

## Programme Performance

### Voted Funds

Appropriation	Main appropriation	Adjusted appropriation	Actual amount spend	Under-expenditure
	R'000	R'000	R'000	R'000
Programme 1	392 500	388 655	419 996	-31 340
Programme 2	777 121	784 723	710 368	74 355
Programme 3	481 227	406 950	390 644	16 306
Programme 4	466 547	500 979	536 437	-35 458
Programme 5	8 977	8 977	6 013	2 964
<b>Total</b>	<b>2 126 372</b>	<b>2 090 284</b>	<b>2 063 458</b>	<b>26 827</b>
Responsible Minister	Minister of Labour: MMS Mdladlana, MP			
Administering Department	Department of Labour			
Accounting Officer	Acting Director-General of Labour: S Morotoba			

### Departmental revenue, expenditure and other specific topics

#### Collection of departmental revenue

Appropriation	2006/07	2007/08	2008/09	2009/10	2009/10	% deviation from target
	Actual	Actual	Actual	Target	Actual	
	R'000	R'000	R'000	R'000	R'000	%
Tax revenue						
(Specify)						
Non tax revenue	4 443	5 733	8 995	9 872	6 648	32.66
Sales of capital assets (Capital revenue)	0	0	0	0	331	0
(Specify)					(Auction of 2 ministerial vehicles)	
Financial transactions (Recovery of loans and advances)	1 640	2 715	19 868	3 054	5 937	94.40
<b>Total</b>	<b>6 083</b>	<b>8 448</b>	<b>28 863</b>	<b>12 926</b>	<b>12 916</b>	<b>0.08</b>

### Departmental expenditure Voted Funds

Programme	Voted for 2009/10	Roll-overs and adjustment	Virement	Total voted	Actual expenditure	Variance
	R'000	R'000	R'000	R'000	R'000	R'000
Programme 1	388 655	(4 646)	35 987	419 996	419 996	0
Programme 2	784 723	(43 615)	(28 520)	712 588	710 368	2 220
Programme 3	406 950	0	0	406 950	390 644	16 306
Programme 4	500 979	48 261	(7 467)	541 773	536 437	5 336
Programme 5	8 977		0	8 977	6 013	2 964
<b>Total</b>	<b>2 090 284</b>	<b>0</b>	<b>0</b>	<b>2 090 284</b>	<b>2 063 458</b>	<b>26 826</b>

# Programme Performance

## Transfer payments

Name of institution	Amount transferred R'000	Estimate expenditure R'000
<b>Departmental Agencies and Accounts</b>		
Compensation Fund	6 013	8 976
Unemployment Insurance Fund	0	1
Commission for Conciliation, Mediation and Arbitration	356 442	356 442
Productivity South Africa	29 476	29 476
National Skills Fund	48 951	48 951
Strength Civil Soc Reb Trans ( Development Institute for Training, Support and Education for Labour (DITSELA))	13 795	13 795
National Economic Development and Labour Council (NEDLAC)	19 554	19 554
<b>Public Corporations</b>		
Umsobumvu Youth Fund	227 250	227 250
Non Life Insurance Prem(TRY12.1.2)	45	45
Exgratia payments	530	530
<b>Statutory</b>		
Sector Education and Training Authorities	6 252 445	6 252 445
National Skills Fund	1 563 111	1 563 111
<b>Foreign Government/International Organisation</b>		
International Labour Organisation (ILO)	8 152	8 718
ARLAC	465	577
<b>Non-Profit Institutions</b>		
SA National Council for the Blind	178	260
Deaf Federation of South Africa (DEAFSA)	110	173
National Council for the Physically Disabled	200	210
Subsidised Workshop for the Blind	7 733	7 733
Subsidised work centres for people with disabilities	70 096	70 096
<b>Households</b>		
Leave gratuity	1 434	1 434
Retirement benefit	67	67
Severance package	1 968	1 968
Exgratia payments	111	111
<b>Total</b>	<b>8 608 126</b>	<b>8 611 923</b>

## Aim of the Vote

The aim of the Department of Labour is to play a significant role in reducing unemployment, poverty and inequality, through policies and programmes developed in consultation with role players and aimed at: improved economic efficiency and productivity; skills development and employment creation; sound labour relations; eliminating inequality and discrimination in the workplace; and alleviating poverty in the workplace; as well as to play a significant role in improving employment and protecting and improving workers' rights and benefits.

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### *Programme purpose and measurable objectives*

#### **Programme 1: Administration**

**Purpose:** Conduct the overall management of the Department and provide support and advisory services.

#### **Programme 2: Service Delivery**

**Purpose:** Protect the health and safety of workers and implement and enforce Department of Labour policies.

**Measurable objective:** Ensure the effective, efficient and integrated implementation of legislation, standards, guidelines and policies through the provision of inspection and enforcement services, employment services, and labour market information and statistical services.

#### **Programme 3: Employment and Skills Development Services/ Human Resource Development**

**Purpose:** Achieve the strategic objectives and equity targets of the national skills development strategy and contribute to the achievement of the strategic objectives of the national human resources development strategy.

**Measurable objective:** Achieve the success indicators of the national skills development strategy targets through managing service level agreements and providing support services to all SETAs and the effective management of the strategy.

#### **Programme 4: Labour Policy and Labour Market Programmes**

**Purpose:** Establish an equitable and sound labour relations environment and promote South Africa's interests in international labour matters through research, analysing and evaluating labour policy and providing data and statistics on the labour market, including providing support to institutions that promote social dialogue.

**Measurable objective:** Develop labour legislation and policy to reduce conflict and inequalities and improve working conditions and equity in the labour market, including through fulfilling South Africa's obligations to international and regional organisations.

#### **Programme 5: Social Insurance**

**Purpose:** Provide for administrative and other support services to the Unemployment Insurance Fund (UIF) and the Compensation Fund, and manage government's contribution to the activities of these funds.

**Measurable objective:** Support and ensure sound administration of the Compensation Fund and manage government financial assistance to the Funds, for efficiency and financial sustainability.

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### Programme 4: Labour Policy & Labour Market Programmes

#### Programme 4: Labour Policy and Labour Market Programmes

Sub-programmes	Outputs	Output performance measures/service delivery indicators	Actual performance against target	
			Target	Actual
<b>Employment Equity</b>	Promote equity in the labour market	Employment equity is being promoted in the labour market through the strengthening of the implementation and enforcement mechanisms of the Employment Equity Act, 1998 (the Act) in various workplaces	60 JSE listed companies to be assessed for substantive compliance with the Employment Equity Act	<p>67 JSE listed companies were reviewed and EE plans had been approved by the Director-General for implementation.</p> <p>12 National EE Awareness campaigns were successfully conducted in all Provinces.</p> <p>New EE Reporting form and guidelines on EE Online reporting were published in July 2009.</p> <p>The CEE has successfully developed and submitted their 10th Annual report to the Minister by end of March 2010.</p>
<p><b>Reasons for major variances</b></p> <p>The initial target of companies to be DG Reviewed in the financial year 2008/09 was 60. However, while the Department was in the process of requesting information from the targeted 60 listed with the Johannesburg Security Exchange (JSE), it was found that these companies had subsidiaries. Therefore, these subsidiaries increased the number of companies targeted from 60 to 67.</p>				
<b>Employment Standards</b>	Protect vulnerable workers	<p>The three major areas of focus for the Employment Standards Directorate are:</p> <ul style="list-style-type: none"> <li>The establishment and review of sectoral determinations</li> <li>The administration of the Basic Conditions of Employment Act include the assessment of applications for variations as well as child labour</li> </ul>	7 Sectoral determinations to be reviewed and published	<p>5 Sectoral determinations were reviewed and amended.</p> <p>A report on the outcome of the investigation into the Welfare Sector was submitted to the Minister although a sectoral determination was not made in the sector.</p> <p>The Hospitality Sector investigation has been finalised and a report has been submitted to the Employment Conditions Commission (ECC) for its consideration.</p> <p>Applications on variations dealt with: 555 reviewed 402 granted 138 refused 2 withdrawn.</p> <p>Regulations on worst forms of child labour published.</p> <p>A report tool for different government departments was developed.</p>

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### Programme 4: Labour Policy & Labour Market Programmes

#### Reasons for major variances

1. The investigations into the hospitality sector was not finalised on time and carried over into the new financial year.
2. The investigation into the welfare sector although finalised and the recommendation made to the Minister did not result in a sectoral determination and is reported as such.

<b>Strengthen Civil Society</b>	Protect vulnerable workers	Protect vulnerable workers by funding Civil Society Organisations that are involved in the world of work	7 Civil Society Organisations to be funded	8 Civil Society Organisations were funded.
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#### Reasons for major variances:

As a result of the economic meltdown in 2009 there was a request made by NUMSA to the Minister to fund the conference on the effect of the financial meltdown in the Motor and Metal Sectors. A virement was done within the Department to arrange the SCS budget to fund the above mentioned conference.

### KRA 3: Promote equity in the labour market

Employment equity is being promoted in the labour market through the strengthening of the implementation and enforcement mechanisms of the Employment Equity Act, 1998 in various workplaces.

#### Achievements

In the 2009/10 financial year, the employment equity implementation and enforcement mechanisms were strengthened by conducting follow-ups on **67 Johannesburg Securities Exchange (JSE) listed Companies, including multinationals**, operating in similar sectors, which were reviewed and issued with Director-General Recommendations by the Director-General in the 2008/09 financial year. All 67 companies had complied with the Director-General Recommendations and their Employment Equity Plans had been approved by the Director-General for implementation. These companies have now been placed under monitoring and follow-up meetings on the Income Differential Statements will be conducted in the next financial year to determine if race and gender play any role in determining remuneration of employees across all occupational levels.

In order to ensure that stakeholders are kept abreast on the latest legislative developments in the Employment Equity (EE) environment, **12 national EE awareness campaigns were successfully conducted in all provinces throughout the country** with a separate internal workshop conducted for the Department's provincial staff. Promotional materials, i.e. CDs and booklets were developed and distributed to stakeholders to provide them with employment equity implementation tools such as the newly published EE Regulations of July 2009 containing new EE Reporting Forms; guidelines on EE Online reporting; Codes of Good Practice on how to manage the impact of HIV and AIDS in the workplace, etc. These campaigns were well received by stakeholders and the attendance was exceptionally high varying from 400 to over 1 000 people in large cities like Johannesburg and Pretoria. The campaigns were successfully marketed through regional newspapers and radio, including interviews on radio talk shows promoting compliance with the Employment Equity Act.

Furthermore, in order to keep the EE System updated with the latest legislative and IT developments, **this System was enhanced to incorporate the new EE Reporting Forms in preparation for the 2009 October EE reporting period**. The EE System was successfully put into production on 1 September 2009 to enable employers to start reporting Online and also allow internal capturing of EE reports that were submitted manually by employers. The internal capturing of manual submissions by employers was successful not only at Head Office level, but throughout all the Department's provincial offices. The EE Online reporting facility was a great success with over 80% of all EE reports having been submitted Online.

In order to ensure that the Department's provincial staff are kept abreast of the latest developments in the employment equity environment, **EE training was also provided to them on the IT enhancements done on the EE System**, especially on how to capture the EE Reports

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### *Programme 4: Labour Policy & Labour Market Programmes*

into the EE System utilising the new EE Reporting Forms as published in the EE Regulations of July 2009. The training provided was aimed at enhancing the knowledge and skills of provincial staff not only on how to capture the EE Reports, but also on how to provide technical support to their own provincial employers on how to report Online during the October 2009 period.

Efficient technical and secretarial support is continually being provided to the Commission for Employment Equity (CEE) in order to ensure that they deliver on their legislative mandate. **The CEE has successfully developed and submitted their 10<sup>th</sup> Annual Report to the Minister by the end of March 2010.** The report provides feedback on the status of employment equity in the country based on the data sourced from EE Reports submitted by designated employers in the 2009 October reporting period. This report reflects on progress over a 10-year period since the inception of the Act covering 10 sets of EE data submitted by employers since the first reporting period in 2000. The report also provides feedback on the progress made by various sectors, business types (i.e. private sector, national government, provincial government, local government, parastatal, non-profit organisations and educational institutions). It is envisaged that this report will be published in the beginning of the 2010/11 financial year.

As part of the employment equity monitoring mechanisms, **the 2009 EE Public Register was developed and submitted to the Minister for approval before publication at the end of March 2010.** This Public Register is more comprehensive because it contains not only a list of large employers who were legally expected to report for the 2009 October reporting in terms of section 21 of the Act, but it also contains a list of all small employers that reported for the first time after being designated. It is planned that this Register will be published early in April 2010 for public consumption.

### ***KRA 4: Protect vulnerable workers***

The three major areas of focus for the Employment Standards Directorate are:

- The establishment and review of sectoral determinations
- The administration of the Basic Conditions of Employment Act include the assessment of applications for variations
- Child labour.

#### **Achievements**

The Sectoral determinations for the following sectors were reviewed and amended:

- Wholesale and Retail
- Civil Engineering
- Private Security
- Forestry
- Contract Cleaning.

A report on the outcome of the investigation into the Welfare Sector was submitted to the Minister although a sectoral determination was not made for the sector.

The Hospitality Sector investigation has been finalised and a report has been submitted to the Employment Conditions Commission (ECC) for its consideration.

The investigation to review the Learnership Determination has also been started and will be finalised in the new financial year. A report on norms and benchmarks on proportionate income differentials in terms of the Employment Equity Act could not be submitted in time since the data became only available at the end of March 2010.

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### *Programme 4: Labour Policy & Labour Market Programmes*

#### Highlights in respect of Child Labour

The Regulations on the Worst Forms of Child Labour was published in the Government Gazette. A reporting tool to be used by government departments and other social partners was developed.

#### Variations to the Basic Conditions of Employment Act, 1997 ( BCEA )

Regulations to the BCEA were amended to deal with variations that were decentralised to provinces. This amended the application form in the instance where applications for variations only had a provincial impact.

The decentralisation of provincial variations was approved and variations can now be done at a provincial level. This excludes applications for national variations and variations dealing with wages.

All the applications on variations received have been dealt with. The following indicates the number of applications received:

Brought forward	12
Total number received	555
Total number granted	402
Total number refused	138
Number withdrawn	3
Further information requested	12

#### Strengthening civil society

The Department protects vulnerable workers by funding Civil Society Organisations that are involved in the world of work.

#### Achievements

The Strengthening Civil Society Fund was allocated an amount of R13 795 000 for the financial year 2009/10. Eight civil society organisations that are involved in building capacity of labour organisations and that train vulnerable workers about their rights were funded and two of these organisations were funded from the Compensation Fund. The advice offices work closely with the labour centres of the Department in identifying abuse of workers in the vulnerable sectors particularly in the domestic and agricultural sectors. All of these organisations were visited to monitor their progress and their financial statements were audited.

#### *Organisations that were funded*

Workers College Natal	KwaZulu-Natal
DITSELA	National
SA Labour Bulletin	National
COSATU – May Day	National
SACUTO – May Day	National
Industrial Health Resource Group	Western Cape
Workers World Media Productions	National
NUMSA	National



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### *Programme 4: Labour Policy & Labour Market Programmes*

#### **KRA 7: Promote sound labour relations**

During the period 1 April 2009 to 31 March 2010, 31 collective agreements of bargaining councils were dealt with by the Department. Thirteen of these agreements involved the renewal and extension of period of operation and 18 were extended to non-parties covering 728 821 workers. There was a total of 47 registered bargaining councils as at 31 March 2010.

The Department received a total of 118 applications for the registration of employers' organisations and trade unions. Of these, only 17 were approved – 4 in respect of employers' organisations and 13 applications for the registration of trade unions. A total of 101 applications for registration of labour organisations were rejected. The registration of 16 employers' organisations and 29 trade unions were cancelled during the year as well as 4 cancellations due to amalgamations of trade unions. There were a total of 199 registered trade unions and 167 registered employers' organisations at the end of the reporting period.

An amount of R356 442 200 million was transferred to the CCMA for its budget for the 2009/10 financial year. In the period, 1 April 2008 to 28 February 2010, the CCMA received 139 351 referrals and settled 66% of its cases. It conducted 42 032 con/arbs, facilitated 784 section 189A cases (dismissals based on operational requirements) and conducted 95 pre-dismissal arbitrations. The CCMA took the lead in implementing the training layoff scheme and by 31 March 2010, had facilitated agreements to implement training layoffs in four companies affecting 2 100 workers.

#### **Challenges**

The identification of non-genuine labour organisations and ongoing non-compliance with legal requirements by labour organisations continue to remain a challenge for the Department. The CCMA experienced a significant increase in its case load due to the economic situation and this trend may continue into the next financial year.

#### **Labour Market Policy programme (LMP)**

The Labour Market Policy programme has three directorates: Research Policy and Planning, Labour Market Information and Statistics, and International Relations. The following is a summary of the three directorates' planned work, targets and achievements for 2009/10.

The following is the report against specified targets:

Sub-programmes	Outputs	Output performance measures/service delivery indicators	Actual performance against target	
			Target	Actual
Contribute to employment creation	South Africa's Decent Work Country Programme developed	Decent Work Country Programme for South Africa produced	Decent Work Programme to be developed and finalised with social partners, including the ILO	The Programme was finalised with social partners, including the ILO at NEDLAC.
	Worker cooperatives strategy developed	Worker cooperatives strategy to be developed	Worker cooperatives strategy to be developed	Not developed.
Strengthening multilateral and bilateral relations	Participation in the ILO Governing Body and International Labour Conference ensured	Develop South Africa's position on issues for discussion in the Conference and Governing Body	Briefing notes produced for the delegation that participated in the Conference and Governing Body meetings	Briefing notes produced for the delegation that participated in the Conference and Governing Body meetings.



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### *Programme 4: Labour Policy & Labour Market Programmes*

	Ensure compliance with the ILO's constitutional requirements in terms of Article 19 and 22 of the Constitution of the ILO	Respond to the request for reports from the ILO's Committee of Experts on the application of standards	The following reports to be submitted: 5 reports on Article 19 and 13 reports on Article 22	5 reports on Article 19 submitted. 13 reports on Article 22 submitted.
	Monitor and report on the progress of the 5 officials placed at the ILO for capacity development on labour market and Information	Constant liaison with the ILO on progress with the training programme	Training programme for the 5 officials completed by February 2010	Training programme for the 5 officials completed by February 2010.
	Implementation of bilateral and multilateral relations	Department hosted the SADC Labour Minister's conference from 30 March – 3 April 2009 in Cape Town	Discussions on a number of labour issues to take place and decisions to be taken	Discussions on a number of labour issues held and decisions taken.
	Participate in ARLAC's capacity development programmes	Facilitate the participation by departmental officials in training programmes offered by ARLAC	Departmental officials to participate in programmes offered by ARLAC	<p>Departmental officials participated in the following 6 programmes offered by ARLAC:</p> <ul style="list-style-type: none"> <li>• Labour Law Reforms under Restructuring Economies: 11 to 15 May 2009</li> <li>• Exploring the Extent and Impact of Impending Policies on HIV and AIDS at the Workplace: 3 to 7 August 2009</li> <li>• Developing Social Protection Strategies for Migrant Workers Under the Dimensions of Globalisation: 24 to 28 August 2009</li> <li>• Strengthening the Labour Market Information Systems in view of the Demands for Social Economic Development: 7 to 11 September 2009</li> <li>• Review of Specialized Training in Occupational Safety and Health and Emerging Issues: 21 to 25 September 2009</li> <li>• The Effects of New Technologies on Employment Creation, Policy Reviews and Social Protection: The Challenges of Downsizing and Rightsizing: 5 to 9 October 2009</li> <li>• ARLAC Workshop on Strategies of Transforming the Informal Economy to Salaried Economies: 17 to 21 May 2010</li> </ul>

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	Participation in the AU Labour and Social Affairs Commission ensured	Ensure effective participation in the AU Labour and Social Affairs Commission through the preparation of briefing documents that outline positions on issues for discussion	Participate in AU Labour and Social Affairs Commission meetings	Participated in the meeting held from 28 September – 2 October 2009.
	Formalise bilateral relations with the German Ministry of Labour	Finalise the instrument that will be signed to formalise relations	Sign a letter of intent with Germany	The Joint Letter of Intent signed on 8 September 2009 in Berlin, Germany.
	Implement the signed bilateral cooperation instruments	Develop programmes to implement the relations	Develop programmes to implement the relations	Hosted delegations from China and Zimbabwe.
<p><b>Reasons for variation</b></p> <p><b>Worker cooperatives strategy not developed:</b></p> <ul style="list-style-type: none"> <li>Due to challenges in compliance with SCM procedures, identified providers were not complying with needed criteria.</li> </ul>				
The impact of the Department's Strategic Plan on stated goals and objectives researched and reported on, new research areas identified, and approved	Research, Monitoring, and Evaluation Agenda approved, commissioned and implementation started	Research, Monitoring, and Evaluation Agenda developed, approved and implementation started	<ol style="list-style-type: none"> <li>Research, Monitoring, and Evaluation Agenda developed, approved and implementation started.</li> <li>The following approved research projects implemented: <ol style="list-style-type: none"> <li>2.1. Creative Industry workers study.</li> <li>2.2. Bargaining council pension fund.</li> <li>2.3. Conditions of employment for the Unskilled labour sector.</li> <li>2.4. Impact of sectoral determination on vulnerable workers.</li> </ol> </li> </ol>	<p>2<sup>nd</sup> Research, Monitoring, and Evaluation Agenda was developed, approved and implementation started on the following:</p> <ol style="list-style-type: none"> <li>Evaluation of the II NSDS.</li> <li>UIF Client satisfaction.</li> <li>UIF Compliance.</li> <li>OHS.</li> <li>ESSA.</li> </ol> <p>Procurement completed, appointments of service providers were finalised and contracts were signed. Project plans and research proposals, with proposed methodologies were submitted.</p> <p>In terms of research projects approved in 2009, final research reports were not completed by March 2010.</p>

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#### Reasons for variation

Other research projects for 2009/10 were implemented but final reports could not be made due to the following:

- Procurement and contracts were finalised in August 2009 and most of them were signed in September 2009
- Research is an evolving project that gets affected by changes and new developments in the economy, as such some of the methods had to be changed, thereby delaying the completion
- Extension requested for some of the projects due to changes in methodology and scope
- Unrealistic timeframes are set during the procurement process or on ToRs, for example these projects had a time frame of 6 months which was unrealistic when one consider what needs to be done and the level of response regarding research processes, particularly in developing instruments and in data collection
- All the research reports will be concluded by the 1st quarter of 2010/11.

	Annual Labour Market Review produced	Annual Labour Market Review developed, approved and submitted for publication	Annual Labour Market Review developed approved and submitted for publication	Annual Labour Market Review was developed with the title: 'Making the Invisible visible" and it was approved and submitted for publication.
	Quarterly Labour Market Briefing Reports produced	4 Labour Market Briefing Reports based on internal and external data trends developed and disseminated	4 Labour Market Briefing Reports to be developed and disseminated to the Department's management	4 Labour Market Briefing Reports submitted, approved by the Minister and disseminated to the Department's management. These reports show the trends in the labour market based on information generated from 4 labour force surveys and the Department's internal statistics such as UIF, job vacancies and work-seekers.
	Prepare research briefs and working papers based on signals from the Minister of Labour	Prepare briefing notes as and when they are requested	Respond by preparing all briefing notes requested	Briefing notes prepared and submitted to the Minister and senior managers.
	Speeches prepared and submitted for the Minister and senior managers	Speeches prepared and submitted for the Minister and senior managers	Prepare all speeches for the Minister and senior managers as requested	All speeches requested were prepared and submitted.
	Prepare proactive briefs for the Minister on developments emerging from new research conducted and produced externally	Prepare proactive briefs for the Minister	Proactive briefs for the Minister prepared	Proactive briefs prepared and submitted to the Minister.

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### Programme 4: Labour Policy & Labour Market Programmes

	Provide research and policy advice and support to ensure mandated the Department's position to: <ol style="list-style-type: none"> <li>1. International Labour Conference (ILC)</li> <li>2. ILO Governing Body</li> <li>3. AU (Labour and Social Affairs Commission)</li> </ol>	Attend the ILC meeting, the ILO governing body and AU labour and social affairs commission and submit mandated the Department's positions	Position papers prepared and submitted for the ILC meeting, the ILO governing body and AU Labour and Social Affairs Commission	Prepared and submitted position papers for the ILC meeting, the ILO governing body and AU Labour and Social Affairs Commission.
Changing labour market trends detected, reported and implications for the Department's interventions explored	Annual labour market reports and media statement produced	Number of annual labour market briefing reports and media statements published	3 annual labour market reports produced: Industrial Action, Annual Labour Market and Job Opportunity and Unemployment in SA published	3 Annual Labour Market Reports submitted and approved by the Minister for publication. These reports show the changes in the labour markets over 12 months and provide comparisons to the previous years.
	Bi-Annual Labour Market Report consolidated	Number of Bi-Annual Labour Market Reports consolidated	2 Bi-Annual Labour Market Reports consolidated and finalised	2 Bi-Annual Labour Market Reports completed and posted on the intranet and internal G drive.
	Policy Briefing inputs provided	Number of policy briefing inputs produced	At least 10 policy briefing inputs developed and submitted to inform the Department's decision makers	10 policy briefing inputs discussed, completed and submitted to the Department's senior management.
Labour Market Information Service maintained	Updated and maintained Labour Market Information System	Accessible LMI system through the Department's website	Maintain and update the LMI system quarterly	Maintained and updated the LMI system quarterly and information accessed by officials.
	The Department's Executive Dashboard developed and completed	Accessible Executive Dashboard developed and completed	100% access to Executive Dashboard by the Department's officials on or before 31 March 2011	Phase one of Executive Dashboard completed and accessed by 50% of officials by 31 March 2010.
<p><b>Reasons for variation</b></p> <p>Phase one of the Executive Dashboard completed and accessed by 50% of officials by 31 March 2010 due to the following reason:</p> <ul style="list-style-type: none"> <li>• The Executive Dashboard was only partially completed and therefore access to officials was limited awaiting completion of Phase One that was aimed for April 2010.</li> </ul>				
Sheltered Employment Factories (SEF)	SEF Turn-around Strategy	Support for the SEF and its Turn-around Strategy	Finalised the Strategy by 31 March 2010	The Strategy was finalised by 31 March 2010.

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### *Programme 4: Labour Policy & Labour Market Programmes*

Meet reporting obligations to the ILO in relation to ratified and unratified conventions	ILO questionnaires	Number of ILO questionnaires completed	6 questionnaires to be completed by 30 June 2010	6 Survey Questionnaires were completed before the end of June 2010.
Library Open Day	Marketed Library	Increased usage of the departmental Library	Library Open Day to be celebrated on 25th March 2010	Library Open Day held on 25th March 2010.
Provincial labour market monitoring and information service	Qualified and competent LMIS and P officials	Number of LMIS and P officials trained	At least 10 officials to be trained	10 officials were trained and skills (SPSS, M&E) implemented in the LMIS units.
	Evaluation study on Client Satisfaction Survey	An evaluation study initiated and completed	Complete the evaluation study by 31 March 2010	The evaluation study completed and report produced on 31 March 2010.
<b>Reasons for variances</b> No major variances. Most activities related to the work plan were achieved.				

## **KRA 9: Monitoring the impact on Legislation**

### **Research Policy and Planning**

The Directorate of Research Policy and Planning, within the programme Labour Market Policy is responsible for the management and coordination of the Department-wide Research Agenda which particularly seek to evaluate and measure the impact of labour market interventions made since 1994. In 2005 the need for establishing a centralised coordination of all research projects within the Department was identified. This led to the development of the Department-wide Research, Monitoring and Evaluation (RME) agenda, the first agenda (RME 1) was developed and implemented between 2005/06 and 2008/09. In 2009/10 the second Research, Monitoring and Evaluation Agenda (RME 2) was developed, approved and its implementation will run through 2010/11.

### **Achievements**

**1. Labour Market Review developed and published. Title: "Making the invisible visible".**

**2. The second Research, Monitoring and Evaluation agenda (RME 2) was developed and approved, including the following research themes:**

#### **2.1. Evaluation of the National Skills Development Strategy (NSDS) II.**

The objective of the NSDS research project is to assess and evaluate the progress made in skills development since the implementation of the second phase of the NSDS II in March 2005. Specifically, the project aims to:

- Evaluate the achievement made on the targets set for the NSDS II
- Evaluate the impact made by the NSDS since its inception.

#### **2.2. Client Satisfaction Survey for the Unemployment Insurance Fund.**

The main objective of the research is to look at customer satisfaction regarding the

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Unemployment Insurance Fund (UIF) service rendering across all industries and sectors and also to look at how the Fund is delivering and meeting the needs of its clients. Specifically, the study is aimed to broaden understanding of user (both employers and employees) trends, to get UI client opinions about the service they receive and where they would like to see improvements.

#### **2.3. Non-compliance with Unemployment Insurance Fund (UIF) Act.**

The main objective of this project is to investigate compliance with the Unemployment Insurance Act, No. 63 of 2001 by small and medium enterprises in sectors such as the domestic sector, the taxi sector and the catering sector. This study will also look at strategies needed to enforce compliance in the informal sector.

#### **2.4. High OHS risk sectors.**

The overall objective of this study is to investigate the levels of compliance to occupational health and safety (OHS) by companies in various sectors of the economy, identifying those that are at high risk and investigate the reasons for non-compliance. This study will further investigate if the sectors that the Department identified as high risk remain to be high risk in terms of the number of workplace accidents. The other aim of the study is to assess the impact made by the Department from the year 2004 on the identified high risk sectors, which include iron and steel, construction, agriculture, food, drink and beverage and if they had improved their safety and if not reasons for non-compliance need to be established for informing further interventions.

#### **2.5. An assessment of the implementation of Employment Services of South Africa (ESSA).**

The main objectives of the study is to identify the level of function of Employment Services of South Africa (ESSA), to investigate areas where ESSA can be strengthened and directed in line with the original objectives for introducing an Employment Services System in South Africa. In particular, the research project will assess whether or not the implementation of ESSA is heading in the right direction in relation to its original intended objectives. The research will include a component on the background of ESSA linked to the International Labour Organisation conventions. The study will further assess and identify problems that could be affecting the smooth implementation of ESSA, and also do investigation into the overall impact that ESSA has had so far in terms of its two main services (Registration Services and Recruitment and Selection Services).

***3. The following research projects were conducted in 2009/10 seminars, three of which were commissioned one of them was conducted internally and another one conducted in collaboration with the University of Witwatersrand (Wits).***

#### **3.1. Evaluation of Minimum wages and conditions of employment in the Unskilled Labour sector.**

The main objective of the study is to investigate minimum wages and conditions of employment in the Unskilled Labour sector with a view to making a sectoral determination.

#### **3.2. Evaluation of sectoral determinations in addressing the plight of vulnerable workers.**

The main objective of this study is to determine the effectiveness of the work of the Employment Conditions Commission in addressing the plight of vulnerable workers in South Africa. The basis for this study is limited to the sectoral determinations published by the Minister of Labour.

Specifically the study's focus included, but not be limited to:

- (i) How the determinations addressed poverty and exploitation.
- (ii) The impact of these determinations on employment levels.
- (iii) The impact of minimum wages on poverty alleviation.
- (iv) The compliance and enforcement levels within the regulated sector.

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### *Programme 4: Labour Policy & Labour Market Programmes*

#### **3.3. Evaluation of Bargaining Council and Pension Funds.**

This research study aims to assess the effectiveness of provident and pension funds that fall under the jurisdiction of Bargaining Councils. It further investigate these funds with a view to the Social Security Reform initiative of government and the future relationship of Bargaining Council funds to the proposed National Social Security Fund (NSSF).

#### **3.4. Creative Workers Industry.**

This study aims to determine the nature of the employment relationships in the Creative Industries in South Africa; i.e., whether employment contracts exist or independent contractor arrangements are prevalent in the sector.

#### **3.5. Labour Migration in Construction study.**

The study's objective is to look at trends and working conditions of labour migrants in the construction sector within Johannesburg. The study was focused on migrants in construction sites and also those at recruitment spots around Johannesburg.

### ***Labour Market Information Statistics (LMIS)***

The LMIS Directorate plays a critical role in the Department as a whole in terms of generating and collating statistical information to inform the Department's management and public. The LMIS responsibilities include collecting, collating, and disseminating internal and external labour market statistics about changes in the South African labour market that impact on legislation. It is one of the directorates within Labour Market Policy and includes two sub-directorates and provincial offices.

#### **Achievements:**

- High standard and quality briefing reports submitted and approved by the Minister. These briefing reports covered mostly the Quarterly Labour Force Surveys as published by Statistics South Africa. All reports were disseminated to the management of the Department to contribute and inform policy makers in their decisions
- High quality annual labour market reports were produced and published. These include the Annual Labour Market Bulletin, Industrial Action Report and Job Opportunity and Unemployment in the South African Labour Market. In addition, the Biannual Labour Market Report was also produced. Critical inputs and comments were provided to management toward the development of position papers on various labour market issues
- Participated in various SA Statistics Council Meetings where key issues related to economic indicators and labour market statistics were discussed, e.g. Census, labour force survey and others
- The Labour Market Information System was updated and maintained. Information displayed on the intranet
- Provided support for the implementation of the Sheltered Employment Factories (SEF) Turn-around Strategy and the process leading to the development of a SEF Business case
- Successfully consolidated and submitted the annual International Labour Organisation data questionnaire within three weeks before the 30 June 2009 (deadline). This questionnaire includes internal and external data. This means data has to be requested, consolidated, verified and submitted to the ILO on time
- Successfully managed the completion of the Executive Dashboard project – Phase One as per original business requirements and approval from the Department's PSC. The system demo was



## Programme Performance

### *Programme 4: Labour Policy & Labour Market Programmes*

presented to management

- A Library Open day was conducted successfully with a high number of officials that visited the Library and more than 50 new books were purchased and shelved
- The Provincial LMIS office's were supported and skills training for staff enhanced
- The evaluation regarding the implementation of the previous Client Satisfaction Survey recommendations was conducted and a report produced.

### **KRA 5: Strengthening Multi-lateral and Bi-lateral Relations**

#### **International Relations**

The International Relations Directorate is at the coalface of the Department's interaction with the world, especially international organisations/institutions relevant to the labour market. It monitors, reports, and facilitates ratification of international labour instruments. The main tasks of the Directorate during the financial year are categorised under three broad areas. These include the ILO, Africa Desk, and Technical Cooperation.

#### **1. ILO**

The ILO desk focused on ensuring that South Africa benefits from ILO technical cooperation resources. It supported increased supervision and implementation of core labour standards as well as ensuring that the decent work agenda remains at the core of our policies. Furthermore, policy cohesion and convergence between the ILO and other multilateral organisations. In the ILO South Africa continued to discharge its leadership role as a member of the Governing Body.

The Department also reports, as per Article 19 and 22 of the ILO Constitution on ratified and unratified Conventions and Recommendations.

The Department sent five officials for a two-year training programme on labour market information and statistics and the programme ended in February 2010. The officials will be placed in different offices in the Department. South Africa is also working with the ILO Pretoria Office and social partners to develop the Decent Work Country Programme which is at an advanced stage. Consultations on work that needs to go into the programme has been completed and the implementation will commence soon.

#### **2. ARLAC**

We continued to actively engage our counterparts from English speaking African countries and the SADC region through our interaction within the **African Regional Labour Administration Centre (ARLAC)**. Our participation and inputs to seminars go a long way in capacitating regional labour administrators. Capacity building of the officials within the Department benefits immensely from the exposure gained through the association with ARLAC.

#### **3. SADC**

The Department hosted the SADC Conference from **30 March – 3 April 2009** in Cape Town which is a key forum through which a number of labour related issues are discussed. The broad aim is to harmonise labour standards in the region.

#### **4. African Union Labour and Social Affairs Commission**

The Department participates in the AU meeting which is held annually. The meeting discusses important issues with a focus on employment creation and poverty reduction. It also serves as a forum where African countries make important decisions in preparation for the discussions at the

## Programme Performance

### *Programme 4: Labour Policy & Labour Market Programmes*

International Labour Conference held annually in June in Geneva, Switzerland.

#### **Bilaterals**

Southern African countries share a common destiny and are interdependent; we therefore promoted regional cooperation as a means of maximizing growth and national welfare. The Directorate, within its competency has the responsibility of coordinating the implementation of signed bilaterals with Zimbabwe, Mozambique, Lesotho, Namibia, Germany, China and Cuba. Discussions include the sharing of information on the challenges of creating employment and other issues such as occupational health and safety, employment services, collective bargaining and social dialogue.

The Department also participates in the India – Brazil – South Africa (IBSA) Dialogue Forum which is spearheaded by the Department of International Relations and Cooperation and discussions on the South Africa – OECD relations discourse which is led by National Treasury.

### **Sheltered Employment Factories (SEF)**

#### **Vision**

To establish a national network of factories and factory outlets that contribute to the economic empowerment of people with disabilities ( including ex-combatants) and that support metropolitan, rural and local community organisations and enterprises, where people with disabilities are able to contribute to and be integrated into the nation's economy.

#### **Mission**

To provide employment and training opportunities to people who have been excluded from work as a result of their disability and to support their transition into mainstream employment.

### *SEF Workplan/ 2009/10: Achievements*

<p><b>Governance issues.</b> Manage the factories to be viable and sustainable enterprises/resolve outstanding issues raised by the Auditor-General/ develop and finalise a Business Case for a trading entity</p>	<p>1.We have established governance structures in the form of a SEF Management Committee 2. We have appointed permanent Factory Managers in all 12 factories 3.We have developed a two-year strategic plan to prepare for the Business Case 4. The factories are operating at between 50% to 70% capacity 5. All procedures and policies have been developed and adopted by the SEF/ Department of Labour Management Committee 6. Factory Managers report on a regular basis to Head Office on their targets and weekly activities 7. We have completed the calculation of an inventory and have developed a system to calculate inputs and outputs of production.</p>
<p><b>Creating employment opportunities</b></p>	<p>1. With additional orders from government departments and the agreement with the Department of Labour to procure all furniture from the SEF- we have undertaken to create 500 job opportunities in the next 2010/2011 financial year 2. We are progressing with collaboration with Algeria to look at product diversification 3.We have signed a Service Level Agreement with Productivity SA to collaborate on factory layout, productivity improvements and competitiveness 4. We are collating data on institutions of the Department of Public Works to source new recruits.</p>

## Programme Performance

### *Programme 4: Labour Policy & Labour Market Programmes*

<b>Training and development</b>	1. We have established a fully functional Human Resource Department and currently plans are underway to develop training modules in collaboration with the Textile SETA 2. We have undertaken in-house training on ergonomics in some factories, to also roll out to other factories.
<b>Contribution to the National Integrated Disability Strategy</b>	1. We have had meetings with the Minister of Public Works 2. Women and children plans are underway for factory visits.
<b>Product development and innovation</b>	A project is currently in the planning phase to introduce new products in the furniture division as a response to market demands/ this will roll out in the 2nd quarter of 2010.

## **Programme Performance**

### *Programme 5: Social Insurance*

#### ***Programme 5: Social Insurance***

Social Insurance provides for the compensation of civil servants in cases of accidents or illnesses sustained while on duty through the Compensation Fund. It also contributes to the Unemployment Insurance Fund when necessary.

Both the Compensation Fund and the Unemployment Insurance Fund publish their own Annual Reports in terms of the Public Finance Management Act.

# Programme Performance

*National Skills Fund*

## Performance Information for the year ending 31 March 2010

*Achievements against the NSDS 2005-2011 for the period 1 April 2009 to 31 March 2010 and cumulative progress*

NSDS objective	Key performance indicator	Target (2009/10)	Performance results (2009/10)	Reason for variance	Cumulative 2005-2010
1. Prioritising and communicating critical skills for sustainable growth, development and equity	NSDS Success Indicator 1.2: Information on critical skills is widely available to learners. Impact of information dissemination researched, measured and communicated in terms of rising entry, completion and placement of learners		The National Master Scarce Skills List for South Africa 2009 not updated and printed during 2009 and no Skills Conference was held in 2009  NSF funding for this purpose was provided in the NSF budget and available. No funding was requested	No funding was requested from the NSF for training of career guidance counsellors.	N/A
2. Promoting and accelerating quality training for all in the workplace	<b>NSDS Success Indicator 2.6:</b> From April 2005 to March 2011 there are an annually increasing number of people who benefit from incentivised training for employment or re-employment in new investments and expansion initiatives  Training equity targets achieved. Of number trained, 100% to be SA citizens.	Process all applications and claims received within the timeframes and prescripts as agreed in the memorandum of understanding. <b>10%</b> increase on previous year's beneficiary numbers achieved	1. Workplace Skills Development Support Programme (WSDSP)  New workers received training – 3 783 (2007/08 – 2 368 2008/09 – 2 083) – more than 10% increase compared to previous year  Total No. of workers trained during 2009/10 – 4 558 (2007/08 – 3 374; 2008/09 – 6 156)  Equity: Black – 96%; Female – 55%; People with disabilities – 0,05%. All were SA Citizens. 28 SMEs benefited Total expenditure – R12,1 million		Total new workers benefiting since April 2005 – 14 731.  Total SMEs enterprises that have benefitted since 2005 – 111.  Total amount of training grants paid – R100,3 million.

# Programme Performance

*National Skills Fund*

NSDS objective	Key performance indicator	Target (2009/10)	Performance results (2009/10)	Reason for variance	Cumulative 2005-2010
			<p>2. BPO&amp;O Training Grant</p> <p>11 training grant applications were processed and adjudicated by the BPO&amp;O Adjudication Committee – Value total R76,4 million and 11 605 agents to benefit). Four applications were terminated by the DTI</p> <p>New workers received training – 1 401 (2008/09 - 152) – more than 10% increase compared to previous year</p> <p>4 investors benefited Total expenditure – R4,98 million</p> <p>A further payment of R1,06 million is pending, i.e. certificates issued to DTI to pay 1 company for the training done – i.2. 257 call centre agents trained. DTI has not yet recovered the amount from NSF</p>		<p>Total people actual benefitted – 1 553.</p> <p>Total investors that have benefitted to date – 5.</p> <p>Total amount of training grants paid – R6 577 707.</p> <p>To date R 121,35 million training grants committed over a 3-year period. In total 20 705 new workers are targeted to benefit.</p> <p>Monyetla Workreadiness Pilot for BPO&amp;O agents [completed during 2008/09]</p> <p>Learners benefiting – 1307.</p> <p>Learners who completed training - 1 129 (60 credits skills programme).</p> <p>Number employed (of those completed training) - 1 016 (90%)</p>

# Programme Performance

*National Skills Fund*

NSDS objective	Key performance indicator	Target (2009/10)	Performance results (2009/10)	Reason for variance	Cumulative 2005-2010
3. Promoting employability and sustainable livelihoods through skills development	NSDS Success Indicator 3.1: By March 2010, at least <b>450 000</b> unemployed people are trained. This training should incrementally be quality assured and by March 2010 no less than 25% of the people undergo accredited training. Of those trained at least <b>70%</b> should be <b>placed</b> in employment, self-employment or social development programmes including EPWP, or should be engaged in further studies. Placement categories each to be defined, measured, reported and sustainability assessed	Provide budget for the SDFW in line with the 5-year NSDS target  (90 000 unemployed people are trained of which 26% receive accredited training, with 70% placement)	Target on NSF providing funding – achieved.  Approved budget made available for SDFW was: R845 million Revised budget as at 16 Sept. 2009: R652 million of which R75million was spent  <b>1. Training facilitated by Department's Provincial Offices:</b> Total number of unemployed people trained – 11 928 Placed (of those trained) – 6 933 (58%)  <b>2. Training under the Strategic Projects Programme</b> A total of 11 487 benefited from various skills programmes  Contract allocations - April 2009 to 31 October 2009 – <b>R123 710 912</b> EPWP: Training contracts awarded to the amount of R26,8 million to train 14 807 unemployed for EPWP-projects (forms part of the numbers indicated above)	1. New procedures for procurement of training providers proved challenging for provincial offices of Department leading to slow uptake of training contracts.  2. The Presidential decision during 2009 to move skills development functions (including the NSF) to the new Ministry of Higher Education and Training necessitate temporary halting of training initiatives from 1 November 2009 pending clarification of accountability for the NSF and its activities between the two departments	<b>Impact from 1 April 2005 (NSDS):</b> Total unemployed people trained under SDFW – 350 342 plus Monyetla learners 1 129 = 351 471 (78,1% of 450 000 target).  Placed (of those trained) – SDFW 232 939 plus Monyetla 1 016 = 233 955 (66,5%).  Accredited training - 22% (average over 4 years).



# Programme Performance

*National Skills Fund*

NSDS objective	Key performance indicator	Target (2009/10)	Performance results (2009/10)	Reason for variance	Cumulative 2005-2010
	<p><b>NSDS Success Indicator 3.2:</b> By March 2010, at least 2 000 non-levy paying enterprises, NGOs, CBOs and Community-based co-operatives supported by skills development. Impact of support on sustainability measured with a targeted 75% success rate</p>	<p>The NSF target – at least 400 Small BEE SMMEs and cooperatives receive skills development support by March 2010.</p>	<p>Target not fully achieved</p> <p><b>NSF contribution:</b> 387 Small Community Based Co-ops across all provinces 5 570 Co-ops workers benefited from the skills support interventions</p> <p>Impact of support on sustainability not yet measured – projects commenced in 2007/08 and completed in 2009/10</p> <p>A further pipeline project to benefit 6 127 people from 411 CBOs is in the final stages of approval and will be rolled out in the 2010/11 financial year</p>	<p>3 memorandums of agreement affecting 33 targeted co-operatives were cancelled due to non-compliance to memorandum of agreement conditions and miss-management</p>	<p><b>387</b> community-based co-operatives across all provinces.</p> <p><b>5 570</b> learners (Community Based Co-operative workers) benefited through skills development.</p>
	<p><b>NSDS Success Indicator 3.3:</b> By March 2010, at least 100 000 unemployed people have participated in ABET level programmes of which at least 70% have achieved ABET level four</p>	<p>Targeted skills development programmes achieved:</p> <ul style="list-style-type: none"> <li>• 40 000 ABET learners registered by March 2010</li> <li>• At least 20 000 ABET learners registered complete programmes by March 2010</li> </ul>	<p>A total of 56 669 learners were registered for ABET programmes</p> <p>A total of 44 803 ABET learners registered completed the programme/s</p>		<p>Total ABET learners registered – 109 984</p> <p>Total ABET learners registered completed programmes – 71 997</p>
4. Assisting designated groups, including new entrants to participate in accredited work, integrated learning and work-based programmes to acquire critical skills to enter the labour market and self-employment	<p><b>NSDS Success Indicator 4.1:</b> By March 2010 at least 125 000 unemployed people assisted to enter and at least 50% successfully complete programmes, including learnerships and apprenticeships, leading to basic entry, intermediate and high level scarce skills</p>	<ul style="list-style-type: none"> <li>• 26 000 unemployed learners enter learning programmes in learnerships, apprenticeships, internships, bursaries and skills programmes</li> <li>• At least 13 000 unemployed enrolled on scarce and critical skills complete programmes</li> </ul>	<p>20 331 unemployed people were assisted to enter learning programmes under the Critical Skills and Strategic Projects Programme of the NSF</p> <p>10 767 people completed programmes</p>	<p>Due to the duration of the learning programmes it was not possible to complete them within a year</p> <p>The NSDS target is shared with SETAS</p>	

# Programme Performance

## National Skills Fund

NSDS objective	Key performance indicator	Target (2009/10)	Performance results (2009/10)	Reason for variance	Cumulative 2005-2010
	Impact of assistance measured [Joint target of NSF and SETAs]	<ul style="list-style-type: none"> <li>Funding of bursaries in scarce skills: - <b>7 000</b> undergraduate bursaries awarded - <b>1 700</b> post-graduate bursaries awarded. [ENE 2009 target]</li> <li><b>2 000</b> learners in critical skills are placed for experience locally and internationally</li> </ul>	<p>Bursaries: A total of R154,4 million has been disbursed to date to support <b>3 598</b> undergraduate bursaries and <b>1 088</b> post graduate bursaries</p> <p>A further 1 096 undergraduate bursaries were supported under the Strategic Projects Programme to bring a total of 4 694 undergraduate bursaries supported during the year</p> <p>Training Lay-off Scheme The Training Layoff Scheme was allocated R1.2 billion of which only R10.8 million was spent to benefit 2 399 workers</p>	<p>Bursary targets could not be met due to budgetary constraints</p> <p>The projected numbers of retrenchments did not materialise owing to the economic crisis abating thus leading to a lower demand of the Training Layoff Scheme</p>	
5. Improving the quality and relevance of provision	<p><b>NSDS Success Indicator 5.4:</b> By March 2010, there is an NSA constituency based assessment of an improvement in stakeholder capacity and commitment to the National Skills Development Strategy</p>	Funds allocated to constituencies for training in accordance with contract and implementation monitored	<p>R40 million was made available in the 2009/10 NSF Budget. This was reduced to R10 million in the NSF revised budget approved on 2 October 2009</p> <p>All 8 of the approved projects were concluded (commenced May 2008) Final payments to the amount of R852 000 was made</p> <p>Commenced with the process of obtaining agreement and approval to start requesting a second round of applications from NSA constituency organisations for the capacity development of members in skills development</p>	The transfer of the skills development functions to the new Ministry of Higher Education and Training delayed the process of tabling the second round of criteria and guidelines to the NSA for consideration. This was only done during March 2010	<p>6 765 people benefited from this capacity building process.</p> <p>Total spent – R13 047 158</p>