining of processes, allowing the CCMA to timeously and effectively respond to the needs of the Users. Improved ICT service quality results in an optimised organisation, which enhance the ability of the CCMA to provide quality services at a low cost to Users.



1.2. PROGRAMME 2: PROACTIVE AND RELEVANT LABOUR MARKET INTERVENTION

1.2.1. Programme Purpose

Through the implementation of the Dispute Prevention and Workplace Outreach (DP&WO) services and projects to transform and build relations and capacity in the workplace. This programme aims to 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 social dialogue, democratisation, best employment practices and relationship building in workplaces.



Table 11: Outcomes, Outputs, Performance Indicators and Targets for Programme 2: Proactive and Relevant Labour Market Intervention

Outcome	Outputs	Output Indicators	Audited Performance						Annual Target		
			2019/20		2020/21		Estimated Performance		MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25		
2.1. Enhanced dispute prevention and workplace outreach interventions	2.1.1. Orderly Collective Bargaining Processes	2.1.1.1. Number of Collective Bargaining Support Processes conducted for strategically identified Users per annum	13	8	8	6	6	6	6	6	6
		2.1.1.2. Number of Collective Bargaining Pre-Bargaining Conferences conducted for strategically identified Users per annum	3	3	3	3	3	3	3	3	3
2.2. Improved workplace relations	2.2.1. Engaged workplaces	2.2.1.1. Number of targeted workplaces engaged to implement transformation of workplace relations project(s) per annum	New	New	12	8	8	8	8	8	8
		2.2.1.2. Number of vulnerable sector projects delivered to targeted Users per annum	New	12	13	8	8	8	8	8	8
		2.2.1.3. Percentage of positive rating on participant evaluation outcomes attained per annum	New	New	0%	65%	70%	70%	70%	70%	70%
2.3. Effective dispute resolution mechanism in essential services	2.3.1. Improved essential services dispute resolution	2.3.1.1. Number of interventions conducted to promote effective dispute resolution in essential services per annum	New	New	15	9	12	12	12	12	12
		2.3.1.2. Number of stakeholders engaged to make inputs on legislative changes per annum	New	New	5	3	4	4	4	4	4
		2.3.1.3. Number of entities engaged to ensure that there are minimums to be maintained during industrial action in essential services per annum	New	New	133	84	106	120	120	120	120



Outcome	Outputs	Output Indicators	Annual Target								
			Audited Performance			Estimated Performance			MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25		
		2.3.1.4. Number of essential service designations, Minimum Service Agreements, Minimum Service Determinations and/or Maintenance Service Determinations monitored for implementation and observance per annum	10	12	11	6	8	8	8	8	
		2.3.1.5. Number of awareness sessions on essential services designation conducted per annum	New	New	16	10	14	14	14	14	

Table 12: Output Indicators, Annual and Quarterly Targets for Programme 2: Proactive and Relevant Labour Market Intervention

Output Indicators		2022/23 Annual Target	Q1	Q2	Q3	Q4
2.1.1.1.	Number of Collective Bargaining Support Processes conducted for strategically identified Users per annum	6	N/A	N/A		6
2.1.1.2.	Number of Collective Bargaining Pre-Bargaining Conferences conducted for strategically identified Users per annum	3	N/A	N/A		3
2.2.1.1.	Number of targeted workplaces engaged to implement transformation of workplace relations project(s) per annum	8	N/A	N/A		8
2.2.1.2.	Number of vulnerable sector projects delivered to targeted Users per annum	8	N/A	N/A		8
2.2.1.3.	Percentage of positive rating on participant evaluation outcomes attained per annum	70%	N/A	70%	N/A	70%
2.3.1.1.	Number of interventions conducted to promote effective dispute resolution in essential services per annum	12	3	3	3	3
2.3.1.2.	Number of stakeholders engaged to make inputs on legislative changes per annum	4	1	1	1	1
2.3.1.3.	Number of entities engaged to ensure that there are minimums to be maintained during industrial action in essential services per annum	106	26	34	15	31
2.3.1.4.	Number of essential service designations, Minimum Service Agreements, Minimum Service Determinations and/or Maintenance Service Determinations monitored for implementation and observance per annum	8	2	2	2	2
2.3.1.5.	Number of awareness sessions on essential services designation conducted per annum	14	3	5	2	4



1.2.2. Explanation of planned performance over the medium-term period

Table 13: Explanation of planned performance for Programme 2

OUTCOME: 2.1. ENHANCED DISPUTE PREVENTION AND WORKPLACE OUTREACH INTERVENTIONS		
OUTPUT: 2.1.1. ORDERLY COLLECTIVE BARGAINING PROCESSES		
Rationale	Contribution towards reduced referrals	Contribution towards economic development and labour market stability
CCMA seeks to promote orderly and healthy labour relations to encourage investor confidence by proactively and reactively providing guidance and support to the labour market and collective bargaining matters.	The CCMA places importance on capacitating Users (organised labour, businesses and/or government) and ensuring that they are empowered to resolve disputes on their own and not necessarily rely on resolving them through the CCMA. Reduced referrals to the CCMA will also mean lessened pressure on its already constrained budget and human resource capacity. Less reliance on the CCMA will free some CCMA resources and time to focus and channel its resources towards other pertinent labour market issues.	The CCMA interventions in the workplace are aimed to promote orderly and healthy labour relations, thereby promoting labour market stability and growth in the labour market.
OUTCOME: 2.2. IMPROVED WORKPLACE RELATIONS		
OUTPUT: 2.2.1. ENGAGED WORKPLACES		
Rationale	Contribution towards reduced referrals	Contribution towards economic development and labour market stability
CCMA will intensify dispute prevention and workplace outreach interventions to reduce disputes in the workplace. Therefore, reduced referrals to the CCMA mean lessened pressure on its resources.	The CCMA places importance on capacitating Users and ensuring that they are empowered to resolve disputes at plant – level before escalating to the CCMA.	CCMA interventions in the workplace are aimed to promote orderly and healthy labour relations, thereby promoting labour market stability and growth in the labour market.
OUTCOME: 2.3. EFFECTIVE DISPUTE RESOLUTION MECHANISM IN ESSENTIAL SERVICES		
OUTPUT: 2.3.1. IMPROVED ESSENTIAL SERVICES DISPUTE RESOLUTION		
Rationale	Contribution towards labour market stability	Contribution towards economic development and labour market stability
The ESC aims to inculcate a culture of protecting the lives, personal safety, and health of the population by ensuring that essential services are not interrupted.	The ESC's focus on promoting effective dispute resolution, particularly in ensuring that the dispute resolution systems of sectors that render essential services are effective. Ultimately, this will contribute towards labour market stability.	The ESC provides proactive intervention and effective essential service facilitations/engagements to successfully prevent disputes within the essential service environment and assist parties to comply with the essential service laws.



1.3. PROGRAMME 3: SPECIAL INTERVENTIONS AND SUPPORT

1.3.1. Programme Purpose

To be the mediatory and arbitration organisation of choice and support national interventions. The CCMA interventions through this programme are aimed at promoting dispute resolution through special mediation processes and social dialogue. The CCMA interventions through this programme aimed at promoting consensus, community participation, efficient and effective use of financial and human resources in the dispute resolution process.

Table 14: Outcomes, Outputs, Performance Indicators and Targets for Programme 3: Special Interventions and Support

Outcome	Outputs	Output Indicators	Annual Target							
			Audited Performance		Estimated Performance	MTEF Period				
			2018/19	2019/20		2020/21	2021/22	2022/23	2023/24	2024/25
3.1. Effective support to Presidential projects	3.1.1. Contribution to Presidential priorities	3.1.1.1. Percentage of Phase 3 of the CCMA/BUSA SME Labour Advice Web Tool implemented	New	New	100%	100%	100%	100%	100%	100%

Table 15: Output Indicators, Annual and Quarterly Targets for Programme 3: Special Interventions and Support

Output Indicators		2022/23 Annual Target	Q1	Q2	Q3	Q4
3.1.1.1.	Percentage of Phase 3 of the CCMA/BUSA SME Labour Advice Web Tool implemented	100%	N/A	50%	N/A	50%



1.3.2. Explanation of planned performance over the medium-term period

Table 16: Explanation of planned performance for Programme 3

OUTCOME: 3.1. EFFECTIVE SUPPORT TO PRESIDENTIAL PROJECTS OUTPUT: 3.1.1. CONTRIBUTION TO PRESIDENTIAL PRIORITIES		
Rationale	Contribution towards labour market stability	Contribution towards economic development and labour market
<p>The overall objective for the development of the Web Tool was for the CCMA and BUSA to collaboratively develop a free to use, self-service, web-based tool for SMMEs.</p>	<p>Providing SMEs with labour relations best practice and guidance helps with an enhanced employer and employee understanding in the SME space. It is envisioned that this understanding will result in improved SME compliance of employment law, leading to workplace stability and certainty in SME</p>	<p>The attainment of workplace stability and certainty in SME workplaces coupled with reducing red tape and the associated costs related to labour law advice for SMMEs creates an enabling environment for job creation and growth in the country.</p>



1.4. PROGRAMME 4: EFFICIENT AND QUALITY DISPUTE RESOLUTION AND ENFORCEMENT SERVICES

1.4.1. Programme Purpose

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 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 points, as well as initiatives that will enhance the efficiency of service delivery, quality of settlements and enforceability of awards.



Table 17: Outcomes, Outputs, Performance Indicators and Targets for Programme 4: Efficient and Quality Dispute Resolution and Enforcement Services

Outcome	Outputs	Output Indicators	Audited Performance					Annual Target		
			Performance					MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	
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 the first process)	88%	98.75%	99.4%	95%	98%	98%	98%	
		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)	99%	99.76%	99.9%	98%	98%	98%	98%	
		4.1.1.3. Percentage of disputes of interests resolved per annum	New	New	52.6%	52%	52%	55%	55%	
		4.1.1.4. Percentage of Section 71 of the LRA cases conducted (as and when referred) per annum	100%	0%	86%	100%	100%	100%	100%	
		4.1.1.5. Percentage of Section 73 of the LRA cases conducted (as and when referred) per annum	New	New	100%	100%	100%	100%	100%	
		4.1.1.6. 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 per annum	2	3	3	2	2	2	2	
		4.1.2.1. Quality of Awards Index achieved by 31 March 2023	New	New	88%	97%	97%	98%	98%	



Outcome	Outputs	Output Indicators	Annual Target						
			Audited Performance			Estimated Performance			
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
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 per annum	New	New	124 278	80 000	84 000	84 000	84 000
4.3. Jobs Saved	4.3.1. Averted job losses	4.2.1.2. Percentage of Advocacy Campaign Plan implemented by 31 March 2023	New	New	100%	100%	100%	100%	100%
4.4. Reduced potential for industrial action	4.4.1. Reduced labour market volatility	4.3.1.1. Percentage of jobs saved compared to employees likely to be retrenched (as per the cases referred to the CCMA) per annum	41%	42%	42%	38%	38%	38%	38%
		4.3.1.2. Return to Work Index achieved by 31 March 2023	New	New	9.7%	8%	8%	8%	8%
		4.4.1.1. Percentage of public interest disputes resolved per annum	New	New	93%	64%	64%	64%	64%



Table 18: Output Indicators, Annual and Quarterly Targets for Programme 4: Efficient and Quality Dispute Resolution and Enforcement Services

Output Indicators		2022/23 Annual Target	Q1	Q2	Q3	Q4
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 the first process)	98%	98%	98%	98%	98%
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%	98%	98%	98%	98%
4.1.1.3.	Percentage of disputes of interests resolved per annum	52%	N/A	52%	N/A	52%
4.1.1.4.	Percentage of Section 71 of the LRA cases conducted (as and when referred) per annum	100%		N/A		100%
4.1.1.5.	Percentage of Section 73 of the LRA cases conducted (as and when referred) per annum	100%		N/A		100%
4.1.1.6.	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 per annum	2	N/A	1	N/A	1
4.1.2.1.	Quality of Awards Index achieved by 31 March 2023	97%	97%	97%	97%	97%
4.2.1.1.	Number of Users who access CCMA services from identified sectors reached per annum	84 000		N/A		84 000
4.2.1.2.	Percentage of Advocacy Campaign Plan implemented by 31 March 2023	100%		N/A		100%
4.3.1.1.	Percentage of jobs saved compared to employees likely to be retrenched (as per the cases referred to the CCMA) per annum	38%	N/A	38%	N/A	38%
4.3.1.2.	Return to Work Index achieved by 31 March 2023	8%	N/A	8%	N/A	8%
4.4.1.1.	Percentage of public interest disputes resolved per annum	64%		N/A		64%



1.4.2. Explanation of planned performance over the medium-term period

Table 19: Explanation of planned performance for Programme 4

OUTCOME: 4.1. IMPROVED SERVICE QUALITY OUTPUT: 4.1.1. RESOLVED DISPUTES		
Rationale	Contribution towards Improved Service Quality	Contribution towards economic development and labour market stability
The CCMA will effectively and efficiently resolve disputes referred to within the legislated period.	The effectiveness of the CCMA processes and procedure should result in improved quality of the services to the Users. Focusing on improving service quality will mean that the CCMA's process design is user-oriented, aiming to enhance a better experience for Users while they are interacting with the CCMA. To achieve these outcomes, the focus will be more on ensuring expeditious resolution of disputes, leveraging on technology to expand the reach, enhance efficiencies and effective dispute resolution.	The CCMA's consideration of how the Users perceive the quality of its services is an indication of the organisation's commitment to the fulfilment of its legislative mandate of advancing social justice. The assumption inherent in this indicator is that when Users are satisfied through their interaction with the CCMA, social justice is achieved.
OUTCOME: 4.1. IMPROVED SERVICE QUALITY OUTPUT: 4.1.2. HIGH QUALITY OF SERVICES RENDERED		
Rationale	Contribution towards Improved Service Quality	Contribution towards economic development and labour market stability
Advance accessible, efficient and quality dispute resolution through expeditious service delivery.	The effectiveness of the CCMA processes and procedure should result in improved quality of the services to the Users. Focusing on improving service quality will mean that the CCMA's process design is User-oriented, aiming to enhance a better experience for users while they are interacting with the CCMA. To achieve these outcomes, the focus will be more on ensuring expeditious resolution of disputes, leveraging on technology to expand the reach, enhance efficiencies and effective dispute resolution.	The CCMA's consideration of how the users perceive the quality of its services is an indication of the organisation's commitment to the fulfilment of its legislative mandate of advancing social justice. The assumption inherent in this indicator is that when users are satisfied through their interaction with the CCMA, social justice is achieved.
OUTCOME: 4.2. IMPROVED ACCESS TO CCMA SERVICES OUTPUT: 4.2.1. IMPROVED ACCESS AND KNOWLEDGE OF CCMA SERVICES		
Rationale	Contribution towards improved access to CCMA services	Contribution towards economic development and labour market stability
CCMA will capacitate Users through various platforms on CCMA services.	It is envisaged that when Users know the services provided by the CCMA, they will actively seek justice and more information about their rights at the workplace.	Improved access to the CCMA services suggests that disputes will be resolved amicably and in a fair manner, which eventually leads to economic development and labour market stability.
OUTCOME: 4.3. JOBS SAVED OUTPUT: 4.3.1. AVERTED JOB LOSSES		



Rationale	Contribution towards reduced job losses	Contribution towards economic development and labour market stability
<p>The CCMA will intensify its job-saving efforts by ensuring that strategic partnerships with relevant stakeholders are maintained, to ensure that support for businesses and employees' distress is provided and options explored to avoid job losses.</p>	<p>Employment security through the preservation of existing jobs is one of the CCMA's strategic priorities. The ability of the CCMA to ensure that job losses are kept to a minimum has a positive knock-on effect on reducing other socio-economic challenges such as inequality and poverty.</p>	<p>The job-saving initiatives by the CCMA provide job security and look at alternatives to retrenchments. The CCMA in the process ensures that existing jobs and incomes are pre-served. Economic development is promoted through the maintenance of income levels, which maintains the demand for goods and services necessary to drive economic growth. Preserved incomes will also mean that those employees will maintain a decent livelihood, maintain their dignity and can attend to their basic human needs.</p>
<p>OUTCOME: 4.4. REDUCED POTENTIAL FOR INDUSTRIAL ACTION OUTPUT: 4.4.1. REDUCED LABOUR MARKET VOLATILITY</p>		
Rationale	Contribution towards reduced potential for industrial action	Contribution towards economic development and labour market stability
<p>Focusing on the output of reduced labour market volatility is of essence to the CCMA. Prolonged and violent work stoppages are counterproductive and have a negative impact on business sustainability and the income of workers which affects the South Africa labour market.</p>	<p>Labour market volatility may negatively affect productivity within the workplace. Improved productivity may lead to sustainable income levels that assist in reducing income inequality and business sustainability.</p>	<p>Achievement of this outcome by the CCMA contributes to the MTSF outcome of increased investment. Reduced potential for industrial action could result in higher productivity and create an enabling environment for investment. Protracted work stoppages because of industrial action are considered an impediment to investment. Therefore, the CCMA by focusing on reduced potential for industrial action contributes towards creating an environment that is attractive for both local and foreign investors. Ultimately, this will translate into economic transformation and job creation. In achieving this outcome, the CCMA aims to deliver interventions at capacitating employers and labour to manage disputes at the workplace. Building capacity contributes to the MTSF outcome of education, skills and health.</p>



1.5. PROGRAMME 5: EFFECTIVE STRATEGY MANAGEMENT AND GOVERNANCE

1.5.1. Programme Purpose

The continuous scanning of the organisation's internal and external operating environment through research and strategic forecasting is core to successful strategy implementation and service delivery. This will result in the organisation's ability to forecast strategy effectiveness and proactively respond to changes. To sustain the catalytic environment for successful strategy implementation and governance, within the changing organisational environment, the CCMA will also focus on initiatives that deploy risk and governance failure mitigation strategies through the development and implementation of an integrated governance, compliance and risk framework. Good governance ensures organisational integrity, operational excellence and enables the maintenance of partnerships and impactful implementation of the strategy.

Table 20: Outcomes, Outputs, Performance Indicators and Targets for Programme 5: Effective Strategy Management and Governance

Outcome	Outputs	Output Indicators	Annual Target							
			Audited Performance				Estimated Performance		MTEF Period	
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	
5.1. Optimised Governance level	5.1.1. Generation of business Intelligence	5.1.1.1.1. Number of strategic forecasting and situational analysis conducted per annum	New	New	1	1	N/A	1	1	
		5.1.1.1.2. Number of Imvuselelo Strategy impact assessments conducted per annum	New	New	New	New	1	N/A	N/A	
	5.1.2. Good governance	5.1.2.1. Percentage of Compliance Management Plan implemented by 31 March 2023	New	New	110%	100%	100%	100%	100%	
		5.1.2.2. Percentage of Risk Management Plan implemented by 31 March 2023	123%	125%	123%	100%	100%	100%	100%	

Table 21: Output Indicators, Annual and Quarterly Targets for Programme 5: Effective Strategy Management and Governance

Output Indicators	2022/23	Q1	Q2	Q3	Q4
	Annual Target				
5.1.1.1. Number of strategic forecasting and situational analysis conducted per annum	N/A		N/A		N/A
5.1.1.2. Number of Imvuselelo Strategy impact assessments conducted per annum	1		N/A		1
5.1.2.1. Percentage of Compliance Management Plan implemented by 31 March 2023	100%	N/A	50%	N/A	50%
5.1.2.2. Percentage of Risk Management Plan implemented by 31 March 2023	100%	N/A	50%	N/A	50%

^{17/17}The indicator is not measured in the 2022/23 financial year.



1.5.2. Explanation of planned performance over the medium-term period

Table 22: Explanation of planned performance for Programme 5

OUTCOME: 5.1. OPTIMISED GOVERNANCE LEVEL		
OUTPUT: 5.1.1. GENERATION OF BUSINESS INTELLIGENCE		
Rationale	Business Intelligence	Contribution towards economic development and labour market stability
The output involves the generation of business intelligence to enable relevant and appropriate organisational planning and focused strategic direction.	The CCMA provides its services to the public and gets its finances from the National Treasury. This means that it is important for the CCMA to be transparent, accountable, and responsible. The achievement of this outcome will result in full compliance with the legislation, enhanced risk management, improved strategic management, and stronger internal controls.	The CCMA will be responsive to labour market needs based on strategic and relevant research and strategic forecasting.
OUTCOME: 5.1. OPTIMISED GOVERNANCE LEVEL		
OUTPUT: 5.1.2. GOOD GOVERNANCE		
Rationale	Contribution towards maintaining matured level of good governance, risk and compliance reached and sustained	Contribution towards economic development and labour market stability
The priority will be geared towards ensuring full compliance with the regulatory requirements.	The CCMA provides its services to the public. It is important for the CCMA to be transparent, accountable and responsible. The achievement of this outcome suggests that priority will be given towards ensuring full compliance with the legislation, enhancing risk management, improved strategic management, and stronger internal controls.	Adequate compliance will minimise governance failure and risk of audit findings, thus preserving the reputation of the organisation, which is necessary for public trust.



2. PROGRAMME RESOURCE CONSIDERATIONS

2.1. PROGRAMME 1: ADMINISTRATION

A budget of R657 million (21.2%) over the MTEF period, is allocated to the Administration programme, to successfully deliver its objectives through a cohesive, well-structured organisation, in which people, processes and systems perform optimally. Furthermore, focusing on the development of human and organisational capacity towards building a world-class institution. Moreover, investing in human resource interventions is aimed at attracting, developing, and retaining talent and leveraging the ICT initiatives such as enhancement of the CMS and hardware refresh to improve the ICT environment.

2.2. PROGRAMME 2: PROACTIVE AND RELEVANT LABOUR MARKET INTERVENTION

A budget of R44 million (1.4%) over the MTEF period, is allocated to advance access, proactive dispute prevention activities, efficient and quality dispute resolution, and enforcement mechanisms for the organisation. Furthermore, to 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.

2.3. PROGRAMME 3: SPECIAL INTERVENTIONS AND SUPPORT

A budget of R52 million (1.2%) over the MTEF period, is allocated for national requests on special mediation and arbitration intervention required. The purpose is to cater to mediatory and arbitration including the support of national interventions. The CCMA interventions through this programme are aimed at promoting dispute resolution through special mediation processes and social dialogue, and further promote consensus, community participation, efficiently and effectively using the financial and human resources in the dispute resolution process.

2.4. PROGRAMME 4: EFFICIENT AND QUALITY DISPUTE RESOLUTION AND ENFORCEMENT SERVICES

A budget of R2.2 billion (72.2%) over the MTEF period, is allocated to Dispute Resolution and Enforcement services. The aim is to provide dispute resolution, mediation, and collective bargaining to address conflict in the labour market and provide workplace capacity building processes, ensuring fairness in the workplace. An estimated R1.4 billion is allocated to compensation of employees for full-time and part-time commissioners, case management officers, interpreters as well as support staff at the regional offices.



2.5. PROGRAMME 5: EFFECTIVE STRATEGY MANAGEMENT AND GOVERNANCE

A budget of R109 million (3.5%) over the MTEF period, is allocated to programme 5 (Effective Strategy Management and Governance). The programme aims to continuously scan the organisation's internal and external operating environment through research and strategic forecasting and to further sustain the catalytic environment for successful strategy implementation and governance, within the changing organisational environment. The CCMA will also focus on initiatives that deploy risk and governance failure mitigation strategies through the development and implementation of integrated governance, compliance, and risk framework.

Table 23: Spending trends per programme

Programmes	Audited Outcome			Approved Budget	Medium Term Estimates		
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Administration	485 109	514 324	200 209	207 773	212 604	217 437	227 101
Proactive and Relevant Labour Market Intervention	27 192	27 047	12 155	13 892	14 315	14 546	15 200
Special Interventions and Support	16 244	16 254	14401	16 426	16 867	17 177	17 949
Efficient and Quality Dispute Resolution and Enforcement Services	414 471	453 944	690 401	733102	737 484	735 313	768 431
Effective Strategy Management and Governance	37 511	42 294	33 153	35 306	35 419	35 771	37 380
Total	980 527	1 053 863	950 319	1 006 499	1 016 689	1 020 244	1 066 061



Table 24: Economic Classification over the MTEF Period

Statement of Financial Performance	Audited Outcome			Approved budget	Medium-term estimate		
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Financial Year	R'000	R'000	R'000	R'000	R'000	R'000	R'000
Revenue							
Transfers received	963 066	976 810	935 810	991 984	1 007 293	1 011 163	1 056 574
Other non-tax revenue (Interest from Investments)	14 762	13 420	5 654	4 960	5 036	5 056	5 339
Other Income	8 684	9615	13 797	9 555	4 360	4025	4 147
Tax benefit	-	-	-	-	-	-	-
Outside shareholders Interest	-	-	-	-	-	-	-
Total revenue	986 512	999 845	955 261	1 006 499	1 016 689	1 020 244	1 066 060
Expenses							
Current expenses	953 250	1 015 467	918 268	980 940	992 477	994 954	1 039 635
Compensation of employees	520 985	546 669	591 273	591 933	608 363	608 363	635 755
Goods and services	432 265	468 798	326 995	389 007	384 114	386 591	403 880
Depreciation	27 277	31 486	28 406	21 359	19 834	20 717	21 647
Interest, dividends and rent on land	-	-	-	-	-	-	-
Transfers and subsidies	0	6 910	3 645	4 200	4 378	4 573	4 778
Total expenses	980 527	1 053 863	950 319	1 006 499	1 016 689	1 020 244	1 066 060
Surplus/(Deficit)	5 985	(54 018)	4 942	0	0	0	0



3. UPDATED KEY STRATEGIC RISKS

The 2022/23 SRR has a total number of sixteen (16) strategic risks in total, with the top ten (10) strategic risks being reported on, in line with the 2022/23 APP.

The table below depicts the top ten (10) strategic risks identified:

Table 25: 2022/23 Key Strategic Risks

Strategic Risk	Impact	Probability	Strategic Risk Rating	Strategic Risk Description	Strategic Risk Mitigation	Strategic Risk Monitoring
1. Optimised Governance level	Potential non-compliance to the Protection of Personal Information Act	High	High	<ul style="list-style-type: none"> Inadequate human resources (with relevant POPIA skills) Inadequate assistance to understand the requirements from the information regulator Outstanding development and review of governance processes to be in line with POPIA requirements. 	<ul style="list-style-type: none"> Audit findings Penalties/ Fines by the Information Regulator 	<p>Develop the Records Management SOP (once the recruitment process for a records management specialist has been finalised)</p> <p>Finalise the data classification process (once the recruitment process for a records management specialist has been finalised)</p> <p>Conduct the Detailed Privacy Assessment</p>
2. Improved ICT Service quality	Outdated ICT systems that may fail to meet strategic business objectives.	High	High	<ul style="list-style-type: none"> Budget constraints Certain ICT systems are outdated resulting in unproductive business processing. No governance in place for certain ICT business processes resulting in business disruptions. 	<ul style="list-style-type: none"> Poor service delivery Loss of productivity due to inefficient business resilience and business imperatives Failure to capitalise on opportunities arising from the Fourth Industrial Revolution. 	<p>Design and implementation of Digitisation initiatives</p> <ol style="list-style-type: none"> Enhance the current online e-referral platform to include a multi-language element which will allow for a wider coverage to the end-user Enhance the Case Management System sub-modules. Develop a customised e-referral platform for the Bargaining Councils <p>Procure the new hardware infrastructure (dependant on budget availability)</p>



Strategic Pillar	Strategic Objective	Key Performance Indicators (KPIs)	Performance Indicators (PIs)	Strategic Initiatives	Key Risks	Strategic Pillar	Strategic Objective	Key Performance Indicators (KPIs)	Performance Indicators (PIs)	Strategic Initiatives
3.	Optimised Governance level	Governance Failures	<ul style="list-style-type: none"> Non-compliance with established governance processes/mechanisms Principles of ethical culture not fully embedded within the CCMA Ineffective governance processes/mechanisms 	<ul style="list-style-type: none"> Inadequacies in the conflict-of-interest declarations process Increased number of complaints on alleged unethical conducts (commissioner related complaints) Inadequate investigative process in place for complaints received from the user. Non-compliance to legislation, organisational policies, and procedures Increased number of fraud incidents reported 	25	18	<ul style="list-style-type: none"> Implement the approved 2022/23 Governance Implementation Plan Conduct awareness of the Fraud Prevention Policy and SOP Implement the approved 2022/23 Fraud and Anti-Corruption Plan and Strategy 			
4.	Improved employee turn-over rate	Inability to attract, develop and retain the required/critical skills and competencies due to budget constraints	<ul style="list-style-type: none"> National budget cuts/inadequate funding to support the implementation of the Human Resources Strategy and Talent Management Plan National Treasury salary and incentives freeze 	<ul style="list-style-type: none"> Increased time and costs for training replacement of employee. Limited return on training investment because of employee resignation for better remunerative opportunities. High employee turnover due to limited/no performance incentives and/or salary increases resulting in loss of skill set. Low staff morale impacts service delivery. Loss of scarce and critical skills. Labour instability Career growth limitations Lack of attractive incentives Inability to discharge CCMA business operations effectively due to reduced staff complement. Governance failures and organisational non-performance. 	20	13	<ul style="list-style-type: none"> Implement the Talent Management Framework (within budgetary constraints) Implement the Human Resource Management Strategy (only funded components). Conduct performance management training for line management Develop an Industrial Management Plan Reassign of functions to appropriately skilled individuals to ensure maximum utilisation and outputs from existing resources Deliver relevant training as required by the organisation within the allocated budget (Consider training interventions offered by full-time employees) 			



Strategic Pillar	Key Objectives	Risk Rating	Impact	Mitigation Strategy	Responsible Party	Timeline
5.	Improved ICT Service quality	Increased exposure to cyber attacks	<ul style="list-style-type: none"> Automation of the current manual business processes in line with the CCMA's new strategic direction. Lack of implementation of the Cyber Security Maturity model The evolving threat landscape is due to the sophistication of the technology used by attackers. Unauthorised transmission of data from within the organisation to an external destination or recipient 	<ul style="list-style-type: none"> Business disruptions. Leakage of confidential information. Financial losses. Theft of intellectual property and CCMA sensitive data. Hardware and software vulnerabilities. Phishing attacks. Data fraud and theft. 	<ul style="list-style-type: none"> 20 	<ul style="list-style-type: none"> 13
6.	Optimised Governance level	Negative Organisational reputation	<ul style="list-style-type: none"> Delayed media responses due to internal approval processes. Inability to pre-empt the context within which the CCMA's information/data will be used or interpreted by 3rd parties (media houses). 	<ul style="list-style-type: none"> Negative perceptions are being carried by social partners/stakeholders/users due to negative media reports/publications. Loss of User and stakeholder confidence and trust. Difficulty in increasing the reach of the CCMA's brand. 	<ul style="list-style-type: none"> 20 	<ul style="list-style-type: none"> 13



7.	Effective services management prevention and resolution	User non-compliance with Essential Services laws resulting in unprotected strikes.	<ul style="list-style-type: none"> Limited control over the media and the negative perceptions created from their sensation. Leakage of internal confidential information. Missing out on strategic radio and television interviews. Incorrect referencing of the CCMA, its processes, and any cost implications associated with its processes. 	<ul style="list-style-type: none"> Possible litigation should decision making, or submissions made to the media not be aligned to approved Governance frameworks. General lack of trust within the CCMA. Results in users being susceptible to touts Missed opportunities 	Unprotected strikes	Unprotected strikes	Unprotected strikes	Unprotected strikes
7.	Effective services management prevention and resolution	User non-compliance with Essential Services laws resulting in unprotected strikes.	<ul style="list-style-type: none"> Limited control over the media and the negative perceptions created from their sensation. Leakage of internal confidential information. Missing out on strategic radio and television interviews. Incorrect referencing of the CCMA, its processes, and any cost implications associated with its processes. 	<ul style="list-style-type: none"> Possible litigation should decision making, or submissions made to the media not be aligned to approved Governance frameworks. General lack of trust within the CCMA. Results in users being susceptible to touts Missed opportunities 	Unprotected strikes	Unprotected strikes	Unprotected strikes	<ul style="list-style-type: none"> Develop a poster on leakage of confidential information Arrange for public relations refresher training (dependent on budget availability) Create a database of multimedia production houses, monitor the database, and draft a response to the Director for his approval and submission to correct the incorrect submission Identify the key/most prominent stakeholders that the CCMA must engage with and ensure that they are kept abreast of all the latest details about the CCMA, as and when the need arises Ensure that communications are proactive (propose media advisories, media statement and staff address for example) Conduct stakeholder engagements to increase awareness and promote compliance to the Essential Services Law Strengthen relationships with Users that render essential services Cooperate with the CCMA in managing conciliation outcomes in essential service disputes



Key Performance Indicators	Target	Actual Performance	Weighting	Remarks	Strategic Objectives	Key Performance Indicators
8. Improved employee turn-over rate	The negative impact of the Global COVID-19 Pandemic on the CCMA	<ul style="list-style-type: none"> COVID-19 Pandemic 	18	<ul style="list-style-type: none"> Possible increase spreading of infectious disease within the CCMA and its offices, resulting in Office closures and business disruptions. An increase in the number of CCMA COVID-19 related deaths and infection rates, has a negative impact on employee mental health and productivity. Loss in productivity due to an increase in sick leave usage for COVID-19 positive cases and exposed employees. Non-Compliance to Disaster Management Act resulting in fines and penalties and office closures. 	Promote Minimum Service Agreements (MSA's) and determining minimums to be maintained (minimum services determinations/MSD's) where parties do not conclude MSA's	10
9. Jobs Saved	Inability to save jobs adversely affected in large scale retrenchments processes	<ul style="list-style-type: none"> Increase in job losses due to Labour market conditions 	18	<ul style="list-style-type: none"> Increase in job losses due to Labour market conditions 	<p>Update the CCMA's Pandemic Response Plan and compliance to National Governments Disaster Management Regulations as and when regulatory changes occur</p> <p>Utilise Careways to provide Wellness interventions within the scope of the contract</p> <p>Utilise online/ virtual platforms to provide awareness of mental health issues to staff</p> <p>Increase usage of virtual meeting platforms to mitigate against face-to-face transmission of the pandemic</p> <p>Provide stress management and resilience webinars</p> <p>Provide grief workshops</p> <p>Implement post retrenchments monitoring processes</p>	10



PART D: TECHNICAL INDICATOR DESCRIPTIONS

PROGRAMME 1: ADMINISTRATION

Indicator Title	1.1.1.1. Percentage of net surplus achieved by 31 March 2023
Definition	This indicator tracks the revenue generation capacity and optimisation of operational costs by the CCMA to ensure that the CCMA is adequately financially resourced to deliver on its mandate
Source of Data	Quarterly Financial Reports Annual Financial Reports
Method of Calculation/Assessment	$(\text{Total revenue} - \text{Total expenditure}) / \text{Total revenue} \times 100$
Means of Verification	Annual Financial Statements
Assumptions	The revenue generation and optimisation of operational costs are implemented throughout the organisation annually to be able to deliver on its mandate
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	1% as per set target
Indicator Responsibility	Chief Financial Officer

Indicator Title	1.1.1.2. Ratio of safety to cash margins achieved by 31 March 2023
Definition	This indicator tracks adequate financial resources to meet the organisation short term liabilities
Source of Data	Quarterly Financial Reports Annual Financial Reports
Method of Calculation/Assessment	Cash and cash equivalents /current liabilities
Means of Verification	Annual Financial Statements
Assumptions	Financial reports are reliable and accurate
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	1:1 as per set target
Indicator Responsibility	Chief Financial Officer



Indicator Title	1.2.1.1. Percentage of Human Resource Plan implemented by 31 March 2023
Definition	This indicator measures the implementation of the Human Resource Plan to ensure a sustainable and well-resourced organisation
Source of Data	2022/23 Human Resources Plan
Method of Calculation/Assessment	Activities achieved / Activities planned x 100
Means of Verification	Implementation Reports
Assumptions	The 2022/23 Human Resource Plan is adequately financially resourced
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Bi-Annually
Desired Performance	100% as per set target
Indicator Responsibility	Executive: Corporate Services

Indicator Title	1.3.1.1. Number of ICT Projects on automation and integration of case disbursement (Dispute Resolution Processes) deployed by 31 March 2023
Definition	This indicator measures the migration of the paper-based case disbursement to a fully automated and integrated case disbursement system in the organisation. In this context, disbursement entails bringing efficiencies and optimisation within the Dispute Resolution value chain.
Source of Data	2022/23 ICT Project Implementation Plan
Method of Calculation/Assessment	Simple count
Means of Verification	2022/23 ICT Project Implementation Reports
Assumptions	That there will be adequate financial and human resources to deploy the automated and integrated case disbursement system, which should result in improved efficiencies, reduction in costs and improved service delivery for the organisation
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	3 as per set target
Indicator Responsibility	Chief Information Officer



Indicator Title	1.3.1.2. Percentage of uptime ICT critical systems implemented
Definition	This indicator measures the ICT critical systems (Emails, CMS, Sage and Telephone) uptime which should be up and running for 365 days minus planned outages. The uptime relates to number of hours the system is up and running, excluding the planned shutdown or maintenance. The number of hours the system is up and running, excluding the planned shutdown or maintenance refers to the total systems uptime against the number of systems. Total actual operational hours mean the anticipated hours' uptime over a given month less planned downtime. Anticipated hours = total number of hours in each month. Anticipated hours refer to the total number of hours in each month.
Source of Data	Alert Monitoring System Dashboards
Method of Calculation/Assessment	Total number of hours the systems are up and running / Total anticipated hour's uptime over a given month - less planned downtime x 100
Means of Verification	Monthly Critical System reports for Sage, Email, CMS and Telephone
Assumptions	Maintained uptime ICT critical systems should result in uninterrupted service delivery and efficiencies
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Quarterly
Desired Performance	95% as per set target
Indicator Responsibility	Chief Information Officer



PROGRAMME 2: PROACTIVE AND RELEVANT LABOUR MARKET INTERVENTION

Indicator Title	2.1.1.1. Number of Collective Bargaining Support Processes conducted for strategically identified Users per annum
Definition	This indicator aims to track a process conducted for the Users that were party to a collective bargaining agreement to establish and advance initiatives to improve collective bargaining. Users in this regard refer to organised labour, organised business and government
Source of Data	Collective Bargaining Support Processes
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance Registers Outcome Reports or Agreements
Assumptions	There is cooperation from the identified Users
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	6 as per target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution

Indicator Title	2.1.1.2. Number of Collective Bargaining Pre-Bargaining Conferences conducted for strategically identified Users per annum
Definition	This indicator aims to track the total number of Pre-Collective Bargaining Conferences conducted for users that are parties to a collective agreement. User, in this regard, refers to organised labour, organised business and/or government
Source of Data	Collective Bargaining Conference, Outcome Reports
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance Registers Outcome Reports
Assumptions	There is cooperation from the identified Users
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	3 as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



Indicator Title	2.2.1.1. Number of targeted workplaces engaged to implement transformation of workplace relations project(s) per annum
Definition	The indicator measures the delivery of a number of transformation of workplace relations projects in targeted workplaces. Targeted workplace in this regard refers to high referring workplaces in the respective provinces
Source of Data	Project Implementation Plans
Method of Calculation/Assessment	Simple count
Means of Verification	User trends analysis reports Minutes of engagements with the workplace role players Quarterly Progress Reports Project Close-Out Reports Attendance Register (Zoom/Skype/MS Teams, where possible)
Assumptions	Workplaces may not be keen to take up CCMA interventions due to lost production time caused by the extended COVID-19 national lockdown. There is cooperation between employers, workers and worker representatives. Not all Users and Stakeholders have access to online video conferencing facilities and uncapped data. The number of people subject to the physical delivery of these projects per occasion may be reduced in line with COVID-19 Regulations
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	8 as per set target
Indicator Responsibility	Senior Manager: Dispute Prevention and Training



Indicator Title	2.2.1.2. Number of vulnerable sector projects delivered to targeted Users per annum
Definition	The indicator measures the delivery of the vulnerable sector projects to targeted Users. Users in this regard refer to any one of the following vulnerable sectors: Agricultural, Mining, Domestic, Retail and Private Security
Source of Data	Project Implementation Plans
Method of Calculation/Assessment	Simple count
Means of Verification	User trends analysis reports Minutes of engagements with the workplace role players Quarterly Progress Reports Project Close-Out Reports Attendance Register (Zoom/Skype/MS Teams, where possible)
Assumptions	Not all Users and Stakeholders have access to online video conferencing facilities and uncapped data. The number of people subject to the physical delivery of these projects per occasion may be reduced in line with COVID-19 Regulations. Access to suitable external venues may be reduced due to COVID-19 Regulations
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	8 as per set target
Indicator Responsibility	Senior Manager: Dispute Prevention and Training



Indicator Title	2.2.1.3. Percentage of positive rating on participant evaluation outcomes attained per annum
Definition	The indicator measures the impact of the Dispute Prevention and Workplace Outreach interventions delivered to Users
Source of Data	Participant Evaluation Forms Participant Evaluation Outcomes Reports Spreadsheets
Method of Calculation/Assessment	Number of participant evaluation forms with a positive score/Number of participant evaluation forms completed X 100%
Means of Verification	Participant Evaluation Outcomes Report Spreadsheets
Assumptions	Users and Stakeholders will be willing to complete the participant evaluation forms. COVID-19 may impact negatively on the physical completion of the participant evaluation forms
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Bi-Annually
Desired Performance	70% as per set target
Indicator Responsibility	Senior Manager: Dispute Prevention and Training

Indicator Title	2.3.1.1. Number of interventions conducted to promote effective dispute resolution in essential services per annum
Definition	ESC aims to conduct interventions in essential services that will be geared towards promoting effective dispute resolution mechanisms
Source of Data	Engagement Meetings
Method of Calculation/Assessment	Simple count
Means of Verification	Engagement Attendance Registers (contact or virtual on any platform) Engagement Outcome Reports
Assumptions	Co – operation from the sectors where interventions must be implemented to ensure that the ESC is able to promote effective dispute resolution within sectors that render essential services
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Quarterly
Desired Performance	12 as per set target
Indicator Responsibility	Essential Service Committee



Indicator Title	2.3.1.2. Number of stakeholders engaged to make inputs on legislative changes per annum
Definition	This indicator tracks efforts by the ESC in influencing the amendment of the legislation including subordinate legislation to improve essential services law to make the law clearer and easier which is aimed at an increased buy-in
Source of Data	Record of engagements/meetings with stakeholders conducted by the ESC, through any platform deemed appropriate to relevant forums to contribute to legislative changes
Method of Calculation/Assessment	Simple count
Means of Verification	Engagement Attendance Registers (contact or virtual on any platform) Engagement outcome Reports
Assumptions	Participation by stakeholders to contribute towards legislative change
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Quarterly
Desired Performance	4 as per set target
Indicator Responsibility	Essential Service Committee

Indicator Title	2.3.1.3. Number of entities engaged to ensure that there are minimums to be maintained during industrial action in essential services per annum
Definition	This indicator aims to facilitate engagements on the Minimum Services Agreements (MSA's), and promote negotiation thereof, in various entities where essential services are rendered, and/or determine the minimum service levels where no agreement is reached. The more MSAs and MSDs the less likely that life, personal safety, or health will be endangered in essential services.
Source of Data	Project Plan MSA / MSD Reports
Method of Calculation/Assessment	Simple count
Means of Verification	Outcome Reports/Ratified MSAs/ MSDs Attendance Registers (contact or virtual on any platform)
Assumptions	Participation and co – operation by entities
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Quarterly
Desired Performance	106 as per set target
Indicator Responsibility	Essential Service Committee



Indicator Title	2.3.1.4. Number of essential service designations, Minimum Service Agreements, Minimum Service Determinations and/or Maintenance Service Determinations monitored for implementation and observance per annum
Definition	To monitor the implementation and observance of essential service designations, Minimum Service Agreements, Minimum Service Determinations and/or Maintenance Service Determinations to assess the impact and effectiveness in ensuring that there is no endangerment to life personal safety or health of the whole or part of the populations. With monitoring and evaluating, the ESC can identify the gaps and understand what works
Source of Data	Registry of existing Essential Services Designations, Minimum Service Agreements, Minimum Service Determinations and/or Maintenance Service Determinations
Method of Calculation/Assessment	Simple count
Means of Verification	Monitoring and Evaluation Outcome Reports
Assumptions	Participation and co – operation by sectors/entities/stakeholders
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Quarterly
Desired Performance	8 as per set target
Indicator Responsibility	Essential Service Committee

Indicator Title	2.3.1.5. Number of awareness sessions on essential services designation conducted per annum
Definition	This indicator aims to create awareness on essential services designation in various platforms. The targeted recipients are stakeholders, that is, employers and employees in essential services, recipients of the service and those involved in essential service dispute resolution processes
Source of Data	Project plan
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance Registers (contact or virtual on any platform) Outcome Reports
Assumptions	Attendance of awareness-raising interventions by stakeholders
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Quarterly
Desired Performance	14 as per set target
Indicator Responsibility	Essential Service Committee



PROGRAMME 3: SPECIAL INTERVENTIONS AND SUPPORT

Indicator Title	3.1.1.1. Percentage of Phase 3 of the CCMA/BUSA SME Labour Advice Web Tool implemented
Definition	The free to use CCMA/BUSA Labour Advice Web Tool for Small Business is dedicated to helping small, medium and micro-sized businesses, in particular, to access practical information and guidelines for the execution of fair labour practices in the workplace. A service provider will be sourced and appointed to run Search Engine Optimisation (SOE) software and to optimise targeted keywords in order to achieve improved user rankings.
Source of Data	CCMA/BUSA Labour Advice Web Tool for Small Business Project Plan Phase 3 Presidential Job Summit Framework Agreement – 2018
Method of Calculation/Assessment	Activities achieved/Activities planned x 100
Means of Verification	CCMA/BUSA Labour Advice Web Tool for Small Business Reports
Assumptions	There is cooperation between the CCMA and BUSA in terms of content and content development. The budget will be sourced and available for Phase 3 of the project.
Disaggregation of Beneficiaries	An estimated average of 420 new benefactors per quarter.
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Bi-Annually
Desired Performance	100% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



PROGRAMME 4: EFFICIENT AND QUALITY DISPUTE RESOLUTION AND ENFORCEMENT SERVICES

Indicator Title	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 the first process)
Definition	This indicator aims to track and measure conciliable cases heard within 30 days at first event (excludes agreed extensions, where certificates were issued, out of jurisdiction cases and withdrawn and settled by parties' cases)
Source of Data	Case Management and Information (CMI) Reports - Conciliable cases heard within 30 days (APP): List of conciliable cases activated List of cases closed with no process List of other processes heard List of certificates issued List of cases extended List of new activated cases List of cases heard within 30 days List of cases not extended (where applicable)
Method of Calculation/Assessment	Number of conciliable cases heard within 30 days / Number of conciliable cases activated x 100
Means of Verification	7.11 Referral form (including an online referral form) Notice of set down Attendance register where applicable Conciliation conducted by telephone, or other digital means, report. ¹⁸ CCMA Rule 12 ¹⁹ Pre-conciliation report
Assumptions	The data from the CMS are reliable and updated
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Quarterly
Desired Performance	98% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution

¹⁸ These processes are preceded by a notice of set down, but attendance registers are not utilised as the parties are not present in one venue.

¹⁹ CCMA Rule 12 (*Commission may seek to resolve the dispute before conciliation*) states: "The Commission or a commissioner may contact the parties by telephone or other means, prior to the commencement of the conciliation, in order to seek to resolve the dispute." Within the CCMA, this 'process' is colloquially referred to as "Pre-conciliation" intervention. These interventions are not preceded by a notice of set down and attendance registers are not utilized.



Indicator Title	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)
Definition	This indicator aims to track all arbitration awards served to parties within 14 days of the conclusion of the arbitration proceedings. This excludes extensions granted and heads of arguments filed
Source of Data	CMS CMI Reports (Total Awards Rendered – Breakdown (APP): List of head of arguments (no late awards) List of extensions only List of awards sent to parties within 14 days List of late awards sent to parties List of total awards rendered
Method of Calculation/Assessment	$(\text{Total number of arbitration awards sent to parties within 14 days} - \text{awards sent outside 14 days}) / \text{Total number of arbitration awards rendered less extensions and heads of arguments} \times 100$
Means of Verification	Set down letter Award Proof of service of the award sent to parties
Assumptions	Expeditious resolution of disputes
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Quarterly
Desired Performance	98% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



Indicator Title	4.1.1.3. Percentage of disputes of interests resolved per annum
Definition	This indicator aims to track and measure the percentage of cases closed as settled with the number of cases heard and closed in respect of disputes of interest to advance labour market stability and promote economic development
Source of Data	CMS List of all disputes of interest cases heard, closed, and settled CMS Reports (Report on mutual interest cases heard and closed and the Report on mutual interest cases settled)
Method of Calculation/Assessment	Number of disputes of interest cases settled / Number of disputes of interest cases heard and closed x 100
Means of Verification	Attendance register Settlement agreement
Assumptions	Contribute to labour market stability owing to the large number of disputes of interest matters referred to the CCMA
Disaggregation of Beneficiaries	Parties to collective bargaining negotiations at industry, sector or entity level
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Bi-Annually
Desired Performance	52% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



Indicator Title	4.1.1.4. Percentage of Section 71 of the LRA cases conducted (as and when referred) per annum
Definition	This indicator aims to track whether all referred Section 71 cases were conducted through investigations and hearings (excluding those that are referred in the last quarter of the financial year and those that were assessed and concluded as not meeting the requirements of investigation). The calculation of this indicator will include referrals made in the 4 th quarter of the previous financial year.
Source of Data	Section 71 referrals Published notices of investigation Outcome Reports CMS
Method of Calculation/Assessment	Actual cases investigated and heard / Actual Cases Referred x 100
Means of Verification	Published notices of investigation Attendance Registers (contact or virtual on any platform) Investigations Outcome report(s)/Designation(s)/Ruling(s)
Assumptions	Sectors/entities/stakeholders will refer to the ESC Section 71 cases for and hearings (where a party seeks to have a service investigated)
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	100% as per set target
Indicator Responsibility	Essential Service Committee



Indicator Title	4.1.1.5. Percentage of Section 73 of the LRA cases conducted (as and when referred) per annum
Definition	This indicator aims to track whether all referred Section 73 cases were conducted through hearings to determine disputes (excluding those that are referred in the last month of the financial year). The calculation of this indicator will include referrals made in the last month of the previous financial year.
Source of Data	Section 73 referrals Notices of set down CMS
Method of Calculation/Assessment	Actual cases conducted/ Actual Cases Referred x 100
Means of Verification	Attendance Registers (contact or virtual on any platform) Notice of set-down Outcome report(s)/Ruling(s)/Determination(s)
Assumptions	Participation and cooperation of sectors/entities/stakeholders during the ESC Section 73 cases hearings
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	100% as per set target
Indicator Responsibility	Essential Service Committee



Indicator Title	4.1.1.6. Number of self-initiated cases conducted in order to determine whether or not the whole or part of any service is an essential service per annum
Definition	This indicator aims to monitor the number of self-initiated cases conducted by the ESC in terms of Section 70B (1)(d) of the LRA which empowers the ESC to decide, on its own accord to institute investigations into whether or not the whole or part of any service is an essential service. It is important for the ESC to proactively pursue cases for investigation to determine whether a service is essential or not, with no need to wait for parties to refer matters for investigation, prompted by a variety of factors, such as changed circumstances in the country. Further, the ESC follows global jurisprudence of essential services by considering what services are designated as essential in other countries.
Source of Data	Published notices of investigation
Method of Calculation/Assessment	Simple count
Means of Verification	Investigation Outcome Reports/Designations Attendance registers (contact or virtual on any platform)
Assumptions	Participation and co – operation of sectors/entities/stakeholders during the ESC Section 70B (1)(d) of the LRA investigations
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-end
Reporting Cycle	Bi-Annually
Desired Performance	2 as per set target
Indicator Responsibility	Essential Service Committee

Indicator Title	4.1.2.1. Quality of Awards Index achieved by 31 March 2023
Definition	This indicator aims to track and measure the Quality of Awards issued by a Commissioner. The measurement being against pre-set requirement template
Source of Data	Perusal certificates
Method of Calculation/Assessment	Number of awards compliant/Number of awards perused x 100
Means of Verification	Quality Awards Index Regional Reports on Quality Awards
Assumptions	All awards issued in the Regions are perused in terms of perusal certificates
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Quarterly
Desired Performance	97% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



Indicator Title	4.2.1.1. Number of Users who access CCMA services from identified sectors reached per annum
Definition	This indicator aims to track and measure improved access to CCMA Users
Source of Data	CMS
Method of Calculation/Assessment	Simple count
Means of Verification	CMS Accessibility Reports
Assumptions	Demand for CCMA services that will lead to the need for increased CCMA services Not all Users and Stakeholders have access to online video conferencing facilities and uncapped data. The number of people subject to the physical delivery of these projects per occasion may be reduced in line with COVID-19 Regulations. Access to suitable external venues may be reduced due to COVID-19 Regulations.
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	84 000 as per set target
Indicator Responsibility	Senior Manager: Dispute Prevention and Training

Indicator Title	4.2.1.2. Percentage of Advocacy Campaign Plan implemented by 31 March 2023
Definition	This indicator aims to track the delivery of the advocacy campaign through several awareness-raising activities such as workshops, radio talk-shows, presentations, User/Sector and Stakeholder Forum meetings, amongst other platforms
Source of Data	2022/23 Advocacy Campaign Implementation Plan
Method of Calculation/Assessment	Actual activities implemented / Planned activities x 100
Means of Verification	Proof of e-mails sent by Provinces to Users (invitations) Attendance registers (Zoom/Skype/MS Teams recordings where possible) Facilitator reports Radio Talk-show Activity Reports
Assumptions	Unavailability of funds to support the advocacy campaign. Not all Users and Stakeholders have access to online video conferencing facilities and uncapped data. Access to suitable external venues can be reduced due to COVID-19 Regulations. The number of people subject to the physical delivery of these projects per occasion may be reduced in line with COVID-19 Regulations.
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	100% as per set target
Indicator Responsibility	Senior Manager: Dispute Prevention and Training



Indicator Title	4.3.1.1. Percentage of jobs saved compared to employees likely to be retrenched (as per the cases referred to the CCMA) per annum
Definition	This indicator tracks and measures the percentage of jobs saved by the CCMA through Section 189A facilitations in relation to the total number of employees identified for retrenchment in respect of large scale-retrenchment facilitations referred to the CCMA. This indicator contributes to alleviating unemployment by saving jobs of employees likely to be retrenched.
Source of Data	Consolidated spreadsheet of all S189A cases
Method of Calculation/Assessment	Number of jobs saved of employees likely to be retrenched / Number of employees likely to be retrenched in S189A matters x 100
Means of Verification	LRA 7.20 Referral Forms S189A Outcomes Reports completed by S189A Facilitator Collective Bargaining Reports
Assumptions	Contribute to alleviating the triple crisis and economic development owing to the dedicated focus to save jobs in large scale retrenchments referrals to the CCMA
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Bi-Annually
Desired Performance	38% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



Indicator Title	4.3.1.2. Return to Work Index achieved by 31 March 2023
Definition	This indicator aims to track and measure the percentage of reinstatement and re-employment outcomes with total outcomes of settled cases to contribute to alleviating the triple crisis by promoting return to work outcomes
Source of Data	List of all settled cases at conciliation with the settlement being reinstatement or re-employment CMS Reports (Report on settled cases on reinstatement and the Report on settled cases re-employment) CMS
Method of Calculation/Assessment	Number of Return to Work outcomes of cases settled / Number of conciliated cases settled x 100
Means of Verification	Settlement agreement Collective Bargaining Reports
Assumptions	Commissioners prioritise reinstatement and re-employment outcomes
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year-to-date
Reporting Cycle	Bi-Annually
Desired Performance	8% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



Indicator Title	4.4.1.1. Percentage of public interest disputes resolved per annum
Definition	This indicator aims to track and measure the percentage of cases closed and settled with the number of cases heard and closed in respect of public interest disputes (S150) to advance labour market stability and promote economic development
Source of Data	CMS List of all disputes of public interest (S150) CMS Reports (Report on public interest (S150) cases heard and closed and the Report on public interest (S150) cases settled)
Method of Calculation/Assessment	Number of public interest (S150) cases settled / Number of public interest cases (S150) heard and closed x 100
Means of Verification	Outcome report OR settlement agreement Collective Bargaining Reports
Assumptions	Section 150 offers of assistance will either be made or requested by parties in selected public interest matters with the CCMA's dedicated focus to attend to these.
Disaggregation of Beneficiaries	Parties to collective bargaining negotiations at industry, sector or entity level
Spatial Transformation	N/A
Reporting Cycle	Non-cumulative
Desired Performance	Annually
Desired Performance	64% as per set target
Indicator Responsibility	National Senior Commissioner: Dispute Resolution



PROGRAMME 5: EFFECTIVE STRATEGY MANAGEMENT AND GOVERNANCE

²⁰ Indicator Title	5.1.1.1. Number of strategic forecasting and situational analysis conducted per annum
Definition	This indicator aims to examine the internal and external organisational environment and its impact on the CCMA's operations.
Source of Data	Internal and external information that will enable the extraction of relevant data
Method of Calculation/Assessment	Simple count
Means of Verification	Strategic and situational analysis report
Assumptions	Readily available information as the environment evolves
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	There is no set target for this indicator for the 2022/23 financial year
Indicator Responsibility	Executive: Governance and Strategy

Indicator Title	5.1.1.2. Number of Invuselelo Strategy impact assessments conducted per annum
Definition	This indicator aims to track the impact of the organisation's strategy implementation mid-way during the five (5) year period to determine key progresses and identify areas of improvement for the remaining period. This activity will be guided by the Strategy Evaluation Plan. An impact assessment report will be produced at the end of the assessment
Source of Data	Strategic Plan Annual Performance Plans Annual Reports
Method of Calculation/Assessment	Simple count
Means of Verification	Impact assessment report
Assumptions	The external environment is dynamic and will change
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	1 as per set target
Indicator Responsibility	Executive: Governance and Strategy

²⁰ The indicator is not measured in the 2022/23 financial year.



Indicator Title	5.1.2.1. Percentage of Compliance Management Plan implemented by 31 March 2023
Definition	This indicator aims to track the implementation of the Compliance Management Plan, executed to sustain the compliance maturity of the organisation
Source of Data	2022/23 Compliance Management Implementation Plan
Method of Calculation/Assessment	Activities achieved / activities planned x 100
Means of Verification	Compliance Management Reports
Assumptions	Full co-operation by implementing business units
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year end
Reporting Cycle	Bi-Annually
Desired Performance	100% as per set target
Indicator Responsibility	Executive: Governance and Strategy

Indicator Title	5.1.2.2. Percentage of Risk Management Plan implemented by 31 March 2023
Definition	This indicator aims to track the implementation of the Risk Management Plan, executed to sustain the risk maturity of the organisation
Source of Data	2022/23 Risk Management Implementation Plan
Method of Calculation/Assessment	Activities achieved / activities planned x 100
Means of Verification	Risk Management Reports
Assumptions	Full co-operation by process owners
Disaggregation of Beneficiaries	N/A
Spatial Transformation	N/A
Calculation Type	Cumulative year end
Reporting Cycle	Bi-Annually
Desired Performance	100% as per set target
Indicator Responsibility	Executive: Governance and Strategy



ANNEXURE A: AMENDMENT TO THE STRATEGIC PLAN

Description	Current in terms of the Imvuselelo – The Revival 2020/21 – 2024/25 Strategy	New	Reason for change
Change of outcome statement	Effective essential services dispute management prevention	Effective dispute resolution mechanism in essential services	In line with Section 70B(1)(b) of the LRA that states “promote effective dispute resolution in essential services”
Change of Programme 1 name	High Performance Institution	Administration	In line with the National Treasury request to align to other institutions in the naming of programme one (1)

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