

OVERVIEW OF NEDLAC

The formation of Nedlac

On 18 February 1995, the National Economic Development and Labour Council was launched to bring together government, business, labour and community interests, to, through negotiation, reach consensus on all labour legislation, and all significant changes to social and economic policy.

Nedlac's origins lie in the struggle against apartheid, against unilateral decision-making, by the previous government and in the calls from all sectors of society for decisions to be made in a more inclusive and transparent manner. It emerges out of a recognition of the importance of seeking consensus on major economic, social and development policies to ensure their success. Nedlac draws on international experience of social dialogue, as well as on the experience of its predecessors, the National Economic Forum and the National Manpower Commission. But it also has unique features aimed at meeting the particular needs of the South African situation: it includes not only the traditional social partners – government, business and labour – but also organisations which represent community and development interests in our country.

Nedlac seeks to reach consensus on matters pertaining to social and economic policy

Objectives

The Nedlac Act, passed in 1994 with unanimous support from all political parties, says Nedlac shall:

- Strive to promote the goals of **economic growth, participation in economic decision-making and social equity**.
- Seek to **reach consensus and conclude agreements** pertaining to social and economic policy.
- Consider **all proposed labour legislation** relating to labour market policy before it is introduced in Parliament.
- Consider **all significant changes to social and economic policy** before it is implemented or introduced in Parliament
- Encourage and promote the formulation of **co-ordinated policy on social and economic matters**.

To meet these objectives, the constituencies are involved in:

- **Negotiations** that aim to deliver formal, consensus-based agreements
- **Consultations** that aim at developing policy
- **Information-sharing** sessions
- **Research** that guides the formulation and implementation of social and economic policy
- **Dispute resolution** in terms of section 77 of the Labour Relations Act

Composition of Nedlac

The Nedlac Act defines Nedlac as consisting of:

- Members who represent organised business
- Members who represent organised labour
- Members who represent organised community and development interests
- Members who represent the government

Nedlac consists of organised business, labour, community and government

Organised business is represented by Business South Africa (BSA) and the National African Federated Chamber of Commerce (Nafcoc). Business South Africa represents the interests of twenty employer federations including, amongst others, the Chamber of Mines, the AHI (previously known as the Afrikaanse Handelsinstituut), the South African Chamber of Business and the Foundation for African Business and Consumer Services. Nafcoc in turn represents 156 000 businesses and 18 Provincial or Sectoral Chambers.

The Women's National Coalition (WNC), the Disabled People South Africa (DPSA), the South African National Civic Organisation (Sanco), the South African Youth Council (SAYC) and the National Co-operatives Association of South Africa (NCASA) represent organised community and development interests.

The interests of organised labour are represented 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).

The Government delegation in Nedlac is drawn from several ministries and departments, including Labour, Trade and Industry, Finance and Public Works. Representatives of other government ministries and departments participate in Nedlac structures on an ad hoc basis. These have included the Departments of Health; Education; Home Affairs; Justice; Foreign Affairs; Social Development; Housing; Provincial and Local Government; Transport; Communications; Environmental Affairs and Tourism, Minerals and Energy and the Presidency. Meetings between the constituencies are facilitated and supported by a secretariat of approximately 18 people.

Nedlac Operations

Nedlac’s work programme is determined by constituencies tabling issues that they wish to negotiate or discuss. These issues can be tabled at a chamber, the Management Committee or the Executive Council. Issues that are tabled at the Management Committee or Executive Council are referred to the appropriate chamber for negotiation or consultation.

Once the Management Committee has endorsed a chamber’s work programme, the chamber has to develop mechanisms to deal with the substantive details of each issue on their work programme. This often results in the establishment of a technical subcommittee.

Subcommittees or working groups report to the chambers, which finalise or recommend changes to the agreement reached in the working group. Before an agreement is considered to be a Nedlac agreement it has to be ratified by the Management Committee and then the Executive Council. In some instances, these bodies may request the chamber or the working group to further consider an issue.

The Executive Council may mandate another Nedlac structure to ratify a Nedlac agreement. Following the ratification of a Nedlac agreement, Nedlac sends a report to the appropriate Minister for tabling in Parliament or for implementation. A Nedlac report records the process that was followed in Nedlac and the areas of agreement and disagreement between the parties (all Nedlac reports are available on Nedlac’s web-site: <http://www.nedlac.org.za>).

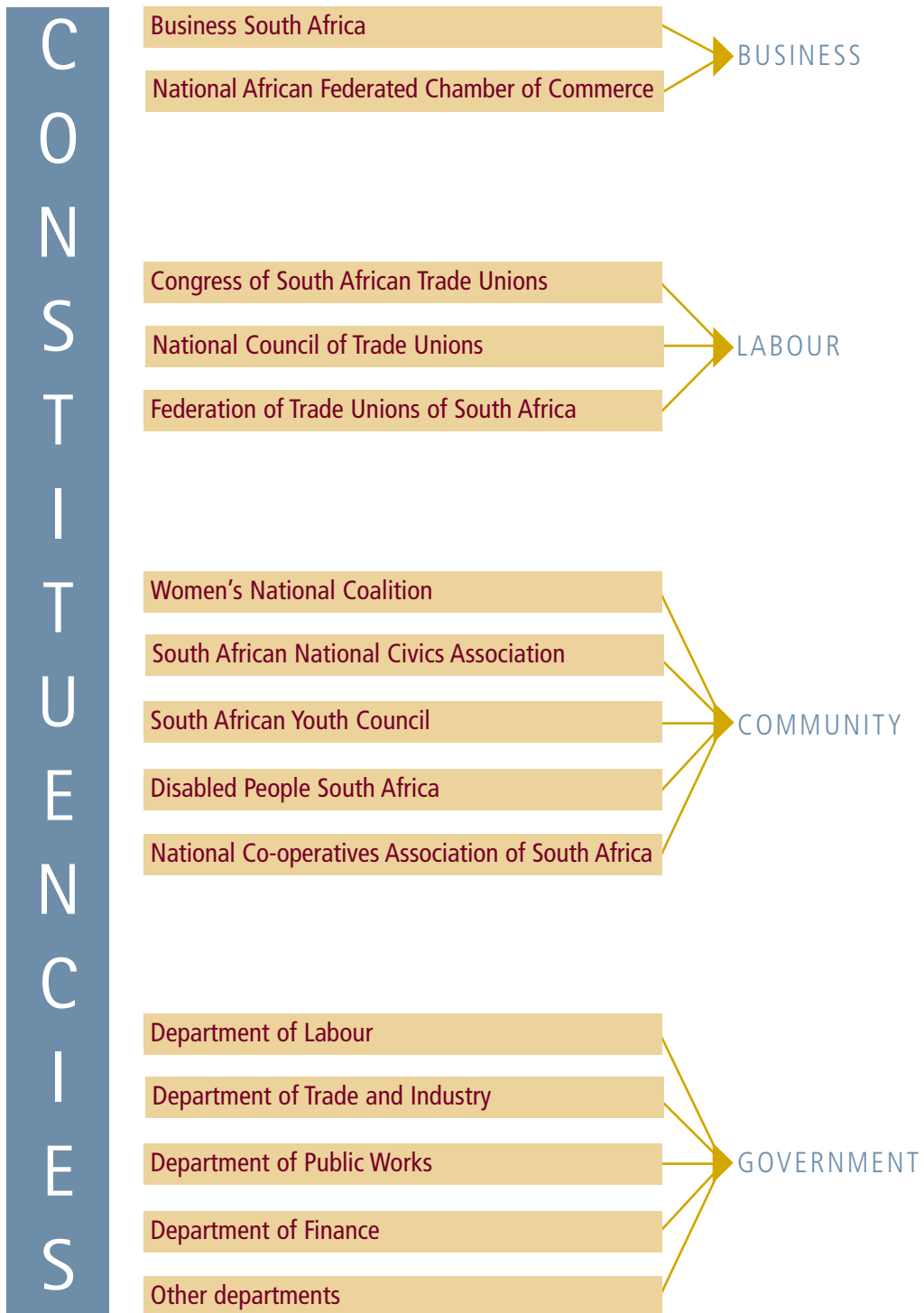
Nedlac's reports are submitted to Parliament

In addition to this formal process, Nedlac provides an environment for informal meetings and engagements that serve to strengthen relationships and understanding between constituencies. In these instances, constituencies often invite other specialists to contribute to the dialogue in these forums.

Structure of Nedlac with Subcommittees



Nedlac organisational structure



NATIONAL SUMMIT

- Gives feedback and receives inputs from a broad range of organisations and individuals
- Chaired by the President or Deputy President
- 300 participants
- Convened annually

EXECUTIVE COUNCIL

- Receives report-backs from chambers, reviews progress, reaches consensus and concludes agreements
- Chair rotates among constituencies
- Up to 18 delegates per constituency
- Meets quarterly

MANAGEMENT COMMITTEE

- Oversees and co-ordinates
- Convenors of delegations in each chamber, plus an additional delegate from each constituency
- Meets in months when Exco does not meet
- Can appoint sub-committees, e.g. the Finance Committee, the Section 77 Standing Committee

CHAMBERS

- Work according to agreed work programmes
- Six delegates per constituency. Each delegation appoints a convenor.
- Meet according to needs of work programme
- Can appoint sub-committees and task teams

DEVELOPMENT

TRADE &
INDUSTRY

LABOUR
MARKET

PUBLIC
FINANCE &
MONETARY
POLICY

Up to 19 members ■ Headed by Executive Director ■ Each chamber has a co-ordinator

S
E
C
R
E
T
A
R
I
A
T

Nedlac Secretariat

as at 31st March 2003

Phillip Dexter	(Executive Director)
Itumeleng Masege	(Senior Co-ordinator)
Amiena Arendse	(Administration: Office of the Executive Director)
Preya Keshav	(Administration: Office of the Executive Director)
Doris Tshabalala	(General Assistant)
Isaac Machaba	(Security and Maintenance)
Jennifer Wilson	(Communications co-ordinator)
Shaun Govender	(Finance Officer)
Mpatametje Mabelane	(Co-ordinator: Public Finance and Monetary Policy Chamber)
Siphiwe Mabaso	(Co-ordinator: Development Chamber)
Mahlogonolo Monyeki	(Assistant Co-ordinator: Trade and Industry Chamber)
Refilwe Mosuwe	(Assistant Co-ordinator: Trade and Industry Chamber)
Brenda Chauke	(Assistant Co-ordinator: Labour Market Chamber)
Tsholo Lelaka	(Assistant Co-ordinator: Development Chamber)
Ruth Matotong	(Administration)
Sibongile Pheeha	(Administration)
Priscilla Vumathi	(Receptionist)
Staff that resigned during the year under review:	
Natalie Robbs	(General Manager)
Vika Mpisane	(Programme Manager)
Barbara Adair	(Research co-ordinator)
Anusha Makka	(Co-ordinator: Public Finance and Monetary Policy Chamber)
Moose Burger	(Administrator)
Joy Smith	(Co-ordinator: Labour Market Chamber)