

21 August 2009

**Attention: Ms L.E. Yengeni**

c/o: Ms A. Kakaza

**Chairperson of Portfolio Committee on Labour**

Parliament, Cape Town

by email: akakaza@parliament.gov.za

Dear Ms Yengeni

**Re: Call for Submissions and Request for Verbal Submission Re Labour  
Brokering in South Africa**

Please find attached a position statement on Labour Brokering submitted on behalf of BPeSA (Business Process enabling South Africa), national industry association for BPO and Call Centres, in response to the request for comments.

If possible may I request a timeslot to make a verbal submission on Wednesday 26<sup>th</sup> August 2009.

I look forward to your favourable response

Yours sincerely,



**Mfanu Mfayela**

Chief Executive Officer

[mfanu@bpesa.org.za](mailto:mfanu@bpesa.org.za)

Ground Floor, Paddock View, Hunts End, 36 Wierda Road West, Wierda Valley, Sandton  
PO Box 3874, Rivonia, 2128  
Tel: +27 11 783 3177 Fax: +27 11 783 5347  
E-Mail: info@bpesa.org.za www.bpesa.org.za

Non-Profit Organisation Reg no: 2004/001254/08

Directors: S. Eddie Funde (Chairman), Mfanu Mfayela (CEO), Andrew Briggs, Angus Brown, Dr. Alewyn Burger, Bulelwa Koyana, Graeme Arderne, Karl Socikwa, Mark Harris, Tracey Czakan, Nat Kekana, Nelis Swart, Siphon Zungu, Suleman Shaik, Derek Naidoo (Alternate William Goldstone), Kay Vittee (Alternate Keryn House), Pepi Silinga (Alternate Khwezi Tiya)

## **Position Statement on “Labour Brokering” in South Africa**

Business Process Enabling South Africa (BPeSA)

IRO Parliament’s Call for Written Submissions on Labour Brokering in South Africa

August 2009

### **About BPeSA**

**BPeSA** (Business Process enabling SA) is the national industry association representing the interests of the Business Process Outsourcing & Offshoring Sector and Call Centres (BPO&O) in South Africa. BPeSA aims to provide a national coordinated service to the industry and continue addressing key industry challenges including policy advocacy, encouraging and negotiating affordable Telco pricing, rolling-out quality assurance framework, promoting partnerships, and broadening talent pool amongst other things. BPeSA is established as a conduit for building new relationships with other professional bodies, government departments, overseas agencies and other agencies that have an interest in the successful development of contact centres in South Africa.

### **BPeSA’s core objectives include:**

- To have as an overriding objective the creation of long term sustainable employment for South African citizens in the BPO and Contact Centre industry.
- To promote South Africa as a preferred, world-class location for the international contact centre and business process outsourcing industry.
- To build consensus among industry stakeholders in an inclusive way and act as a voice for the industry to project to external stakeholders nationally and internationally the view of the industry as a whole.
- To co-ordinate the views of the various industry sub-sectors into a coherent policy framework that will enable the industry to develop to its full potential.
- To promote best practice in all facets of contact centres and BPO operations, as well as the handling and treatment of investor enquiries.
- To promote empowerment, transformation and the upliftment of previously disadvantaged individuals throughout the industry, with a particular focus on the development of black owned and managed companies as well as skills transfer.

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## **Temporary Employment Services (TES) is a Vital Component of the BPO&O**

South Africa's Business Process Outsourcing & Off-shoring and Call Centres (BPO&O) sector consists of two primary elements: firstly, local operations of South African companies outsourced to third-party service providers; and secondly, local call centres serving foreign customers on behalf of international companies. As such, the sector is emblematic of the possibilities created by technological advances and globalization. The sector is one of the Department of Trade and Industry's earmarked sectors for rapid employment creation and economic development, on account of the sector's high labour-intensity and positive experiences in countries such as India and the Philippines. In recent years, several global outsourcing operations have selected South Africa as a base, including Accenture and IBM, with an estimated combined workforce (both domestic and international outsourcing) of 20,000. In addition, the domestic outsourcing sector employs a further 80,000 people, primarily in call centres.

Most of outsourcing companies use temporary and/or part-time workforces, for several reasons:

- Almost all customer-facing (e.g. call centre) or administrative (e.g. back office processing) environments have regular "peaks" and "troughs", that is, recurring and predictable cycles in their workload. For example, over month-end, a typical call centre could field three times the volume of calls fielded at other times of the month. It does not make sense for businesses to carry the cost of full-time, permanent staff for the entire month, when their underlying customers' phone-in patterns and workforce requirements peak during 7 or 8 days of the month. The same patterns are observed at lunch-times, during corporate year-end and tax filing seasons, over Christmas holidays and so on.
- Outsourcing contracts – whether domestic or international – are usually awarded for a fixed period, either because the underlying business need is of a limited, fixed-term nature, or because competition between outsourcers makes it difficult to predict whether a particular contract will be renewed with the same outsourcer. An outsourcer's ability to "scale up" and "scale down" is typically specified contractually in advance. For this reason, it would be difficult to provide a competitive outsourcing proposition if traditional, permanent employment was the only option for employers, who often need to adjust their workforces in response to changing circumstances.
- Since international outsourcers often operate in different time zones to the client's home market (e.g. US/India, UK/Philippines), they tend to serve customers at unusual (local) times according to highly complex shift patterns.

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The use of flexible (i.e. actively shifted and scheduled) workforces is thus pronounced in the outsourcing sector, and it would be impossible to achieve the same degree of flexibility using a full-time workforce alone.

Additionally, many outsourcing companies use agencies (i.e. labour brokers) to manage their workforces, for various reasons:

- Due to the relatively large size of agencies' contract workforces and the use of specialised systems and IT platforms, agencies are generally able to provide consistent and high-quality payroll, recruitment, and administration services at high volumes and favourable costs. As such, they are able to offer well-priced services to outsourcers operating in highly competitive circumstances.
- Agencies offer a exciting "value proposition" to their employees as well, since they are able to deploy employees across multiple industries as changing business conditions require, offering a higher level of continuity and security of employment than outsourcers can provide in highly competitive and fast-changing circumstances.
- To take advantage of various investment incentives provided by government, outsourcers typically need to locate their businesses in strategic (e.g. city centre) or distant (e.g. Eastern Cape) areas. Challenges often arise in these areas, particularly related to recruitment, on account of the high rate of unemployment and the large number of job applications received per available position. As a result, it would be exceedingly difficult, and certainly uneconomical, for outsourcers to manage these workforces using their own HR departments.
- A recent survey done across a percentage of the local BPO and call centres show that 40.1% use in-house recruitment facilities, 11.6% use external recruitment and 48.3% use a blend of the two when recruiting staff it is noted from the survey the important that the TES provides

### **Temporary employment is principal entry-point into labour market for unemployed youth – one of South Africa's critical challenges**

In addition, BPeSA has observed at first hand the important socio-economic role that staffing agencies play. Since 2000, staffing agencies introduced around 3.5 million temporary, part-time and contract employees into the labour force, approximately 2 million of whom were first-time job-seekers, 92% of whom were African, and 85% of whom were youth aged between 18 and 35. Based on figures provided by the Confederation of Associations in the Private Employment Sector (CAPES), more than 32% of these employees secured traditional, permanent jobs within 12 months – and 47% did so within 3 years.

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As these statistics indicate, temporary employment agencies are South Africa's principal entry-point into the labour market for unemployed African youth, and key vehicles for unemployed people's skills development and career mobility.

As a sector, BPeSA has noted an annual attrition of between 10-20% and an industry growth rate of 5%. This means that each year the industry replaces between 15-25% of their total staff complement as candidates move onto greener fields or into permanent positions. There are very few industry sectors that can achieve these figures in terms of employment.

But most critically, the TES industry assists unemployed individuals by providing an opportunity to gain a formal qualification and with gaining vitally important workplace experience, increasing their employability and employment security. The TES has been instrumental and successful in rolling out Learnerships (in partnership with Services SETA), Monyetla Work Readiness Programmes (in partnership with DoL and the dti) as well as the BPeSA Work Readiness Programme (in partnership with the National Youth Development Agency, formerly Umsobomvu Youth Fund).

### **About the BPO Industry**

The contact centre and business process outsourcing (BPO) industry, established about a decade ago in South Africa, currently employs more than 100 000 employees locally (Mpahlwa, 2008). According to Honourable Mpahlwa (2008), previous Minister of Department Trade and Industry, the Global value of the sector in 2008 was estimated as USD 50 billion with a forecasted growth at approximately 50% per annum over the short term globally that can create an additional three million direct jobs worldwide in the next three to four years. Jones (2008) mentions even greater numbers being employed in the 2007/2008 South African National BPO & Call Centre Report; he states that the industry comprises approximately of 1500 operational contact centres that employ a total number of agents that range between 150 000 – 175 000 with a further 30 000 management and support staff.

The staffing industry contributes value by providing high commitment solutions and assistance to the industry as a whole and specifically to clients that do not have the resources to do so!

The Global Contact Centre Benchmarking Report (Diemont, 2007) alludes to the fact that staff remain the single biggest investment – the staffing cost in a contact centre forms 64% to 74% of the total operational spend. It reports specifically on key organisation findings across 301 contact centres from 42 countries that include the following statistics: staff retention is ranked by 48.8% of contact centres as their number one HR strategy driver, the ratio of actual to available working days is 87.0%

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resulting in 13.0% of available time being lost to absenteeism and sick leave, agent absenteeism is 11.0%, the average cost of hiring a new permanently employed agent is USD 1802.89 for the Africa and Middle East region and the average agent attrition is 24% overall.

Some of the human resource characteristics detailed by Benner, Lewis, and Omar (2007) in their Report entitled 'The South African Call Centre Industry: A Study of Strategy, Human Resource Practices and Performance' are as follows:

- Employment Conditions and Practices

*Labour Costs:* On average, labour costs account for 60% of total costs of operating a call centre. This compares to 70% in developed countries in the global call centre study, and an average of 57% in all industrialising countries in the study.

*Turnover:* The total annual average attrition rate (quits + dismissals + retirements) across all call centres is 16%<sup>1</sup>, though this number is lower in sub-contracted call centres and in smaller call centres. On average, 5.3% of employees were promoted within the call centre in the previous year, and 5.8% were promoted or transferred outside the call centre but within the business in the previous year. When looking at all forms of turnover, South Africa's median turnover rate of 21% is essentially the same as the global figure of 20%, though South Africa's median quit rate of 5% is low by international standards. In India, often seen as South Africa's main competitor for international call centres, total median turnover is 39% and median quit rate is 20%.

*Costs of turnover:* On average, managers reported that it costs R17 264 to recruit, screen and train each new employee. This amounts to 22% of the average yearly earnings. In other words, the typical replacement costs of one worker equals more than 2 ½ months of the typical workers pay.

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## **DTI Strategy for the BPO&O Sector**

BPO&O has been identified as one of the top three sectors to stimulate growth within the government's Accelerated and Shared Growth Initiative for South Africa (ASGISA). BPO&O refers to the trend of business worldwide, especially in countries where labour is costly, to locate back-office activities such as accounts or claims processing or front office activities like call centres in low cost centres. The sector globally, is forecast to grow at 50% per annum (resulting in a growth of between US\$50bn and \$60bn for the next three to four years). This opens a window of opportunity for South Africa to create 25 000 direct and 75 000 indirect jobs (thus resulting in a total of 100 000 jobs) and contribute up to R8bn in GDP to the economy by 2009.

The decision to single out BPO&O as a priority sector warranting special government attention under ASGISA, the Accelerated and Shared Growth Initiative for South Africa has not been without real merit: South Africa's BPO&O sector has the potential to create up to 25 000 direct jobs by 2012. The said figure is the vision that the country is striving towards. BPO&O has been one of the best performing sectors to date, showing double-digit growth in terms of output, employment, and exports.

Moreover, BPO&O has the potential to have a real impact in addressing unemployment: it primarily employs people in their 20's with only a Matric or diploma. As the bulk of unemployment in South Africa is within this age group, and nearly 40% of Matric holders are unemployed, it is assured that growth in BPO&O will also have a direct correlation in creating the types of jobs which will help reduce unemployment – and not just shift jobs from one sector to another.

## **Conclusion**

BPeSA believes that current labour legislation adequately addresses the use of labour brokers, including section 198 of the LRA, section 57 of the EEA, section 24 of the SDA, section 82/84 of the BCEA, section 1 of the OHSA, and the UIA, COIDA and other Acts which apply to all employers. It is possibly due to a lack of effective law enforcement that a minority of labour brokers have been able to operate in the industry. But in BPeSA's wide-ranging experience with some of South Africa's and the world's leading staffing companies, these non-compliant labour brokers represent a small minority. Where more effective enforcement of existing laws is called for, additional legislation and regulations would be both unnecessary and highly prejudicial to the business process outsourcing industry.

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Addendums:

1. Client testimonial: IBM - Frank Hammer
2. Client testimonial: Merchants
3. Submission from BPeSA Gauteng: Keryn House

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20 August 2009

**TO WHOM IT MAY CONCERN**

IBM globally has used a flexible work force model. Kelly (Temporary Employment Services) assists the IBM IDC in driving and implementing IBM's Global IDC Strategy whereby the IDC utilizes Kelly's expertise in recruitment and on-boarding. Kelly assists IBM in the management of these resources and demonstrates the understanding and awareness of the IDC's core business requirements.

The value that they add is in being a true partner allowing IBM to focus on their core business and their growth, leaving the staffing element to the Kelly professionals.

Yours faithfully

pp Frank Hammer  
IDC South Africa Executive

merchants  
A DIMENSION DATA COMPANY

Dear Sir/Madam:

**CALL FOR WRITTEN SUBMISSIONS ON LABOUR BROKING IN SOUTH AFRICA**

Merchants SA (PTY) Ltd is South Africa's leading provider of outsourced contact centre solutions to both blue-chip domestic and international clients. Our sourcing solutions are designed to deliver value based business outcomes that help our clients find, win, retain and grow customers; ensure a high return on investment; and improve overall business efficiency through process re-engineering.

Merchants was the first South African company to win an outsourcing contract from a large US-based company, and this contract could not have been successful without our external staffing agencies ("labour brokers"). In just 3 months, our agencies were able to recruit 500 technical help desk and customer service staff with scarce technical skills, which grew to 1,000 within 6 months. Over this period our staffing providers processed more than 27,000 job applications and conducted more than 5,000 interviews, which would not have been possible using our internal Human Resource resources.

Flexible staffing companies play an important role in the business process outsourcing industry for several reasons. Firstly, flexible staffing companies are integral to our service offering, providing the flexibility to respond to our clients' needs rapidly, effectively and on a large scale. Secondly, flexible staff allow us to serve our customers (our callers) at times of the day and night and during peak times when our customers require. Thirdly, in our organization temporary positions are, not only an entry-point for employees to attain permanent positions based on performance, but also an entry-point into the job market for first-time job-seekers who wish to acquire work experience. As such, flexible staffing companies play a significant role, not only in our industry, but more broadly in the socioeconomic context of high (especially youth) unemployment.

In addition, Merchants as a reputed, a wholly owned subsidiary of a London listed (PLC) and JSE-listed organization operating in all the major regions of the world, we comply with and typically exceed the requirements of all labour laws and regulations. It is inconceivable that the advantages offered to our and our staffing agencies' employees – including training, coaching, career progression, among other advantages – would be cast in a negative light.

We believe that a fair mix of flexible staffing labour which results in employment opportunities and career development are critical to the growth and sustainability of our business, industry and economy.



South Africa: Dimension Data, The Campus, Roland Goniwe Building  
57 Sloane Street, Bryanston 2021  
Telephone +27 (11) 575 2000  
Facsimile +27 (11) 575 2318

Directors: AC Foster, Managing Director, Merchants Group  
CASC Gibson, Director, African Operations  
S Budd CA (SA), Director, Finance  
ML Taylor, Company Secretary

butetwa koyana, Graeme Arderne, Karl Socikwa, Mark Harris, Tracey Czakan, Nat Kekana, Netis Swart, Siphon Zungu, Suleman Shaik, Derek Naidoo (Alternate William Goldstone), Kay Vittee (Alternate Keryn House), Pepi Silinga (Alternate Khwezi Tiya)

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**To Whom it may Concern,**

**BPeSA Gauteng** – The official Call Centre and BPO (Business Process Outsourcing) Body for Gauteng operates within a national structure and mandate focused on; growing and supporting the local BPO and Call Centre Sector, assisting in bringing FDI into the country and stimulating job creation and skills development for the sector .

The South African BPO and Call Centre industry has been identified as one of the major sectors for employment and economic growth in South Africa. Recently commissioned research conducted by international research house – Frost & Sullivan showed that Gauteng's BPO revenues in 2014 will be between an estimated US\$1.14 billion and US\$2.13 billion and the BPO FTEs (Full time Equivalents – staff) in 2014 will be between an estimated 29 800 and 81 500.

The expected growth curve for the sector is based on both local as well as international stimulation working on the current scalable model we as a sector have in place. This model includes the key stakeholder involvement of Human Capital / Labour Recruitment organizations (HC/LR). International companies need the assurance that South Africa can supply the required number of quality agents in the most competitive time frames as a prerequisite for them to invest in South Africa – this is a key issue should we as South Africa hope to achieve the projected extrapolated revenue figures.

The HC/LR Organizations assist with;

- Locating staff and related skills for the sector
- Screening and interviewing related staff and skills for the sector
- Where relevant assisting in bridging training, customer service training, PC literacy training and have long been the biggest supporters and facilitators of Learnerships via the SETA's in order to assist potential individuals in settling into 'best fit', gainful employment opportunities.

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The HC/LR Organisations further assist in managing staff on behalf of organization via;

- Initial placement of the staff
- Payroll administration
- Continued wellness and incentive assistance

As the nature of the BPO environment is seasonal and subject to flux - the HC/LR Organizations assist in managing customer needs via staff availability – thereby playing a key role in achieving and delivering the overall objectives of the national BPO sector which ties into the current legislations focus of Service Delivery to the customer.

Further to this HC/LR Organizations have since inception of the national BPO association played a key support role in marketing South Africa as an offshore destination - via Team SA, have focused on skills growth and have stimulated and educated the BPO sector on innovation and international best practice solutions. They are a critical stakeholder to the success's current and potential that South Africa BPO has achieved to-date.

It is the therefore the view of BPeSA Gauteng that Human Capital / Labour Recruitment organizations play a critical role in the South African BPO and labour market assisting in offering sustainable and gainful employment to potential world at work entrants – all the while assisting in facilitating expansion and economic growth as well as international investment into South Africa.

It is the flexible offering that South Africa has that is attractive to many potential international brands whereby the ability exists to ramp up with a team of both core permanent employees as well as the flexible / temp workforce - managed in totality by our HC/LR organizations.

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The total end to end flexible labour solutions provided by our HC/LR organizations has not only assisted local organizations manage their customer base and service offering, but through the continuous innovation and investment on the part of the HC/LR organizations, has assisted in establishing SA as a recognized international offshore location.

Please feel free to contact me with any further queries you may have.

Yours Sincerely

**Keryn House**

Chief Executive Officer

BPeSA Gauteng

+27-83-263-5173 (SA mobile)

0861-112-551 (SA office local)

+27-11-795-1713 (SA office international)

[www.bpesagauteng.co.za](http://www.bpesagauteng.co.za)

**A single Vision for growth in Gauteng BPO**

*Supporting a world class African Global Delivery Centre*



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