



Home of the South African farmer • Inkaya lomlimi waseNingizimu Afrika • Tuiste van die Suid-Afrikaanse boer • Lehae la balimi ba Afrika Borwa

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**BELEIDSKOMITEE  
POLICY COMMITTEE**

Agri SA Annual Report 2013 | 2014

Arbeid en Maatskaplik  
Labour and Social

**A**nton Rabe en Henk Vermeulen was onderskeidelik voorsitter en ondervoorsitter van die Beleidskomitee: Arbeid en Maatskaplik tot die herstrukturering van die bestuur van die komitee in November 2013 plaasgevind het. Die dagbestuur van die komitee is toe verander. Hendrik Ackermann is as voorsitter verkies en Henk Vermeulen is as ondervoorsitter van die komitee herkies. Neil Hamman (jnr) en Pieter Vorster is as addisionele lede tot die komiteebestuur verkies. Elize van der Westhuizen is die funksionaris.

## SOSIALE DIALOOG-AANGELEENTHEDE

Vanjaar het verskeie sosiale dialoog-geleenthede vir landbou ontstaan vanweë die onbeskermdes stakings, wat in 2012 en 2013 in die Wes-Kaap plaasgevind het. Onder hierdie geleenthede was die "Vulnerable Workers Forum", artikel 77-aansoek van Cosatu en die Internasionale Arbeidsorganisasie (ILO) se projek oor kollektiewe bedinging en vryheid van assosiasie in die landbousektor.

### • "Vulnerable Workers Forum"

Die "Vulnerable Workers Forum" het onder die leiding van Adjunk-president Kgalema Motlanthe gefunksioneer. Hierdie forum het gepoog om verskeie staatsdepartemente, georganiseerde landbou en die arbeidsbeweging byeen te kry om sosiaal-maatskaplike aspekte van plaaswerkers in 'n wyer konteks te evalueer.

Agri SA en Agri-sector Unity Forum (ASUF) het beide aan die forum deelgeneem en 'n "social compact" is deur die vrugtebedryf ontwikkel wat tans geïmplementeer word. Dié verdrag het veral gefokus op verbeterde dienslewering aan die mense in die nasionale vrugtebedryf. Die forum se visie is om 'n maatskaplike verdrag vir die landbousektor te ontwikkel soortgelyk aan die raamwerk-ooreenkoms wat in die mynbousektor gesluit is. Die fokus van die maatskaplike verdrag is op ekonomiese groei van die sektor en sosiaal-maatskaplike ontwikkeling wat dienste insluit. Die aangeleentheid is onafgehandel.

### • Artikel 77-aansoek by die Nasionale Ekonomiese-, Ontwikkelings- en Arbeidsraad

Die Wet op Arbeidsverhoudinge bepaal in artikel 77 dat 'n vakbond of federasie 'n aansoek kan indien by die Nasionale Ekonomiese-, Ontwikkelings- en Arbeidsraad (NEDLAC) om die sosiaal-ekonomiese belang van werkers te bevorder. Die belangegroep wat in die aansoek genoem word, word dan byeen gebring en daar word gepoog om 'n oplossing vir die aangeleentheid soos in die aansoek genoem, te kry. Indien 'n oplossing nie gekry kan word nie, kan werkers aan beskermdes protesaksies deelneem.

Aanvanklik was Cosatu deel van die arbeidsbeweging wat aan die "Vulnerable Workers Forum" deelgeneem het. Cosatu het van die forum se werksaamhede onttrek en 'n artikel 77-aansoek by NEDLAC ingedien oor die gebrek aan



Hendrik Ackermann

Die "Vulnerable Workers Forum" het gepoog om verskeie staatsdepartemente, georganiseerde landbou en die arbeidsbeweging byeen te kry om sosiaal-maatskaplike aspekte van plaaswerkers in 'n wyer konteks te evalueer.

The Vulnerable Workers Forum attempted to bring together various state departments, organised agriculture and the labour movement to evaluate social aspects of farm workers in a wider context.



**A**nton Rabe and Henk Vermeulen served as chairman and vice chairman respectively, until the Labour and Social Policy Committee was restructured in November 2013 and the Executive Committee was reconstituted. Hendrik Ackermann was elected chairman and Henk Vermeulen vice chairman of the committee. Neil Hamman (jr) and Pieter Vorster were named additional members, while Elize van der Westhuizen served as functionary.

## SOCIAL DIALOGUE MATTERS

Various social dialogue matters arose during the year, due to the unprotected strikes in Western Cape agriculture between 2012 and 2013. Among the matters attended to were Cosatu's Vulnerable Workers Forum, section 77 application as well as the International Labour Organisation (ILO) project on collective bargaining and freedom of association in the agricultural sector.

### • Vulnerable Workers Forum

The Vulnerable Workers Forum, which functioned under the auspices of Deputy president Kgalema Motlanthe, attempted to bring together various state departments, organised agriculture and the labour movement to evaluate social aspects of farm workers in a wider context.

Agri SA and Agri-sector Unity Forum (ASUF) both participated in the forum and a social compact was developed by the fruit industry. It is currently being implemented. The social compact focused in particular on improved service delivery for people in the national fruit industry. The forum's vision is to develop a social compact for the agricultural sector similar to the framework agreement that was entered into by the mining sector. The focus of the social compact is on economic growth and social development, which includes services. This matter has not yet been finalised.

### • Section 77 application lodged with the National Economic, Development and Labour Council

Section 77 of the Labour Relations Act stipulates that a labour union or federation may lodge an application with the National Economic, Development and Labour Council (NEDLAC) to promote the socio-economic interests of workers. The interest groups mentioned in the application are then brought together and an attempt is made to find a solution to the issues as cited in application. If a solution cannot be found, workers may participate in protected protest action.

Cosatu was initially part of the labour movement that participated in the Vulnerable Workers Forum, but withdrew from the forum's activities and lodged a section 77 application with NEDLAC regarding the lack of transformation, which it supplemented with a number of specific requests. The parties against whom Cosatu brought the application included the Deputy-president's office, Business

transformasie, aangevul deur 'n aantal spesifieke versoeke in die landbousektor. Die partye waarteen Cosatu die aansoek gebring het, is onder meer die Adjunk-president se kantoor, Besigheideenheid Suid-Afrika (BUSA), Agri SA, ASUF en die Kleinhandel Vereniging.

Die NEDLAC artikel 77-komitee het twee keer vergader. 'n Senior kommissaris van die Kommissie vir Versoening, Bemiddeling en Arbitrasie (CCMA), Kaizer Thibedi, is aangestel om as fasiliteerder vir die proses op te tree. Die fasiliteerder moet bestaande beleid en prosesse evalueer en tekortkominge identifiseer wat in 'n verdere proses aandag behoort te kry.

Cosatu het dit by verskeie geleenthede duidelik gemaak dat die federasie dié proses verkies, want dit gee werkers die reg om aan beskermde protesaksie deel te neem indien die uitkomst nie volgens hulle bevredigend is nie.

### Internasionale Arbeidsorganisasie se projek oor kollektiewe bedinging en vryheid van assosiasie

Die Internasionale Arbeidsorganisasie (ILO) het in 2009 'n ondersoek gedoen oor kollektiewe bedinging en vryheid van assosiasie in die landbousektor. Na aanleiding van die ondersoek is 'n verslag opgestel en projekte geïdentifiseer om aandag aan die aangeleentheid te gee, naamlik:

- Opleiding van arbeidsinspekteurs in dié verband;
- Kapasiteitsbou vir die tersaaklike organisasies van beide werkgewers en werknemers; en
- Plaasvlak-opleiding vir alle partye in dié verband.

### 42 Werkwinkel oor kollektiewe bedinging

Agri SA het op 1 Oktober 2013 'n werkwinkel gehou waartydens daar uitklaring verkry is oor die inhoud van kollektiewe bedinging en besin is oor welke strukture en prosesse aanvaarbaar en werkbaar kan wees in die landbousektor. Dit het geskied teen die agtergrond van die uitdagings wat alle rolspelers ten opsigte van arbeid ervaar.

Gegewe die nywerheidsaksie wat in die Wes-Kaap plaasgevind het aan die einde van 2012 en begin van 2013, die aard van die sektor en wedersydse afhanklikheid in die verhouding tussen werkgewers en hul werknemers, is daar 'n groot behoefte om oplossings te vind vir skakeling met arbeid. 'n Strategie word benodig vir skakeling wat rekening hou met die diversiteit van die verskillende landboubedrywe en die lae vlakke van vaardigheid en unie-lidmaatskap onder werkers.

Die werkwinkel het ook aandag geskenk aan die verskillende pilare van die 'Decent Work Country Programme', 'n ILO-projek in Suid-Afrika, naamlik standarde, prinsiep en regte van werkers, werkverskaffing, sosiale beskerming, drieledige en aangeleentede met betrekking tot sosiale dialoog.

Gegewe die visie vir vreedsame arbeidsverhoudinge in landbou is twee opsies bespreek:

- Die huidige struktuur dat gespreksvoering meestal op nasionale, provinsiale en bedryfsvlak plaasvind en besin oor 'n gespreksforum wat op plaasvlak begin of verbeter kan word; en



Unity South Africa (BUSA), Agri SA, the Agri-sector Unity Forum (ASUF) and the Retail Association.

The NEDLAC section 77 committee met twice. A senior commissioner of the Commission for Conciliation, Mediation and Arbitration (CCMA), Kaizer Thibedi, was appointed as facilitator of the process. The facilitator have to evaluate existing policy and processes and identify shortcomings that can be addressed within a further process.

Cosatu on various occasions made it clear that the federation preferred this process because it gives the workers the right to participate in protected protest action should the outcome, in their opinion, not be satisfactory.

### International Labour Organisation's project on collective bargaining and freedom of association

The International Labour Organisation (ILO) investigated collective bargaining and freedom of association in the agricultural sector in 2009. This investigation lead to a report identifying projects to address these issues:

- Training for labour inspectors in this regard;
- Capacity building for relevant organisations for both employers and employees; and
- Farm-level training in this regard for all parties.

### Workshop on collective bargaining

On 1 October 2013 Agri SA hosted a workshop where clarity was sought regarding the content of collective bargaining, with discussions focusing on which structures and processes could be acceptable and workable in the agricultural sector. This took place against the background of labour challenges all role players experience.

- Die sogenaamde “'n Boer maak 'n Plan”-opsie is oorweeg, wat nie 'n kollektiewe bedingingstruktuur, -forum of -raad is wat onderhandel oor lone nie maar op plaasvlak gesetel sal wees as deel van die daaglikse kommunikasie en gesprekvoering tussen werkgewer en werkers op die plaas.

Die werkwinkel het aanbeveel dat 'n mandaat vir die “'n Boer maak 'n Plan”-opsie tydens Agri SA se 2013 Kongres verkry word vir verdere ontwikkeling.

### Agri SA Kongres-besluite oor arbeidsaangeleenthede

Agri SA het die kongres gevra om aan die Arbeid en Maatskaplike Aangeleenthede Beleidskomitee 'n mandaat te gee om die “'n Boer maak 'n Plan”-opsie uit te oefen, soos bespreek tydens 'n werkwinkel op 1 Oktober 2013.

Die hoofdoelwitte van die voorgestelde opsie was soos volg:

- Om arbeidskakingstrukture proaktief saam te stel;
- Interaksie met belanghebbendes en beïnvloeding van die plan om verhoudings te bou; en
- Om plaasvlakkommunikasie- en skakelingsvermoë te ontwikkel.

Die Kongres het kennis geneem van Cosatu se artikel 77-aansoek. Agri SA sal binne die komitee besprekings moet voer en oorweeg hoe hy die voorstelle in die aansoek kan akkommodeer.

Agri SA moet weer kyk na die voorgestelde memorandum van verstandhouding met Cosatu, waarvan 'n konsepweergawe voorheen aan Cosatu voorgelê is.

Die Kongres het aan die Beleidskomitee vir Arbeid en Maatskaplike Aangeleenthede 'n mandaat gegee om die “'n Boer maak 'n Plan”-opsie verder te ontwikkel en om met bogenoemde aangeleenthede te handel.

### Internasionale Arbeidsorganisasie: Werkwinkel vir kollektiewe bedinging, vryheid van assosiasie en kapasiteitsbou

'n Werkwinkel vir werkgewers is op 9 Mei 2014 gehou. Die werkwinkel was gemik op die volgende:

- Om werkgewers in staat te stel om die ILO-raamwerk oor kollektiewe bedinging en vryheid van assosiasie beter te verstaan;
- Om 'n begrip vir organisatoriese regte en die kollektiewe bedingingsraamwerk in die huidige Suid-Afrikaanse konteks, tesame met die implikasies van verskeie opsies wat werkgewers kan uitoefen, te fasiliteer; en
- Om voldoende kollektiewe begrip te kweek sodat werkgewers ingeligte besluite in verband met verskillende vorms van skakeling met arbeid kan maak en daarop kan uitbrei, met inbegrip van die risiko's, geleenthede en regstandaarde wat plaaslik en internasionaal by elke opsie betrokke is.

Ná afloop van die bespreking oor verskeie internasionale instrumente, kernkonvensies en die Suid-Afrikaanse arbeidsreg, het die werkwinkel tot die volgende gevolgtrekking gekom:

Die sogenaamde “'n Boer maak 'n Plan”-opsie is nie 'n kollektiewe bedingingstruktuur, -forum of -raad wat onderhandel oor lone nie maar op plaasvlak gesetel sal wees as deel van die daaglikse kommunikasie en gesprekvoering tussen werkgewer en werkers op die plaas.



Given the industrial action in the Western Cape by the end of 2012 and beginning of 2013, the nature of the sector and the mutual dependency in the relationship between an employer and his employees, there is a definite need to find sustainable solutions to engage with labour. A strategy is required for engagement that takes into account the diversity of the different agricultural commodities and the low levels of skill and trade union membership among the workers.

The workshop also attended to the different pillars of the Decent Work Country Programme, an ILO project in South Africa, i.e. standards, principles and rights of workers, employment, social protection, tripartism and social dialogue issues.

Given the vision for peaceful labour relations in agriculture, two options were discussed, namely:

- The current structure, where discussion mostly takes place at national, provincial and commodity level, and deliberations focused on a discussion forum that can be rolled out at farm level or improved; and
- The so-called “Boer maak 'n Plan” option, which does not involve a collective bargaining structure, forum or council that negotiates on wages, but will be located at farm level as part of daily communication and discussion between employer and employees on the farm.

The workshop recommended that a mandate be secured for the “Boer maak 'n Plan” option during Agri SA's 2013 Congress for further development.

### Agri SA Congress resolutions on labour matters

Agri SA requested Congress to mandate the Labour and Social Welfare Policy Committee to embark on the “Boer maak 'n Plan” option as discussed at a workshop on the 1st of October 2013.

The main objectives of the proposed option are:

- Proactively set up labour engagement structures;
- Stakeholder engagement and influence plan to build relationships; and
- Develop farm level communication and engagement capability.

Congress noted Cosatu's section 77 application and Agri SA would have to consider discussions within the committee on how Agri SA could accommodate the proposals contained in the application.

Agri SA should revisit the proposed memorandum of understanding with Cosatu, a draft of a concept previously submitted to Cosatu.

Congress mandated the Labour and Social Welfare Policy Committee to further develop the “Boer maak 'n Plan” option and to deal with the above-mentioned issues.

### International Labour Organisation collective bargaining, freedom of association and capacity building workshop

A workshop for employers was hosted on 9 May 2014. The workshop was aimed at:

- Deelnemers aan die werkwinkel beklemtoon weer eens die belangrikheid van nuwe strategieë om die sektor vorentoe te neem op 'n wyse wat die aard van die sektor en uitkomst wat voordelig is vir die behoud en skep van werkgeleenthede, ekonomiese groei en die breë samelewing in berekening bring. Maniere moes gevind word om die gebrek aan vertroue tussen belanghebbendes in die sektor aandag te gee en om konstruktiewe skakeling binne 'n geloofwaardige en wettige raamwerk te stimuleer en te handhaaf;
- Die werkwinkel word beskou as nuttig, veral om die regulatoriese raamwerke op internasionale en nasionale vlak te kan verstaan;
- Die verband tussen samelewing- en arbeidsaangeleenthede wat die sektor in die gesig staar, is op verskeie geleenthede uitgelig. Dit sluit in verwysings na die volgende: dienslewering- protes in die vorm van arbeidsopbrede; sluiting van plaasskole wat impakkeer op arbeidsmigrasie; beïnvloeding van huidige en toekomstige indiensneming in die sektor; en landelike organisasies wat die rol van vakunies speel;
- Onderling versterkende doelstellings, soos ekonomiese groei en maatskaplike billikheid ingevolge die Grondwet, die NEDLAC-wet en die Wet op Arbeidsverhoudinge, word ondersteun en in ooreenstemming gebring met behoeftes wat in die landbousektor geïdentifiseer is. Vryheid van assosiasie en kollektiewe bedinging, en veral sosiale dialoog, word beskou as bemaagtigers van ekonomiese en maatskaplike verbetering in die sektor; en
- Bedingingsrade, statutêre rade en werkplek-forums ingevolge die Wet op Arbeidsverhoudinge is indringend bespreek deur die loop van die werkwinkel.

#### 44 Sektorale vasstelling

Ná 'n aanvanklike verkeerde berekening is die minimumloon finaal vasgestel op R2 420.44 per maand, R558.60 per week, R111.72 per dag vir 'n werkdag van 9 ure of R12.41 per uur.



- To enable employers to have a better understanding of ILO frameworks on collective bargaining and freedom of association; and
- To facilitate an understanding of organisational rights and the collective bargaining framework in the current South African context, together with the implications of various options which employers can pursue; and
- To develop sufficient collective understanding in order for employers to make and elaborate on informed choices in relation to different forms of engagement with labour, understanding the risks and opportunities and legal standards, both locally and internationally, involved in each option.

After deliberations on various international instruments, core conventions and the South African labour law, the workshop concluded as follows:

- Workshop participants reiterated the importance of introducing new strategies to take the sector forward in a manner that takes account of the nature of the sector and results in outcomes that are good for retention and creation of jobs, economy growth and the broader society. Ways had to be found to address the lack of trust between stakeholders in the sector and to stimulate and maintain constructive engagement within a credible and legal framework;
  - The workshop was regarded as helpful, particularly in understanding the regulatory frameworks at an international and national level;
  - The linkages between societal and labour issues facing the sector were highlighted on a number of occasions. This included reference to: service delivery protest action being regarded and taking the form of labour action; closure of farm schools impacting on labour migration and influencing current and future employment in the sector and rural organisations taking the role of trade unions;
  - The mutually reinforcing objectives of economic growth and social justice contained in the Constitution, NEDLAC Act and the Labour Relations Act were supported and aligned to the needs identified in the agricultural sector. Freedom of association and collective bargaining, and in particular social dialogue were regarded as enablers of economic and social improvement in the sector; and
- Bargaining councils, statutory councils and workplace forums as per the Labour Relations Act were discussed in detail during the course of the workshop.

#### Sectoral determination

After initially announcing an incorrectly calculated, the minimum wage was finally set at R2 420.44 per month, R558.60 per week, R111.72 per day for a nine-hour day or R12.41 per hour.

#### Review of labour legislation

Minister of Labour, Mildred Oliphant published revised versions of the Labour Relations Act on 17 December 2010. A new bill was also published, namely the Employment Services Bill.

## Hersiening van Arbeidswetgewing

Die Minister van Arbeid, Mildred Oliphant, het op 17 Desember 2010 gewysigde weergawes van die Wet op Arbeidsverhoudinge gepubliseer. 'n Nuwe wetsontwerp is ook gepubliseer, naamlik die Wetsontwerp op Werksverskaffingsdienste (Employment Services Bill).

Agri SA het as lid van Besigheideenheid Suid-Afrika (BUSA) deelgeneem aan die onderhandelings oor die wetgewing wat oor 'n tydperk van twee jaar by die Nasionale Ekonomiese-, Ontwikkelings- en Arbeidsraad (NEDLAC) gevoer is. Die NEDLAC-verslag is aan die Parlement voorsien. Die Portefeuljekomitee op Arbeid en die Nasionale Raad van Provinsies het akkoord gegaan met die voorgestelde wysigings op die drie stukke wetgewing sowel as op die nuwe wetgewing oor werkverskaffingsdienste. Die wetgewing is aan die President gestuur vir onder-tekening.

Regulasies ten opsigte van die implementering van die Wet op Gelyke Indiens-neming is op 28 Februarie 2014 vir kommentaar gepubliseer. Die regulasies het veral gefokus op die gebruik van die nasionale demografie teenoor die provinsiale demografie vir die samestelling van 'n organisasie se werksmag. Die regulasies is ook in NEDLAC bespreek, waarna die verwysing van die demografie uit die regulasies verwyder is.

## Die gebruik van buitelandse werkers

Buitelandse werkers, veral burgers van Lesotho, Mosambiek en Zimbabwe, word in arbeidsintensiewe bedrywe (onder meer vrugte, suiker en bosbou) en spesialis-bedrywe (wol) as seisoenswerkers aangewend.

Die afgelope aantal jare is probleme ondervind met die verkryging van korporatiewe permitte deur werkgewers ten einde buitelandse werkers in diens te kan neem. Agri SA was betrokke by gesprekke oor moontlike veranderings aan immigrasiewetgewing en het ook gesprekke met die Departement van Arbeid oor die verkryging van die permitte gefasiliteer.

Die Departement van Arbeid het 'n komitee saamgestel wat veral sal fokus op Lesotho-skeerders en sal wyses evalueer waarop Lesotho-werkers deur plaaslike burgers vervang kan word.

## Memorandum met Departement van Binnelandse Sake

Die Departement van Binnelandse Sake het Agri SA genader om behulpsaam te wees met 'n veldtog genaamd "The National Population Registration Campaign (NPR)", wat ten doel het om alle Suid-Afrikaanse burgers gedokumenteer te kry.

Die NPR het die volgende ten doel:

- Skrap laat-geboorteregistrasie en staak die proses in sy huidige vorm, en vervang dit deur 'n strenger proses;
- Verseker dat ouers hul kinders registreer binne 30 dae ná geboorte;

Foreign workers, especially citizens of Lesotho, Mozambique and Zimbabwe, are employed in labour-intensive industries (including fruit, sugar cane and forestry) and specialist industries (wool) as seasonal workers.



Agri SA, as member of Business Unity South Africa (BUSA), participated in negotiations regarding the legislation, which took place over a two-year period at NEDLAC. The NEDLAC report was tabled in Parliament. The Portfolio Committee on Labour and the National Council of Provinces also signed off on the proposed amendment to the three pieces of legislation, as well as on the new Employment Services Bill, whereupon the legislation was referred to the President for signing.

Regulations in respect of the implementation of the Employment Equity Act were published for commentary on 28 February 2014. The regulations focused, in particular, on the use of national demographics for the composition of an organisation's labour force. The regulations were also discussed within NEDLAC, after which the reference to demographics was scrapped.

## The employment of foreign workers

Foreign workers, especially citizens of Lesotho, Mozambique and Zimbabwe, are employed in labour-intensive industries (including fruit, sugar cane and forestry) and specialist industries (wool) as seasonal workers.

In recent years employers have been experiencing difficulty in obtaining corporate permits to be able to employ foreigners. Agri SA was involved in discussions regarding possible changes to immigration legislation and has also facilitated discussions with the Department of Labour regarding the issuing of such permits.

The Department of Labour has appointed a committee that would focus on sheep shearers from Lesotho and will evaluate methods whereby Lesotho workers can be replaced with local citizens.

## Memorandum with the Department of Home Affairs

The Department of Home Affairs approached Agri SA to assist with the National Population Registration Campaign (NPR), which is aimed at getting all South African citizens documented.

The NPR Campaign aims to:

- Eradicate the late registration of birth and discontinue the process in its current form and replace it with a more stringent one;
- Ensure that parents register child birth within 30 days of delivery;
- Ensure that all South Africans turning 16 years immediately apply for identity documents;
- Promote communities of peace and diversity;
- Promote immigration for economic development among communities; and
- Establish and consolidate municipality/foreign affairs stakeholder forums as a service delivery, monitoring and evaluation mechanism for departmental services.

Minister Naledi Pandor and Johannes Möller signed a memorandum of agreement in 2013 during Agri SA's Congress, in which Agri SA declares its willingness to

- Verseker dat alle Suid-Afrikaners wat die ouderdom van 16 bereik onmiddellik aansoek doen vir identiteitsdokumente;
- Bevorder vreedsame en diverse gemeenskappe;
- Bevorder immigrasie vir ekonomiese ontwikkeling onder gemeenskappe; en
- Vestig en konsolideer munisipale/buitelandse sake-forums as 'n dienslewering-, monitering- en evalueringmeganisme vir departementele dienste.

Minister Naledi Pandor en Johannes Möller het 'n Memorandum van Ooreenkoms tydens Agri SA se Kongres in 2013 onderteken wat Agri SA se bereidwilligheid verklaar om die Departement van Binnelandse Sake te ondersteun. Implementering van die veldtog sal oor die volgende drie jaar aandag geniet.

### Arbeidsinspeksies op plase

Gedurende die verslagjaar is verskeie arbeidsinspeksies in provinsiale verband uitgevoer. Die hoofokus van die inspeksies was om nakoming ten opsigte van die volgende wetgewing te bepaal:

- Die Wet op Arbeidsverhoudinge;
- Die Wet op Basiese Diensvoorwaardes;
- Die Wet op Gelyke Indiensneming;
- Die Werkloosheidsversekeringswet;
- Die Wet op Gesondheid- en Beroepsveiligheid; en
- Die Wet op Vergoeding vir Beroepsbeserings en -siektes.

support the Department of Home Affairs. Implementation of the campaign will received attention over the next three years.

### Labour inspections on farms

During the report year, various labour inspections were conducted in provincial context. The main focus of the inspections was to determine compliance with the following legislation:

- Labour Relations Act;
- Basic Conditions of Employment Act;
- Employment Equity Act;
- Unemployment Insurance Act;
- Occupational Health and Safety Act; and
- Compensation for Occupational Injuries and Diseases Act.

According to the Department of Labour's report on findings of labour inspections, compliance with the Occupational Health and Safety Act was identified as the single biggest challenge in areas where most compliance orders are issued. The agricultural sector was identified as a risk industry and the focus of labour inspections will again be on this sector in the coming year. A joint awareness project will be launched by Agri SA and provincial organisations during the next year.

### Inquiry into conditions on farms

The International labour Organisation inquiry into conditions on farms consists of two phases. Phase 1, which involves desk studies, has already



Luidens 'n verslag van die Departement van Arbeid oor die bevindinge van arbeidsinspeksies is die nakoming van die Wet op Gesondheid- en Beroepsveiligheid as die gebied uitgewys waarop die meeste nakomingsbevele uitgereik is en die grootste enkele uitdaging. Die landbousektor is as risikobedryf geïdentifiseer en daar sal weer in die komende jaar op hierdie sektor gefokus word vir arbeidsinspeksies. 'n Gesamentlike bewusmakingsprojek deur Agri SA en provinsiale organisasies sal in die volgende jaar van stapel gestuur word.

### Ondersoek na toestande op plase

Die Internasionale Arbeidsorganisasie ondersoek na toestande op plase bestaan uit twee fases. Fase 1 behels lessenaarstudies. Die fase is reeds afgehandel en Agri SA het kommentaar hierop gelewer.

Fase 2 is die grondvlak-ondersoeke op bepaalde plase wat die nege provinsies en 'n verskeidenheid van bedrywe verteenwoordig. Hierdie fase sal na verwagting gedurende Junie 2014 afskop. Agri SA is verteenwoordig in die oorsigkomitee wat met die ondersoek handel.

## OPLEIDING

### • SETA's

Die Minister van Hoër Onderwys het die Nasionale Vaardigheidontwikkelingstrategie III (NSDS III) (2011-2016) gepubliseer, waarvan die oogmerk is om oorheersende regeringsprogramme te rig en toe te lig, veral die Menslike Hulpbronontwikkelingstrategie vir Suid-Afrika, die vereistes van die Nuwe Groeipad, die Nywerheidsaksieplan, die uitkomst van die Medium-termyn Strategiese Raamwerk, die Landelike Ontwikkelingstrategie, asook die nuwe Omgewingstrategie, as regeringsprioriteite. Die doel van die NSDS III is om nouer sinergie te vind tussen die arbeidsmark en die formele onderwysstelsel.

Die nuwe SETA-regulasies, wat gebaseer is op die NSDS III wat op 3 Desember 2012 in werking getree het, het in essensie die verpligte terugbetaling van werkgewers se heffingsgelde van 50% tot 20% verminder en die AgriSETA se diskresionêre fonds van 20% tot 50% verhoog. Daar is verwag dat die verlaging in die uitbetaling van heffingsgeld deur dié SETA 'n afplating of selfs 'n afname in die deelname van werkgewers in die stelsel sou teweegbring.

Volgens die AgriSETA het die indiening van werkplek-vaardigheidsplanne en -verslae op dieselfde vlak gebly en aansoeke om diskresionêre ondersteuning het toegeneem. Dit is 'n positiewe aanduiding van werkgewers se verbintenis tot die opleiding van hulle personeel.

Die Minister van Finansies het egter aangekondig dat openbare entiteite (waarvan AgriSETA een is) se uitgawes beperk word tot 2012/2013-vlakke ten einde staatsreserwes op te bou. Dit beteken dat AgriSETA nie die verhoogde heffingsgeld mag bestee nie en dat daar 'n porsie in belegging gehou moet word. Hierdie is hopelik slegs tydelik van aard en sal hopelik ná die komende finansiële jaar opgehef word.

Luidens 'n verslag van die Departement van Arbeid oor die bevindinge van arbeidsinspeksies is die nakoming van die Wet op Gesondheid- en Beroepsveiligheid as die gebied uitgewys waarop die meeste nakomingsbevele uitgereik is en die grootste enkele uitdaging.



been completed and Agri SA has commented thereon.

Phase 2 involves grassroots inquiries into certain farms representing the nine provinces and a variety of commodities. This phase is expected to kick off during June 2014. Agri SA is represented on the oversight committee dealing with the inquiry.

## TRAINING

### • SETA's

The Minister of Higher Education has published the National Skills Development Strategy III (NSDS III) (2011-2016), of which the aim is to inform and guide overarching government programmes, especially the Human Resource Development Strategy for South Africa, the requirements of the New Growth Path, the Industrial Action Plan, the outcomes of the Medium-term Strategic Framework, the Rural Development Strategy as well as the new Environment Strategy, amongst other priorities of government. The NSDS III seeks a closer synergy between the world of work and the formal education system.

The new SETA regulations, which are based on the NSDS III that came into effect on 3 December 2012, have essentially reduced the compulsory refund of employers' levies from 50% to 20%, and increased AgriSETA's discretionary fund from 20% to 50%. It is expected that the reduction in the disbursement of levies by the SETA would bring about a levelling off or even decline in the participation of employers in the system.

According to AgriSETA, the submission of workplace skills plans and reports remained at the same level, while applications for discretionary support increased. This is a positive indication of employers' commitment to training for their staff.



### • Landbou-opleiding

Verskeie voorbehoude bestaan oor landbouwetenskap as 'n skoolvak, die inhoud van die kurrikulum wat by hoërondewysinstellings gebruik word, die stand van landboukolleges en die standaard van opleiding by landboukolleges. 'n Studie word tans deur vyf universiteite onderneem na landbou-opleiding in Suid-Afrika op alle vlakke. Die studie sal na verwagting twee jaar duur. Befondsing is reeds verkry vir die studie en 'n komitee is saamgestel wat die studie sal monitor.

### • Opheffingsprojek vir vroue in die Noord-Kaap

AgriSETA het 'n bedrag van R500 000 aan Agri SA bewillig om 'n opleidingsprojek te doen om die NSDS III-doelwitte ten opsigte van die bemagtiging van werklose mense in landelike gebiede te bevorder. Die projek het ten doel om 30 vroue in die Friersdale-gebied in die Noord-Kaap multi-dissiplinêr op te lei, wat basiese besigheidsvaardighede insluit.

### • Agricultural Leadership Development Programme

AgriSETA het in die verlede befondsing beskikbaar gestel vir die "Agricultural Leadership Development Programme" (ALDP), wat daarop gefokus was om leierboere in landbou te bemagtig. Die program beoog om bestuursvaardighede te voorsien en te ontwikkel, asook analitiese en kreatiewe besluitnemingsvaardighede vir bestuurders en individue in die landbou wat op 'n strategiese bestuursvlak funksioneer. Afgevaardigdes sal vaardighede aanleer wat benodig word om hedendaagse uitdagings in Suid-Afrika aan te pak.

Die opleiding-temas sluit in:

- Strategiese bestuur;
- Leierskap en veranderingsbestuur;
- Korporatiewe beheer;
- Finansiële bestuur;
- Agri-bemarking en voorraadkettingbestuur;
- Projekbestuur;
- Arbeidsverhoudinge, menslikehulpbronbestuur en onderhandelingsvaardighede; en
- Aanbieding- en kommunikasievaardighede.

Agri SA het vanjaar weer die geleentheid gehad en benut om persone te nomineer om die opleiding te deurloop. Die AgriSETA befonds die opleiding, reis- en verblyf van die individue wat die opleiding deurloop.

### • Agricultural Enterprise Management Training

Met die "Agricultural Leadership Development Programme" (ALDP)-opleiding wat op strategiese vlak aangebied word, was daar ook 'n behoefte om opkomende boere of nuwe toetreders tot die sektor te help om die nodige vaardighede te verkry om 'n sukses van boerdery te maak, sowel as om die nodige kundigheid te bekom om ook vir die ALDP-opleiding te kan kwalifiseer en daaraan suksesvol te kan deelneem.

The Minister of Finance, however, has announced that the expenditure of political entities (of which AgriSETA is one) would be limited to the 2012/2013 levels in order to build state reserves. This means that AgriSETA may not spend the increased levy funds and that a portion thereof must be held in investments. This is hopefully merely a temporary arrangement that will be lifted after the coming year.

### • Agricultural training

There were various misgivings about agricultural science as a school subject, the content of the curriculum used by tertiary educational institutions, the status of agricultural colleges and the standard of training provided at agricultural colleges. A study on agricultural training in South Africa at all levels, which is being conducted by five universities, is expected to take two years. Funding has already been secured for the study and a committee was appointed to monitor it.

### • Upliftment project for women in the Northern Cape

AgriSETA has allocated an amount of R500 000 to Agri SA for a training project to promote the objectives of NSDS III in terms of empowering unemployed people in rural areas. The project aims to provide multi-disciplinary training to 30 women in the Friersdale area in the Northern Cape, which will include basic business skills.

### • Agricultural Leadership Development Programme

AgriSETA had in the past made funding available for the Agricultural Leadership Development Programme (ALDP), which focused on empowering leader farmers in agriculture. The programme aims to provide and develop management skills as well as analytical and creative decision-making competencies for managers and individuals in agriculture, who function at a strategic management level. Delegates acquire the competencies needed to deal with contemporary South African challenges.

The training themes are *inter alia*:

- Strategic management;
- Leadership and change management;
- Corporate governance;
- Financial management;
- Agri-marketing and supply chain management;
- Project management;
- Labour relations, human resources management and negotiation skills; and
- Presentation and communication skills.

Agri SA again had the opportunity to nominate persons for training. AgriSETA funds the training as well as travel and accommodation costs of the individuals who attend.

### • Agricultural Enterprise Management Training

With the Agricultural Leadership Development (ALDP) training offered at strategic level, there was also a need to assist emerging farmers or new entrants to the sector to obtain the necessary



AgriSETA het fondse aan Agri SA bewillig vir die ontwikkeling van 'n opleidings-program wat vir kwalifiserende lede van georganiseerde landbou beskikbaar gestel kan word. Die inhoud van die opleidingsprogram fokus op areas soos:

- Entrepreneurskap in die boerderysektor;
- Plaasbestuur;
- Fondament vir besigheidsbestuur (beplanning, organisering, leiding en beheer);
- Finansiële bestuur;
- Bemerkingsbestuur;
- Menslikehulpbronbestuur;
- Produksie- en bedryfsbestuur;
- Risikobestuur en waardetoevoeging; en
- Besigheidsinstrumente, d.w.s die sakeplan.

## AKTIWITEITE VAN BESIGHEIDENHEID SUID-AFRIKA EN NASIONALE EKONOMIESE-, ONTWIKKELINGS- EN ARBEIDSRAAD

### • Besigheideenheid Suid-Afrika

Die komitee wat verantwoordelik is vir sosiale aangeleenthede (SOCPOL) binne Besigheideenheid Suid-Afrika (BUSA), het in die verslagjaar onder meer aan die volgende sake aandag geskenk:

- Monitoring van die proses oor die voorgestelde arbeidswette;
- Aanstellings van besigheidsverteenwoordigers op statutêre rade;
- Decent Work Country Programme;
- Werkloosheid onder die jeug;
- Onderwys en opleiding;
- MIV/Vigs;
- Maatskaplike sekerheid en aftrede-hervorming;
- Die voorgestelde Nasionale Gesondheidsversekeringskema;
- Knelpunte rakende gelyke geleenthede en indiensneming in die werkplek; en
- Verskeie ondernemings (accords) rakende die jeug, opleiding ensomeer.

SOCPOL is in die proses om 'n beleidstandpunt te formuleer oor die arbeidsmark en kernaangeleenthede soos vergoeding, ongelykhede, stakings ensomeer kry daarin aandag.

### • Nasionale Ekonomiese-, Ontwikkelings- en Arbeidsraad

Die Labour Market Chamber (LMC) is soortgelyk aan Agri SA se Arbeidskomitee en BUSA se komitee vir sosiale aangeleenthede (SOCPOL). Dit is in wese 'n forum waarin daar gepoog word om konsensus tussen die arbeidsbeweging, regeringsverteenwoordigers en die sakesektor op arbeidsverwante geleenthede te bereik. So te sê alle arbeidsverwante beleidsaangeleenthede word hier gehanteer.

AgriSETA has made funds available to Agri SA for the development of a training programme that can be offered to qualifying members of organised agriculture.



skills to make success of a farming operation, and also to acquire the necessary expertise to qualify for and participate successfully in the ALDP training.

AgriSETA has made funds available to Agri SA for the development of a training programme that can be offered to qualifying members of organised agriculture. The content of the training programme focuses on areas such as the following:

- Entrepreneurship in the farming sector;
- Farm management;
- Foundation of business management (planning, organising, guidance, control);
- Financial management;
- Marketing management;
- Human resource management;
- Production and operational management;
- Risk management and value adding; and
- Business tools i.e. the business plan.

## ACTIVITIES OF BUSINESS UNITY SOUTH AFRICA AND THE NATIONAL ECONOMIC, DEVELOPMENT AND LABOUR COUNCIL

### Business Unity South Africa

The committee responsible for social matters (SOCPOL) within Business Unity South Africa (BUSA) attended to, among others, the following during the report year:

- Monitoring of the process around proposed labour legislation;
- Appointment of business representatives on statutory boards;
- Decent Work Country Programme;
- Unemployment among the youth;
- Education and training;
- HIV/Aids;
- Social security and retirement reform;
- The proposed National Health Insurance Scheme;
- Problems regarding equal opportunities and employment equity in the workplace; and
- Various accords relating to the youth, training etc.

SOCPOL is in the process of formulating a policy position on the labour market, addressing core issues such as remuneration, inequalities, strikes etc.

### • National Economic, Development and Labour Council

The Labour Market Chamber (LMC) is similar to Agri SA's labour committee and BUSA's committee for social matters (SOCPOL). It is essentially a forum where an attempt is made to reach consensus between the labour movement, government representatives and the business sector with regard to labour-related issues. Basically all labour-related policy issues are dealt with here.