

Feedback: Meeting between labour and employer

Labour met with the employer on 29 September 2021 to discuss the challenges of establishing a Local Employment Equity Consultative Forum (LEECF) as the province tried to establish the same since 2019 without success. Recently, the Department attempted to have a nomination process where only 35 employees out of more than 500 participated in the process. Labour raised concern that the province failed to comply with the *Employment Equity Act (EEA)* to develop an Employment Equity Plan since Limpopo Province could not finalise the process. Labour cautioned the employer on the seriousness of failure to comply with the legislation while continuing with recruitment without such a plan.

The lack of interest or inactiveness by employees was attributed to the continuous disregard of labour representatives by the employer as there was an attempt to establish the forum without the involvement of unions, which failed dismally. The *EEA* clearly directs that the development of a plan should be undertaken as an inclusive process that will result in a documented plan. Further, the process should have three sequential phases: planning; development and implementation; and monitoring. The planning phase should include assignment of responsibility and accountability to one or more senior managers, communication and training programme, and consultation with relevant stakeholders, amongst others.

It was therefore agreed that there is a need for further engagement between management and labour to properly deal with the matter of establishing a LEECF to ensure the development of an Equity Plan to enable Limpopo to also submit such a plan. It was reiterated that failure to submit by Limpopo Province dictates that the Department of Employment and Labour (DEL) does not have an Equity Plan, which is non-compliance with the *EEA*. Sadly, the DEL is the custodian of the *EEA* in the country and is failing to lead by example. The employer was also reminded that union representatives can report *EEA* contravention to the Director-General or the Commission, hence labour would not hesitate to execute its mandate should the employer continuously fail to comply.

GENERAL MANAGER