



NUNW members demonstrate against government policy.

These guidelines provide for:

- the registration of labour hire companies with the Labour Commissioner;
- the obligation to set up training programmes;
- adherence to all the laws of the land including labour legislation;
- ensuring grievance and disciplinary procedures, records of employees;
- employment agencies having to declare if they render their services free of charge or if they levy a fee on the user-enterprise or their workers;
- the Labour Commission cancelling registration if any law contravened – although exemptions can be granted;
- minimum wages as follows: R4,70 per hour for labourers, R5,30 per hour for semi-skilled workers and R6 per hour for skilled workers;
- agencies having to register their workers with the Social Security Commission but not being compelled to provide any additional benefits;
- training where workers are employed on a ‘regular basis’. (However, ‘regular basis’ is not defined.);
- agencies providing training where their workers are required to carry out any work ‘which could threaten their health, safety or welfare’.
- employment agencies not being allowed to participate in any scheme aimed at retrenching workers at client companies and replacing them with workers from employment agencies.

These regulations might help to set some minimum standards and to prevent the operation of illegal labour brokers that violate Namibia’s Labour Act. However, they were unlikely to address the fundamental problems raised by labour. One of the likely problems will be how to monitor and enforce the provision that aims to prevent the replacement of permanent workers with labour hire workers.

Companies might find convincing arguments for retrenchments just to re-employ workers some time later through labour hire companies.

Companies might also resort to a strategy of not filling permanent vacancies and instead employing labour hire workers.

Other problems that are likely to emerge are the permissible fees that the agencies are allowed to charge.

The proposed regulations are silent on this issue and there are also no proposed limitations on the period for which an employee can be treated as a casual worker.

This will allow client companies to make use of casual and labour hire workers indefinitely without imposing any duty on them to create permanent employment.

The proposed regulations will have to be tightened to ensure that Namibian workers are protected against the abuses they currently have to endure.

A dual strategy of strict regulations and good labour laws coupled with effective unionisation strategies seem to be the only immediate solution to the burning issues of abuse and exploitation that casual workers at labour hire companies are facing.

The privatisation debate has been shaped by the commonly held view that privatisation is not happening in Namibia.

A battle over state assets

Privatisation in Namibia has thus far taken the form of commercialisation and contracting-out.

However, the government does envisage the direct sale of state assets and utilities in the future.

Corporatisation and commercialisation are commonly regarded as 'first steps' in the privatisation process. In order to privatise and attract potential private sector investors, the state must first restructure its utilities and services to make them financially viable.

Contrary to popular perception, the private sector is not necessarily queuing up to buy up all the assets which governments are willing to sell. Instead, the private sector carefully assesses the opportunities for profit making before buying state utilities. Hence, profitable enterprises such as telecommunications tend to get fully sold off.

Less profitable enterprises tend to be subject to 'public-private partnerships'

with the state retaining ownership while entering into some kind of service arrangement.

Downsizing in public service

To date, a number of policy proposals such as those of the Wage and Salary Commission, the National Development Plan, and the Outsourcing Policy (of the Efficiency and Charter Unit in the Office of the Prime Minister) have been made. This indicates that a serious process of public sector restructuring is underway. The key objectives behind this drive are to cut down on personnel expenditure. A commonly held perception within government is that the optimum size of the public service is 30 000, which means a reduction by over 50%!

Outsourcing and commercialisation are the principal strategies to reduce the size of the public service. Compared to outright retrenchment, these strategies appear to be the least politically controversial, particularly in view of the