



Labour market statutory bodies

Many new statutory bodies have been set up as a result of the labour legislation that was negotiated in Nedlac's Labour Market Chamber over the past four years.

Speaking at a recent Nedlac executive council session, Director General of Labour, Siphso Pityana, said that having 'given birth' to these new statutory bodies, the Nedlac constituencies need to ensure that they work properly. He said there was a need for policy discussions in order to increase the effectiveness of such institutions.

The Labour Market Chamber agreed at a recent meeting that it would begin a process of:

- informing itself about the work programmes of the various statutory bodies;
- looking at what is working well;
- looking at what could benefit from a more strategic interaction.

In this issue's *Focus on Nedlac* column, we give a thumbnail sketch of each of the new, or restructured statutory bodies:

Unemployment Insurance Board

The Unemployment Insurance Act makes provision for an Unemployment Insurance Board to make recommendations to the Minister of Labour on any matter

connected with the UIF, or unemployment in general.

It has to advise on the establishment of unemployment benefit committees, and hear and determine appeals against these committees' decisions. It determines benefits and considers applications for extended benefits.

Labour and business have five delegates each on the board.

Employment Conditions Commission (ECC)

The ECC is one of the newer bodies enacted by the BCEA, 1997. It advises the Minister of Labour on:

- sectoral determinations;
- any matter concerning basic conditions of employment;
- any matter arising from the application of the BCEA;
- the effect of government policies on employment;
- trends in collective bargaining;
- whether any of the these undermine the purpose of the Act.

It is also meant to advise the Minister of Welfare on any matter concerning the employment of children, and the Minister of Public Service and Administration on any matter concerning basic conditions of employment in the public service.

Business and labour have one delegate

each on the ECC and there are two experts.

National Skills Authority (NSA)

The NSA is established in terms of Section 4 of the Skills Development Act, 1998, to advise the Minister of Labour on:

- national skills development policy;
- guidelines on implementing such strategy;
- allocating subsidies from the National Skills Fund;
- regulations.

It will liaise with sectoral education and training authorities (SETAs) and conduct investigations on matters arising out of the application of the Act. Business, labour and community have five representatives each on the NSA.

Commission for Employment Equity (CEE)

Established in terms of section 28 of the Employment Equity Act, 1998, the CEE advises the Minister of

Labour on codes of good practice, regulations, policy and other matters concerning the Act. It may undertake research, make awards recognising the achievements of employers, and report to the minister on any matters relating to the application of the Act.

Business, labour, government and community have two representatives each on the CEE.

The CCMA governing body

Newly appointed, the CCMA governing body was set up under the LRA, 1995, and governs the CCMA.

The Nedlac constituencies have three representatives each on the governing body.

As with all statutory bodies which require representatives to be nominated by the Nedlac constituencies, it is Nedlac's

role to facilitate that process of securing nominations.

Essential Services Committee

Section 70 of the LRA establishes the Essential Services Committee (ESC) under the auspices of the CCMA. Its function is to conduct investigations on whether or not the whole or a part of any service is an essential service. It must then decide whether to designate the whole or a part of that service an essential service. It also handles disputes on this matter.

Compensation Board

The Compensation Board is set up under the Compensation for Occupational Injuries and Diseases Act (COIDA). Its role is to advise the minister on all policy issues regarding the application of the Act, benefits to be paid, the appointment of assessors and any amendments to the Act. It must be consulted on the maximum and minimum levels of compensation for temporary and total disability. It has representatives from government, mutual associations, the Health Professions Council, business and labour.

Advisory Council for Occupational Health and Safety

This council advises the minister on matters of policy arising from or regarding the application of the Act and any matter relating to occupational health and safety. Labour and business have six representatives each.

Social Plan and Productivity Advisory Council

Established under the NPI, the council was recently renamed to reflect the agreement reached at the Jobs Summit on the social plan. The council will be working closely with the Department of Labour on the implementation of the social plan.

