

Organised business' perspective on the contribution of labour inspectors in ensuring decent work in the labour market

Honourable Deputy Minister Holomisa
Director General Mr Lamati
Commissioner of the Compensation Fund
All Directors-general
Ladies and Gentlemen
All protocols observed

It is always difficult for a representative from organised business to speak after a speaker has referred to employers as bad employers. Just to clarify, not all employers are bad and not all employers budget for fines.

Organised business supports and participates in creating decent work for all. Labour inspections remain a core instrument for promoting the ILO Decent Work Agenda into practice and have a pivotal role in promoting compliance with labour legislation but also to ensure a safe working environment.

As stipulated in legislation, the employer is responsible to create a safe working environment. Both workers and employer have responsibilities in terms of a safe working environment. More often than not, it is workers that know better about what is needed to be done to comply with this obligation. It is after all their safety that we are talking about!

Whilst many may think that labour inspections are only a function to benefit workers, employers could and should also benefit from labour inspections. With the ratification of Convention 81, organised business supported the notion of a specialised and professionalised inspectorate and an inspectorate that was functional and effective. Today we see the outcome of that process. I want to congratulate the Director-general, Mr Lamati, with the achievement.

At the 100th session of the International Labour Organisation, a general discussion was held on labour administration and labour inspections. At the session, the employers group was led by Mthunzi Mdwaba from South Africa. (Emphasising the importance of this function to employers). At this event the employers emphasised that the role of labour inspectors is important to enforce compliance with labour law. There were, however, a few important

aspects that were raised by employers which I think need special mention and is still relevant.

Employers highlighted the educational role of labour inspectors. Not all businesses are big corporate businesses with big human resources divisions and safety specialists. Most businesses fall within the category of Small, Micro and Medium enterprises - most without a human resources department and safety specialists. It is therefore important that labour inspectors don't only perform inspections to fine employers for non-compliance but rather assist with sharing good practices with employers and workers to be able to comply and create a safe working environment. This approach could possibly help prevent incidents, injuries and illnesses and ensure safer workplaces for workers but also create a better understanding with employers of some of the best practices in terms of safety at the workplace which they could implement. Especially within the sectors indicated by the previous speaker from the ILO i.e Construction, Agriculture, SMME's and informal sector.

Law enforcement is one of the main functions of labour administration and inspection systems. It is clear that enforcement is principally the responsibility of governments, but an optimal sharing of this responsibility with the social partners could produce results in respect of the quality of working life and productivity. Inspection services that operated with support from workers, employers, their organizations and representatives were more effective.

Maybe it is time to think differently about the role of employers and workers within the working environment and the role of the labour inspector and the Department of Labour on how to ensure compliance, also considering the Future of Work and the new and diverse jobs yet to come. After all, we all strive for a safe working environment and decent work for all!

Best of luck with the rest of the conference.

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