



FEDUSA and CAPES sign Memorandum of Understanding to promote Decent Work in Temporary Employment Industry

The Federation of Unions of South Africa (FEDUSA) and the Confederation of Associations in the Private Employment Sector (CAPES) have signed a Memorandum of Understanding (MOU), to create a strategic partnership and a national social dialogue platform to achieve fair conditions for the South African temporary employment industry and temporary employment agency (TEA) workers. As social partners, both parties support the establishment of a regulatory framework for the temporary employment industry to promote decent work for the TEA workers as defined by the International Labour Organisation (ILO) to ensure that the constitutional rights of workers employed in the temporary industry are respected, promoted and protected. Both parties commit themselves to use the principles contained in the ILO Convention 181 and Recommendation 188 on private employment agencies as a framework to improve the functioning of our labour market, by inter alia, ensuring that the role of private employment agencies is secured.

The social partners therefore call for the registration of temporary employment agencies; in order to provide for quality standards in the temporary employment industry; for the prevention of unfair competition by the fraudulent "bakkie brigades" and/or user companies and also to fight human trafficking.

The social partners firmly believe that collective agreements entered into between employer and trade union parties in our bargaining councils should not be undermined and eroded. In addition, the social partners view sectoral determinations that are promulgated by the Minister of Labour on recommendation of the Employment Conditions Commission; as fundamental legal instruments to protect vulnerable workers in precarious employment relationships.

According to FEDUSA General Secretary Dennis George, the signing of the MOU with CAPES is the beginning of a new era for the temporary employment industry in South Africa as it provides a platform for social dialogue to take place. It is therefore clear that this industry must be regulated in order to promote decent work for TEA workers and also to set quality standards for temporary employment agencies.

The CAPES Chief Operating Officer John Botha strongly supported the fact that the temporary employment industry must be regulated because he felt that it is correct and appropriate. He further indicated that in South Africa today, other industries are already regulated such as the Banking Sector which is regulated by the South African Reserve Bank, and the Aviation Industry that is regulated by the Department of Transport. He failed to understand why it took the Department of Labour such a long time to table proposals with NEDLAC in order to regulate the temporary employment industry.

The FEDUSA Labour Market Chamber representative Leon Grobler indicated that social partners globally have learnt a great deal from a similar agreement that had been entered into between UNI Global Union and CIETT, as well as from other practices. Grobler further indicated that the parties have now concluded the first phase of their research into best practices internationally with regard to the temporary employment sector and strongly endorses the fact that regulation is therefore the appropriate response.

Additional information about the Temporary Employment Industry

The Temporary Employment Services (TES) places more than 500 000 assignees across all industries and sectors on any one day, facilitate employment for around 2 million job seekers per annum, facilitate the most learnerships in the private sector and contribute R23 billion per annum to South Africa's economy. The bulk of the assignees are youth.

Additional information about CAPES

The Confederation of Associations in the Private Employment Sector (CAPES) was established and brings together five member associations representing the majority interests of the industry. CAPES have since been engaging with stakeholders at various forums directly itself and well as via Business Unity South Africa in the ILO; NEDLAC and Bargaining Councils; and with social partners namely: Organised Labour and Government.

Additional information about FEDUSA

FEDUSA was established in 1997. FEDUSA represents in excess of 400 000 members from more than twenty affiliated trade unions, coming from all the sectors of our economy. FEDUSA is affiliated to the International Trade Union Conference (ITUC) who represents more than 160 million workers from 124 countries. It is ITUC's mission to improve the conditions of work and life of working women and men and

their families, and to strive for human rights, social justice, gender equality, peace, freedom and democracy.

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