

SABC retrenchments must be dealt with, with empathy and respect for staff

By Phumzile Van Damme MP – DA Shadow Minister of Communications & Digital Technologies

Honourable Chairperson,

Let me start by saying this; we feel the pain, distress, anxiety, and depression of those good, hardworking, talented, and deserving SABC staff who stand to lose their jobs.

We understand your anguish. You have mortgages to pay, school fees, car instalments, and just the basics of putting bread and butter on the table. This, at a time when 2.8 million fellow South Africans have joined the unemployment queue due to the Covid-19 lockdown.

This retrenchment process must be dealt with, with compassion, empathy and respect for the dignity of the SABC staff, many of whom have had to live through the terror of the Hlaudi Motsoeneng regime, now has to face a retrenchments process that has dragged on for two years breeding uncertainty and yet more feelings of unease and fear at work.

Let me say this too: unlike other political parties who will stand at this podium today and tell you they will stop retrenchments; we will not lie to you.

Lying to you would be nothing but a self-serving false promises whose only aim is to play to the gallery to gain support at the ballot.

We warn you not to accept help from wolves in sheep's clothing who will turn around and devour you. You may think those wolves have your best interests at heart. No, it is their interests they have in heart. Trust in the legal processes and uphold the independence of the SABC that many of you have fought for.

When it comes to these wolves, the ANC is the biggest one.

When it comes to curbing unemployment, it does not have a single leg to stand on.

It is not the valiant government it is presenting itself to be, doing its very best to stop unemployment in our country

Where were you, ANC, in the past few months when 2.6 million people lost their jobs?

Where were you for the wave of retrenchments at media houses across the country?

Where were you for PRIMEDIA staff?

Were you there for the staff at KFM, Cape Talk, and EWN?

Where were you for Multichoice staff?

Where were you for Telkom staff?

Where were you for staff at iconic magazines Bona, Rooi Rose, Farmer's Weekly, and many others?

Benikuphi?

Ningezi la nizos'qhomela nenze ngathi like you care about whether South Africans have jobs or not.

You do not care. Aninandaba.

Had to you cared, South Africa would not be in the position where 11 million people are unemployed, with the youth most affected.

Do not tell us of your "reform measures" when instead of using public funding to create job opportunities you gave SAA a R10.5 billion bailout last month on top of R16.4 billion you gave it in February.

You do not care about the people of South Africa and making sure there is employment for those who do not have it.

You can move your mouths to say what South Africa wants to hear, but the facts are there on paper, and the facts say that you do not care. Aninandaba.

Now, to the SABC: I want to speak about the facts on paper. I want to speak about the law, that we as Parliament must uphold.

I will engage in no populism but speak to the evidence and facts we have before us, the truth we should all wake up to and South Africa must know.

At first instance, Parliament cannot tell the SABC to halt retrenchments. It simply does not have that power. The process that the SABC is undergoing is informed by section 189 of the Labour Relations Act, which, at no stage requires Parliamentary approval.

Secondly, the Minister of Communications, as shareholder, similarly, by law does not have the power to instruct the SABC to halt retrenchments.

I do not know how many times Minister Stella Ndabeni-Abrahams has to be told that she cannot interfere at the SABC. Kuzobe kubenini?

Perhaps it must be repeated again and maybe this time she will hear it.

In terms of the Broadcasting Act, the board has the exclusive power "control the affairs of the Corporation". This includes how the SABC operates the business of the public broadcaster and conducts labour relations with its employees.

Just last week, with the help of Minister Thulas Nxesi, she again gave an instruction to the SABC to halt retrenchments. The Minister went so far as to insist that she will be involved in mediation going forward. This is unlawful.

If she does so, she must be taken to court, a case she will lose, and costs must come from her pocket. Angithi ufuna ukwenza mathanda? Makenze mathanda ngemali yakhe, hhayi yabantu base South Africa.

The SABC is not the SNAS – the Stella Ndabeni-Abrahams Show. It is the public broadcaster, which is protected by law from political interference so it can provide content that represents a plurality of views, variety of news that advance the national and public interest.

Now, the ANC is constantly telling me in committee not to talk about the recent history of the SABC, which is a bizarre narrative from the ANC. But it is understandable why. Because it is the ANC's fault that the SABC finds itself in this financial crisis due to historical factors.

Hlaudi Motsoeneng was a monster of the ANC's own making. ANC Minister after ANC Minister protected him. ANC MP after ANC MP protected him.

When he left, not fired, after ceaseless litigation by the DA, and the Parliamentary Inquiry the DA pushed for, the SABC coffers were empty, with only R26 million in its reserves and unable to pay service providers. It will take years to repair that damage.

It is also understandable why the ANC is so vociferous about the SABC's finances which it knows very well it is complicit in creating. An election is around the corner and the board too independent for its liking.

As an example, the board stood firmly against ANC Secretary-General Ace Magashule in 2018 when he told the public that the ANC had decided not to "allow" the section 189 process. The SABC board issued a statement reminding Magashule that his party cannot make decisions about the SABC.

Magashule was later forced to retract his statement and said: *"The SABC as an employer, we can't dictate to them"*. Perhaps he can share this information with his colleague Minister Ndabeni-Abrahams.

The board has in fact contributed to a climate of independence at the SABC that for the first time covered an election fairly.

According to Media Monitoring Africa, 99% of the coverage of the 2019 election was balanced and fair. The organisation noted that there was a clear shift to offer more citizens' voices, political parties were equitably covered and the SABC stood up for its editorial independence.

ICASA shared the sentiment stating that it was satisfied that the SABC took great strides to cover a range of political parties thus ensuring diversity of views.

With another election on its way, it is clear that the ANC cannot and will not allow for such fairness.

It is now using the retrenchments process to manufacture a situation where the SABC board is deemed to have failed to discharge its duties and must be dissolved. It wants a board that will be at its beck and call, and not this one that has fought to maintain its independence.

The simple fact is that it will not meet the grounds in the Broadcasting Act to dissolve the board.

We are aware that it has its mole Mamodupi Mohala who seeks to destabilize the board. She will not succeed.

It is an indisputable fact that the SABC staff is bloated. 43% of its funding goes to salaries instead of purchasing content to draw viewers and advertisers – the core source of its revenue.

Its wage bill must be reduced. It's staffing model must be restructured. It cannot be that any organisation has double the number of supervisors than it does staff.

I have carefully monitored the steps that the SABC has taken thus far to not only cut costs but change its revenue model.

The board informed our committee that retrenchment was not the first option considered; other options were examined. One of which was natural attrition. However, it realised natural attrition would be far too slow to address its huge wage bill. It also gave the option of some employees accepting early retirement or voluntary severance packages. It further informed us that 16 consultative meetings had taken place with seven of them facilitated by the CCMA. And, further time for consultation until the end of December 2020 has been given.

We have also heard the genuine concerns by unions and staff regarding the lack of adequate consultation, and that an urgent application has been submitted by BEMAWU to the Labour Court regarding irregularities. We trust that should that the judgment find that there were indeed irregularities, the process that follows will be informed by that decision.

The bottom-line is this: in order for retrenchments to be halted, Treasury would have to fork out R700 million. There is no R700 million, nor should it be given, as it was Treasury itself that instructed the SABC to reduce its headcount as part of its bailout conditions.

With that R700 million not forthcoming, and no reduction of the headcount, in a year or two, the SABC will require yet another bailout. That is a bailout that must not be given, which will mean that the SABC will have to close shop and everyone will lose their jobs. It is some now or everyone later.

We reiterate the call for the retrenchment process to be dealt with compassion, empathy, fairness and according to the letter of the law. And once restructuring has taken place, retrenched staff will be given the opportunity re-apply for positions in the new structure.

And there must be zero interference from the ANC, and its Minister who is bereft of any ideas and should have been fired a long time ago.