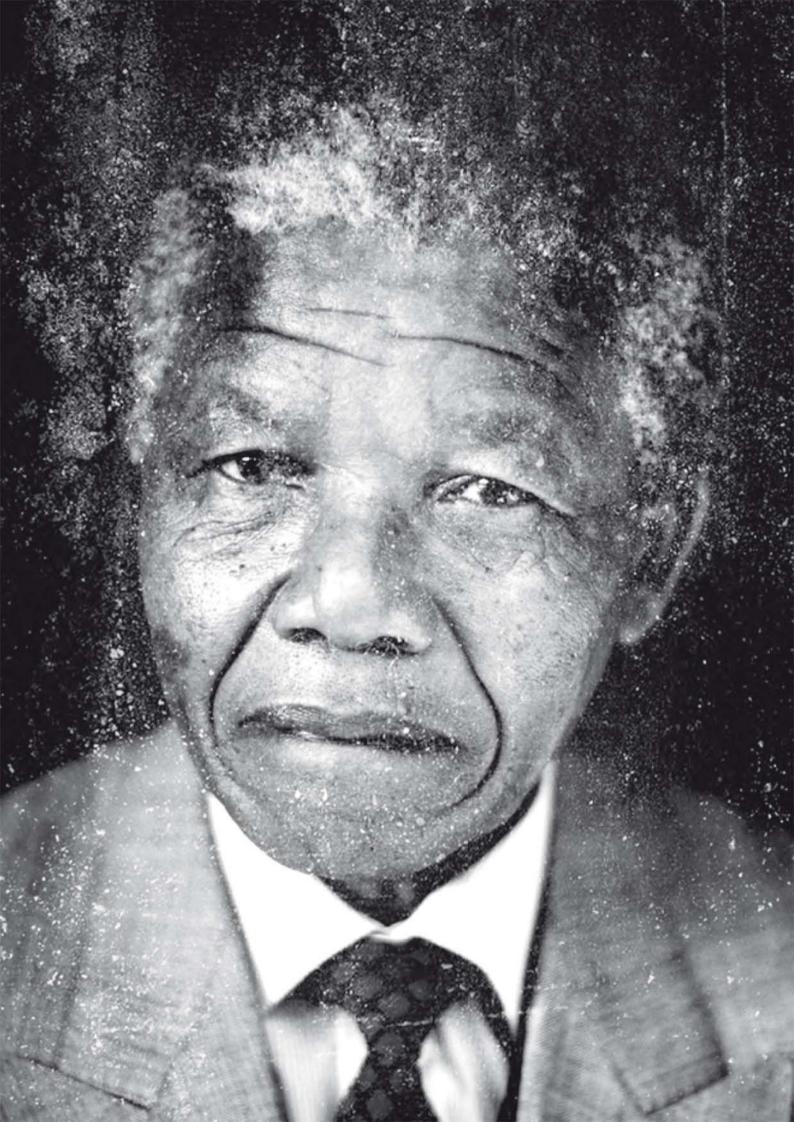


National Economic Developmentand Labour Council

There is no such thing as part freedom.

Nelson Mandela

Annual Report 2013-2014



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PART A

strategic information

Founding declaration

Growth, equity and participation

- 1. The democratic election of 1994 opened a new era for South Africa. It was the decisive step in the transition to democracy. Now our country must meet the challenges of social development and economic growth.
- 2. South Africa is a land rich in resources, with a strong and diversified economy. It has a people eager to make the democracy work. It has a well-developed physical and financial infrastructure, such as transport, telecommunications and the banking system.
- 3. South Africa is also characterised by severe inequality in incomes, skills, economic power, ownership, and a skewed pattern of social development. This, together with large-scale unemployment and inadequate economic performance, has created major problems in our society.
- 4. Government, organised labour, organised business and community-based organisations need to develop and strengthen cooperative mechanisms to address the challenges facing our new democracy. Our three defining challenges are:
 - 4.1 Sustainable economic growth to facilitate wealth creation; as a means of financing social programmes; as a spur to attracting investment; and as the key way of absorbing many more people into well-paying jobs.
 - 4.2 Greater social equity both at the workplace and in the communities to ensure that the large-scale inequalities are adequately addressed, and that society provides, at least, for all the basic needs of its people.
 - 4.3 Increased participation by all major stakeholders, in economic decision-making, at national, company and shopfloor level to foster cooperation in the production of wealth, and its equitable distribution.
 - Meeting these challenges is critical to the success of the Reconstruction and Development Programme.
 - b) The National Economic Development and Labour Council (Nedlac) is the vehicle by which government, labour, business and community organisations will seek to cooperate, through problem-solving and negotiation, on economic, labour and development issues, and related challenges facing the country.
 - c) Nedlac will conduct its work in four broad areas, covering:
 - Public finance and monetary policy.
 - Labour market policy.
 - Trade and industrial policy.
 - Development policy.

Nedlac is established in law through the National Economic Development and Labour Council Act, Act 35 of 1994, and will operate in terms of its own constitution.

Our mandate

The Nedlac act requires the institution to:

- Strive to promote the goals of economic growth, participation in economic decision-making and social equity;
- Seek to reach consensus and conclude agreements on matters pertaining to social and economic policy;
- Consider all proposed labour legislation relating to labour market policy before it is introduced in Parliament:
- Encourage and promote the formulation of coordinated policy on social and economic matters;
- Consider all significant changes to social and economic policy before it is implemented or introduced in Parliament; and
- Consider Socio Economic Disputes in terms of Section 77 of the Labour Relations Act.

From the above purpose the council:

- May make such investigations as it may consider necessary;
- Shall continually survey and analyse social and economic affairs;
- Shall keep abreast of international developments in social and economic policy;
- Shall continually evaluate the effectiveness of legislation and policy affecting social and economic policy;
- May conduct research into social and economic policy;
- Shall work in close co-operation with departments of State, statutory bodies, programmes and other forums and non-governmental agencies engaged in the formulation and implementation of social and economic policy.

Nedlac Annual Report 2013/2014

Strategic overview

This section provides a synopsis of the strategic framework of the organisation.

Vision

To promote growth, equity and participation through social dialogue.

Mission

To give effect to the Nedlac Act by ensuring effective public participation in the labour market and socioeconomic policy and legislation, and to facilitate consensus and cooperation between Government, I abour, business and the community, in dealing with South Africa's socioeconomic challenges.

Values

We respect and promote:

- Accountability
- Transparency
- Integrity and ethical conduct
- A spirit of partnership
- Problem solving and consensus seeking.

Strategic Goals and Priorities

Effective Leadership and Governance Nedlac is governed effectively, enjoys broad leadership support from all social partners and responds strategically to the socioeconomic and developmental priorities and challenges facing South Africa.

Enhancing the Core Nedlac Programme To improve the operation of all Nedlac Chambers and task teams and the Section 77 Standing Committee to ensure effective engagement on issues as per the Nedlac Act and Protocol.

Promoting and Embedding a Culture of Effective Social Dialogue and Engagement

To ensure that Nedlac enjoys a positive image and promotes effective social dialogue, relevant research and information and capacity building.

Organisational Renewal The operational environment in Nedlac is enabling and promotes effective engagement between social partners, as well as the achievement of the Nedlac vision and legal mandate.

Overview from the Executive Director

In his February 2014 State of the Nation address, President Zuma emphasised the need to accelerate growth and tackle the triple challenges of unemployment, inequality and poverty. He also highlighted the importance of social dialogue and recognised the role of Nedlac, while calling on organised business and labour to work together to bring about stability, especially in the mining industry.

However, as evidenced by the platinum miners' strike, the problems bedevilling labour relations in the mining sector are deeply structural and go beyond just the workplace. The impact of the platinum strike on the economy, and the associated violence, has given rise to debate over whether the labour laws need to be amended to deal with industrial action that impacts significantly on public interest. This debate has been given added momentum following the recent fourweek-long strike in the Metal and Engineering Sector. In this regard the legal framework, including our labour markets institutions such as Nedlac and the CCMA, has also come under fire from some quarters. Regrettably, many of these views are reflected mainly in businessoriented media and are based on a poor understanding of our labour relations system, and a tendency to seek easy scapegoats for deep seated problems.

It seems apparent that many of our recent upheavals have less to do with the specific design of laws or institutions and more to do with the capacity, conduct and commitment of the social actors involved. This leads to a more intractable challenge for the future of social dialogue, tripartism and collective bargaining. It calls for strong leadership and a paradigm shift away from the culture of adversarialism and a greater focus on building relationships and a network of trust and collaboration rather than just legislative intervention.

It is therefore encouraging that President Zuma has again emphasised the importance of social dialogue in his June 2014 State of the Nation Address. He specifically called on social partners to work together to accelerate inclusive growth and in this regard alluded to the need for striking a balance when tackling the problems in our labour market. We also welcome the President's call for Deputy President Cyril Ramaphosa to head a special process under the ambit of Nedlac to tackle the challenges in our labour market, including addressing the issue of wage inequality. This process is now underway as part of the planned Labour Indaba process. But for it to be successful it will require strong leadership commitment to seek consensus and to engage in a comprehensive evidence-based process rather than succumb to a knee-jerk response.



When we celebrated the dawn of democracy, many of us understood that our socioeconomic legacy – as manifested in deep structural unemployment, extreme inequality, high levels of poverty and serious backlogs in social goods and services – would require a massive collective effort to be successful.

When we celebrated the dawn of democracy, many of us understood that our socioeconomic legacy – as manifested in deep structural unemployment, extreme inequality, high levels of poverty and serious backlogs in social goods and services – would require a massive collective effort to be successful.

But twenty years into our democracy we see that – while all social partners may agree that there is an urgent need to accelerate growth and address the challenges of unemployment, inequality and poverty in South Africa – there is still insufficient consensus on how this may be achieved.

Nedlac's Founding Declaration envisages a pivotal role for social dialogue in promoting a shared vision and cooperation to enhance growth, equity and participation. Yet despite the National Development Plan, the implementation of a shared vision and social cooperation to improve our socioeconomic prospects remains elusive. This is not a new problem; in fact in 1999 the then Director Jayendra Naidoo wrote in this

annual report that that "...Nedlac has been weak in building a national vision between the constituencies or an agreement on overall policy direction." The process, to be led by the Deputy President, may thus provide some opportunity for the social partners to agree on a common vision and strengthen the political resolve to transform our world of work to jointly accelerate inclusive growth.

In the current context, the prospects for cooperative approaches to addressing our socioeconomic challenges appear slim as our discourse remains highly polarised and ideological; the turmoil in the mining industry and other sectors, as well as the spread of community based conflicts are unlikely to abate in the short term; inter-union rivalry and intra-union division, as well as the challenges within the business constituency have further weakened the prospects for effective national level tripartite engagements. This does not mean that we must abandon Nedlac as a forum for national level social dialogue but rather that each and every constituency must urgently take responsibility and show leadership commitment to build trust and alter the mode of engagement to encourage partnership in building our common national interest. We are at a crossroads: we can proceed to stumble along the same road and continue with baseless finger-pointing when things go wrong, or we can follow a new path leading to a new social consensus. A new vision for new times, which addresses our new challenges headon. If nothing else the Marikana tragedy should have prompted serious soul-searching amongst all the social parties.

At an operational level, despite ongoing resource and other challenges, we are continuing to make good progress in strengthening the capacity of the secretariat and the organisation as a whole. We employed a number of staff members during the last financial year, which ensured a full capacity secretariat. Our performance management system is assisting to guide staff members and manage the efficient delivery of Annual Performance Plan objectives.

On the legislative and policy front, the second half of 2013 was particularly busy as Government sought to beat the deadlines for processing legislation prior to the 2014 elections. This resulted in a spurt of Nedlac engagements on various pieces of legislation. Despite the heavy demands that this placed on Nedlac's resources, including the demands on social partners, a number of Nedlac reports on key pieces of legislation were finalised. These include the Public Administration Management Bill, Expropriation Bill, and the Restitution of Land Rights Amendment Bill.

We wish to thank the overall convenors and chamber convenors for their support and working hard to ensure adherence to the Nedlac Protocols. This has helped improve our overall performance, as well as improving on the timeframes for consideration of all policy and legislative engagements.

We are again proud to report an unqualified audit. As you will see from the Governance section of this Annual Report our Governance structures are meeting regularly to manage the financial, audit and risk aspects of our operations.

Right now we have an opportunity to rethink how we do business, how we govern and how we rebuild society. What this means for the Nedlac constituencies, and South Africa as a whole, is we all need to start thinking and, more importantly, acting and relating differently if we are to survive these challenging times. I wish to thank all the staff members of Nedlac for their hard work and dedication, which often goes unappreciated.

Message from the Overall Convenor – Business

As achievement of the goal of inclusive growth continues to elude us, the need for robust social dialogue has never been greater. The role of Nedlac as a forum that provides the opportunity for social partners to grapple robustly with ways in which inclusive growth can be achieved needs to be recognised. Important as dialogue is we must also move to action. In this regard we need to guard against an approach that requires a holistic overarching plan before we can take any action. Where we can make progress in critical areas we should do so.

2013 was a year of significant challenges in Nedlac; we dealt with an above normal number of amendment bills. In general the negotiation timeframes originally agreed for each piece of legislation are being complied with. It is disappointing that there are sometimes long delays between concluding the engagements on a bill in Nedlac and tabling of the legislation in parliament.

A number of bills on which engagements in Nedlac were concluded in the last financial year, and some even concluded in the year before that, have not yet been tabled in parliament. Nedlac is currently in the process of concluding a Protocol with parliament that will ensure that Nedlac reports on bills tabled in parliament are considered by the relevant committee.

All four chambers tackled a significant load of legislation and policy, most of which was completed within the agreed timeframes. Bills considered covered a wide range of topics including land and property rights, gender equity, legal metrology, the energy sector, unemployment insurance and employment equity regulations.

In addition to the consideration of legislation and policy, the chambers arranged a series of briefing sessions on a variety of topics, which were designed to provide background information to enrich engagements on specific issues.

Practical implementation of IPAP and other similar industrial policy initiatives is a key element of the imperative of inclusive growth. The implementation of various aspects of the Industrial Policy Action Plan continues to be discussed. The role of Nedlac in establishing the broad buy-in, which is necessary for successful implementation of many of the cross cutting initiatives.



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The challenge of meeting national energy and water demands has enjoyed some attention, particularly in respect of access and pricing, which would enhance engagements on approaches to pricing strategies.

The negotiation process is largely dependent on the extent of contestation amongst social partners on the content. The higher the level of contestation, the higher the demand for a professional secretariat to support the negotiation process. The efforts made by the secretariat to ensure that a professional support service for the activities of the organisation is appreciated.

I would like to acknowledge the ongoing dedication of the chamber convenors, Kaizer Moyane, Fani, Xaba, Michael Lawrence and Dennis Dykes, without whose efforts the positive outcomes that we have achieved at chamber level would not have been possible.

Message from the Overall Convenor – Community

The value of social dialogue in South Africa, particularly at this dispensation, cannot be underestimated. The year 2014 has been a progressive but equally challenging one. Community Constituency's participation in the social dialogue is one of the underlying principles of democratic societies. Social dialogue process is not about coming to the negotiating table with a list of problems, but rather an engagement to reach consensus and resolve socio-economic challenges.

Community Constituency's main concern is that since the formation of Nedlac, its participation has been confined to the development chamber only. The inclusiveness of social dialogue is questionable when there is exclusion in other processes where Community Constituency would have made meaningful contribution. Barricading the negotiating forum is of concern to the Constituency.

Social dialogue process is not about coming to the negotiating table with a list of problems, but rather an engagement to reach consensus and resolve socioeconomic challenges.

While we have not yet fully recovered from the previous global financial crisis, the social dialogue platform had been one of the means of addressing and resolving problems caused by such a juggernaut. Social dialogue fosters socioeconomic development in all areas, as such; a top priority should be to eradicate poverty, hunger and systemic social exclusion. Structural unemployment, deepening social and economic inequalities, a vulnerable society and lack of access to opportunities remain "sore" points for development and a developmental state.

Education and employment problems are still elusive to deal with or manage. In townships, urban and periurban areas, education should continuously be targeted as a major concern that needs endless attention. Skills need to be taught, social attitudes need to be altered and more community effort needs to be made so that unemployment does not become a condition that is continually passed through generations.



Segments of our communities remain desperate for energy sources, access to life saving and responsive primary health care, functional early childhood education for millions of children in rural and urban townships, income subsidies to augment available household disposable income and the ever elusive creation of decent work opportunities. Sadly key drivers of unemployment remain race, gender location and education. Youth, women and people with disabilities, especially those identified decades ago to receive help from the state, continue to remain vulnerable and throttled by poverty. The assistance for youth, women and people with disabilities has not yet fully filtered through to the respective beneficiaries. To date, these marginalised groups remain vulnerable and therefore, more work is still required to transform communities.

While there are many initiatives that can lift up our people from poverty, such as ring fencing certain products in local procurement to cooperatives owned by women, people with disabilities, youth, etc, implementation of such initiatives remains a contested terrain. Brilliant proposals remain part of the talk show.

The current economic situation shows more than ever the need to reinforce the role of social dialogue in South Africa.

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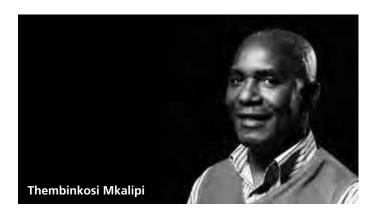
Message from the Overall Convenor – Government

Despite the turbulent labour relations environment and criticisms levelled against Nedlac, the institution weathered boisterous winds. The labour market continued to face slow economic growth, low levels of job creation, poverty and deep inequalities. Lately, we have witnessed unprecedented industrial action in the platinum sector, which impacted the economy and, according to the South African Reserve Bank, during the first quarter of 2014 South African Gross Domestic Product actual growth was negative zero point six percentages and normal growth was one point 6 percentages due to the negative impact of the platinum strike.

This antagonistic labour relations call upon Nedlac social partners to show maturity and engage in a manner that seeks to put the country first. All parties will have to play a role. They will have to come to the table with the spirit of give and take. Winning at all costs, makes losers of us all; it must be remembered that we are part of a whole. As in the past, I believe we can engage each other with the altruism of cooperation.

The President alluded to the need to address accelerated growth and deal with the triple challenges of unemployment, poverty and inequalities in his State of the Nation address. To fight unemployment, poverty and inequalities, Nedlac social partners will have to build investor confidence and seek ways to grow the economy. It will not be easy, but in the past Nedlac has overcome insurmountable challenges through social dialogue.

Government is looking forward to the Labour Relations Indaba as a platform that will address challenges facing our labour market. We are certain that social dialogue will prevail.



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Message from the Overall Convenor – Labour

The world is confronted with many challenges but the primary one remains the economic crisis. Joseph Stiglitz advises us that whilst "we may have pulled back from the brink of which we stood in the fall of 2008, but we cannot claim victory until unemployment is brought down to where it was before the crisis, and until the real incomes of workers have made up for the losses that have been suffered in the interim. We can do it but only if we correct the mistakes of the past, change course and keep in mind the true objectives for which we should be striving."

The uneven economic recovery and successive downward revisions in economic growth projections have had an impact on the global employment situation. Almost 202 million people were unemployed in 2013 around the world, an increase of almost 5 million compared to the year before. This reflects the fact that employment is not expanding at a sufficiently fast pace to keep up with the growing labour force.

As a country we have learnt a lesson – that there is no shortcut to finding solutions, but only social dialogue. We proceed from an understanding that social dialogue is about asserting the fundamental values and capabilities of humanity which transcend the class divide.

The crisis-related global jobs gap that has opened up since the beginning of the financial crisis in 2008, over and above an already large number of jobseekers, continues to widen. In 2013, this gap reached 60 million jobs, including 62 million people including 32 million additional jobseekers, 23 million people who became discouraged and no longer looked for jobs and 7 million economically inactive people who prefer not to participate in the labour market.

If the current trends continue, global unemployment is set to worsen further, albeit gradually, reaching more than 215 million jobseekers by 2018. During this period, around 40 million net jobs would be created



every year, which is less than the 42.5 million people who are expected to enter the labour market every year.

The South African situation is not far from the global picture, in fact in many respects it mirrors the global trends and in some areas reflects a more serious situation. Here are the facts: the recent figures show that 87 000 more people joined the ranks of the jobless and poor in the second quarter of 2014, bringing the total number out of work to an appalling 5.2 million people. The official unemployment rate – which takes into account only people actively looking for work – has risen to 25.5 percent, up by 0.3 percent from 25.2 percent in the first quarter. (Statistics South Africa reported this in its quarterly labour force survey, which was released in July 2014.)

This is the highest level since the first labour force survey in 2008, when the rate was four points lower, at 21.5 percent. The more realistic expanded rate of unemployment, taking into account people who have given up looking for work, rose to 36.6 percent in the second quarter, up from 35.1 percent. This is a damning indictment.

We are even more worried that the high levels of unemployment, poverty and inequalities coexist with the painful reality that the 85 richest people in the world now control as much wealth as the bottom 50 percent. And the world's 1 645 billionaires, according to Forbes, posses a combined wealth of \$6.4 trillion in 2013.

Research of our country's top 50 companies today, compared with those in 2005, reveals that they are now three times as high as "what were already skyhigh salaries" nine years ago. In 2005, chief executives earned annual packages of about R15 million including benefits, which was then about 700 times the minimum wage in some sectors.

Today, the packages of the same chief executives have risen to an average of R49 million. A survey of 296 executive directors in 83 companies across 14 sectors found the average remuneration of executives in 2012 was around R7.7 million, while the earnings of chief executives climbed to an average of R11 million. This means the low-wage earner would have to work 15 years to make what the average non-executive director would make in a year, but would work 174 years to match the earnings of the executive director and 267 years for what the average chief executive is earning a year.

We are in trouble. The working class is in trouble, so is our country. This greed must be stopped and it should be stopped now, faster. Business as usual is no longer sustainable.

With these painful reminders of the challenges confronting us, on behalf of Organised Labour in Nedlac, we welcome our newly-elected Deputy President of the Republic, Cyril Ramaphosa, (who many workers affectionately call "Silili Lamaphosa"); our newly appointed Minister of Labour Minister Mildred "MaButhelezi" Oliphant and our newly appointed Deputy Minister Inkosi Phathekile "Aah! Dilinzintaba" Holomisa and we are looking forward to working with your leadership in Nedlac.

The 2010 International Labour Conference's recurrent item discussion on employment, as well as the Global Jobs Pact, has provided a broad framework to address the impact of the financial crisis and speed up recovery—stimulating demand, putting employment at the centre of macroeconomic policies, policy coordination both nationally and internationally, and respect for workers' rights and international labour standards. Yet many governments had turned to austerity policies leading to rising unemployment and underemployment, youth and long-term unemployment, cuts in public-sector wages, pensions and public services, attacks on labour protection and overturning collective agreements, further weakening bargaining power of workers.

The current high levels of unemployment are due to the lack of global aggregate demand, which itself had been caused by a long period of declining wage share, due to the decline of wage growth for productivity growth, cuts in social protection and public services, a rise in precarious work, and many years of regressive taxation, tax evasion and tax avoidance.

We should note the success of countries that have adopted pro-employment macroeconomic policies, public investments, and social protection that reduce inequalities and promote collective bargaining and social protection.

A comprehensive policy framework for freely chosen, full and productive employment and decent work, as stated in the Employment Policy Convention of 1964 (No 122) is required. For the social dialogue to blossom it needs social partners to build research on macroeconomic and industrial policies that target employment creation.

The challenges and the trends noted need to be reversed: increasing global unemployment, long-term unemployment and underemployed, especially among young people and a significant drop in global employment and participation. As noted in the World of Work Report, most jobs that have been created are of poor quality and poorly paid; a disproportional share were precarious jobs and there was a growing level of job security, and a rise in temporary employment for workers without residence permits.

These trends preceded the crisis and their causes needed to be addressed, most importantly the lack of consistent pro-employment fiscal, monetary and industrial policy. Productivity and real wage growth were below precrisis levels and have become decoupled, which along with a decline in the recognition of labour rights, had resulted in greater income inequalities.

Again, the picture painted above is no different from what is happening in our economy: the attack on collective bargaining by an institution like the Free Market Foundation, the aborted assault on the CCMA by the Law Society, the attack on Nedlac by the Treasury in bypassing Nedlac in introducing the Employment Tax Incentive Bill, and the collaboration by cabinet in ignoring Nedlac (the same institution that was created through the law of Parliament).

The attempt by some in the Department of Labour to attack the already weakened right to strike by asking the ILO to advise on how this may be done, their attempt to suggest that lawyers should help them to devise how to undermine this right, is a clear indication that we are moving against our commitment to the Decent Work Agenda. Shame on them, that a soberly-minded person can dare to undermine our constitution.

As if the advice from Joseph Stieglitz is not enough, the recurrent discussion on strategic objective of employment report says "the road towards sustainable recovery and development requires proactive employment-centred, inclusive growth strategies and coherent policy frameworks, both at global and national levels industrialized, emerging and developing economies alike."

We hope and trust that the arrival of the new team will follow the best example of those before it and assert the respect that needs to be accorded to Nedlac. But they must refuse to emulate those who have consciously worked to undermine Nedlac.

We want to declare to all those who care to listen to the voice of labour that this year will not accept being short changed when it comes to issues that must go through Nedlac.

Our intention is to challenge all the relevant policies that did not go through Nedlac. For this we are prepared to go the streets as a united force!

As we declared in our 2014 Nedlac Labour Conference, our core aim is to get more people in permanent, sustainable and decent employment, and that we will focus our resources on ensuring that our members enjoy job security and acceptable working conditions.

We will fight for the introduction of a legislated national minimum wage and we recommit to the priorities and outputs of the South African Decent Work Country Programme.

We have declared that we will improve the coordination of engagements linking this programme to other regional initiatives such as the SADC Decent Work Programme.

As labour we stand united in our unanimous opposition to the Employment Tax Incentive Act, which seeks to provide better incentives to employers that pay lower wages. This constitutes a further erosion of already strained wages in the labour market.

We have said that we will remain open to any engagement on the Act. We will also monitor the effect of this Act, especially regarding the possible displacement of older workers, "recycling" practices as well as other negative labour market implications.

We reaffirm our position that all socio-economic issues should be tabled at Nedlac. We want to receive an assurance from the Deputy President of the Republic that Government remains committed to the Nedlac Protocol, and that all socio-economic issues will first be considered at Nedlac before continuing to Parliament.

We agree to build the capacity of Organised Labour, both through training interventions and commissioning of relevant research. We agreed on the urgency of reforming the Extended Public and Community Work Programmes. We will ensure that decent and sustainable work is at the centre of these policies.

We have affirmed our commitment to the effective and efficient implementation of the National Health Insurance (NHI) policy. We will focus on the role of community health workers, functioning and effectiveness of pilot sites, and the financing of this policy.

As united organised labour we agree that land and agrarian reform policy matters should be resolved urgently. We emphasise the Security of Tenure Amendment Bills, Land Restitution Bill and negotiations over the paper by the Department of Rural Development and Land Reform entitled: "Strengthening Relative Rights of People Working the Land".

We stand firm as labour on our position that the country should develop a safe, affordable and efficient integrated public transport system that provides mobility to people. We call on government to subsidise public transport so that it becomes more affordable.

We will focus our attention on issues relating to water provision and sanitation. This includes matters such as the maintenance of infrastructure such as pipelines and pumps, as well as the provision of waste water management systems, especially in rural areas. We will also campaign for an emphasis on service delivery and sustainability in the usage of water.

We have welcomed the recent investigation of the pharmaceutical sector by the Competition Commission. As united labour we hold a view that the pharmaceuticals sector must also address issues of intellectual property rights and urgently conclude a sector strategy.

We support the localisation of this industry and see value in facilitating local investment in this sector. We note the successes in free basic healthcare and access to medicine in general, as provided by the State. We have pledged to monitor the implementation of local procurement legislation. We will do this through engaging other social partners to develop mechanisms and seek to advance legislative imperatives in local procurement law.

We will strive for the tax system to be aligned to the goals of job creation, redistribution and industrialisation. We agree that the state should strengthen its regulatory institutions and mechanisms in the finance sector.

We agree on the necessity of protecting workers from exorbitant charges and exploitative financial practices. Government must make resources available so that Nedlac can properly monitor the implementation of the Financial Services Charter. We will also campaign for a policy framework to establish a savings regime for workers in the vulnerable sectors.

We wait in anticipation for the retirement reforms emanating from Government and we pledge to engage in unison on this important matter.

As a country we have learnt a lesson that there is no shortcut to finding solutions, but only social dialogue. We proceed from an understanding that social dialogue is about asserting the fundamental values and capabilities of humanity which transcend the class divide.

It is for this reason that as labour, with all the might of the mass of millions of workers on our side, we do not see war as an answer; instead we stand firm to declare that the solutions to our country's challenges will be found on our commitment to social dialogue.

Public Entity's General Information

Registered name of the public entity

National Economic, Development and Labour Council (Nedlac)

Registered office address

14a Jellicoe Avenue, Rosebank, 2196

Postal address

PO Box 1775, Saxonwold, 2132

Contact telephone number

011 328 4200

Email address

info@Nedlac.org.za

Website address

www.Nedlac.org.za

Auditor-General of South Africa

Contact telephone number: 012 426 8000

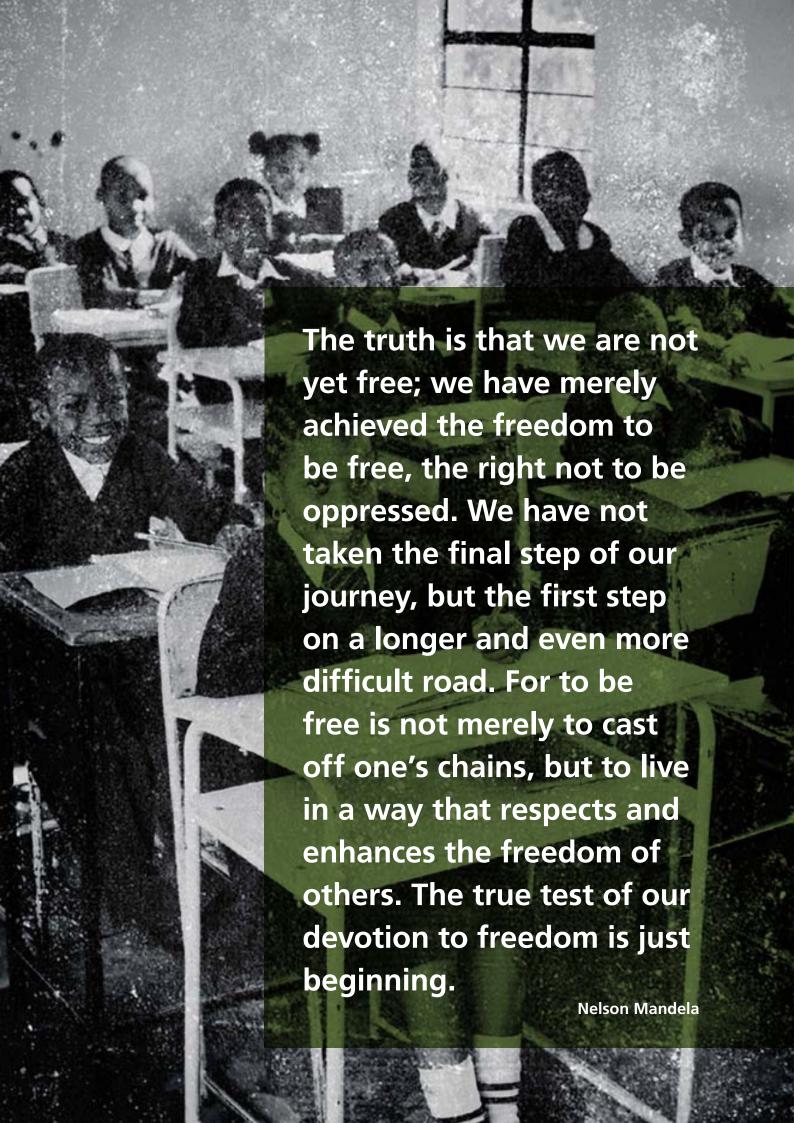
Banker's information

First National Bank, Rosebank Branch

Contact person: Liz Makgalemele 087 311 7350 matshere.makgalemele@fnb.co.za

Company secretary

Mr Alistair Smith - Executive Director



PART B performance information

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Overview of Public Entity's performance

1. Updated situational analysis

1.1. Performance delivery environment

The overall environment remains dominated by uncertainty as the South African economic remains fragile and dependent on global economic conditions. The structural challenges the South African economy continues to impose significant constraints on its growth prospects. Unemployment, especially youth unemployment, poverty and inequality remain stubbornly high.

These factors continue to present a highly challenging environment for social dialogue and for labour market institutions in general, and for Nedlac in particular. The increased risk of social and labour conflict points to an urgent need for the reinvigoration of social dialogue and a renewed commitment by all social partners to the founding values of Nedlac.

This would require a strengthened commitment, particularly on the part of government, to table policy and legislation for engagement in Nedlac's chambers. There has unfortunately been a decline in the number of legislative issues that have been tabled at Nedlac, during the year under review. In this regard, this decline may be attributable to the national elections that were held in May 2014.

Nedlac's establishment occurred at the time of South Africa's first democratic election in 1994, as a response to the need to promote social and economic growth through a strong and constructive partnership. It is essential that this partnership is reinvigorated.

1.2. Organisational environment

Engagements at Nedlac are guided by the following three Protocols:

- Nedlac Protocol for Tabling Issues at Nedlac (updated during the course of the 2012–13 financial year)
- Section 77 Protocol (updated during the course of the 2012–13 financial year)
- Protocol on the Working Relationship between Nedlac and Parliament. (developed in the 2013–14 financial year)

The Nedlac Protocol provides a basis for consideration of matters that are tabled at Nedlac. In this regard, the Nedlac Protocol provides time frames within which engagements should be finalised. Matters that are tabled at Nedlac in terms of Section 77 of the Labour Relations Act are addressed in terms of the Nedlac Section 77 Protocol. Nedlac also recently concluded a Protocol on the Working Relationship between Nedlac and Parliament. The Nedlac Protocol and the Section 77 Protocol have both been amended to ensure that they remain effective and relevant to the needs of the organisation.

Actions have also been implemented to enhance the capacity of the Nedlac Secretariat in order to ensure efficient and strong support to social partner engagement processes. Notwithstanding these efforts, it must however be noted that the core work programme of Nedlac is largely determined by the policy and legislative matters that Government tables for engagement at Nedlac. This creates a degree of unpredictability in the Nedlac work programme. The extent of consensus arising from Nedlac engagements is also dependent on the ability of social partners to establish trust and cooperation between themselves.

Given the often robust nature of engagement at Nedlac, a core focus of the APP for 2014–15 will be on consolidating the establishment of a stronger and more effective institution for social dialogue. In this regard, Nedlac will emphasise the following in the 2014–15 financial year:

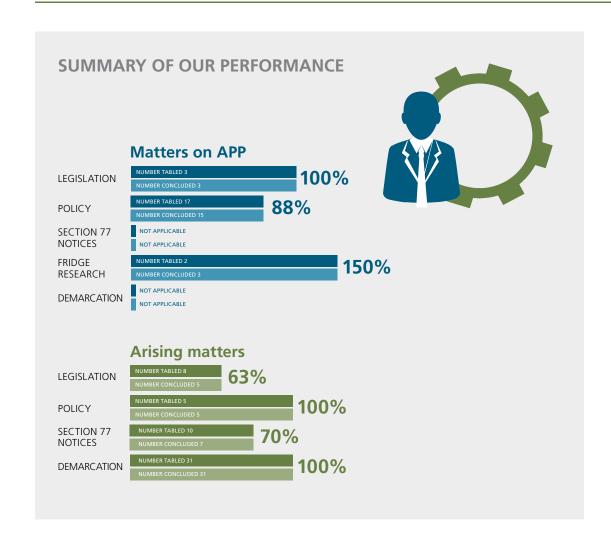
- i) **Improving governance:** with a focus on improving compliance with the requirements of the Nedlac Act and Constitution. This has been identified as a priority area by the Nedlac Management Committee. A Governance Task Team has been established to develop proposals on strengthening governance processes and structures at Nedlac. These proposals will be implemented in the 2014–15 financial year.
- ii) Improving risk management: this will include implementation of Nedlac's recently developed finance policies, consolidation of the recently established Supply Chain Management Unit and enhanced compliance with global best practices in respect of the functioning of NEDLAC's Finance Committee and Audit and Risk Committee respectively.
- iii) **Sustaining a culture of performance:** a sound basis has been laid for improved staff performance. This will be consolidated in the 2014–15 financial year, through the implementation of the performance management system, roll-out of the skills development plan, enhanced implementation of the electronic workflow management system and an improved work environment.
- iv) **Promotion of social dialogue and the role of Nedlac:** Initiatives will be undertaken to strengthen the communication, research and monitoring capabilities of the organisation, as well as promoting greater public awareness of the work of the organisation. The 2014–15 financial year also marks the 20th anniversary of Nedlac. This is an important institutional milestone and will be used to promote Nedlac's role and relevance in building consensus and partnership between the social partners.

2. Revisions to Legislative and other Mandates

There have been no significant revisions to the Nedlac legislative and other mandates.

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Performance information by programme



The work of Nedlac is structured in terms of the following strategic objectives

Strategic Objective 1	The Nedlac Exco and Manco meetings and Annual Summit are held in terms of the constitution and provide high quality leadership and strategic direction to Nedlac
Strategic Objective 2.1	The social partner engagement on policy and legislative issues related to the Development Chamber is effective and complies with the Nedlac Protocol
Strategic Objective 2.2	The social partner engagement on policy and legislative issues related to the Public Finance and Monetary Policy Chamber is effective and complies with the Nedlac Protocol
Strategic Objective 2.3	The social partner engagement on policy and legislative issues related to the Trade and Industry Chamber is effective and complies with the Nedlac Protocol
Strategic Objective 2.4	The social partner engagement on policy and legislative issues related to the Labour Market Chamber is effective and complies with the Nedlac Protocol
Strategic Objective 2.5	The Manco Task Teams promote effective engagement on issues that cut across the Chambers and comply with the Nedlac Protocol
Strategic Objective 2.6	The Section 77 task teams effectively resolve socioeconomic disputes as per the requirements of the LRA and the Nedlac Section 77 Protocol document
Strategic Objective 3.1	Nedlac enjoys a positive public image and is perceived as the premier institution for social dialogue in South Africa and the preferred source of information and comment on social dialogue, socioeconomic and labour market trends, updates and related issues in South Africa
Strategic Objective 3.2	Nedlac enjoys a positive relationship with Parliamentary Portfolio Committees and provincial social dialogue structures
Strategic Objective 4.1	Nedlac is appropriately resourced with an effective structure and highly competent and motivated personnel
Strategic Objective 4.2	The Nedlac operations (systems and processes) have been upgraded to enable an effective and efficient administration of all Nedlac structures

Programme 1: Administration

The purpose of this programme is to enhance organisational efficiency and effectiveness

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Improved systems and operations	Date by which an improved business processes and electronic reporting system are in place	System was installed in mid- August 2013	Not applicable	Not applicable
	Date by which voice and data infrastructure has been upgraded and is managed by a single service provider	A VoIP system has been implemented, with MWEB as the sole service provider	Not applicable	Not applicable
Effective governance and oversight	Date by which a Delegation of Authority Framework is finalised	A Delegation of Authority Framework was adopted by Manco at its meeting on 24 October 2013	Not applicable	Not applicable
	Date by which a review of governance structures is finalised	A review of the Nedlac Constitution has been conducted by a Manco Governance Task Team. This review included an assessment of the Nedlac Constitution, the Nedlac Act, the Delegation of Authority Framework and the Exco Delegation to Manco	Not applicable	Not applicable

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Effective governance and oversight	Date by which recommendations arising from the review are implemented	The Nedlac Management Committee (Manco) has considered the report of the Governance Task Team. The Overall Convenors have been tasked with engaging further on the recommendations of the report and implementation of recommendations will therefore only be undertaken once Manco has agreed on the way forward in respect of this report	The recommendations arising from the review were not implemented in the financial year under review	Manco was of the view that the recommendations of the Governance Task Team required further deliberation by Nedlac's Overall Convenors, prior to consideration by Nedlac's Executive Council (Exco). This will take place in the 2014–15 financial year
Provide leadership and strategic direction	Number of Manco meetings held	Manco meetings were held on 25 April 2013 and 27 June 2013, 25 July 2013, 26 September 2013 and 24 October 2013. Special Manco meetings were held on 17 May and 30 May 2013	Not applicable	Not applicable
	Number of Exco meetings held	Exco meetings were held on 24 May 2013, 6 September 2013, 22 November 2013 and 28 February 2014	Not applicable	Not applicable

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Provide leadership and strategic direction	Date by which research support network is established	The following initiatives have been undertaken: • A partnership has been developed with the ILO, which has funded a review of Nedlac. • The FRIDGE facility is undertaking various research initiatives. • The University of Stellenbosch provided economic statistics to Nedlac, through a subscription service. • Roundtables have been convened, including through the participation of the ILO and FES	Not applicable	Not applicable
	Number of research reports concluded	 Research report titled "Repositioning Peak-level Social Dialogue in South Africa: Nedlac into the Future completed" Report arising from a South African- Norwegian round table session on social dialogue has been concluded 	Not applicable	Not applicable

Programme 2: Human Resources Management

The purpose of this programme is to strengthen organisational culture and performance

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Strengthening organisational culture and performance	Date by which the Secretariat structure is finalised and recruitment concluded	The Secretariat structure has been finalised. Recruitment to fill current vacancies has been concluded	Not applicable	Not applicable
	Date by which staff performance management system is in place	Staff performance management system is in place	Not applicable	Not applicable
	% of staff undergoing performance reviews	64% of staff underwent performance assessments	36% of staff did not undergo performance assessments	The performance management system was developed and introduced in the financial year under review. It was therefore not possible to timeously complete assessments for all staff. Instead, core operation staff were prioritised

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
	Date by which the skills development plan is developed and roll-out commences	A skills development plan has not been concluded	Skills development requirements have been identified for core operation staff	The identification of skills gaps was undertaken through performance assessments. Given that not all performance assessments were concluded, it was not possible to finalise the skills development plan
	Date by which a staff satisfaction survey is conducted	A staff satisfaction survey has been administered	Not applicable	Not applicable

Programme 3: Finance				
The purpose of t	his programme is	to improve financ	ial management f	or Nedlac
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Improved resource management	Date by which Nedlac resource requirements would be reviewed and benchmarked	Report completed and submitted	Not applicable	Not applicable
	Number of reports to the Audit Committee, Finance Committee and Manco	Revised finance policies were approved by Manco on 26 September 2013	Not applicable	Not applicable

Programme 4: Nedlac Chambers

The purpose of this programme is to consider and engage on policy and legislation

Sub-programme 4.1: Development Chamber

The purpose of this sub-programme is to consider and engage on policy and legislation pertaining to urban and rural development, youth, gender, people with disabilities and the associated institutions of delivery

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to conclude the Nedlac Report on the Women Empowerment and Gender Equality (WEGE) Bill	The Nedlac Report on this matter was signed off by Manco at its meeting on 25 July 2013	Not applicable	Not applicable
	Time taken to conclude the Nedlac Report on the Housing Consumer Protection Bill	Not achieved	Not achieved	Government had indicated that it wished to table this matter at Nedlac, hence its inclusion in the APP. This Bill was however not tabled for engagement by Nedlac

Sub-programme 4.1: Development Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Status of arising m	atters			
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to conclude a Nedlac Report on the Restitution of Land Rights Amendment Bill	The Nedlac Report on this matter was signed off by Manco at its meeting on 26 September 2013	Not applicable	Not applicable
	Time taken to conclude a Nedlac Report on the Expropriation Bill	A Nedlac Report has been concluded and was signed off by Manco on 27 June 2013	Not applicable	Not applicable
	Time taken to conclude a Nedlac Report on the Extension of Security of Tenure Amendment Bill	Not achieved	Not achieved in the financial year under review	Government tabled this matter on 28 January 2014. A task is engaging on this Bill
	Joint special session on the EPWP and CWP convened with the Deputy Ministers of CoGTA and DPW concluded	The joint session with the Deputy Ministers took place on 26 March 2014	Not applicable	Not applicable

Sub-programme 4.2: Public Finance and Monetary Policy Chamber

The purpose of this sub-programme is to consider and engage on policy and legislation pertaining to financial, fiscal, monetary and exchange rate policies, the coordination of fiscal and monetary policy, the related elements of macroeconomic policy and the associated institutions of delivery

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of special sessions on the National Budget and the Medium Term Budget Policy Statement	The first briefing session subsequently took place on 4 July 2013. A second briefing session on the Medium Term Budget Policy Statement (MTBPS) took place on 1 November 2013	Not applicable	Not applicable
	Number of reports to Manco arising from the special sessions	The first briefing report was signed off by Manco on 24 October 2013. The second report was signed off by Manco on 24 April 2014	Not applicable	Not applicable
	Number of special sessions on household savings	This session took place on 5 September 2013	Not applicable	Not applicable
	Number of reports to Manco arising from the special session	The briefing report was signed off by Manco at its meeting on 24 October 2013	Not applicable	Not applicable

Sub-programme 4.2: Public Finance and Monetary Policy Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of training sessions	The first training session took place on 22 and 23 July 2013. A second training session took place on 18 and 19 February 2013	Not applicable	Not applicable
	Number of special sessions on the SACU revenue- sharing formula	This session took place on 11 September 2013	Not applicable	Not applicable
	Number of reports to Manco arising from the special session	The briefing report was signed off by Manco at its meeting on 24 October 2013	Not applicable	Not applicable
	Number of special sessions on inflation targeting	This session took place on 3 May 2013	Not applicable	Not applicable
	Number of reports to Manco arising from the special session	A report arising from the session was signed off by Manco at its meeting on 27 June 2013	Not applicable	Not applicable
	Number of special sessions on the Financial Sector Charter and Scorecard	This session has been concluded	Not applicable	Not applicable

Sub-programme 4.2: Public Finance and Monetary Policy Chamber						
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations		
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of reports to Manco arising from the special session	A briefing report was signed off by Manco at its meeting on 26 September 2013	Not applicable	Not applicable		
	Number of special sessions on household access to finance	This session took place on 16 October 2013	Not applicable	Not applicable		
	Number of reports to Manco arising from the special session	The briefing report was signed off by Manco on 24 April 2014	Not applicable	Not applicable		
	Number of special sessions on monetary policy with the Governor of the Reserve Bank	Not achieved	Not achieved in the financial year under review	The Governor of the SARB was unavailable for an Exco-level session until 29 July 2014		
	Number of reports to Manco arising from the special session	Not achieved	Not achieved in the financial year under review	The Governor of the SARB was unavailable for an Exco-level session until 29 July 2014		

Sub-programme 4.3: Trade and Industry Chamber

The purpose of this sub-programme is to consider and engage on policy and legislation pertaining to the economic and social dimensions of trade, industrial, mining, agricultural, and services policies and the associated institutions of delivery

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to finalise the Nedlac Report on the Legal Metrology Bill	The Nedlac Report was signed off by Manco at its meeting on 26 September 2013	Not applicable	Not applicable
	Number of chamber briefing sessions on the implementation of IPAP	This comprised part of the session with the Minister of Trade and Industry that was held on 25 June 2013	Not applicable	Not applicable
	Number of reports to Manco arising from the chamber briefing sessions on the implementation of IPAP	The first briefing report was signed off by Manco at its meeting on 26 September 2013. A second briefing report was signed off by Manco on 24 April 2014	Not applicable	Not applicable
	Number of strategic sessions with the Minister of Trade and Industry	The Strategic Session with the Minister was held on 25 June 2013	Not applicable	Not applicable

Sub-programme 4.3: Trade and Industry Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of reports to Manco arising from the strategic session with the Minister of Trade and Industry	The briefing report was signed off by Manco at its meeting of 26 September 2014	Not applicable	Not applicable
	Number of progress reports to Manco on Teselico	The first quarter report was considered and noted by Manco at its meeting on 27 June 2013. The second quarter report was considered and noted by Manco at its meeting of 26 September 2013. The third and fourth quarter progress reports were signed off by Manco on 24 April 2014	Not applicable	Not applicable
	Number of FRIDGE research reports completed	Three studies have been concluded		

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Sub-programme 4.3: Trade and Industry Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Status of arising m	aatters			
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to conclude a Nedlac Report on the Expropriation Bill	A Nedlac Report has been concluded and was signed off by Manco on 27 June 2013	Not applicable	Not applicable
	Time taken to conclude a Nedlac Report on the Gas Amendment Bill	Not achieved	Not achieved in the financial year under review	This Bill was tabled at Nedlac on 3 October 2013. A task team is engaging on the matter

Sub-programme 4.4: Labour Market Chamber

The purpose of this sub-programme is to consider and engage on policy and legislation pertaining to world of work and the associated institutions of delivery

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of progress reports to Manco on the Decent Work Country Programme	Progress reports were provided to Manco for Quarter 1, 2, 3 and 4	Not applicable	Not applicable
	Time taken to conclude the Nedlac Report on the amended Occupational Health and Safety Act	Not achieved	Not achieved in the current financial year	Government had indicated that this matter would be tabled for engagement at Nedlac in the financial year under review, hence its inclusion in the APP. This matter has however not yet been tabled by Government
	Time taken to conclude the Nedlac Report on the amended Compensation for Occupational Injuries Act	Not achieved	Not achieved in the financial year under review	Government had indicated that this matter would be tabled for engagement at Nedlac in the financial year under review, hence its inclusion in the APP. This matter has however not yet been tabled by Government

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Sub-programme 4.4: Labour Market Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to conclude the Chamber report on the ILO Article 22 reports	This was tabled on 20 May 2013. The Chamber has concluded its consideration of Article 22	Not applicable	Not applicable
	Time taken to resolve demarcation disputes referred by the CCMA	29 awards have been concluded	Not applicable	Not applicable
	Time taken to conclude consideration of demarcation applications referred by the CCMA	Two applications have been concluded	Not applicable	Not applicable
	Number of briefing reports to Manco	A briefing report on the first session with Productivity SA was signed off by Manco on 27 June 2013. The briefing report on the second session with the Judge President was signed off by Manco at its meeting on 26 September 2013. A briefing report on the session with the Department of Justice was signed off by Manco at its meeting of 24 October 2013	Not applicable	Not applicable

Sub-programme 4.4: Labour Market Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to conclude the Nedlac Report on the Unemployment Insurance Amendment Bill	The Nedlac Report was signed off on 14 March 2014	Not applicable	Not applicable
	Time taken to conclude the Nedlac Report on Regulations for Assessment of Work of Equal Value	Not achieved	Not achieved in the current financial year	Government tabled the draft Employment Equity Regulations on 6 February 2014. The regulations for assessment of work of equal value form part of the draft Employment Equity Regulations. A task team is engaging on these regulations
	Date by which the Nedlac Report on the Review of the Codes of Good Practice on Dismissal would be finalised	Not achieved	Not achieved in the financial year under review	Government had indicated that this matter would be tabled for engagement at Nedlac in the financial year under review, hence its inclusion in the APP. This matter has however not yet been tabled by Government

Sub-programme 4.4: Labour Market Chamber				
Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of special sessions on protests, strikes and violence	Not achieved	Not achieved in the current financial year	The Chamber has agreed that this will be incorporated into a planned Labour Relations Indaba. This Indaba has not yet been convened
	Number of reports to Manco arising from the special session on protests, strikes and violence	Not achieved	Not achieved in the current financial year	The Chamber has agreed that this will be incorporated into a planned Labour Relations Indaba. This Indaba has not yet been convened
Status of arising m	atters			
Conclude matters under consideration within the framework of the Nedlac Protocol	Ratification of the Instrument for the Amendment of the Constitution of the ILO	The Instrument was signed off by Manco at its meeting on 25 July 2013	Not applicable	Not applicable
	Time taken to conclude the Nedlac Report on the Policy on Appointment of Insolvency Practitioners	The Nedlac Report was signed off by Manco on 27 June 2013	Not applicable	Not applicable
	Time taken to conclude the Nedlac Report on the Public Administration Management Bill	The Report was signed off by Manco at its meeting on 24 October 2013	Not applicable	Not applicable

Programme 5: MANCO Task Teams

The purpose of this programme is to consider and engage on policy and legislation that cuts across all of the Chambers

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration within the framework of the Nedlac Protocol	Number of briefing sessions on administered prices	Briefing sessions took place on 12 June 2013 (Municipal tariffs) 9 July 2013 (Multi-year price determination) 4 October 2013 (Water tariffs) 28 October 2013 (Port tariffs)	Not applicable	Not applicable
	Number of briefing reports to Manco on administered prices	A briefing report arising from the first session was considered and signed off at the Manco meeting of 27 June 2013. The briefing report arising from the second session was signed off by Manco at its meeting held on 26 September 2013. Briefing reports on the third and fourth sessions were signed off by Manco on 24 April 2014	Not applicable	Not applicable
	Date by which report to feed into the development of South Africa's G20 country position is finalised	The report was signed off by Manco at its meeting held on 26 September 2013	Not applicable	Not applicable

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Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Status of arising m	natters			
Conclude matters under consideration within the framework of the Nedlac Protocol	Time taken to conclude a Nedlac Report	Not achieved	Not achieved in the current financial year	Government tabled the Aarto Amendment Bill and Schedule in February 2014. The Nedlac Report is being concluded
	Number of Briefing Reports to Manco	A task team engagement with Eskom took place on 5 July 2013. This session focussed on feedback from Eskom on the security of electricity supply. A briefing report has been finalised and signed off by Manco on 24 April 2014	Not applicable	Not applicable
	Number of Briefing Reports to Manco	The briefing report was signed off by Manco at its meeting on 24 October 2013	Not applicable	Not applicable

Programme 6: Section 77

The purpose of this programme is to consider and engage on applications made in terms of Section 77 of the Labour Relations Act

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration with the framework of the Section 77 Protocol	Time taken to resolve Section 77 Notices	A total of 10 Section 77 applications arose during the course of the 2013–14 financial year. Seven of these were concluded in that financial year	Not applicable	Not applicable
	Date for ratification of the updated Section 77 Protocol by Manco	The Section 77 Protocol has been approved by Manco at its meeting on 25 April 2013	Not applicable	Not applicable

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Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Status of arising m	atters			
Conclude matters under consideration with the framework of the Section 77 Protocol	Time taken to resolve Section 77 Notices	Cosatu Western Cape notice on the quality and equality of education in the Western Cape: A facilitated process has been underway to consider this matter	The parties have agreed to suspend this process until further feedback has been obtained from the Respondent	A facilitated process has not yet been concluded
		Cosatu Eastern Cape notice on poor service delivery in the Eastern Cape: The Section 77 Standing Committee has concluded its consideration of this matter	Not applicable	Not applicable

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration with the framework of the Section 77 Protocol		4.1 "The referring party has failed to attend meetings convened in terms of section 77 of the Act and the Procedure." Arising from this, the Section 77 Standing Committee has deemed this matter as not having been considered in compliance with Section 77(1) (c) of the Labour Relations Act. In this regard, the applicant has failed to attend meetings convened in terms of Section 77 of the Act and the Procedure. Protest action arising from this would therefore not be covered in terms of the Act		

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration with the framework of the Section 77 Protocol	Time taken to resolve Section 77 Notices	Cosatu's notice on the slow pace of socio-economic transformation: The Section 77 Standing Committee has concluded its consideration of this matter	Not applicable	Not applicable
		A notice was received from Trawusa. The Section 77 Standing Committee has concluded its consideration of this matter	Not applicable	Not applicable
		Nactu notice on violence in the mining sector: The Section 77 Standing Committee has concluded its consideration of this matter	Not applicable	Not applicable
		Joint Satawu and Utatu-Sarhwu notice on the privatisation of the port of Ngqurha: The Section 77 Standing Committee has concluded its consideration of this matter	The Applicant and the Respondent are continuing to engage on the concerns raised by the Applicant in its notice	A facilitated process is underway to address this notice

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration with the framework of the Section 77 Protocol	Time taken to resolve Section 77 Notices	Satawu and Utatu Sarhwu had submitted a joint notice regarding the intention by Government to privatise the Port of Ngqurha. Arising from the consideration of the Section 77 notice, the Respondent has agreed not to proceed with the privatisation of the Container Terminal. The Section 77 Standing Committee has therefore deemed this matter as having been resolved	Not applicable	Not applicable

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Conclude matters under consideration with the framework of the Section 77 Protocol		Numsa notice on the Employment Tax Incentive Bill: The Section 77 Standing Committee has concluded its consideration of this matter	Not applicable	Not applicable
		A notice was received from Cosatu, dated 24 February 2014, regarding Non-trading Public Holidays	The Applicant and the Respondent are continuing to engage on the concerns raised by the Applicant in its notice	Engagement between the Applicant and the Respondent is continuing
		Amcu notice on a living wage: The Section 77 Standing Committee has concluded its consideration of this matter	Not applicable	Not applicable

Programme 7: Communication and Outreach

The purpose of this programme is to promote social dialogue and capacity building, awareness of Nedlac activities and enhance the perception of Nedlac among stakeholders

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Promote social dialogue through communication, information and capacity building	Number of progress reports to Manco	Quarterly progress updates have been submitted	Not applicable	Not applicable
	Number of media interactions	The following activities have been undertaken: Press Statements: Youth Employment Accord (19 April 2013) Workers Day (1 May 2013) Labour Brokers (20 June 2013) TIC strategy session (26 June 2013) Regulations on the Norms and Standards relating to School Infrastructure (4 July 2013) Women's Day (8 August 2013)	Not applicable	Not applicable

Strategic objective	Performance indicator	Actual achievement	Deviation from planned target to actual achievement 2013–14	Comment for deviations
Promote social dialogue through communication, information and capacity building		 Statement on Norwegian Round Table (23 October 2013) Last Nedlac Manco for 2013 (24 October 2013) Press statement on EDs address to MEIBC conference (29 January 2014) Interview with 702 (20 February 2014) Press statement on Numsa march to Nedlac (19 March 2014) Press statement on Amcu Section 77 application (28 March 2014) 		



