

Labour outlines plan to enforce minimum wage compliance

Labour Deputy Minister Inkosi Phathekile Holomisa says once the National Minimum wage gets implemented, more resources will be required to ensure that employers comply with the new policy.



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The Deputy Minister said this during a media briefing shortly after participating in the department's Budget Vote debate in the National Assembly on Tuesday, 15 May 2018.

He had been asked if the department had enough inspectors that can monitor and enforce compliance with the National Minimum Wage once the law gets passed.

“We are aware as the department that the implementation of the National Minimum Wage is going to require more resources in terms of increasing the number of inspectors and also in terms of training. There is training that is going to have to take place to make sure that they are on top of the situation,” Holomisa said.

The Deputy Minister said that the implementation of the policy would also require that the Commission for Conciliation, Mediation and Arbitration (CCMA) commissioners also receive training to deal with the provisions of the new legislation.

The National Minimum Wage Bill, which will be used to implement the policy, is currently being processed through Parliament.

The Department's Director-General, Thobile Lamati, said the department currently does not have enough inspectors to visit every workplace.

Lamati said, however, that there are a number of initiatives that the department has come up with to maximise the limited resources the department has.

The department will also rely on social partners to help it to monitor compliance.

“In any workplace, we expect that workers and unions would inform the Department of Labour wherever there are [instances of] non-compliance with the law.

“The second thing is that we expect employers - as people who are party to the agreements - to do their best to see to it that their constituencies are complying with the law.

“The third element is that besides the proactive inspections we have on a daily basis, we have what we call blitz inspections – where we target areas that are notorious with non-compliance and we visit those work places and comb out those workplaces.

“The fourth element is what we have provided for in the legislation... so that inspectors don't find the process too cumbersome. We have put two provisions that are very important – one, the inspector does not have to issue a compliance order if the employer issues an undertaking to comply. If there is no undertaking, the employer has to issue a compliance order.

“That compliance order does not have to go to the labour court anymore. [It] will go to the CMMA where the CMMA will issue a compliance order that will carry the same weight as that of the Labour Court.”

Lamati said the department has prioritised advocacy and education to ensure that employers are aware of the compliance requirements.

Labour welcomes end of bus strike

Meanwhile, the department has welcomed the end of the crippling national bus strike.

Lamati said while the strike – which ended on Monday – was unfortunately a protracted one, the department was happy with the fact that the negotiations demonstrated the effectiveness of bargaining institutions.