

Is it public, and is it working?

The Right to Work Campaign conducted research on an Expanded Public Works Programme project in the Cape Town township of Gugulethu, and as **Simphiwe Dada** details, found plenty to worry about.

In an award ceremony for taking part in training in the Expanded Public Works Programme (EPWP), a 55-year old North West province Ditsobotla woman said in the government's *BuaNews* that the programme had closed the curtain of despair and opened a new chapter in her life. Unfortunately, the matter is not that simple.

The EPWP was launched by the government in 2004 as part of its response to the unemployment crisis. The Department of Public Works described it as "a nationwide programme that will draw significant numbers of the unemployed into productive work, so that workers gain skills while they work and increase their capacity to earn an income".

The Right to Work (R2W) campaign welcomes state initiatives to create jobs. But we are also worried about the basis on which

the EPWP was set up, for example, that it pays all workers below the minimum wage.

Through R2W networks in Gugulethu and unemployed members of The Youth and Jobless People's Campaign, we learned of members' problems while employed on an EPWP project. We initiated research with an eye to monitoring and evaluating the Programme. Here are our initial findings which have resulted in the launch of investigations in KwaZulu-Natal and the Eastern Cape.

BACKGROUND TO VUK'UHAMBE PROJECT

To deal with the legacy of apartheid, including infrastructural backlogs, the Cape Town council implemented a project known as Vuk'uhambe. Part of a long-term programme of upgrading road infrastructure, the project covers some of the poorest areas in the Cape Town municipality, such as Langa, Gugulethu, Manenberg and Hanover Park. Although Vuk'uhambe was designed before the EPWP came into existence, it was converted into an EPWP project.

Vuk'uhambe has a budget of R24-million, R20-million comes from a municipal infrastructure grant and the balance from the city council.

Phase 1 which is the focus of our research was the reconstruction of concrete roads in

wards 38 and 42 of Gugulethu, starting in May 2004 and ending in February this year. The tender document describes the project as "a major contract targeting historically disadvantaged individuals as prime contractors, joint venture partnerships, suppliers, manufacturers and/or service providers. Work to be done... entails the following: removal of the existing concrete roads, excavation of the road-box to new levels, preparation for existing sub-grade, manufacturing and installation of kerbs, laying of new stormwater pipes... The project is a labour-intensive method and workers are employed under a task-based payment method."

The aim of the project was to generate as much employment as possible. No specific targets were given during each contract in the relevant community. Its second aim was to identify suitable candidates from the programme to develop from labourers into contractors.

A network of companies was involved and reported to the city council, which as the employer had the final say on the project. A private company, Element Consulting Engineers, served as project manager, with the task of drawing up tender documents, inviting, evaluating and recommending the contractor and administering and overseeing implementation. Another firm which reported to Element Consulting, ASCM, was contracted



A public works programme in action

to provide a technical design of the project. A black economic empowerment concern, BTH, won the road construction tender, while T JEKA Development Solutions was appointed training consultant, with the task of training participants.

PROBLEMS AND LACK OF CLARITY

According to people who worked on the project, it was introduced to the community through community representatives such as ward councillors and chairpersons of street committees. Residents were told that the contractor needed 240 workers, and that each ward should propose 120 candidates.

In designing criteria for selecting workers and ensuring the fair distribution of employment, the communities decided that each street should nominate one person to be employed. At community meetings, the position of community liaison officer (CLO) was also discussed. In a move to spread employment opportunities, residents of ward 38 felt that there should be two CLOs in their ward, with the R3 000 salary shared equally between them.

However, conflict erupted when residents accused the ANC ward councillor of undermining the community's views and decisions in selecting the CLO and workers for the project. Residents alleged that the councillor chose an ANC-linked person as LCO, who in turn gave jobs to friends. As a result, the project was halted for two weeks as other community members demanded jobs, and only resumed when local ANC leaders, through the party's provincial executive committee, instructed the councillor to heed the community. The upshot was that some non-ANC supporters were allocated jobs.

During community briefings and in training, workers were told they

would be employed as sub-contractors. Documents obtained by the R2W from a council employee say "workers employed are divided into teams and operate as sub-contractors". Workers raised many complaints about this arrangement, alleging that they were not provided with tools and so were unable to meet their targets. Because they had to supply their own tools, their earnings were reduced.

The workers were not against being employed as sub-contractors, but the failure to supply them with tools and support systems suggests poor project design. People who come from economically depressed areas, which commercial banks consider a risk, should not be expected to raise capital by themselves. The consulting engineer who designed the project should have leased tools or referred workers to institutions such as the Umsobomvu Youth Fund to obtain credit for buying basic equipment.

Payment for the work was also a problem as the method was never clearly explained to the workers. For their first fortnight, they received R150 a person, but council officials, responding to their complaints, arrived at the site and paid them each an additional R300.

Payment problems continued, with some workers receiving as little as R12 per day after completing their tasks. Workers gave several reasons for this, including the fact that they were not properly trained to understand the task-based payment method and the hard soil, which made it difficult to reach targets.

They also complained about the company's alleged attempts to marginalise them when it came to their share of labour-intensive tasks. They claimed that the provision of machines was deliberately delayed,

leaving them without work and costing them money. The contractor blamed the council for delays. Workers demanded compensation for loss of earnings in the form of a flat rate of R10 per hour. However, depending on who dealt with the demand, the consulting engineer or the contractor's representative on site, they were paid R2 or R8 per hour.

Workers also reported that women workers sometimes had difficulty in working in trenches because the work was physically challenging. The contract states that if the production rates set by the contractor are unattainable, the engineer may reduce the scale of the task to make it manageable. A representative of Element Consulting Engineers dismissed these complaints, saying: "Some of these people are lazy. Task-based production is efficient." He added: "We never recommended the [construction] company; the council took a political decision. The company was not number one on our list."

WORKING CONDITIONS

People who worked in the project complained that the contractor, BTH, supplied them with poor-quality work-clothes; that the safety boots provided did not last long enough and did not protect them from the winter cold; and that their masks were sub-standard and failed to prevent them breathing in dust after three days' use.

A doctor confirmed that 25 of the workers contracted tuberculosis while working on the project. The company's health and safety record was in violation of the guidelines for the implementation of labour-intensive infrastructure projects under the EPWP, which state: "Employers must take all reasonable steps to ensure that the working

environment is healthy and safe."

When it became clear that the company could not meet its contractual obligations, largely because it had run out of money, the contract was terminated and the company was liquidated. However, after protests and lobbying by workers and the Youth and Jobless People's Campaign, supported by the R2W campaign, the new mayor of Cape Town, Helen Zille, agreed to investigate the tender process and the company concerned.

CONCLUSION

The problems raised about the project, such as the tendering process and the manipulation and control of employment by powerful individuals in the community, may sound petty. However, they are linked to issues raised by local communities in the wave of protests that erupted across the country last year. Namely, the lack of democracy, accountability and transparency in local government.

If other EPWP projects are set up on a similar basis, there is a danger that millions of rands of public money could go to private companies, in this case, a black economic empowerment company, to deliver services which the public sector should provide. When road projects like this one are completed, the roads need to be maintained, and more public money will end up in the bank accounts of private contractors. Perhaps the EPWP should be renamed the Expanded Private Works Programme.

Another neo-liberal assumption may be at work, that is that "private equals good, public equals bad". This, despite the experience of private water projects in South Africa, the British railway privatisation fiasco and recent

revolts against the privatisation of basic services in Latin America.

A 'public' works programme should be truly public if it is to deserve the name. And if such projects are mainly of use to the employed, and to the citizens they serve, then the community should drive them. Such local projects could be linked to democratic 'checks and balances' other than local elections every four years, involving local community structures, councillors and municipal trade unions in decisions about what form projects should take. This would encourage strong independent community organisations to participate more fully in local development projects, a major theme of the long-forgotten Reconstruction and Development Programme, and guard against unscrupulous local councillors and companies.

We should not see such an approach as putting an extra burden on under-funded local authorities, but as enhancing their capacity by working with, and drawing on, the skills and experience of millions of unemployed people currently left to rot in townships.

It is difficult to draw conclusions about the EPWP based on one study. But it is clear from this investigation, and the first findings of other investigations, that the programme needs constant monitoring and evaluation, both in relation to local objectives and to measure projects against overall policy objectives. One element of the R2W campaign will do this through activist forums in six provinces. Another is to have the right to work enshrined in the Constitution.

LS

Simphiwe Dada is a researcher for the Right to Work (R2W) Campaign.