

UNREVISED HANSARD

NATIONAL COUNCIL OF PROVINCES

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PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The Council met at 14:02

The Chairperson took the Chair and requested members to observe a moment of silence for prayers or meditation.

NOTICES OF MOTION

Mr O S TERBLANCHE: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

That the Council -

- (1) Debates President Jacob Zuma's midnight cabinet reshuffle on 30 March 2017, and its sever impact on the South African economy;

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(2) finds solutions to minimise the subsequent impact on the country, and restore investor confidence to enhance investments and create jobs. I so move.

Mr C HATTINGH: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

That the Council debates the exorbitant expenses and rationale for the deployment of Cuban engineers and technicians to the Department of Water and Sanitation, and its impact on engineering graduates.

Ms T G MPAMBO-SIBHUKWANA: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

That the Council debates the negligence and disregard for the Constitution by the Department of Social Development in executing the Constitutional Court ruling; and the subsequent, continuing illegal deductions.

Mr C F BEYERS-SMIT: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

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That the Council -

- (1) notes that the Mashamaite family have captured the Mogalekwena Local Municipality by capitalising on its resources for personal benefit;
- (2) realises that the municipality is in absolute disarray due to factional fighting by the ANC and subsequently service delivery is affected negatively;
- (3) regrets that the issuing of contracts and payment of contractors are delayed or have been cancelled in the mid-process
- (4) discusses the effect of nepotism, factionalism and corruption on the growth of municipalities and job creation. I so move.

Mr M KHAWULA: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the IFP:

That the Council -

- (1) debates the increasing levels of road carnages in our country over the Ester Weekend of 2017,

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(2) regrets that South Arica lost more lives than in 2016, which is a 51% increase, this becomes worse when it is the festive seasons in the country. I so move.

Mr J W W JULIUS: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

That the Council debates the causes and effects of South Africa's recent credit rating downgrades to a junk status, and its subsequent impact on our economy and citizens, I so move.

Mr G MICHALAKIS: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the DA:

That the Council debates the legality and constitutionality of political parties having and employing their own military wings post 1994, I so move.

Ms Z V NCITHA: Chairperson, I hereby give notice that on the next sitting day of the Council I shall move on behalf of the ANC:

That the Council -

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- (1) congratulates the Eastern Cape boxing sensation Zolani Tete for winning and being crowned the new World Boxing Organisation, WBO, bantamweight champion on 23 April 2017;
- (2) perceives with happiness that this was after his weekend historic victory that saw him wining his second major world championship in convincing points victory over the Philippine's Arthur Villanueva in England;
- (3) observes that the former, IBF, junior-bantamweight Tete sets his eyes on conquering the World Boxing Association, WBA, and the International Boxing Federation, IBF, before he retires from boxing;
- (4) wishes the last born well for holding SA's flag, the province of the Eastern Cape, the Buffalo City Metropolitan municipality as a boxing-maker for his best conquering of the country.

FREE MEDICO-LEGAL SERVICES FOR FIVE VILLAGES IN THE EASTERN CAPE

(Draft Resolution)

Mr L V MAGWEBU: Sihlalo ngaphambili, ndibulela kakhulu [Thank you very much Chairperson, I move without notice:

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That the Council -

- (1) notes that over the weekend, scores of people seeking medical assistance and legal advice filled the community hall in Zozo Village in the Eastern Cape where optometrists, nurses and legal advisors offered up their time to serve the village free of charge;
- (2) further notes that the community members were bussed in from five villages in Kwelera in the Eastern Cape;
- (3) also notes that this medico-legal camp aims to bring much needed help to rural areas so that community members need not travel to clinics which most are unable to afford.
- (4) Also notes that this initiative was started by senior prosecutor Althea Rhodes in 2015;
- (5) also recognises that this initiative shows that there are people who still care about the poor and less fortunate in the Eastern Cape; and

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- (6) congratulates Ms Rhodes and her team of professionals for their noble sacrifice and wish them success in reaching out to other villages.

Motion agreed to in accordance with section 65 of the Constitution.

PRESIDENT ZUMA BOOED HECKLED AT BLOEMFONTEIN MAY DAY EVENT

(Draft Resolution)

Mr G MICHALAKIS: Chairperson, I move without notice:

That the Council -

- (1) notes that President Zuma was booed and heckled and other things that here would have been deemed unparliamentary at yesterdays May Day event in Bloemfontein;
- (2) also notes that this public condemnation by the ANC's alliance partner Cosatu and its affiliate unions NUM, Sadtu and Nehawu follows a series of anti-Zuma marches across the country by various members and stalwarts of the ANC, SACP, opposition parties and civil society;

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- (3) further notes that President Zuma has publicly indicated that he is willing to step down as President if it is the will of the people and that the will of the people across party political lines by now has been made quite clear;
- (4) as representatives of the people, call upon President Zuma to adhere to the public will by resigning immediately in the best interest of the country; and
- (5) alternatively, without interfering in the business of the other House, call upon the hon colleagues in that House to vote in the best interest of our nation and in the interest of those who elected us when the motion of no confidence serves before them.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order members! The motion has been objected to; it may not be proceeded with. The motion without notice will now become a notice of motion. Hon Julius, your hand was up? Okay.

WESTERN CAPE HIGH COURT JUDGEMENT AGAINST NUCLEAR ENERGY DEAL

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(Draft Resolution)

Ms B A ENGELBRECHT: Madam Chair, I move without notice:

That the Council -

- (1) notes that the Western Cape High Court judgement that the process of procurement of 9,6 gigawatts of nuclear energy was unlawful and unconstitutional;
- (2) further notes that this judgement vindicates the DA's stance that this process was unlawful as it was not debated in Parliament and there was a lack of public participation; and
- (3) the DA will, as always, continue to hold the ANC national government accountable for its unlawful actions.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: There is an objection. The motion is not carried. It now becomes a notice of motion.

CONDOLENCES FOR 20 KILLED IN TAXI CRASH

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(Draft Resolution)

Mr J W W JULIUS: Chairperson, I also note that the ANC is so divided in this.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Is that a motion without notice?

Mr J W W JULIUS: No Ma'am, my apologies for that note. I move without notice:

That the Council -

(1) notes that on Friday, 21 April 2017 one of the saddest tragedies hit South Africa;

(2) further notes that 20 people died including 14 school children when a taxi that transported the learners collided with a truck on the Groblersdal Road outside Bronkhorstspuit;

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(3) welcomes investigations into the cause of the accident and hopes this will ensure that such incidents are reduced in future; and

(4) sends condolences to the bereaved families.

Motion agreed to in accordance with section 65 of the Constitution.

NQUTHU MUNICIPAL BY-ELECTIONS ON 24 MAY 2017

(Draft Resolution)

IsiZulu:

Mnu M KHAWULA: Sihlalo, ngiphakamisa ngaphandle kwesaziso:

Ukuthi lo Mkhandlu -

- (1) uyakuqaphela ukuba Umkhandlu kaMasipala waseNquthu uzobamba ukhetho lwawo wonke amawodi ayishumi nesikhombisa ngomhlaka-24 May 2017;
- (2) ukugaphele futhi ukuthi lokhu kwenzeka ngemuva kokuba iqembu leNkatha elabe liwine lomasipala ngokhetho lukaAgasti ngo-2016 libanjwe inkunzi ngabasemagunyeni banquma ukuhlakaza umasipala ngoba nje nakhu behlulwe ukwamukela ukuphuma emandleni;

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- (3) iqhubeke iqaphele ukuba sebeqalile ukusebenzisa izinhlaka zikaHulumeni ukusabisa amalungu nabaholi beNkatha ngokubabophela amanqina enyathi, babhecwe ngobende kusetshenziswa Oklebe,
- (4) ukuthi kepha sithi, asipheli amandla, okhethweni siya ngodli futhi kuyocaca;
- (5) sithi futhi ngesikhathi osibanibani ontabakayikhonjwa belibele ukuklwebhana thina siqwashisa abantu ngengozi eyobehlela abantu baseNquthu uma bengenza iphutha ebekade sebelilungisile; futhi
- (6) siphinde sithi, mphakathi waseNquthu, qhubekani nisethembe siyi-IFP, asintshontshi, asigebengi, asisengi ezimithiyo, sethembekile. Ngiyathokoza Sihlalo.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Ngiyathokoza baba. [Thank you sir.] Motion has been objected to and therefore becomes a notice of motion.

LEGENDARY NICK DURANDT DIES IN BIKE ACCIDENT

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(Draft Resolution)

Mr J M MTHETHWA: Chairperson, I move without notice:

That the Council -

- (1) notes with profound sadness that a 53-year-old legendary boxing trainer Nick Durandt died in a bike accident near Clarens in the Free State on Friday 21 April 2017;
- (2) also notes that he was one of the top rated boxing trainers;
- (3) further notes that he produced 95 South African champs in all 17 weight divisions, 38 world champs and 27 international champions through the World Boxing Council, WBC, World Boxing Association, WBA, International Boxing Federation, IBF, World Boxing Organisation, WBO, World Boxing Federation, WBF, and International Boxing Organisation, IBO, organisations and he was also the president of the Crusaders Bike Club that has more than 500 members;
- (4) further notes that South Africa has lost one of its best trainers in the history of boxing, who was not only a

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trainer, promoter, manager but also a father figure to his stellar trainees who also represented and positioned our country's boxing talent among the best in the world;

- (5) further states that Durandt was recently awarded a lifetime achievement award at the South African Boxing Awards last year for his immense contribution to the boxing industry; and
- (6) finally charge the boxing fraternity to follow and keep his legacy, may his soul rest in peace.

Motion agreed to in accordance with section 65 of the Constitution.

CONDOLONCES FOR PAC STALWART PHILLIP KGOSANA

(Draft Resolution)

Ms L L ZWANE: Chairperson, I move without notice:

That the Council -

- (1) notes with deepest sympathy that the Pan Africanist Congress, PAC, stalwart, freedom fighter and former Tshwane

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Metropolitan Municipality councillor Phillip Kgosana died at the age of 80 on 19 April 2017 and was laid to rest with a Special Provincial Official Funeral on 28 April 2017;

- (2) also notes that as a PAC Western Cape Regional Secretary, he led more than 50 000 anti-pass law protesters from Langa in Cape Town, in a march to Parliament on March 30, 1960;
- (3) also notes that after the banning of political organisations, he fled to Ethiopia and Angola where he gained military training on guerrilla warfare and also pursued his studies where he attained a Masters' Degree in Economics;
- (4) further notes that he was a brave and devoted freedom fighter, who dedicated his life to the emancipation of black South Africans that saw him harbouring the establishment of a farmer's association in Winterveld, north of Pretoria; and
- (5) celebrates a life well spent for the people's cause, may his soul rest in peace.

Motion agreed to in accordance with section 65 of the Constitution.

CONDOLENCES FOR 20 KILLED IN TAXI CRASH

(Draft Resolution)

Ms L C DLAMINI: Hon Chair, I move without notice:

That the Council -

- (1) notes with profound sadness and concern that the two adults and 18 school children lost their lives in a head-on collision between a bus and a truck on R25 road between Bronkhorstspuit and Verena on Friday 21 April 2017;
- (2) also notes that this horrific accident happened while the school bus was on its way back home, as it was turning in an intersection when the truck hit it and a fire started to burn all over;
- (3) further painfully notes that amongst the dead were a father and his two children as well as three siblings and the pupils attended the Refano Primary school and Mahlenga Secondary School and were all from Wolvenkop and Verena in Mpumalanga;

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- (4) appreciates that both Gauteng and Mpumalanga provincial governments had jointly worked to assist with the funeral and other arrangements with the families; and
- (5) sends our heartfelt condolences to the affected families, the schools and communities.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, your motion is exactly the same motion as the one read out by the hon Julius. It is a motion of condolence. I think we should just agree that the House will send the same condolence motion to the bereaved families.

**GIFT NGOEPE BECOMES FIRST AFRICAN-BORN PLAYER IN MAJOR LEAGUE
BASEBALL**

(Draft Resolution)

Ms G M MANOPOLE: Chair, I move without notice:

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- (1) notes with excitement that a 27-year-old, Gift Ngoepe, became the first ever African-born player to enter Major League Baseball, notching a hit in the first at-bat in his career and helping his team the Pittsburgh Pirates beat the Chicago Cubs;
- (2) also notes that even though they may not be able to say his name correctly, that has not stopped sports commentators from singing Ngoepe's praises;
- (3) further notes that it's a dream come true for him because it's been his dream since he was a 10-year-old boy and that this also means so much to the people of South Africa and baseball in Africa;
- (4) also further notes that the nation is proud to see a rising star of Ngoepe's calibre break barriers to become the first African-born player in a Major League Baseball game, he has done our nation proud; and
- (5) finally encourages other aspirant sports players to use Ngoepe's achievement as an inspiration for them to reach the highest levels of success.

Motion agreed to in accordance with section 65 of the Constitution.

FIRE CAUSES DESTRUCTION IN IMIZAMO YETHU

(Draft Resolution)

Ms T G MPAMBO-SIBHUKWANA: Chairperson, I move without notice:

That the Council -

- (1) notes the destruction caused by the fire in Imizamo Yethu, Hout Bay;
- (2) also notes that the City of Cape Town's efforts to restore dignity to the citizens of the Western Cape; and
- (3) thanks residents and NGOs who came to help out for their co-operation and the Department of Social Development for their assistance during this trying time.

Motion agreed to in accordance with section 65 of the Constitution.

DEATH OF 12-YEAR-OLD BOY IN COLIGNY

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(Draft Resolution)

Mr T C MOTLASHUPING: Hon Chairperson, I move without notice:

That the Council -

- (1) notes with sadness the death of a 12-year-old boy in Coligny after allegedly being assaulted by two farmers;
- (2) also notes that the alleged murder of the boy was the reason for violent protests in the area when residents went on a rampage, burning and looting businesses;
- (3) further notes that the family of the murdered boy identified his body over the weekend making it possible to start with funeral arrangements; and
- (4) sends our deepest condolences to the family of the young boy and hopes that the police will do everything possible to bring the perpetrators to book.

Motion agreed to in accordance with section 65 of the Constitution.

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TUMISANG BOJABOTSEHA DIES

(Draft Resolution)

Mr D L XIMBI: Chairperson, I move without notice:

That the Council -

- (1) notes with sadness the passing away of the First Deputy Provincial Secretary of the SA Communist Party in the Western Cape, Comrade Tumisang Bojabotseha;
- (2) also notes that Comrade Tumisang was serving as political advisor to the Chief Whip of the ANC and also served as an organiser and a senior researcher of the ANC caucus in Parliament;
- (3) further notes that Comrade Tumisang passed away at Bellville's Melomed Hospital on Sunday 30 April 2017 after a short illness; and
- (4) conveys our heartfelt condolences to the family and friends of Comrade Tumisang in these difficult times.

Motion agreed to in accordance with section 65 of the Constitution.

**FORMATION OF SPONTANEOUS FREEDOM MOVEMENT BY CONCERNED SOUTH
AFRICANS**

(Draft Resolution)

Mr O S TERBLANCHE: Chairperson, I move without notice:

That the Council -

- (1) notes the spontaneous formation of the freedom movement by concerned South Africans from all walks of life;
- (2) further notes their mass rally on Thursday 27 April 2017 in Pretoria against President Jacob Zuma and further state capture attempts; and
- (3) debates the contributions made by demonstrations of this nature to strengthen our democracy.

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The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Motion has been objected to therefore it becomes a notice of motion.

SWELLENDAM MUNICIPALITY RECOGNISED AS SOUTH AFRICA'S TOP ECO-FRIENDLY DESTINATION

(Draft Resolution)

Ms C LABUSCHAGNE: Chair, I move without notice:

That the Council -

- (1) notes that the Swellendam Municipality has been recognised as South Africa's top eco-friendly destination;
- (2) further notes that the *Luxury Travel Guide* publication selected Swellendam as the Eco-friendly Destination of the Year in the South Africa - Africa - Middle East Awards for 2017 category;
- (3) also notes that Mossel Bay Municipality has been named the greenest local municipality in the country;

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- (4) commends Mossel Bay Municipality's decision to use the R3.5 million prize money to fund more greening projects; and
- (5) congratulates these municipalities on their achievements.

Motion agreed to in accordance with section 65 of the Constitution.

DEBATE ON WORKERS' DAY

(Subject for discussion)

Mr M RAYI: Hon Chairperson, hon Deputy Minister of Labour, hon Chief Whip, hon members, special delegates, officials from the Department of Labour, ladies and gentlemen, good afternoon.

I would like to take this opportunity to thank the leadership of the institution for selecting me to be one of the speakers on the debate on Workers Day and workers rights. I have been specifically allocated an area of focus, which is the creation of retention of decent work and sustainable livelihoods as a strategic response to the major challenges facing our society, those being higher unemployment, poverty, deepening inequality and rural marginalisation.

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Since this is about Workers Day, let me give brief historical underpinnings of May Day. 2017 marks 122 years since the first celebrations of May Day in 1895, which took place in South Africa. It signified for the first time a link between workers globally as part of proletarian solidarity. It had been preceded by a long period of strife between labour and capital and the development of the ideas of proletarian internationalism within the international workers movement.

The ideologues of these organisations espoused the ideas of international unity and solidarity, a belief in the fraternity of all nations. Proletarian class awareness and resolution to unite in the struggle against social and economic oppression soon made them realise that the appeal was better expressed in the working masses to unite.

The idea of proletarian solidarity was first declared and substantiated late in 1845 when Engels wrote in *The Festival of Nations in London*, that:

The proletarians in all countries have one and the same interest, one and the same enemy, and one and the same struggle. The great

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masses of proletarians are by their very nature, free from national prejudices, only the awaking proletariat can bring about fraternalism between different nations.

The creation of the International Workingmen's Association, which was to become known as the First International, on September 1864, in St Martin's Hall London, was a fundamental landmark in the development of proletarian international solidarity under the banner "Workers of the world unite, you have nothing to lose but your chains and the world to win." It was from the First International that the co-ordination of strike across country borders developed and mushroomed from the first internationally co-ordinated strike of 1866 covering England, Germany, France and Belgium.

The International Workingmen's Association organised strike funds for workers globally initiated by Karl Marx in 1869 in response to brutal repression of workers on strike. The 1860's and 1870's were characterised by a sharp rise in worker's strikes and solidarity campaigns conducted every month.

The Paris Commune of 1871 played a decisive in the evolution of proletarian solidarity with the First International collecting money for the commune. Frightened by the Paris Commune, as well as the

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influence of the First International, the majority of European governments outlawed the International Workingmen's Association.

In the 1880's the class consciousness of the working people in developed capitalist countries have reached a developed level as a result of greater internationalism of the working class movement. Facing a common situation, working people began to put forward similar and common demands. The common demands were for an end to exploitation of the working class and the granting of socioeconomic rights to the working class. An eight-hour working day became foremost amongst these demands and was held up as the slogan of the international working class movement in the 1880's.

A new international proletarian union, the Second International came into being and at this stage an international day of holiday of proletarian solidarity was promoted as a result of widespread acceptance of the ideas of proletarian internationalism and a higher stage of development in the consciousness of working people and their class.

The Chicago events of the 3rd and 4th May, 1886, when American workers organised by the international workers of the world held rallies, marched in support of an eight-hour working day, resulted

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in all eight leaders being arrested, put on trial and seven of the eight being hung in 1887. This was the culmination of what had proceeded over decades and played a major role in establishing 1 May, May Day, as a workers holiday globally in 1890.

It is against this backdrop that the first May Day event in South Africa took place in 1895. Massive May Day rallies took place in the 1920's to the 1960's. These were led through bitter struggles under the leadership of the Industrial Commercial Workers Union; the Council of Non-European Trade Unions; the first Nonracial Trade Union Federation; The South African Congress of Trade Unions; and COSATU over the decades.

Following massive May Day events in 1986, under pressure, the apartheid regime was in 1987 forced to declare May Day as a paid public holiday. 91 years of struggle had resulted in a day in which workers could relax and celebrate their achievements with their families. May Day has continued to be celebrated since then.

In the transitional executive period, discussions were concluded on official days that will be recognised in a new democracy. May Day was one of these. And after the April 1994 elections, the ANC government announced Workers Day as a paid public holiday.

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In line with other countries whose mode of production is capitalist, the term Workers Day has been adopted whilst the trade union movement stick to the origins of this day in calling it more correctly, May Day.

May Day remains an opportunity to consider how far we have come in emancipating South African workers from economic exploitation and ensuring a better life for workers and our people as a whole.

Together, the ANC and COSATU and other progressive trade union formations ensured that the rights of workers are protected in our Constitution and in many progressive laws. Chief, amongst these is the right of workers to form and belong to trade unions which is enshrined in the Constitution. The Constitution also states that, "everyone has the right to fair labour practices, and that every worker has the right to strike."

The ANC government has also enacted legislation to further protect and advance workers rights - thanks to the struggles of workers over the years. These laws includes: The Labour Relations Act; The Basic Conditions of Employment Act; The Employment Equity Act; The Skills Development Act; The Unemployment Insurance Act; The Occupational

Health and Safety Act as well as the Compensation for Occupational Injuries and Diseases Act.

These laws have been designed to protect the rights of workers, guide wage determination and general working conditions of South African workers. The laws protect children from being abused as child labour, protects the rights of women to go on maternity leave and not lose their jobs. It provides the rights of workers to be trained and provided with the necessary skills.

Most importantly, the country's labour legislation now protects the rights of vulnerable workers, such as farm workers, domestic workers and workers in the hospitality sector such as hotels and similar establishments. These are all rights that were gained through the hard work of workers in this country over a number of decades.

In the 2016 state of the nation address, further amendments to labour legislation and a new labour regime aimed to further improving the rights and protection of workers was announced.

In the transitional period immediately prior to the first democratic elections, the ANC, in its major policy guide of 1992 "Ready to Govern" laid out a future democratic labour relations regime for

workers.

The 52nd ANC national conference of 2007 in Polokwane emphasised economic transformation and the creation of decent work opportunities as the primary focus of economic policies. The conference also resolved to transform the structures of production and ownership of the economy for inclusive growth. This focus included the expansion of an Expanded Public Works Programme and the linkage of industrial strategy with key youth development programmes in the form of an integrated Youth Development Strategy.

Seven years of implementation and evaluation of praxis in implementing the creation and retention of decent work in the public sector and of trying to ensure that the private sector adheres to these principles of promoting equality and decent work at the workplace shaped the content of the 2014 ANC national election manifesto. The manifesto, in assessing the previous five years and determining what needed to be done articulates that; an investigation into the modalities for the introduction of a national minimum wage as one of the key mechanisms to reduce income inequality be undertaken immediately; the strengthening of the enforcement of provisions of the Employment Equity Act that requires that all employers report on disproportionate income differentials

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at all wage levels and submit plans for their progressive reduction be undertaken; steps to ensure that collective bargaining takes place in all sectors of the economy, and that bargaining councils be used as vehicles to promote greater equity in the economy linking access to state incentives and procurement to adherence to living wage standards, and commitments to promoting wage equity in collective agreements; steps to strengthen existing laws to ensure faster change in employment equity in all workplaces be undertaken by enforcing an accelerated implementation of employment equity targets; greater protection for workers and employers in the informal sectors; enforcement of measures to eliminate abusive work practices in a typical work and labour broking.

The interventions that needed to deal with challenges to create decent work and sustainable livelihoods were the following: Raising levels of fixed investment in the economy by increasing private fixed investment in productive sectors of the economy and also in prescribed assets; that banks should reallocate capital to productive investment as well as to SMME sectors - use of state land and capital is pivotal herein; building inclusive growth thereby reducing inequality by ensuring that growth must be accompanied by transformation and linking redistribution with production is key.

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On investment in infrastructure, since 2008 investment in public infrastructure has helped us to avoid a recession. The construction industry is the biggest driver of new jobs growth.

In addition, the infrastructure build programme develops a value chain, brings in private investment into the economy and often results in joint financing.

On transforming the countryside, we have made a commitment to speed up the return of the land to our people - land reform is a key priority. Support programmes and access to markets is critical. The introduction of Agri-parks will play an important role in this regard.

The better use of the expropriation measures in the Constitution, and the new Expropriation Bill, once passed will assist greatly.

With regard to reversing deindustrialisation, the key features of reindustrialisation includes the improved linkages between the primary and secondary productive sectors; a drive to remove constraints to manufacturing-led, value-adding growth, with special emphasis on labour-intensive sectors such as agro-processing and clothing and textiles. Thank you, Chair. [Time expired.]

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Mr L V MAGWEBU: Hon Chairperson, members and fellow South Africans, Brian Sandoval, an American politician, attorney and the current 29th Governor of Nevada once said and I quote: "Unemployment, foreclosures, bankruptcy - the cure is not more government spending, but helping business create jobs."

This afternoon, as this House is in session, the intent is to celebrate Workers' Day, but I want to remind the House that rights can only be celebrated when they are realised. So, it means people must be employed for them to enjoy those rights.

Sadly, Chairperson and hon members, the problem that we have in South Africa today is that we are unable to celebrate those workers' rights and I will tell you what the problem is. We are living in a country where 8.9 million fellow South Africans want to work but there are no jobs. We are living in a country where the few jobs that are there are either threatened or lost. South Africa is one of the countries in the world with the highest unemployment rates. Instead of losing jobs we should be creating more jobs. Instead of threatening jobs we should be bringing stability to our economy so that we can have more investors in order for our people to have jobs. What is wrong? Why are we not able to create jobs? Why are we losing even the jobs that we created? I will tell you why. The ANC-

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led government is failing to govern. Under the ANC government, the poultry industry is in a crisis. European countries - mainly, have been allegedly allowed to dump their chicken in South Africa. This is surplus chicken way below their cost of production. While consumers benefit from these cheap chicken prices, poultry imports are causing job losses. This is the industry that supports nearly 50 000 direct jobs and 130 000 indirect jobs.

In February this year; Rainbow Chicken retrenched 1 350 workers, including managers. As if this is not enough, Country Bird will close down its Mahikeng Abattoir resulting in 939 direct and 1 605 indirect jobs, unless government intervenes.

South Africa's poultry industry has a potential of creating a whopping 26 725 direct and indirect jobs if South Africa's production can be competitively enhanced and marketed with protection from dumping. The survival of the poultry industry, food security, livelihood of rural economy and the future of 130 000 workers and their families is largely in the hands of the ANC government that have failed so far to intervene as the crisis has been there for almost four years for everyone to see. The only government's response has been to set up a committee to look into

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the matter which has only commenced this year. I repeat, "to look into the matter".

What is there to celebrate when our people are losing jobs? What rights do they have when they are not employed?

Again, our citrus in Sundays River Valley in the Eastern Cape is in the midst of a disaster due to an unknown phenomenon with up to 40% of oranges dropping off the trees at the farms. Besides the huge financial implications, it is a massive blow for those who rely on seasonal jobs with the number of jobs down by a third already. Early indications point to drought as a leading cause.

The ANC government was asked by various stakeholders, including the DA, to declare drought a national disaster but they refused. Look at the pain and the suffering they are causing today. Farmers could now lose up to 40% of their yield for the year, slashing the industry's annual gross domestic product contribution of R1,5 billion by the same percentage. This is a serious disaster to say the least, considering that the citrus industry is the second biggest industry in the Eastern Cape behind the motor industry.

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Again I ask, what is there to celebrate when the citrus industry we have in our country is facing a looming disaster? Recently, our beloved country has been reduced to junk status by various rating agencies. Thanks to the ANC government! The ANC caused this crisis. They fired performing Ministers and kept corrupt and incompetent Ministers. [Interjections.]

According to Feng Shui, the Chinese proverb, and I quote, "Birds don't fly, they are flown by the wind. Fish don't swim, they are carried by the water." Our children are neither birds of the air nor fish of the sea; they need to be adequately prepared for the world of work, yet the ANC government is failing all those children as they are offered poor basic education that does not prepare them for the world of work. How do we then celebrate Workers' Day, given all this pain and suffering of our people caused by ANC government?

Hon Chairperson, members and fellow South Africans, it is clear that the ANC cannot govern. The ANC that once championed the cause of the poor, the marginalised and the downtrodden is no more. Hon

Chairperson and fellow South Africans, how do we fix this mess?

Well, there is a solution. The DA is the solution. We have a proven track record of good governance and job creation. In the Western Cape, we have the lowest unemployment rate. We will support a

growing manufacturing sector. We will make sure that South Africa is brought out of junk status as quick as we can.

IsiXhosa:

I-ANC yinkomo elele ngecala isengwa.

English:

The DA is ready to govern, come 2019. I thank you, Chairperson.

[Applause.]

Ms L C DLAMINI: Hon Chair, Deputy Minister, hon members, my greetings, hon Magwebu ...

Siswati:

...bengicabanga kutsi utokhuluma ngemlandvo weDA nebasebenti...

English:

... but you did not do that. Instead you are talking about the ANC and you are misrepresenting the history of the ANC and the workers. Today we are talking about workers rights. You are not talking about a history of the DA and workers because of your contribution and involvement in the exploitation of workers during apartheid.

[Interjections.]

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Mr C HATTINGH: Hon Chair, the hon member goes on and on addressing a member directly and she should address the Chair, please.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, please address the member through the Chair.

Ms L C DLAMINI: Magwebu, foam. As we all know ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, address the member through the Chair!

Ms L C DLAMINI: No Chair, ...

IsiZulu:

... ngikhuluma nge-foam amagwebu.

USIHLALO WOMKHANDLU WEZIFUNDA ZIKAZWELONKE: Angizwa? [Uhleko.]

English:

No. Order members! I do not understand what the speaker on the podium is saying, therefore I cannot rule.

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Siswati:

Nks L C DLAMINI: Sihlalo, bengithi ngine-foam namagwebu la.

[Uhleko.]

English:

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Okay. Please continue.

Ms L C DLAMINI: We, the African National Congress, stand humbled by the contribution made by the workers of our beautiful country South Africa. The country is what it is today because of the contribution of workers. As we all know, the first day of May is Worker's Day, whereby as South Africans we pledged our solidarity with workers in our country. It is also a day on which we reflect on our struggles, as well as celebrating the power of the working class people in the country that we love so much. That is what hon Magwebu was supposed to talk about, their struggle as the DA with workers.

Workers have made South Africa a country of choice, preferred destination, a country to live in. By all means we owe it to you, our economic growth, not only South Africa – some countries today are claiming that they are first world countries because of the contribution of workers in South Africa and the world in general.

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Chairperson and the House, during the apartheid era where the DA was part as the Democratic Party together with the National Party, ...

Siswati:

... basebenti bebanganakwa, bekungatiwa nekutsi banetidzingo. Kute nalobekabacabangela kutsi bafuna emanti, gesi kanye netindlu. Bantfwana bebasebenti nabo bebangebasebenti.

English:

Nobody bothered to protect children of workers as child labour. Nobody cared that worker's children need education and in terms of pay they would decide whether to pay them or not and/or underpay them; when to pay them if they decide to pay them. Workers did not have a say. They never thought about women who had to give birth to children. Some women would be made to work until the last day. Chair, I indicated that my mother went in the morning to the farm and came back with a child, meaning that ...

Siswati:

... bomake bebasebenta badzimate babelekele emsebentini.

English:

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Child labour was the order of the day.

We want to thank the ANC firstly because of the history of the ANC with workers and the involvement of the ANC in the struggle. We did not decide about this law now because we are in government, we come a long way with the workers. When the ANC took over government, we came up with progressive labour laws and social policies that saw workers as human beings and not machinery, people who have needs, who want to have easy access to water, sanitation, housing, electricity, social grants, good roads, education policies, and maternity leave for women.

Here is the impact of those policies that the ANC came up with: As a woman when you come back from work, you do not have to go and look for water somewhere; you just get water from the tap. They do not have to go around looking for firewood because there is electricity, and sanitation. We acknowledge that there are those who still need those facilities but the policies that the ANC have come up with are to ensure that all workers have access. These policies are made for workers because ...

IsiZulu:

... ongxowankulu laba abazuzi ngoba ...

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English:

... they had everything on their disposal, it is only the workers, Magwebu.

The ANC has a long history with workers' struggle through the unions. We recognise the role played by unions who stood up for workers, when it was not fashion to be in unions at the time, unlike now, but unions stood up for workers ... [Interjections.]

Mr W F FABER: And against Zuma.

Ms L C DLAMINI: ... and keep on ... we are saying as the ANC ... [Interjections.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, please take your seat. Yes, hon member.

Mr W F FABER: Chair, the member must take a seat then I can go on.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, take your seat, I want to address this member.

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Mr W F FABER: Chairperson, I would like to know if the hon member would take a question, please.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, do you wish to take a question?

Ms L C DLAMINI: I am still dealing with worker issues.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Please take your seat again, hon member. I want to address you, sir. Hon members, you do stand up on a point of order or on a point of privilege. Accord the person who is presiding to give the instruction. If you take the liberty to give the instruction directly to the person on the podium that might come across as rude. So, please, desist. I thank you, sir. She said she does not want to take a question. Hon Dlamini, please continue.

Ms L C DLAMINI: Hon Chair, the tensions that all of them are shouting about and Cosatu; we were expecting that as the ANC because the ANC now is in government. For the ANC in government does not mean that we have to ignore the rights of the workers. Unions are representing workers, we are in government, so there will be tensions and those are healthy tensions because we want to ensure

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that even though we are in government workers rights are still observed. You must understand that those tensions are healthy tensions. The President is the president of government and you must know that ...

IsiZulu:

... ningakhulumi into kanti anazi ukuthi nikhulumani.

English:

Hon Chair, we are not surprised to see that there are people who think that wearing overalls and gumboots is fashionable. We are not surprised because they do not know worker issues. All that they see is workers wearing those protective clothes. Anyway, I must inform them that even those boots and overalls were fought for by the unions, which the ANC was part of. These clothes were not there before. They only wear those things when they are here in Parliament, when they go out, they wear their expensive clothes and they claim to be representing workers. It is an insult to workers, they must desist, and it shows the shallow mindedness and knowledge of worker issues.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, please take your seat.

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Ms B T MATHEVELA: Is the hon member prepared to take a question?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Dlamini, are you prepared to take a question?

IsiZulu:

Nks L C DLAMINI: Sihlalo ngibhizi ngezindaba zabasebenzi.

English:

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon member, she is not prepared. Please continue.

Ms L C DLAMINI: Chairperson, I want to talk about those supporting

...

IsiZulu: 14:59:15

... ongxowankulu futhi bahlala la ePhalamende ...

English:

... and claim to be concerned about worker's rights. After they have seen that the government has come up with laws that protect workers, they went to foreign nationals for cheap labour on the expense of our people, creating a tension amongst workers that all the scarce

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resources, such as work - the hon Magwebu was now saying that during the ANC-led government there is a high unemployment rate. It is because ...

IsiZulu:

... nivumela labo ngxowankulu enibasekelayo ukuthi balande abantu ...

English:

... they will exploit. [Interjections.] I do want to say that those African people they import to the country, them too are workers, they are human beings and they have rights and they need to be protected.

We are saying that changing the environment should accommodate women. Women must not be left behind, that's what we are saying as the ANC. Since 1994 we have focused on legislative reforms that removed all forms of institutional discriminatory laws in the quest for a free nonracial, nonsexist, peaceful and democratic South Africa. As a result, we have made great progress in the empowerment of women. To date, the number of women participating in politics and at the work place has increased. Chairperson, I must say that in the

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private sector, senior management still reflects that of the apartheid regime.

IsiZulu:

Sithi hambani niyotshela abangani benu onxowankulu ukuthi abayilungise leyo nto.

English:

We need to see women in senior positions in the private sector. Thank you Chairperson. [Applause.]

Mr M M CHABANGU: Chairperson, let me start by reminding the previous speaker that history is the study of the past to analyse the future and to interpret the present.

On behalf of all disenfranchised workers in the country and on behalf of all South Africans who are sick to the core of Jacob Zuma, members of Cosatu showed Mr Zuma and his band of corrupt leeches, like Ace Magashule, on May Day that they are not welcomed as our leaders, anymore. By chasing Zuma away, the workers sent a clear message to him and the ANC that they continue ignoring the voices of our people at their own peril.

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At stake here is a country at risk of being undermined and looted by a foreign Indian family and an unscrupulous Zuma family.

Sesotho:

Mof M L M MOSHODI: Ntlha ya tsamaiso ya ka ke hore setho se hlomphehang se hlaisa ntlha e sa netefatswang ya hore Mopresidente Jacob Zuma le wa mphato Ace Magashule ba bodile. Na seo se tsamaisana le molao wa Palamente?

English:

The CHAIRPERSON OF THE NCOP: Thank you, ma'am. Hon Chabangu?

Mr M M CHABANGU: May I proceed, Madam Chair?

The CHAIRPERSON OF THE NCOP: Hon Chabangu, the point of order is that you are making an allegation about the President and Ntate Ace Magashule as being corrupt. Can you say anything about it? Did you, in fact, make that allegation in your speech?

Mr M M CHABANGU: Yes.

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The CHAIRPERSON OF THE NCOP: Do you also recognise that if you make such an allegation, you must actually put it in a substantive motion?

Mr M M CHABANGU: It is not an allegation. The President is corrupt. [Laughter.] [Interjections.] He has cases that are pending - over 100 cases.

The CHAIRPERSON OF THE NCOP: Hon Chabangu, there is an allegation. That allegation still has to be tested in court. Until then, can you provide us with a substantive motion stating that, indeed, you can prove corruption, here? I am simply saying that, in trying to push what you read and what you say is an allegation without grounds that are weighty, in this House, you are impugning on a member who does come into this House.

Mr M M CHABANGU: [Inaudible.]

The CHAIRPERSON OF THE NCOP: Thank you, sir. Please proceed.

[Interjections.]

Mr M M CHABANGU: At stake, here, is a country at risk of being undermined and looted by a foreign Indian family and an unscrupulous

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family. They loot our resources while workers in this country languish in the misery of slave wages, slave-like working conditions and rising unemployment. This is all a product of the ANC's inability to transform our country in any significant way.

Twenty-three years after the attainment of political freedom, the vestiges of colonial and apartheid economic architecture are still deeply embedded in our society. [Interjections.] I would like some protection, Chair.

The CHAIRPERSON OF THE NCOP: You are protected, sir. Proceed.

Mr M M CHABANGU: I will come and explain. I am a teacher.

[Laughter.] Twenty-three years after the attainment of political freedom, whites still earn six times more than blacks in this country. Twenty-three years after the attainment of political freedom, more than 60% of working people earn less than R3 500 per month. Twenty-three years after the attainment of freedom, about 40% of our countrymen and women are unemployed. [Interjections.] Twenty-three years after the attainment of political freedom, about 17 million South Africans depend solely on social grants for their livelihood.

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Today, two white men own more wealth than the bottom 50% of the population. It is for this reason that we commend those workers who defied the factional leadership of Cosatu and chased Zuma away from the Workers' Day celebration.

Workers have been given the short end of the stick for far too long in this country. It is the workers who are the producers of the wealth. It is the workers who toil for hours in the mines of this country in return for a pittance that is not enough to buy food for their families, let alone send their children to school. The wealth produced by workers is not for the benefit of the workers but for big company bosses - who happen to be white.

It is for this reason that we, as the EFF, would want to rearrange and redefine the nature of our society. This redefinition must, first and foremost, be premised on the understanding that workers are the producers of the wealth in this country.

Secondly, the wealth produced must be for the material and spiritual satisfaction of the majority of our people.

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Thirdly, our society and social activity in education, culture, the legal profession, the military, the police, and all sectors of society must be ordered to conform to these ideals.

Our most immediate goals, however, are the following. We demand equal pay for equal work, as a matter of urgency. We demand an immediate abolishment of the labour-broking practice. We demand a fair living wage for mineworkers, petrol attendants, taxi drivers, domestic workers, security guards, farm workers and all disenfranchised sectors of the working class.

None of this will happen without dismantling the colonial structure of the South African economy. We need the land, the mines and the strategic sectors of the economy back in the hands of the people. We need a corruption-free government that is able to put the needs of the people above the needs of the corrupt leaders. We need a united working-class voice in order to win these struggles.

What Zuma has successfully managed to do is to divide the working class. The largest voice of the working class we have in this country now is the EFF. We will fight for growing consciousness amongst the working class so that they realise there is no ANC to go

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back to. The ANC is deaf to the needs of the working class. The EFF is the only hope of the working class. Thank you.

Mr M KHAWULA: Hon Chairperson, Ndabezitha, nkosi yesizwe [chief of the nation], hon Deputy Minister, the Bill of Rights in the Constitution of the Republic of South Africa gives expression to workers' rights in respect of fair labour practices. The key question for consideration is whether, after 23 years of democracy, workers in South Africa do experience the fruits of liberation at their workplaces, economically, and in the rest of the country's atmosphere and environment. Do skilled personnel and professionals get employed? Are unskilled personnel catered for conveniently and do they get upgraded? Is the atmosphere in the country conducive to the promotion and production of a quality workforce in the country?

It is quite correct. Over the past 23 years, South Africa has produced some very progressive pieces of legislation aimed at protecting and promoting workers' rights. I note that the IFP has been part of these processes through active involvement in Parliament. However, when it comes to considering whether what gets passed in Parliament does, in fact, get implemented, that is another issue. South Africa is, indeed, poor at the proper and effective implementation of legislation.

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When one looks at the challenges faced by workers in South Africa, the challenges that remain unresolved seem to be engulfing the labour sector more than the achievements of the past 23 years. Exacerbating the intensity of the challenges is that the leadership of our country is seen to be removed from the plight of the workers, except when it comes to electioneering times. As might be realised with the May Day experiences yesterday, workers have begun to say, "Enough is enough" of being used as electioneering machines only to be forgotten for the rest of the season.

Workers in South Arica suffer more due to the slow growth of the country's economy. This results in job losses when investors pull out of our country to invest elsewhere in the world. This is coupled with the mediocre leadership which is provided by our government. A few of the reasons cited for our slow economic growth include: domestic flip-flops; poor leadership; lack of vision; the corruption hampering growth potential; lack of investment in research, infrastructure and tertiary education and large amounts of wastage, policy experimentation and cronyism. With mediocrity of performance in leadership removed, these are issues that can be successfully tackled and resolved.

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South Africa needs to cut down on the size and function of government, which eats into the meagre resources of the country. South Africa needs to arrest the activities of state capture, which jeopardise the country's efforts towards economic growth. Indeed, the structural patterns of our country's economy are skewed. These result in the rich getting richer and the poor getting poorer.

As a result of this, the inequality gap in our country rates amongst the highest in the world. This is highly ironic, as South Africa is blessed with an abundance of mineral resources. The tragedy is that these do not benefit the entire populace of our country but only those few who are connected to state capturers.

Therefore, structural changes leading to the transformation of our economy are imperative. In the words of our former Finance Minister, however, "There can be no transformation without economic growth, and there can be no economic growth without transformation." These two complement each other. The danger occurs when transformation is used as a scapegoat for the looting of state resources.

The unemployment rate in South Africa remains unacceptably high, especially amongst the youth. There is a need for the country's labour market to continually adapt to the changing workforce and

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digital age in order to keep up with new developments and the Fourth Industrial Revolution. In addition, the education system must also play a role.

In conclusion, for our country to truly celebrate our workers' rights, we need to free South Africa from the bondage of ignorance, from the bondage of capture and from the bondage of despotism. I thank you.

Mr B G NTHEBE: Hon Chair, Deputy Minister, DM, chairperson of the select committee, hon members and special delegates, it's very clear that some of the members who are debating today did not get the script that today is a celebration of the toiling masses. It's a celebration and we are joining the masses of our people in celebrating the peasantry - the toilers of the soil - so that we are able to say to anybody who want to come and contest. Today, there is no country in the world which can compete with South Africa in terms of the labour protection laws that we have. [Applause.] Today, no country in the world can compete with South Africa in terms of the implementation of what our national democratic revolution, NDR, called us to do, regularising and balancing the bucklers, gender and race issues that we want to do. Yes, of course we have

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conflict arising from some of our hon members sitting here today and we know what they represent.

Economic patterns of the present must transform in order for us to realise the future we long for. This in the mean include skewed patterns of ownership and accumulation. This is something some of our members who are sitting here today will always miss. This also includes the dismantling monopoly domination of our economy so that workers can begin to tap into the possibilities that are there for them. Special legacies of our past still relegate our workers in particular to the periphery of the areas from their workplace. This is clearer when you come to some of the provinces that we don't lead. Workers are still travelling and they spend lot of their money travelling from and to their workplaces, and we know these things.

Unemployment, poverty and inequality remain our central pressing challenge and a developmental state must be able to shape and direct the economy for the broader benefit of all. We agree with the chairperson of the select committee when he says that labour brokerage is the exploitation of our lifetime and this must be dealt with.

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Hon Chair, there are just a few things we want to agree. Hon Magwebu, this did not happen and will not happen. He was not properly briefed. He is saying to us that we must appreciate that the duty of the government today is to assist business to create jobs. That we know, but why are you silent on workers? Yes, we will assist business to create jobs, and what about the workers? Yes, we agree that investment is needed in the country, but why are you absent on transformation? Yes, we know that there is a problem in the poultry sector, but you should have been briefed that the international bilateral agreements have specific clause in them that protect all countries that are beneficiaries and parties to international agreements. One of them includes that when a party to an agreement makes an allegation that a poultry sector is suffering because there is dumping, there needs to be an investigation done by all parties. That is internationally recognised and is agreed by all parties, not waffling about what needs to be done. He is saying that this is not time to celebrate. Yes, we agree, but he is silent about the input costs that are causing the poultry sector to also downgrade, about mechanisation that is needed in the poultry sector for us to be able to be competitive and have competitive urge to those who are competing with us.

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We have the party of the fake reds. Equal pay for equal work yet they are silent on the arbitration order coming from the Commission for Conciliation, Mediation and Arbitration, CCMA, about your own employees that you fired and did not pay. A simple CCMA order that says you fired workers wrongly, reinstate them or reimburse them.

Xitsonga:

Manan B T MATHEVULA: Xana xirho lexi nga eka phodiyamu xi nga swi kota ku teka xivutiso?

English:

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Order, hon members! Hon Mathevula, I didn't hear you, please, repeat your question.

MS B T MATHEVULA: Can the hon member at the podium be able to take a question?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Nthebe, will you be able to take a question?

Mr B G NTHEBE: Yes, Chair.

Xitsonga:

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Manan B T MATHEVULA: Xana mi tirha eka vandla ra EFF leswi mi vulavulaka hi swilo swa rona?

English:

Mr B G NTHEBE: Chair, I also speak Xitsonga. The question is, do I work for the EFF. No, I don't. But I can tell... [Interjection.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Mr Nthebe, just a bit. Have you exhausted your question?

MS B T MATHEVULA: I still want to ask him.

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mathevula, I am going to enable you to put a question which hon Nthebe will respond to, and when you are finish with your question please, take your seat. Ask your question, please.

Xitsonga:

MS B T MATHEVULA: Xana timhka ta EFF to thola na ku hlongola vanhu mi ti tivela kwihi?

English:

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The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Is that the end of your question? Please, take your seat.

Mr B G NTHEBE: Chair, I know this information because is public knowledge. You can visit their website now and you will find the arbitration order from the CCMA. But I am telling you now, let's teach you politics. You are telling us that workers must not get engaged into politics. I can put it straight to the EFF caucus that critical areas of participation include, amongst others, political involvement in all areas. You cannot be a worker at work and be just an ordinary somebody when you reach your location yet there are no services to the people while politics affects you. It is a political decision even if how much of salt content you have in your food. Do you know that? Simple politics!

We are told by hon Khawula that enough is enough. We don't know what enough is and we need to get an appreciation of what is enough because we understand that a simple logic is that an employer and an employee relationship is riddled with contradictions. Simple! Where you find an employer and employee... [Interjections.]

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The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Mathevula, please, don't drown the speaker. Please, continue, sir. You can heckle, but don't drown the speaker.

Mr B G NTHEBE: As I was saying, it is not our intention from the ANC and the broader alliance to outsource the independence of each of our alliance partners. We remain independent, we remain committed to our own constituencies and workers in their own right know that they have nothing to lose but their chains. They will fight for their own space, they will dominate their own space, they will fight for what they deserve in this country and we give them that right to do so. We will not come here and say that employer and employee relationship is not riddled with contradictions when we know that it is a struggle between what is new and a struggle between what is old and dying. That will be seen as we move forward. From our part we want to say to the workers of this country that nobody should occupy your space.

Mr W F FABER: Chairperson, I am so glad that the member is in the mood of taking questions. I would like him to also take my question. As we hear that hon Nthebe is very serious about jobs, but don't he think that the President's staying in as a president, and eventually

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downgrading our country with his friends, the Guptas, etc, has a detrimental effect on the workers of this country?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Nthebe, you are at liberty to answer or not to answer. The hon member is asking you to speculate.

Mr B G NTHEBE: Chair, I understand it. I will not speculate, but I will teach you. It is not Jacob Zuma's responsibility to create jobs - it is not. At least acclimatise yourself with the responsibilities of the president. [Applause.]

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon Nthebe, please, take your seat. Hon Faber, you had your question.

Ms C LABUSCHAGNE: Hon Chair, on a point of order: I would like to know if the hon member would like to take a question.

Mr B G NTHEBE: Chair, could I be on record that this is the last one.

Ms C LABUSCHAGNE: Hon Chair, I would like to ask the member. If that is not the President's job to create jobs why did he announce in his

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state of the nation address that the ANC will create nine million jobs?

Mr B G NTHEBE: It is simple. As the head of the state and the leader of government in charge you pronounce the statement of intent. You go out and lobby investment so that there is investment in the country. The creation of the labour relation laws and all the laws that you have in the country create conducive investment environment and can create jobs.

It is not amazing for us, and that is why I am taking all these questions. It is not amazing. We know all what these members stand for. We know that you stand for domination of monopoly over our economy and you stand for those who are making profit. In this country, today, workers build and assemble cars which they cannot afford to drive. Workers in this country build houses in estates but they cannot afford to live in, and let alone rent. Workers in this very country go to work and come back and they don't even know what they are going to eat. Do you know what you do in celebrating workers' rights? You come here and talk about business as opposed to workers. We know what you represent and that is why we forever say to our workers that don't seat on your laurels, take charge, move forward and march on because the fight is bigger than this. We know

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that workers' struggle is workers' rights and are human rights. That is why as the ANC we will continue to make sure that workers' rights are defended and we will accordingly amend the policies to make sure that workers in this country continue to enjoy protection.

Here in the Western Cape you still have the farm community that is exploited terribly and you said nothing about them. Thank you, Chair. [Applause.]

Mr R R PILLAY (MEC FOR PUBLIC WORKS KZN): Chairperson, the Deputy Minister, hon delegates let me first convey one greeting from our premier Mr Willies Mchunu who wanted to be here and I am here on his behalf. Of course, he has a history in unionism. Willies Mchunu cut his teeth over two and a half decades in the National Union of Mine Workers in KwaZulu-Natal as a whole. So, he is rooted in the struggle for worker's rights. He will not theorise about it. He understands the struggle, the sweat and even the blood that was shared in building the culture of human rights and workers rights in particular. So, I convey his good wishes.

Thank you for the previous speaker for bringing me back to the script as he put it, which was celebrating the 20th worker's rights. Yes, it has been a tremendous achievement. I mean, if we can't pay

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tribute to those who struggled as they did and achieved what we have over those 20 years that would be a terrible disservice. That doesn't mean you have no space for criticism by all means the democratic state is about debate, discussion and criticism, but give credit where credit is due. I think it's a bit childish to do otherwise. I, being a political party representative myself, can't help saying that having listened to what has been said of course, there are those whose entire history is that of being in bed with the bosses. Also there are those whose entire history is that they were born, fed and bread by the likes of Anglo-American. That's where their roots are, and that is their culture; it is in their DNA to be defensive of the boss' interests. [Interjections.] But, what surprises me even further is the lack of depth in some of their arguments. I think the previous speaker tried to unpack it a bit, but you see we are to talking about Rainbow Chicken. Rainbow Chicken has a very large presence in KwaZulu-Natal. We personally know the workers who have been retrenched. We had delegations to go and meet with them and engaged with the union. We have met with the Congress of South African Trade Union, Cosatu, who has intervened. EThekweni Municipality to their creditors actually looking at possibility of buying of a couple of those farms to see if those worker's lives can be re-established to some form of dignity and security. That is the effort practical action, but more importantly the depth of the

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argument - because we have gone into this quite seriously and there are two levels. Initially, we thought that this is part of the Africa's Growth and Opportunity Act, Agoa, agreement and the Americans wanting to enforce it, but actually, it is not. But even then what is the argument because it is a trade off, and the Zulu term which I have forgotten now, but it is tit for tat in the world trade, and that is we have a strong automobile industry as indeed many provinces have, Toyota for example these days in a very big way and there is one brand of Mercedes Benz that we export directly to the United States without any tax, - zero tax levels. Now, do we say okay, we want to insist on you not putting your chicken here and we are going to increase our tariffs to a very high level and tempt their retaliation that they tax the imports of that brand of Toyota to the risk of those thousands of very highly skilled jobs. So, it's a nuanced battle that we have to engage in and what is in the best interest of the country as a whole and sometimes in the province. Even here, there are issues with regard to European Union in particular. Shall we forgo your grapes and your wine and say no, fine, you can block it and put higher tariffs there so that our chicken can be sold here. Those are the kind of arguments that the government has to examine and make the decision in the best interest of the country. So let's have a more serious level of debate about the difficulties of these kinds of decisions. And of course, we have

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our friends who were with us but really became populists and then it becomes difficult to take seriously. Because as the ANC we have said we are a broad church, but we always characterise ourselves as a disciplined force of the left, a bias for the poor and that's why our history is so strongly intertwined with the organised trade union movement and the South African Communist Party. So, that bias to the poor will mean that we will always be closed to the workers and understand their struggles very deeply. That is why the alliance is so important to us and that is why it's in fact its almost sacred for those who has spent many decades building it, protecting it and strengthening it. So, when it is threatened we are concerned and we want to assure those who are salivating a bit at the prospects of what might happen. It won't happen. We have gone through many challenges. We will overcome these as well.

But, let me come back to the script as my previous comrade has put it and say that let us pay tribute to the courageous acts of Moses Kotane, Moses Mabhida, Elijah Bilha and many other comrades which led to the labour dispensation that prevails in this country.

Indeed, we find its roots in the Freedom Charter, adopted in Cape Town where we said there shall be work and security. We went further and said that all who work shall be free to form trade unions; to elect their officers and to make wage agreements with their

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employers; the state shall recognise the right and duty of all to work and to draw full unemployment benefits; men and women of all races shall receive equal pay for equal work. A revolutionary statement at the time; - a revolutionary statement of intent. That is why when I think of what the hon Dlamini spoke of her sister who went to work on a farm and came back with a chart that talks about the reality of life and reality of oppression at that time. And don't belittle the struggle that it took to bring us to where we are.

There shall be a 40 hour working week; a national minimum wage; paid annual leave and sick leave for all workers and maternity leave on full pay for all workers, something we take for granted today. But, it was many decades ago. That was a dream for so many generations of people.

In the ready to govern document, our organisation also says and I quote, " We are committed to full participation in the international labour organisation and we will adopt and implement high and low conventions and appropriate recommendations." Again we are fighting battles on the ground always in internationalist perspective trying to be at one with the best policy developments in the world. Of course, there will be those who will want to try to claim our

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programme of radical economic transformation and there will be those who would want to belittle it. But, we want to be quite clear that we are serious about. In fact, in my province we say no, we must go beyond the rhetoric, beyond the slow if we understand that there must be a political will which we think there is and a very strong political will at that. There must be a coherent policy framework and we think we should buff a few tweaking which we hope to do in June, we will have a very strong policy framework. We must be a capable state. We are ...

Mr C F B SMIT: Hon Chair, I would like to hear if the hon MEC would take a question from me?

The CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES: Hon MEC, would you like to take a question?

Mr R R PILLAY (MEC FOR PUBLIC WORKS KZN): I have a flight to catch. So, I will give you two minutes outside before I leave. Let me spend my time giving you what I came here to say all the way from KwaZulu-Natal. [Interjections.]

So, I was saying we understand that we had to have a political will, which we do. We have to have a coherent policy framework, which we

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do and will tweak in June. We must have a capable state and that is very important. In fact, last week ... [Interjections.] ... we hosted a Chinese delegation and through that exercise we are even learning from the Chinese about how to build an efficient state. We are looking at their practices. Of course not everything is the same, but they have examples of efficiency and effectiveness which we think we can learn from.

We understand that we have to have available budgets to fund these programmes of radical economic transformation. We understand also that those budgets must be effectively and properly spent. So, it's not a populists approach. This is a serious approach and a strategic plan that will give us step by step an effective radical economic transformation. But, let me respond to them. I'm on record on the KwaZulu-Natal Legislature on many occasions. I refuse to be defined by the Guptas. I condemned every thing that they stand for and I will continue to do so. [Interjections.] They do not define who I am

Am HON MEMBER: Tell your President that.

Mr R R PILLAY (MEC FOR PUBLIC WORKS KZN): Now, today's gathering is crucial because it has given us the opportunity to reflect on all these matters that I have highlighted. The Freedom Charter will

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continue to guide us as we build our plan going forward. But, I want to pose some questions that I think takes the debate to a little bit higher level because as the previous speaker has said we want the organised working class to champion their own struggles. I want to pose certain questions which I think will be relevant ... Thank you for the opportunity. [Time expired.]

Mr J W W JULIUS: Chairperson, members and fellow South Africans, workers in our country have fought hard for their rights and political freedom. However, after 23 years, workers in South Africa have gained only political freedom while many are still waiting for the promise of economic freedom to be met.

Now, through you, hon Chairperson, hon Nthebe, this is actually a celebration of yesterday's booing masses. [Laughter.] Don't be blinded by that yesterday! You kept on saying "we are silent on this; we are silent on that". The workers are not silent. They booed your President. They booed your leaders in all provinces where they were. They were not silent.

But I thought you were going to speak about the 6 million jobs promised by President Zuma in his state of the nation address. You actually spoke as if you were the opposition! "Workers don't have

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this. Workers don't have that." That's because you didn't provide for them! [Interjections.]

Unfortunately, the situation has worsened due to the treacherous decisions of President Zuma who fires Ministers as he pleases to satisfy the greed of the hand behind the throne.

When you are found to have acted unconstitutionally, it's a criminal act. What does it make you? [Interjections.]

An HON MEMBER: [Inaudible.] ... a criminal.

Mr J W W JULIUS: Can someone answer me that question?

[Interjections.] What does it make you?

HON MEMBERS: A criminal!

Mr J W W JULIUS: And who was actually found to have acted unconstitutionally?

HON MEMBERS: The President!

Mr J W W JULIUS: It was the President!

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Now, let me teach you, hon Nthebe. Let me give you a life lesson here: Both Standard and Poor's and the Fitch credit rating agencies have cut South Africa's long-term foreign currency debt, while Fitch also cut our long-term local currency debt to subinvestment grade after the midnight Cabinet reshuffle by President Zuma. This will severely impact on a generation of workers in South Africa.

[Interjections.] Economics 101!

Downgrades will dampen economic growth and, if the economy does not grow, no new jobs can be created. Retrenchment, honourable ... oh, he caught his flight to Durban, KwaZulu-Natal ... of workers will be on the cards. More workers will be unemployed and dependent on the state for their livelihoods. We have already seen massive job losses in the retail, mining and agricultural sectors.

Make no mistake: Jacob Zuma did not bring our country to a halt on his own; the ANC is still defending him.

Even last night ... Deputy Minister, I wonder what you have to say about this ... Last night, on Justice Factor, the President went on record by saying we fully support President Jacob Zuma, that the workers cannot tell them what to do; the branches of the ANC will

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tell them what to do. I wonder what your alliance partners will say about this. What's more, it was the Minister of Labour, of all people, rejecting and actually degrading the voices of workers in our country! [Applause.]

It cannot be claimed that Zuma and the ANC's actions are in the best interest of workers. How do we celebrate workers' rights when so many are still unemployed?

South Africans have noticed that, when the ANC finds itself being rejected by the people, it resorts to the invention of slogans and cheap rhetoric to pull the wool over the eyes of the electorate. They say, hon Dlamini, that it's healthy tension. Whoa, I want that tension! [Laughter.] Your leaders and the ANC President were booed by the workers. How can that be healthy? Healthy tension! I want that term, please!

Another term that you are using lately is radical economic transformation. It is the ANC's new buzzword, but the ANC doesn't actually know what it would entail. In reality, if you want to be radical, it means being faster or swift. You are actually acknowledging that you have failed to transform the economy in the first place! [Interjections.]

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The people of this country gave you a mandate 23 years ago to transform the economy. You have failed dismally. In fact, we know the ANC and President Zuma actually mean radical cadre transformation – a new word for old tricks. Even Cosatu and the SACP have called for President Zuma to step down. You don't want to. Workers are not fooled. This was illustrated yesterday at Cosatu's May Day rallies. Cosatu cancelled their rally speeches as the crowd called for President Zuma or Zuma to go.

Deputy Minister, please acknowledge this. Tell us what happened yesterday. What is the impact of this on your department? Is the President actually hampering your job? Because more and more people are losing jobs because of the President. When he opens his mouth, jobs are lost in this country. [Applause.]

When we celebrated Workers' Day this year ... [Interjections.]

The CHAIRPERSON OF THE NCOP: Hon Julius, I have a member on the floor. Hon Zwane?

Ms L L ZWANE: Thank you, Chair. I just wish to know whether the hon member would be willing to take a question.

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The CHAIRPERSON OF THE NCOP: Hon Julius, do you wish to take a question?

Mr J W W JULIUS: Yes, I am obliged to. Such a beautiful lady ...
[Inaudible.] [Laughter.]

The CHAIRPERSON OF THE NCOP: Hon Julius, I will not have that condescending attitude towards female members of this House. You will take a question, but not because she is a beautiful lady. Hon Zwane, your question, please.

Ms L L ZWANE: Thank you, Chairperson. I just want to know when the hon member is going to start telling the people of South Africa what the DA is doing for the people, instead of talking about the ANC. If he believes in the DA so much, why doesn't he talk about the programmes of the DA?

The CHAIRPERSON OF THE NCOP: Thank you, ma'am. Hon Julius?

Mr J W W JULIUS: I actually always talk about the programmes of the DA. It's actually very sad that you don't want to listen. But, come 2019, I will stand here and tell you every day about the programmes

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that we will have in this country, because the ANC is a dying horse.
[[Applause.]]

Chairperson, when we celebrated Workers' Day this year, we should have been celebrating the achievements in employment, increased employment, and more happy homes in South Africa.

This is sadly not the case.

Honourable ... what's his name now ... hon Pillay, do you know, you are singing from the Bell Pottinger hymnbook, but you reject the Guptas. I don't know how you work! [Laughter.]

But today, in 2017, we see opposition parties, civil society, and religious organisations coming together in a united front as the Freedom Movement.

Change is coming in 2019. Thank you. [Applause.]

Mr S I MALAZA (Mpumalanga): Hon Chairperson, Deputy Minister and hon members of the House, you will pardon me I will ensure that I speak to the debate because it's worth it. As a former worker myself who have led the struggles of workers it's worth celebrating 20 years of workers' rights. Four days ago, on 27 April, we celebrated the

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destruction of apartheid and the completion of 23 years of democracy. I am born of those men and women who had to travel distances to access a place of work. I am a grandson of those who had to queue at a house of a farm owner to collect a cheque after having taught learners for a month and paid by the master because it was his own farm and the school was built in the area that he claims it belongs to him.

I am a son and daughters of those parents who were denied basic and democratic rights, hence I say today that it is worth it that we celebrate these 20 years of workers' rights. Our parents educated as they were, but the farm owner became their boss because the school was built in his own farm. In some instances even telling them what content they should give to the poor learners who were sharing the same colour as mine. Our parents were forced to live and work where the government of the day ordered them to do so at that time. They were barred from all better paying jobs and even told them who they could or could not marry. Despite challenges, thanks to the struggles of the working class led by the tripartite alliance under the stewardship of the ANC. Today, we have a democratic Constitution and laws which guarantee freedoms and human rights. Today, workers can vote, can join a party and can protest.

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Despite the challenges facing us at this current moment, workers are better off today than before. [Applause.] After decades of slavery their condition has improved. It is a fact. Under this government led by the ANC, workers have won important constitutional guarantees: the right to a fair labour practice, right to form and join a trade union, to strike and picket and a right to collective bargaining. I am speaking here as a witness to that. I have enjoyed those rights as a worker at some point myself.

Whatever the difficulties we are facing now and whatever the problems may be today, workers will never be fooled for they know and they know it to be true that a better South Africa is in the hands of the ANC-led government. It is a fact that under the ANC-led government the conditions of the workers have improved, hence today we are celebrating 20 years of workers' rights.

Today, more domestic workers have access to houses and when they go home they have a different environment. They have a house that has a flushing toilet and is electrified. These are things that they never enjoyed before 1994. Today, more citizens who are workers have access to antiretroviral treatment which is something that was never given by any government, but this government led by the ANC under the stewardship of President Jacob Zuma. They are not even

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discriminated in their working environment. However, Chair, we agree that much still need to be done particularly on farm workers and farm dwellers who are victims of their employers day by day by. We expected some of the speakers who were here before to speak about those farm dwellers and farm workers who are ill-treated by their employers who are white in colour. Sadly, we only see them at some point being transported by their employers at the back of a truck, bakkies and tractors during elections times, of course, by those of whom to them only their vote counts. To us in the ruling party, since their lives matters, our task of the moment is to ensure that we attend to these issues and continues to walk the journey with them and improve their lives as farm dwellers and farm workers.

There are evictions of people from the farms on which they have houses which they have occupied for a long time, for years, and they are not even allowed to bury their loved ones. This is what our people are experiencing in the farms that are owned by some individuals who belong to particular political parties, and they come here and grandstand and claim that nothing has been done. That is also illegal and therefore we need to make sure that such problems are addressed. However, for those who regard themselves as our masters, it continues to be normal. Day by day people are killed because they picked up a flower in a farm and because they

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understood to be normal it can be done anyhow, but a black child is killed. For us as an ANC it's worth celebrating today - workers rights that we have gained.

Workers have continued to fight for their freedom that they can, among other things, use to change their lives for better. In some farms their lives continues to regress. They are being abused and treated very badly, but those who come and stand before us here want us to accept that it is normal. It is for that reason that as we celebrate these 20 years of workers' rights, we cannot forget where we come from as a nation and as people. What has characterised workers in our country has been the determination not to be isolated from the rest of the society and not to be misled by the opinion that unions must only concerns themselves with shop floor issues. Today, workers have all these rights because they knew that workers' rights could not be realised outside a democratic South Africa. They have all these rights because we are free today.

Whatever the situation is facing us today in our country and what our critics say and those in opposition we continue to say that we are certain that workers' rights and the life of workers are in the better shape. Workers of this land know and they know it to be true that it is only the ANC that has workers' interests at heart. A

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journey has been travelled with workers side by side for decades. The work to create a better South Africa continues and the struggle to improve the conditions of workers continues under the stewardship of the ANC and victory is certain.

Let's therefore draw to conclusion and perhaps go back where we started that what characterises us as the ruling party are the scars and the pain that we have shared with our workers when we were fighting for their rights. Many who are workers today know very well the South Africa we leave in today as workers is a much better place than the country they leaved in before 1994. The rights that are celebrated today will continue to be celebrated for decades to come and have been realised through the struggle of workers side by side with the liberation movement.

New laws have been introduced and many have improved working conditions in health and safety in the work place. We no longer have a government that sees farmers as not deserving the same rights. No longer will the use of child labour be allowed. As workers themselves are their own liberators we will work with them to change their lives for better. We are celebrating these workers' rights today with our heads held up high that a better tomorrow is coming

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and it is only in the hands of the ANC, come 2019. I thank you.

[Applause.]

Mr D JOSEPH: Hon Chair, hon Deputy Minister, hon members and fellow South Africans, it is indeed a day for workers to celebrate. History will remind us, as we reflect, that workers played a significant role in the freedom that we as workers enjoy today. We are called honourable members, but I think we should also call ourselves honourable workers today. I think we can call ourselves honourable servants because we are mandated and elected to serve.

As a previous shop steward, way back in 1982, I felt honoured to have been elected as a shop steward in the work place. I had the opportunity to represent and to speak for other workers. I stand here because other workers in the work place have given me the opportunity to come up the ranks and represent other work places.

However, I think there is a point that we are missing when we speak about employer-employee relations. I have noticed that a farmer is a worker. I have noticed that a CEO of a company is a worker, equal to any other worker, irrespective of the designation. I think we as members are workers, regardless of the position for which we are

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elected, be it the President, the premier, an honourable member or a public representative.

After 1994, workers and employers had to bring hope in order to build the economy of South Africa, for all to benefit and for workers to become the captain of their own ship. When people work and they are treated fairly at the workplace, there is a better relationship. There is trust, respect for each other and it becomes obvious and noticeable.

Workers should not be scared to speak out when there is any form of discrimination. The workforce must know if they report such incidents, there will be action. Transformation at the workplace is work in progress.

The worker history should not be underestimated. The international labour relations, national worker organisations, including our organisations that were disadvantaged before apartheid have contributed to a concept of organised labour after 1994. The famous slogan will always remain with workers: An injury to one is an injury to all. The more people are organised and the more determine workers become, the more they will represent the issues of workers.

Workers form the backbone of the economy and they deserve the respect. Workers play that key role in agriculture, exports and food security.

In the Western Cape, 23,6% of our people are unemployed of which 41,7% are the youth between the ages 25 and 44. Poverty and inequality are the challenges of the day and when things go wrong, we look for whom to blame. We show intolerance towards each other. We show disrespect for life, property and for people. Let us debate what we can do for the unemployed. Those people must also put food on the table, pay their rent, buy electricity and pay for transport. They are no different to us who earn salaries.

The Western Cape government, in its efforts, introduced a programme called eco ... [Inaudible] ... schemes. This programme gives farmers the opportunity to adjust their business models to include workers in the profit that they generate, in particular farming communities who have worked on these farms for decades. This programme includes the identification of skills, the identification of various training needs, the high level of work responsibility, and in some incidences, ownership of the projects on farms. This programme is not the end result but merely the beginning of addressing inequality.

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It is important that we note that it was a constant battle for better working conditions during the years of separate development, but today we can say that we have achieved in South Africa. We have achieved a lot in terms of worker rights and worker conditions, but we also know that there is a lot that must still be done. As we have reached another year of celebrating workers, we know that the rallies, the meetings and the conversations we have are very significant to build a united South Africa and workforce.

This battle for South Africans today continues and the struggle will continue on a day-to-day basis so that people do not lose faith in the system. All people have the privilege to work and celebrate Workers' Day. We must ensure that the standard of living and the working conditions for all workers in the Western Cape where we govern continue to improve day to day.

It is very important that, in the next debate that we have on this topic, we compare the studies that we have done or that Stats SA has done on the conditions of workers, to ensure equal opportunities and rewards for people who want to promote themselves and other workers. We must ensure that there is an assessment of it.

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I must also highlight that the work of the Western Cape government is work in progress, in particular the stance that we must take in terms of violence against farm workers, women and children. We must take a stance, particularly where children under age are used. This government will not tolerate it.

I need to say that we must accept that the downgrade in the economy is putting us under pressure and it will affect the workers. I think we must put our heads together and not only criticise, but bring constructive criticism to the debate. We need to find solutions that are of common interest to all of us. This Workers' Day must remind us that we have achieved, but there is a lot of work to be done. The truth is that unemployed people are already experiencing this junk status.

We must bring hope. It is expected of us as leaders to make the right decisions, to create the right policies, to create the right environment and to create equal opportunities for all. It is expected of us to make decisions that will create the right economic environment for the state and the private sector. We must create a better climate and hope and build sustainable partnerships. Let us put South Africa first and let us help South Africa to become a

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better place for all who live in it, including our workers. Thank you. [Applause.]

Mr E MAKUE: Thank you hon Chairperson, the hon Deputy Minister, the MECs still with us and members of the House. My noble contribution to this debate is highlighting the ANC government's commitment to work tirelessly to create decent work and sustainable livelihood. It is equally important to also highlight South Africa's quest to remain the forefront in the pursuit of a national, regional and international agenda for the creation of decent work and production of workers in general.

Already during 2005, the ANC has taken note of the strike action by members of the congress of SA Trade Unions which began in the Western Cape and the Eastern Cape on the 3 October 2005 as part of the federations jobs and poverty campaign. When we celebrate workers day in 2017, we want to revisit jobs and poverty together. In embarking on this action, Cosatu members were exercising the hard won right in pursuit of their interest and the interest of society more broadly. The ANC has made significant, though not enough progress since 2005.

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The ANC shares workers concerns about unemployment and job losses. Cheap labour and lack of equity continues to be a serious violation of the rights of the workers. The exploitations of foreign nationals, domestic workers, casual labourers and farm workers demand urgent redress particularly for us in this democratic government. It is for this reason that the ANC has placed radical economic development and job creation at the centre of its programme and the National Development Plan of government.

The ANC is committed to minimise the number of strikes and work stoppages in our efforts to grow the South African economy. We need new attitude, especially from employers, the most important of which is that pay must always accord with performance, not time spent on the job. We also need to address the ocean of disparities and inequalities between the workers in different industries and workers in different roles. We inherited a system of apartheid capitalism and what we in the ANC calling colonialism of a special type. The reservation in particular of predominantly blue collar jobs for privileged racial groups was an inherit part of apartheid's racial capitalism. We have heard some members coming to this podium longing for those flash spots of apartheid. We won't go back there - We will build the South Africa where there is equal participation and absolute respect for workers and their organisations.

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Job reservation is an injustice that's still haunting some members of this House and it is being defended by those parties in this democratic Parliament and they are ignoring the fundamental rights of workers and therefore hon Nthebe shouldn't be surprised when they promote the interest of bosses and say nothing about the workers. The exploitation of workers, especially the exploitation of women in the workplace in ensuring maximum profits for companies regardless of the social consequences created a class of impoverished workers called the working poor.

Mr C F B SMIT: Hon Chairperson on a point of order: I would like to find out if the hon member will take a question from me.

The CHAIRPERSON OF THE NCOP: Hon Makue, are you willing to take a question?

Mr E MAKUE: My apologies hon member but my time is confined here. We can talk at a time that is convenient for the both of us.

The CHAIRPERSON OF THE NCOP: Please proceed. He won't take it sir.

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Mr E MAKUE: Chairperson, labour brokers are aggravating such exploitation. And those that are trying to intervene in my debate will not succeed because as a member of the ANC, we are not just advocating for jobs but we are advocating for decent work and decent wages to go with that. In line with Section 23 of our Constitution and the Bill of Rights, our progressive trade unions have been part of the liberation struggle against colonialism and the apartheid rulers whose voices are trying to distort me.

Trade Union Federations that you don't know of hon member like South African Congress of the Trade Unions, FOSATU, COSATU, NACTU, FEDUSA and others, struggled side by side with the ANC and the Mass Democratic Movement in ensuring that the rights of workers will be respected and protected. And it is in commemorating the gains of those trade unions federations that we are able to stand here today. We are also mindful that each year millions of school leavers join the labour market. Within this context, employers are becoming capital intensive, investing in expensive machines to get the work done with the minimum participation of workers. And this is something that this government is giving attention to.

A small group of privileged trade union workers and a growing band of unemployed, underemployed and also underpaid workers has become a

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new challenge for trade unions in this democracy. This reality is threatening the unity of progressive trade unions and we see it happening as we celebrate international workers day 2017. The ANC endorses the international workers slogan that an injury to one is an injury to all and we can proudly sing ...

IsiZulu:

Hlanganani basebenzi.

English:

The reality of our global economic framework militates for a lean and trim workforce. Introduction of technology and particularly within the context of the 4th industrial revolution pushes workers towards a leaner workforce - This applies more to unskilled labour. It is important that trade union leaders as we celebrate international workers day this year, are mindful and understand the changing environment that the workers are confronting at the moment. The employment and exploitation of casual workers, farm workers and domestic workers as well as short term employment contracts are unable to provide sustainable livelihoods. Migrant workers have for centuries been part and parcel of South Africa's workforce. They built the proud democracy at an economic level where we are today. We will therefore not discriminate against migrant workers who have

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contributed towards the economic gains that we have made in this country.

Chairperson, there may be instances where industrial relations between employers and workers are more important for our survival than wage increases and that we together get the labour movement into better shape by cutting restrictive practices. South Africa has to build on a labour movement with a reputation for realistic and practical policies that benefit workers. The Nedlac serves as a forum to promote negotiation and consultation between government labour, business and civil society in what we call social partners. It is this government that has made sure that Nedlac is not only established but indeed that it works for our country and our people. It is equally imperative that workers must experience maximum rewards in wages and benefits complemented by indirect returns from government by way of homes, health, education, training and social benefit that the hon Dlamini has addressed for us earlier on.

Chairperson, it is this democratic government that in 1995 introduced the labour relations act no 66 promoting freedom of association and general protection for workers. It sets a framework for collective bargaining - It supports the right to strike and also the right of workers to take action against lock outs - It

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encourages work place forums, the labour relation acts facilitate the establishment of Trade Unions and employer organisations and very importantly, sets dispute regulations mechanisms. This labour relation act, developed, adopted and promoted by this democratic government laid a foundation for industrial peace.

South Africa is in urgent need of a positive approach to challenges that will reduce unemployment, increase wages and regain our competitiveness in productivity. The world of work is undergoing rapid changes! Our youth, in particular, has to be appropriately skilled and trained for these changes. The SETAs have an important role to play in this regard. The ANC led alliance continues to work also on immediate measures to address job losses in specific sectors, such as the roll out of a plan to respond to the crisis facing the clothing, textile and footwear industry, as we are able to peruse from the report of the Department of Trade and Industry and the Department of Economic Development.

The automotive sector and the construction industry are those industries that we will concentrate on during the year of 2017. Chairperson, the challenge of creating work and fighting poverty requires the co-ordinated actions of all sectors of society, working

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together to progressively realise the ANC's goal of a better life for all. Thank you Chairperson. [Applause.]

The DEPUTY MINISTER OF LABOUR: Thank you very much, Chairperson of the NCOP. I also want to thank members of the House for having made this debate possible. I know that you had invited the Minister of Labour to come and participate and give the perspective of the Ministry and the Department of Labour.

Unfortunately, she has not been able to come by herself due to other responsibilities demanding of her attention in the department. She herself is a trade unionist and it is within her makeup that the interest and rights of the workers be held paramount by the ANC-led government.

I am not aware of what she said on television. I don't know if Mr ... - oh! Mr Julius is here! But from what you said, it was something to the effect that the President is the President of the ANC, the country and the workers, especially members of Cosatu that were there are as such members; and therefore the one need not necessarily dictate to the other.

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As I say, I am not sure. I didn't hear her but as has been said by other hon members in this debate, we are an alliance of independent bodies; and therefore there will be instances where there will be a difference of opinion in a particular instance.

In fact, instead of lamenting what happened yesterday where the President and other leaders of the alliance were not able to speak, we should be applauding the fact that we are such a democracy. That when workers in this particular regard, are not happy with what the leadership is doing, they are able to express themselves.

Surely, therefore the leadership in the form of the alliance leaders as well as, particularly the government, have to take heed of what the citizens in this particular instance the workers, are saying. In another instance in other era when we were led by the ancestors of some of the other parties here the mighty of the state would have been unleashed on those who dared to seek to prevent the President from addressing the people that he wanted to address.

So these are the gains that we need to celebrate instead of using them as a sign that all is wrong and that there is a state of chaos. There are so many correct things, Madam Chair, that have been said here, both by members of the opposition and members of the ruling

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party. For instance, the question of the high rate of unemployment. It is a fact that the rate of unemployment is unacceptably high; but the causes range from a number of issues. They cannot be attributed surely to the ANC as a government.

As we all know the government led by the ANC has come up with all sorts of policies, programmes, projects and laws that are aimed exactly at addressing, among others, the problem of unemployment. It is only last week that we were part of the discussions in the International Labour Organisation, ILO in Geneva where we were talking about, among other things, the question of unemployment.

The slow growth in the economy is one of the causes of this problem. It is the problem that does not only afflict South Africa; it afflicts other parts of the world. But what we have been able to understand is that our problems are more acute compared to other countries because of the history that we have. Our history is obviously different from the history of the other nations.

We are still talking about twenty years of celebrating the rights of workers. Yet other countries have had more time than we have to talk about that phenomenon. I want to agree therefore with the Deputy Chief Whip of the DA in the Western Cape, who said "let us all put

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South Africa first". Let us be positive. Let us do what is necessary for us to do instead of trying to pull each other down.

One of the speakers - I think it was from the DA, spoke about the problem of the poultry industry at the present moment. He ridiculed the fact that government has set up a committee to look into the matter. You see, as everybody knows, we are living in a globalised economic situation. You will be looking at one point only to find that there are consequences that were not intended by the agreement that we entered into.

The MEC Pillay has spoken about the motor industry that is benefitting from some of the international agreements that we have entered into, which have somehow resulted in the loss of job opportunities in the poultry industry. That could never have been the intention that the international agreements we enter into with the EU as well, would be intended to result in the destruction of jobs for our poor people.

Nonetheless, the DTI has already imposed a 13% safeguard duty on chicken from the EU which will be in place until the 03 July while the investigation spoken about is being undertaken. The behaviour of

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the two companies also that have been affected by this problem of the poultry industry controlling the industry, it also doesn't help.

The competition tribunal, for instance, has issued the two companies with anti-competition fines to indicate that the cause of the problem is not merely the matter of the agreement that has been entered into resulting in the dumping, as it has been said of the poultry from other countries.

Ladies and gentlemen, hon members May Day celebrations as have been said, have a long history in South Africa and are reported to have been first celebrated as early as 1895 by South African workers. These celebrations were however sporadic and held by white workers. It was only in 1928 that the celebrations were taken up on a mass basis by African workers.

It continued to be celebrated unofficially for many years until 1961, when the Nationalist Party government acted against Workers' Day by excluding it from wage determinations and industrial council agreements. After the re-emergence of the independent unions, there was a strong campaign in the 1980s to win back May Day as a day on which workers could celebrate their unity and struggle for improved worker rights and working conditions.

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In early December 1985 the workers' delegates from all over South Africa met in Durban to bring into being the Congress of SA Trade Unions, Cosatu. Let us remember that it is partly due to workers struggles in the 1980s and 1990s that May Day is now officially recognised as a day on which workers celebrate their unity and struggle for improved rights and working conditions.

When the ANC came into power in 1994, May 1st became an officially recognised public holiday in the country. On May Day South Africans joins the world in celebrating International Workers Day. It is a time when we celebrate international solidarity, the social and economic achievements that workers, labour movements and progressive governments have made across the world.

As we celebrate workers' month, we should take time to remember some of the stalwarts that made significant contributions towards advancing the cause of the working people during the early days of the SA Congress of Trade Unions, Sactu, the Congress of SA Trade Unions, Cosatu, and other progressive trade unions in this country.

Amongst these heroes of the workers' struggles we can count the likes of Comrades Moses Kotane, JB Marks, Oscar Mphetha, Elijah

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Barayi, Billy Nair, John Gomomo, Emma Mashinini, Stephen Dlamini, Mark Shophe, John Nkadimeng, Leon Levy, Cleopas Sibande, Lesley Masina, Petrus Beyleveld, Lucy Mvubelo and many others.

During this month, it is important to look at the gains that workers have achieved under this democratic government. One of the gains is the ability to engage in collective bargaining. A number of members have referred to this. Collective bargaining is central to our labour market policy and to the Labour Relations Act.

Trade unions must indeed continue recruiting more members, to ensure efficient, orderly and stable collective bargaining in order to address the workers needs. This will obviously improve workers' conditions of employment and lead to a competitive labour market. We must always remember the purpose of the Labour Relations Act, which is to advance economic development, social justice, labour peace and the democratisation of the workplace.

Our labour laws have enabled us to extend protection to vulnerable workers. There are workers who are covered by neither collective bargaining nor unionisation. To further protect vulnerable workers against abusive practices, we introduced the Basic Conditions of Employment Act, which empowered the department to develop sectoral

wage determinations. These sectoral determinations set minimum employment conditions and wages, thereby reducing the vulnerability of the workers.

Chairperson, the labour market continues to be plagued by atypical forms of employment which threaten to reverse the workers' gains. As government we had to respond to the challenges posed by the temporary employment services, or labour brokers, and introduced measures to prohibit the abusive practices in the labour market due to this phenomenon.

To this end, the labour law amendments we embarked on enabled workers to claw back the core rights that were lost due to the emergence of these atypical forms of employment. The government has steadfastly strived for nonracialism, nonsexism and democracy in our land. There can be no compromise on these principles and May Day gives us a good opportunity to recommit ourselves to these principles.

To ensure equity in the workplace and to eliminate unfair discrimination, we introduced the Employment Equity Act, which seeks to eradicate unfair discrimination on, amongst other bases: race, gender, age and sexual orientation.

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This legislation also seeks to eliminate unfair discrimination on issues of pay by ensuring equal pay for work of equal value. The current low economic growth forces employers to downsize their workforce by retrenching workers. Given the projected low economic growth, it seems to us that retrenchments will be the order of the day.

As government we have to ensure that we cushion workers from the devastating effects of such loss of work. Chairperson, the unemployment Insurance Fund stands ready to provide social protection to the retrenched workers. We have recently amended the Unemployment Insurance Fund Act to also extend workers benefits to twelve months as opposed to eight months.

It is disheartening that even as we celebrate worker's month, workers across the land continue to be injured, maimed and contracting occupational diseases at work. The penalties prescribed by the Occupational Health and Safety Act do not seem to serve as a deterrent to the offending companies.

To improve the protection of workers, we are amending the Occupational Health and Safety Act to increase the penalties imposed

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by courts to the non-complying employers. Most importantly, we have, amongst other things, ensured that employees leave a dangerous work place when their health and safety are in danger without fear of victimisation by the employer.

Very soon social protection will be extended to the domestic workers. The Compensation for Occupational Injuries and Diseases Act is being amended to give effect to this. The International Labour Organization's Declaration on Fundamental Principles and Rights at Work, adopted in 1998, clearly states that workers' rights are universal and apply to all people regardless of their level of economic development.

The rights include, Freedom of Association and Recognition of the Right to Collective Bargaining, Elimination of Forced Labour, Abolition of Child Labour and Elimination of Discrimination in respect of Employment and Occupation. As a member state of the ILO, South Africa firmly subscribes to these rights as demonstrated through our labour laws.

We also continue to fiercely advocate for workers' rights in regional and international platforms that we participate in like the SADC Employment and Labour Sector, the African Union Special

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Technical Committee on Employment and Social Affairs, G20 Ministers of Employment and Labour Forum and Brics, to name but a few.

We also give effect to international co-operation, harmonisation of decent work principles and worker rights through a number of bilateral agreements that we have entered into with countries in Africa and globally.

I hope workers will celebrate worker's month knowing that South Africa has joined other progressive countries that have introduced the National Minimum Wage. As hon members know, Deputy President Cyril Ramaphosa has announced that in May 2018 South Africa's first National Minimum Wage will be introduced. I am happy that no worker will be paid below the set national minimum wage.

As a department we are strengthening the inspectorate to ensure that no employer will avoid paying the set wage. To continue protection of workers' rights, our labour market needs strong trade unions now more than ever. There are many challenges in the labour market and many vulnerable workers that need the organisation and services provided by trade unions. Weak trade unions reduce workers to collective begging.

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Therefore, it is important for trade unions to recruit members to remain representative and strong. To remain democratic, trade unions must be member-driven and controlled.

As I conclude, let us celebrate the achievements and the determination of the SA Trade Union Movement today. Let us also celebrate the international labour movement. But let us be mindful of the challenges that lie ahead and the responsibility that we all share in assisting and protecting vulnerable workers, and to help our country meet its developmental objectives.

As we celebrate workers' month, we should recommit ourselves to the achievement of the inclusive economic growth and the attainment of social justice. With the few minutes left, Madam Chairperson, allow me to say my sense worth of what have been said about the issue of downgrade.

One of the hon members said that every time the President opens his mouth we are downgraded and as a result workers lose jobs. We should be careful therefore that we don't say things that are going to lead into such a situation.

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However, let us go beyond that. Let us talk about the system that is such that if it disagrees with the head of state, democratically elected, it decides a system to allow R90 billion to leave the country. What is the conscious of these people who are doing this telling them? Don't they know that it is not the President who is going to suffer? It is the workers, the million workers that we are talking about that are going to suffer - the poor.

Why don't we examine the system so that it also becomes accountable? We were told that in order for a country to prosper in terms of its economy in the free market system, there must be a democracy and accountability. Now, why is it that you don't question a system that does as it pleases resulting in the damage that is costly to the workers?

Why is it that we are not - who benefits most? Is it not the capitalist and the business that are benefitting? As long as this system that is unaccountable endures, I say let us be careful as leaders whenever we do or say certain things.

However, I am saying, let us go beyond that and challenge the system that continue to exploit us even as we subscribes to the tenets that we were told are conducive to economic growth. We are a democracy

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and yet we are taken advantage of by people who don't account and who are not called upon to explain their activities.

Even so, as I said and as have been said, let us all work together. The laws that we have in place, the laws that we say are not working in the best interest of the people, lets us all ensure that they are implemented, as leaders, as Members of Parliament and as members of the representative parties of our Parliament. Thank you very much.

[Applause.] [Applause.]

Mr M RAYI: Thank you, hon Chairperson and also I would like to thank members that have participated in this debate, especially the Deputy Minister and special delegates.

Actually, the summary of the DA's input in this debate is that we should not celebrate achievements. Perhaps the main reason is that, perhaps through you, hon Chairperson, is that they first don't look at these legislations that were passed in context as to what was the situation before all these legislations were passed.

I would understand with regard to my honourable friend and also my home boy. During the 1973 Durban strikes, he was only five-years-old, so he won't know the situation, because at that time workers

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were dismissed for demanding recognition of their trade unions. Let alone wage increase, just the recognition of their trade unions. Thousands of workers were dismissed. Today is very easy and simple for trade unions to be recognised. If you can prove 50% plus one majority, you are recognised and you don't even have to go to the streets to fight for that.

They say we must not celebrate these achievements, we know is true that with the DA they don't see why we should celebrate this achievement. In fact, on 24th October 2013, the DA in the National Assembly voted together with the ANC on the issue of Employment Equity Act.

Several weeks later, the then leader of the DA wrote to Parliament apologising that the DA voted in favour of the Employment Equity Act and then you had to wait for that particular Bill to come to the NCOP and in the NCOP they opposed that particular Bill, so we understand why they are opposed to all these laws.

You can go to Hansard, starting with the Labour Relations Act, Basic Conditions of Employment Act, Skills Development Act, and Skills Development Levy you would see what their arguments against the rights of the workers were. So, we are not surprised when they say

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they don't see why we should celebrate, because what we do as workers, we celebrate the achievement and then fight for more. So, that is what is happening.

Also, with the organisation itself, the ANC, that is why we have conferences on regular basis so that we assess the impact of our policies and improve on those policies.

I agree with the hon Deputy Minister with regard to the issue of the Constitution that this is democracy. What happened yesterday was an expression of democracy as enshrined in the Constitution of the country. I will just quote the actual section in the Bill of Rights, and I quote: "Everyone has the right, peacefully and unarmed, to assemble, to demonstrate, to picket, and to present petitions".

That is democracy in practice, unlike what the DA is up to. I was very surprised and shocked to what could happen if the DA were to be in power. Prof Malikane, made his views on the economy as enshrined in the Constitution, the right to expression. They demand that he must be fired, for expressing his views, which is enshrined in the Constitution that a person has a right to express his/her views.

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So, that is why then we are not surprised as the ANC. That is why I would like, especially hon Joseph as you indicated through you Chair that you were a shop steward. If you can mentor our Member of the House, hon Magwebu and take him through what was the situation with the right to strike, for example? What was the situation with regard to maternity leave?

The CHAIRPERSON OF THE NCOP: Hon Rayi, your time is up.

Mr M RAYI: Thank you, Chair.

The CHAIRPERSON OF THE NCOP: Order members. Hon members, I think we should thank the special delegates for graciously coming to us. This is indeed our first seating after a reasonable break and I am sure I have seen a lot of members doing what is not so honourable in the House, which is falling asleep.

No, it is actually disrespectful for the people who watch you on television. It is because as much as one member said we are all workers. We do earn. This country has made a distinction, in the past, there were workers because you were getting a wage and you were salaried because you were white collar. There was a distinction.

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We all want to say that we earn our living and we earn that living very honourably and that is staying awake and respecting the electorate. So, I want to thank the special delegates, all of you have been behaving beautifully and I hope that we see you over and over again in the House.

And of course I want to thank the Deputy Minister, who has had to rush off for coming to take part with us here.

Debate concluded.

The Council adjourned at 16:47.