

**Ministry**

**Employment & Labour**

**Republic of South Africa**

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**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION NUMBER: 1006 [NW1082E]**

**1006. Ms P Madokwe (EFF) to ask the Minister of Employment and Labour:**

(a) What is the reason that his department has not acted with regard to the reported exploitation of our people by foreigners such as a number of industrial workers around the Sithebe industrial area, in the eMandeni Local Municipality, who have requested intervention from his department in relation to their exploitation by primarily Chinese employers where they are paid below the minimum wage and (b) by what date does his department intend to hold the businesses that are exploiting our people accountable? NW1082E

**REPLY:**

(a) In the previous three financial years the department has conducted a total number of 128 inspections and prosecuted 10 employers (**see Annexure 2 and 3 - Employers inspected and prosecuted)**

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| --- | --- | --- |
| **Financial Year** | **Inspections Conducted** | **Employers referred for prosecution** |
| 2020/21 | 61 | 05 |
| 2021/22 | 32 | 03 |
| 2022/23 | 35 | 02 |
| **Total** | **128** | **10** |

There are also inspections that were conducted with ICOREF which is a multi-disciplinary Committee led by KZN Department of Economic Development.

On the 01/02/2023 SAPS cluster meeting was held to plan joint inspections that incorporates Department of Employment and Labour, Department of Home Affairs and SAPS iLembe cluster. During the meeting SAPS confirmed their powers to break in if an employer refuse to open the gates, since most of Chinese deny entry of Labour inspectors and when reporting to SAPS Nyoni police station, we were advised that it is not their jurisdiction.

On the 08/02/2023 the first joint Inspection was conducted at Members Fashion Co-operative. With the SAPS iLembe cluster and Home Affairs officials present, the security guard was forced to open that gate. Inspection was successfully conducted and that employer has since referred for prosecution on 24/03/2023.

The plan of the Department Employment and labour during 2023/24 is to work hand in hand with South African Police Services iLembe cluster and Home Affairs Northern district in order to be assisted with entry should employers denied entry as well as to hold foreigners and to enforce their laws since it administered by them.

(b) As per the Provincial Year Planner, the scheduled dates for Isithebe Clothing and Textile Blitz Inspections is the 5-9 June 2023.