

**Ministry**

**Employment & Labour**

**Republic of South Africa**

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**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION NUMBER: 2923 [NW3549E]**

**2923. Mr S L Ngcobo (IFP) to ask the Minister of Employment and Labour:**

Considering the 2022 SweepSouth Report on Pay and Working Conditions for Domestic Workers and the department’s recent domestic worker seminar in Atteridgeville, (a) how will the issues regarding exploitation, abuse and underpayment raised in the seminar be addressed in relation to the issues raised in the SweepSouth Report, (b) where can domestic workers alternatively report issues related to exploitation, abuse, and underpayment besides at his offices and/or the Commission for Conciliation, Mediation and Arbitration, (c) what is the turnaround time for the reported issues to be addressed, (d) what measures are in place to provide mental health services to domestic workers, and (e) how could the cost of the mental health services be supplemented to prevent it from causing additional financial strain on domestic workers? NW3549E

**REPLY:**

1. The Department conducts pro-active and re-active inspections daily which includes inspections in the domestic workers’ sector. This also enables us to respond to complaints that are reported to the Department in various ways. Labour Inspectors when conducting inspections are able to check if the employer complies with the employment laws which includes compliance with the National Minimum Wage Act, to ensure that workers are not exploited.

The Department further ensures that exploitation is dealt with through enforcing compliance with the Basic Conditions of Employment Act, in particular the Sectorial Determination 7, that deals with conditions of employment in the Domestic Sector.

1. The Department of Employment and Labour and the Commission for Conciliation, Mediation and Arbitration (CCMA), have jurisdiction to deal with issues of national minimum wage. Workers can therefore report any matter to a local Labour Centre of the Department. Where possible however, the workers can also report to their local trade union offices who will assist in reporting the cases to the Department and the CCMA.
2. The Inspection and Enforcement Services Branch, from when a complaint is received at Client Services, has 90 days to finalise the matter. To this end, the labour inspect will investigate the complaint and may conduct an inspection. An enforcement notice would be issued.
3. The Department does not provide mental health services. Government hospitals make provision for free mental health services.
4. The matter is not applicable to the Department as per our response in (d)