

The African National Congress Youth League submission to the Public hearings on Labour Brokering:

26 August 2009

The ANC YL Presentation and persuasion of the Portfolio Committee on Labour on the question of Labour Brokering is premised on the practical experiences of many young people across the country. The ANC YL's 23rd National Congress gave this leadership a mandate to "lobby and campaign the illegalization of labour-brokers and agencies that unethically exploit young people".

We believe that as an organisation of youth, we should make this representation on Labour Brokering, because it impacts on youth more than any other sector of society. Young people are the most impacted by Labour Brokering because they constitute 70% of the unemployed population in South Africa.

Whilst we are pushing for a radical programme to create more employment opportunities for South Africa's youth, we are strongly convinced that employers should never be allowed to take advantage of the desperation of young people. The ANC Youth League is also not apologetic about its biasness to the working class in the struggles to transform South Africa into a truly non-racial, non-sexist, democratic and prosperous South Africa.

In all the practical experiences we came across complaints of Labour Brokering in South Africa, we are aware that the kind of work that all young people in search of work need decent work which in our straightforward definition is work which is:-

1. A permanent job without uncertainties.
2. A proper paying job.
3. A job where employees have a right to associate with other workers to fight for their rights.
4. A job with benefits such as medical aid, housing allowance and other necessities.
5. A job where there is mutual respect between the employer and the employee.
6. A safe working environment.

It is our considered view that Labour Brokers do not provide all these basic necessities because they:

1. Trade human beings like machines to employers; who can be replaced as and when the employer wishes.
2. Do not safeguard the interests of workers in the workplace because workers do not have a direct relationship with the employer.
3. Take a portion of the salaries which could have otherwise been given to workers.
4. Hire and fire workers as they wish.

If companies and institutions need labour to continue with their operations, they must be in a position to pay for the labour provided by employees and understand that these are not instruments, but human beings who should reproduce their existence. Companies should be taught to appreciate that South Africa comes from a difficult past of forced labour and very unfair labour practices in the Mines, Big Corporations and institutions, and a repeat of such practices should never be allowed.

Our grand fathers worked for many years in Mines and factories which made South Africa to be a better place, yet they do not have anything to show that they worked for many years. They do not own houses; they are sick without proper medical care and cannot afford to educate their children and grand children. We are totally opposed to a situation where our current generation will face the same situation, working for many years to enrich few people while they are living in starvation.

The ANC YL will permanently have a problem with anyone who supports Labour Brokering in South Africa.

It is against this background the ANC Youth League demands from Parliament the following:

1. Banning of all Labour Brokering in South Africa.
2. Putting in place legislative regulations to oversee the transfer of workers from Labour Brokers' employment to the real employers.
3. Oversee all Labour Laws compliance by all companies and institutions that employed through Labour Brokers.

The ANC Youth League would like to emphasise the point that our call for the banning of labour brokers does not amount to some quasi-regulations, which might end up not being overseen by anyone, therefore leaving space for continued brutal exploitation of workers. Labour Brokering does not fit anywhere in the kind of society we as youth want to live in, and we call upon Public Representatives to illegalise Labour Brokering in South Africa and safeguard the future of many young people who are brutally exploited in various factory floors without rights. We will stop nowhere in fighting for the illegalisation of Labour Brokering in South Africa because it does not in any way fit to the kind of society we are going to live in.