**NATIONAL ASSEMBLY**

**QUESTION 691**

**FOR WRITTEN REPLY**

**INTERNAL QUESTION PAPER NO: 12-2020, DATE OF PUBLICATION 24-04- 2020: “Mrs V van Dyk (DA) to ask the Minister of Arts and Culture”**

(1) What is the total cost of the litigation and/or legal fees for the National Library of South Africa during the period 1 January 2017 up to the latest specified date for which information is available;

(2) what is the legal cost for each labour dispute and/or matter defended;

(3) what are the relevant details of the Commission for Conciliation, Mediation and Arbitration (CCMA) award on the CCMA matter of a certain person (name and details furnished);

(4) (a) what was the outcome of the CCMA case against a certain person (name furnished) from the National Library of South Africa of whom the Board reported in November 2019 that the matter was resolved, (b) how was the specified matter resolved and (c) what total amount in legal fees was involved? **NW893E**

**REPLY:**

1. Litigation costs from 1 January 2017 to date are as follows:

|  |  |
| --- | --- |
| **Year** | **Amount** |
| 2017 | R 71, 383.70 |
| 2018 | R 1, 807, 468.98 |
| 2019 | R 2, 314, 626.18 |
| 2020 | R 3, 901, 436.20 |
| **Total** | **R 8, 094, 915.15** |

1. The legal cost for each labour dispute are as follows:

|  |  |  |
| --- | --- | --- |
| **Year** | **Litigation** | **Amount in Rands** |
| |  | | --- | | October 2018 - September 2019 | | |  | | --- | | NLSA vs Executive Director: Corporate Services | | |  | | --- | | R 579, 902.39 | |
| |  | | --- | | January 2018 - November 2019 | | |  | | --- | | NLSA vs Director: Centre for the Book | | |  | | --- | | R 1, 696,950.27 | |
| |  | | --- | | April 2019 - August 2019 | | |  | | --- | | NLSA vs former National Librarian and CEO | | |  | | --- | | R 1,663, 094.00 | |
| |  | | --- | | April 2018 to Date | | |  | | --- | | NLSA vs Director: Human Resources | | |  | | --- | | R 152, 121.96 | |
| |  | | --- | | April 2017 - August 2019 | | |  | | --- | | NLSA vs Director: Bibliographic Services and Collections Management | | |  | | --- | | R 2, 798, 522.75 | |
| **Total** | | |  | | --- | | **R 6, 890, 591.37** | |

1. The CCMA ruled in favor of the employee for Unfair Suspension.

**Details of the ruling:** The National Library of South Africa, the respondent has perpetrated an unfair labour practice in terms of section (186) (2)(b) of the Labour Relations Act 66 of 1995 as amended.

1. (a) On 30 September 2019 at conciliation, the employee withdrew his case after an agreement was reached that he would return to work on 01 November 2019.

(b) On 28 October 2019 the Board ruled that the employee’s return date would be deferred to 1 April 2020 in light of representation and resistance received by Management from internal and external stakeholders including Organised Labour.

(c) The total cost for the above matter is R 1 696 950.27.