

# Compensation fund and CCMA equals disaster

By Michael Bagraim – DA Deputy Shadow Minister of Employment and Labour

Chairperson

I address the Department of Employment and Labour with an enormous amount of profound disappointment and regret. Most of the entities under the umbrella of the Department have failed the workers of South Africa. They had one job to do and that was to follow their values *“treat employees with care, respect and dignity”*. They have done just the opposite.

The ANC’s overall poor policy choices has almost single-handedly destroyed our workforce, but we must turn to the Compensation Fund as the virus spreads.

This occupational exposure will put enormous pressure on the fund. This fund has been dysfunctional for over twenty years. The workforce seldom receives any relief and cannot rely on the Compensation Fund being able to fulfil its main objective. The Department says that the Compensation Fund’s objective is *“to provide compensation for disability, illness and death resulting from occupational injuries and diseases”*. Well, they are not doing this.

The medical profession daily testifies that they are not getting paid for services rendered and are now refusing to see compensation fund patients.

The workers should have at least piece of mind that when they get ill at work they will be covered. But no! The fund fails.

This failure has been evident for years.

Now with the advent of Covid-19 we can expect a spectacular explosion.

The Department, the Minister, the Director General and his Commissioners do not treat employees with care, respect and dignity.

The Department only had one real duty and that was to provide adequate social safety nets to protect vulnerable workers. There is no protection, there is no safety net and there is only misery. The workers of South Africa must realise that our government has failed them for years and has now dramatically gone out of its way to destroy the last vestiges of dignity our workers had.

Our beloved constitution and our labour laws have very carefully set out protective measure for the creation of employment. It can be said that the myriad of labour laws and the host of labour regulations give a framework to protect the workforce. This framework is worth nothing if it can’t be policed, tested and enforced.

There is one institution, the CCMA, which does just that. It can be said that the CCMA is probably the only functioning section within the Department.

Since its inception it has performed beyond our wildest dreams and has delivered social justice and fairness in the workplace amongst other functions.

With the advent of junk status, electrical failure, national minimum wage and various other factors leading to mass retrenchments and mass unemployment in South Africa, the CCMA has been functioning under enormous pressure. We have just seen reports that a further three million people have been retrenched. This is just the start of the tsunami of job losses.

Even if 10% of those individuals wish to challenge their dismissals - the figures are normally higher - the CCMA will be flooded with hundreds of thousands of disputes. If we wish to protect the workers of South Africa, we need a highly efficient and functioning conciliation, mediation and arbitration body.

The Department chooses to cut the CCMA budget by R55 million, which is extremely short-sighted and bound to backfire spectacularly.

This reckless step is tantamount to telling the workforce of South Africa that the government will not protect your rights and will certainly not ensure that your rights are enforced.

Workers of South Africa you will be left high and dry with no one to protect your constitutional rights.

Before the pandemic, the CCMA begged for extra funding so that they could look after the workforce of South Africa. But no; our Minister chooses to do just the opposite and chooses to trash the workers of South Africa and their rights. Our Minister does not deserve his post and should resign forthwith.