



MONITOR

A monthly briefing sheet to keep communities informed about what is happening in Parliament

Did you know?	Compensation for Ex-Mineworkers with Silicosis
<p>The Department of Water and Sanitation launched a new web-based water information system. Users will be able to access information about water monitoring, water quality and water use. For more information about the initiative, go to http://niwis.dwa.gov.za</p> <p>The Municipal Demarcation Board is reducing the number of municipalities in various provinces. This is in line with the Co-operative Governance Minister's request that certain municipality boundaries be re-configured before 2016 elections. Municipalities in the Eastern Cape will be reduced by four, and three in Limpopo, while several other provinces will be reduced by one.</p> <p>The Access to Justice Week – an initiative of the Department of Justice – with the support of various Law Associations, will take place between 17 and 21 August 2015. The aim is to provide free legal advice to members of society targeting family-related legal issues.</p>	<p>Professor Rodney Ehrlich of UCT, plus the Deputy Minister of Mineral Resources and the Chief Inspector of Mines, met with Members of Parliament to discuss uncompensated former mineworkers who have silicosis. Silicosis, a disease developed over a long period of time in mines that is caused by silica dust scarring the lungs, often takes 15 to 20 years to show on an x-ray and is often mistaken for a lingering mild cough or other disease. There is currently R5 billion set aside to compensate workers of mines for diseases, but the difficulty of the finding the ex-mineworkers as well as medical testing has led to a large amount of the estimated population with silicosis not receiving compensation. To help decentralise the medical examination needed to determine compensation, "one stop services" have been established that include specialised clinics to diagnose and treat miners and provide other services, There are currently one stop services in Mthatha (Eastern Cape) and Carletonville (Gauteng). Other centres that are to be finished in 2015/16 are in Kuruman (Northern Cape) and Burgersfort (Limpopo). These clinics work by invitation to avoid queues. Transportation costs are to be paid for by the Department of Health, although there are some implementation challenges in this regard which the Committee stressed need to be resolved.</p> <p>All miners and former miners can walk in to a one-stop-service from Monday through Thursday without referral, with a record of their service, their ID, and a copy of their ID to receive free services. All former mineworkers are entitled to a free chest examination every two years, and, if they show symptoms of Tuberculosis (TB), should be specifically tested for that disease.</p> <p>MPs and the Department of Mineral Resources acknowledged that the amount paid out to affected mineworkers was far too low. They remarked that they will review the relevant legislation to enable proper compensation, but in the meantime, ex-mineworkers should be examined and receive the compensation they can. Due to a large backlog, the processing of the claim may take several months, but the Department is working very hard to examine all the claims.</p> <p>There are two levels of the disease which are compensated - 1st and 2nd degree. 1st degree is 10-40% disability and is compensated by a salary based lump sum ranging from R13 000 to R36 000. The ex-mineworker is still entitled to health monitoring until death or a change in status to 2nd degree. 2nd degree, above 40% disability, is compensated by a minimum compensation is R28 800 to a maximum R80 500, if not previously compensated. If an individual is upgraded from 1st degree, the compensation is a minimum of R15 800 to R44 300 maximum. Once an individual is 2nd degree, he or she is no longer entitled to monitoring, except through public health services.</p> <p>Since silicosis is a disease which is almost always contracted from extended periods of time in mines, it is compensatable whenever it is diagnosed. TB, however, is only compensatable if it is diagnosed within twelve months of leaving the mining industry. TB is also compensatable if an individual also has silicosis, since his or her chances of contracting TB are substantially higher in the presence of silicosis. Additionally, there is an autopsy system for post mortem compensation that allows families to receive compensation after the mineworker has died. This system is unique to South Africa, but it is crucial to have the lungs of the deceased family member checked because if this is not done, the chances of receiving compensation are almost nonexistent.</p>
<p>The Department of Higher Education and Training provides a service for matriculants who struggle to secure a place at a tertiary institution. The Department also offers Career Development Services to both young and old people entering post-school education and training.</p>	

Socio-Economic Rights for All

The **Portfolio Committee on Labour** organised more workshops and consultation on a **National Minimum Wage**. The business groups represented at the workshop argued for a continuation of the sectoral minimum wage currently in effect as it is more responsive to the needs of a specific sector and allows for economic growth. They argued that growth and expansion of industries to decrease the unemployment rate was more important than fewer people having higher paying jobs. On the other hand, workers' groups and labour unions decried the vast income disparity between managers and other employees. They insisted that companies could continue to grow if the incomes were simply more equitably distributed. Many workers, like domestic workers, are barely above the poverty line at their current wages. The National Union of Metalworkers of South Africa (NUMSA) was particularly vocal in their anger towards the current system. Citing the income disparity between Africans and whites, with a median income of R2 167 and R9 500 respectively, NUMSA demanded a national minimum wage to end what it called racist and apartheid colonial capitalism. The Committee commented on the criticism by NUMSA saying the Committee was still in the consultation phase of the NMW. It was not the position of the union to dictate what the Committee should and should not do. DA members left the workshop after the Chairperson refused to have a Member's question answered unless it was rephrased a second time, which the DA members called undemocratic and a suppression of their voices. A joint presentation by the Congress of South African Trade Unions (COSATU), the Federation of Unions of South Africa (FEDUSA) and the National Council of Trade Unions (NACTU) proposed four pillars to deal with the inherent inequality of the labour market: adoption of a legislated national minimum wage; new collective bargaining strategies based on centralised bargaining; a campaign for comprehensive social protection; and a connection to appropriate economic strategies aimed at promoting industrialisation and decent work. The joint presentation insisted that the days of slave wages must end. Some conclusions made from the workshop were that the implementation of a NMW would require businesses to reevaluate and restructure which may be difficult at first. Additionally, small businesses should be exempted from the NMW until they are large enough not to go bankrupt in order to pay the minimum wage.

The **Department of Basic Education** briefed MPs on the progress in improving **access to education for special needs learners**. In 2014, South Africa had 116 888 learners with special needs, spread across 453 special needs schools. Gauteng had the highest number of special schools (136) and the Northern Cape had the fewest number (11). Intellectual disability in its various forms constitutes the majority (just above 50%) of special needs learners in the system. Blindness counts among the lowest statistically yet it receives the most attention. This is because it requires a lot of adaptation of materials to enhance accessibility to information. The Department has strengthened special schools in various ways including employing more staff, training teachers and providing assistive technology and IT. MPs queried whether all provinces were taking issues around inclusive education seriously and cited several cases in Limpopo, which suggested otherwise. They further raised concern about the lack of trained staff and infrastructure, overcrowding, lack of curriculum and proper monitoring.

The **Committee on Rural Development and Land Reform** was briefed on the implementation of the **One District One Agri-Park project** in the context of the Rural Economic Transformation model. These Agri-Parks include educational farms, experimental farms, collective farming, urban-edge allotments and more. The Department has budgeted R2 billion for this financial year to be used in 44 districts to start or develop an Agri-Park as the districts see fit. These projects have a huge potential for development as well as job creation in small-scale producers and agro-processing. There are many challenges, however, including the high input costs, competing interest for land, anti-competitive behaviour by certain companies, as well as the effects of climate change. Committee members were concerned that the R2 billion budgeted for the project was not enough to adequately fund all the districts' projects. They were also concerned with the criteria used to identify farmers for participation in the Agri-Parks.

The **Department of Water and Sanitation** (DWS) informed MPs that the **water and sanitation** sector had a poor track record because of under-utilised dams, incomplete services and lack of functionality, and this required a holistic, integrated approach to infrastructure development going forward. In 2011, the total estimated infrastructure replacement cost had been R 970 billion, and the total investment requirement over ten years was R670 billion, or R 67 billion per annum. The total funding available was R46 billion per annum, meaning there was a funding deficit of R 35 billion per annum and a refurbishment estimate of 46% of the cost. The major problem was lack of capacity in municipalities, combined with ageing infrastructure and vandalism. The bulk of the money in the plan would be going to maintenance. DWS asked for a meeting with municipalities as they would have to do some of the work. It also asked for a joint meeting with the Portfolio Committee on Cooperative Governance as every time there was a problem, DWS carried the burden of the municipalities. Members said DWS must come with an infrastructure audit and a mapping of the country's water resources in order to justify its budget requirements. They asked for a progress report on the bucket eradication programme, and stressed the need for a standardisation of the costs in providing toilets. They said that Municipal water debts needed to be settled, as water boards were facing a financial crisis. Quick action was required to deal with the challenges facing DWS.

Legislation under consideration....

The Minister of Rural Development and Land Reform says it may be necessary to amend the [Spatial Planning and Land Use Management Act](#) following complaints by traditional leaders. Recently enacted, the Act allows municipalities to establish tribunals to decide on applications for land use and development. Traditional leaders say the Act gives too much power to municipalities and excludes their input on land use issues in rural areas.

The Department of Traditional Affairs wants to fast-track a draft [Traditional Initiation Bill](#) to regulate circumcision practices and curb further deaths of initiates. The bill was sent to provincial governments for comment.

The Minister of Health supports legislation that will protect women from discrimination and shaming for nursing their babies in public. The [Breast-feeding and Related Matters Bill](#) proposes that it becomes an offence to interfere with, or stop a woman from breast-feeding a child in a public place.

The Department of Justice and Constitutional Development is finalising a [Magistrates' Courts Amendment Bill](#) in an attempt to curb the abuses of the debt recovery procedure system. This bill will soon be available on the Department's website for the public to comment on it before it is submitted to Parliament.

The Minister of Health has given notice of proposed amendments to the Medical Schemes Act – specifically the regulations set out to govern [Prescribed Minimum Benefits](#) (PMBs) and the way that these are paid by medical schemes in South Africa.

Cabinet approved the introduction of the [Criminal Matters Amendment Bill, 2015](#) into Parliament. The amendments provide for changes to the laws dealing with infrastructure-related offences such theft of cable and telephone lines. Stricter provisions are provided for the granting of bail, sentencing of offenders and creating a new offence to criminalise damage to essential infrastructure caused by tampering or interfering with the functioning of basic services through criminal activity.

The Department of Home Affairs informed MPs that Cabinet had approved the publishing of a draft [Refugee Amendment Bill](#) for public comment. The proposed law would overhaul the country's law on refugees and be tabled in Parliament by September.

The Draft White Paper for the [NHI Bill](#) has been revised and prepared for submission to Cabinet.

The Department of Correctional Services is looking into developing a separate Parole Act, with guidelines and procedures on decision-making.

The [Promotion and Protection of Investment Bill](#) has been tabled in Parliament. It reaffirms that South Africa remains open to foreign investment. It allows for the possibility of international mediation for investment related disputes. It no longer refers to 'custodianship' where any property deprivation where the state would not acquire ownership but only 'custodianship' would not be seen as expropriation and so compensation would not be payable. It preserves the sovereign right of the South African Government to pursue developmental and transformational public policy objectives.

National Treasury has published the draft [2015 Taxation Laws Amendment Bill](#) and the draft 2015 [Tax Administration Laws Amendment](#) Bill which deal with changes to the tax laws. They have been published on the Treasury and South African Revenue Service websites for public comment prior to introduction into Parliament.

Cabinet approved publication of the [Copyright Amendment Bill, 2015](#) for wider consultation. The Bill amends the Copyright Act, No 98 of 1978 and the Performers Protection Act, No 11 of 1967, which are outdated as they do not consider developments at multi-lateral level nor do they have provisions that deal with digital issues.

Cabinet approved the introduction of the [Public Service Commission Amendment Bill, 2015](#) to Parliament.

The [Property Valuation Act](#) comes into effect on 1 August 2015. The Act aims to provide for the establishment, functions and powers of the Office of the Valuer-General. It will also provide for the regulation of the valuation of property that has been identified for land reform as well as property that has been identified for acquisition or disposal by the Department of Rural Development and Land Reform.

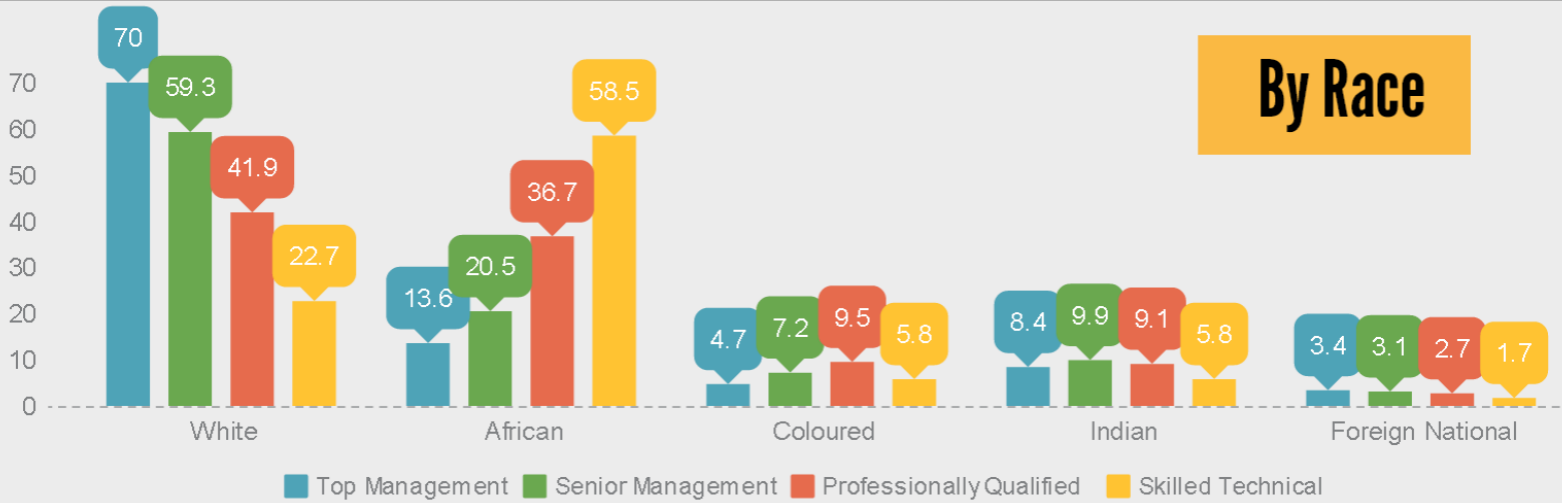
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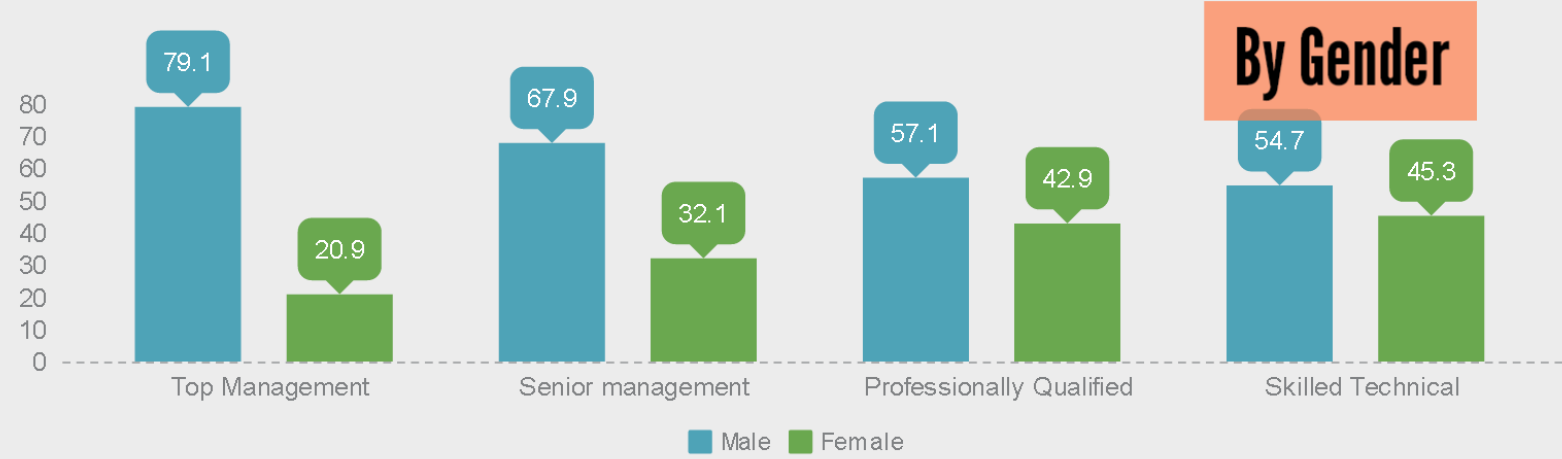
Employment Equity in South Africa: 2014/15



Workforce profile according to race and gender



The private sector and educational institutions have an overwhelming White representation at the top management level (73.7% and 68.3% respectively), specifically white males.



The majority of employees at the top management level are male - almost four times more than their female counterparts. Women are still under-represented at most employment levels.

Disability Status at different employment levels

