The Portfolio Committee on Employment and Labour today began public hearings into the Employment Equity Amendment Bill. The Chairperson of the committee, Ms Lindelwa Dunjwa, said that the constituency period was a good time for the committee to undertake these public hearings.

On day one, Sakeliga, the Institute for Race Relations, the Gender Commission and the Congress of South African Trade Unions (Cosatu) made presentations before the committee. Sakeliga’s Mr Piet le Roux said they advise against the bill, because it has conceptual problems. “There should be a rethinking of the bill, and what its successes and targets would look like. The timing is bad for this bill, which seeks to introduce red tape. The ministerial determination and the quotas are drags,” said Mr le Roux.

He said the bill sought to extend to the private sector, as representivity was achieved seven years ago in the public sector. “For the bill to be successful would mean moving white people to other provinces from Gauteng, as there is a concentration of them there.” This movement would not be a problem, Sakeliga believes, as long as such movement is regulated through government policy. Sakeliga believes the bill introduces racial classification, which South Africa should move away from.

Another Sakeliga’s representative, Mr Martin van Staden, identified other areas of concern, including technical drafting, the ministerial determination of targets and the lack of impact assessment. “Our preference is that this bill be not considered. Only Parliament can determine legislation; the minister can implement.” The minister cannot regulate to satisfy himself or government, as is contemplated in clause 4 and 12. “No impact assessment was conducted on the bill. This will be a sorry state of affairs. We need a quantification of the consequences, both intended and unforeseen this will bring on our economy.”

Through its representative, Dr Anthea Jeffery, the Institute of Race Relations said it had concerns about the bill, as the amendment could have excessive costs. Furthermore, the bill is unconstitutional and cannot be adopted. Employment equity and broad-based black economic empowerment (BBBEE) should be replaced.

The Institute of Race Relations believes the bill will stall economic recovery, prompt a further flight of scarce skills and capital, and leave more people unemployed. In addition, the insinuation that black people are unable to prosper without the BBBEE is problematic.

The committee asked questions from the participants about the timing of the bill and whether there would be a better time to introduce it. Committee members also asked questions about the Minister of the Department of Employment and Labour’s powers with regards to numerical targets, the means test for upward mobility, and whether numerical targets were another kind of quota. Ms Dunjwa was concerned by the presentations’ implication that the Minister should not interfere with the private sector.

**Sibongile Maputi**

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