

Labour hire will have to go, Ngatjizeko

By Staff Reporter

If labour hire companies ever thought they would smile all the way to the labour market, pick workers and treat them like slaves for as long as they lived, Labour and Social Welfare Minister, Immanuel Ngatjizeko, says it will not be long before such malpractices come to an end.

When Minister Ngatjizeko addressed last weekend's congress of the National Union of Namibian Workers, NUNW, his message was very clear that Namibia had no room for workers who were treated like slaves, and such practices would have to go.

He acknowledged that unemployment was very high in the country, and it had been made harsh by the chronic crisis of structural unemployment over the years, long before the global crisis. While this chronic crisis had particularly hit the youth and women, it had also severely limited the prospects of all Namibians who were available for work but were unemployed.

"The crisis is compounded by the prevalence of labour hire and the growth of casualization and of the informal sector, which contribute to the presence of the working poor as a major component of those who are employed," said Minister Ngatjizeko.

The Minister said that following the temporary setback



Labour and Social Welfare Minister, Immanuel Ngatjizeko

caused by the Supreme Court's decision, which struck down Section 128 of the Labour Act as unconstitutional, (Section 128 outlawed labour hire) government had taken further action to address the problem of labour hire and the wider problems of casualization and triangular and disguised employment relationships.

He promised the workers that a new bill to amend the Labour Act was on the way to address such problems, and was currently with the Labour Advisory Council. This bill will, among other things, place the responsibility for compliance with the Labour Act on the user of the services of workers who

were placed with the user enterprise by a private employment agency, including a labour hire company.

"In the eyes of the law," said the Minister, "the user enterprise will be deemed to be the employer of these workers and the workers so placed will be the user enterprise's employees."

This bill also contains other provisions to protect vulnerable workers, in line with ILO, (International Labour Organization) recommendation 198 on the employment relationship, including the introduction of a presumption of employment status when any of certain factors was present.

It also included a presumption

of indefinite employment and a provision that permits the Minister to deem non-employees such as independent contractors, to be employees for the purposes of protection by some or all provisions of the Labour Act.

"The improvements in the labour laws will not be effective unless our Ministry has the capacity to enforce them," said the Minister. "I am pleased to report that the Ministry's structure has been expanded to double the complement of labour inspectors. When these posts are included in the national budget, the Ministry's

enforcement capacity will be considerably enhanced."

Labour hire has been a bone of contention between the government and the labour movement on one hand, and labour hire companies themselves on the other. Government and trade unions regard labour hire as nothing more than a form of slavery.

Government amended the Labour Act to declare labour hire as unconstitutional, under Section 128 of the Labour Act. Labour hire companies took the matter to the High Court, which ruled that labour hire was indeed unconstitutional.

The High Court ruling was, however, appealed in the Supreme Court by labour hire companies. The Supreme Court ruled in favour of labour hire companies and declared Section 128 of the Labour Act unconstitutional.

The Supreme Court ruling did not go well down the throats of government and trade unions. Following the Supreme Court ruling, Government promised to come up with a tighter law to protect vulnerable workers. The new bill, currently with the Labour Advisory Council, is in response to the Supreme Court ruling.

Education comes under magnifying glasses

Education officials, planners, and regional officers from all over the country met in Windhoek this week for a bi-annual national conference on education to look at setbacks and achievements made since its last conference in 2008.

The conference brought together various experts and professional teachers, as well as education planners and development partners from donor countries, to share challenges and work out solutions to the problems being experienced in the education sector.

Many education experts and officials believe that Namibia's Education and Training Sector Improvement Programme, ETSIP, is a vehicle to pave the way for the attainment of Vision 2030.

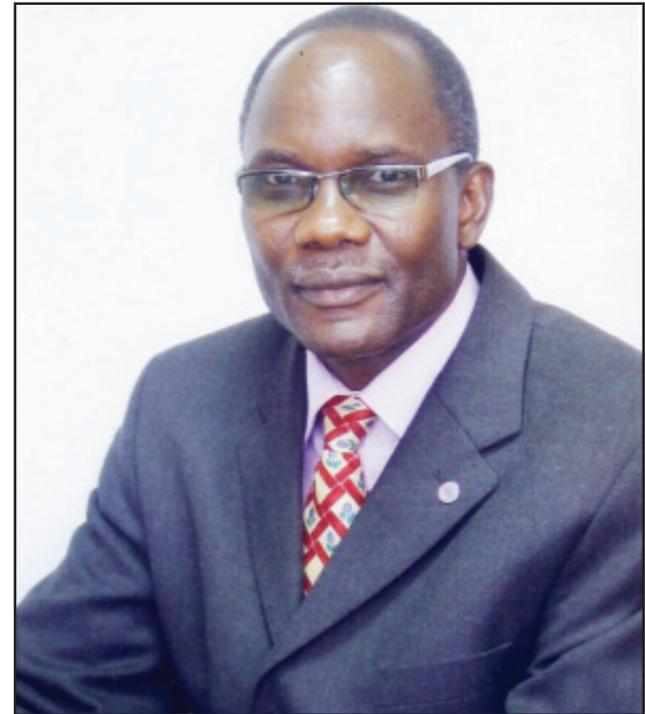
ETSIP is a 15-year plan aimed at ensuring that education plays its part in the creation of a knowledge-based economy, as required in Vision 2030 and its full implementation will result in more Namibians with relevant university qualifications, technical and vocational skills, senior and secondary education.

Deputy Education Minister, Dr David Namwandi, who opened the conference said that ETSIP would continue uninterrupted to improve and reform the country's education system with strong emphasis on formal education.

"The goal of education is to empower the learners to realize their full potential as individuals, individuals who can contribute to the development of Namibia and who would be able to live a dignified life," he said on Monday.

"While Vision 2030 advocates for a knowledge-based society, it should, however, be understood that this is only attainable once strong emphasis is on the creation of human capital. The creation of human capital must take center stage in education.

"In the world of today, the success of any education system is measured by its end products. In our case, learners



Deputy Education Minister, Dr David Namwandi

must be able to read, write and calculate with ease. If this is not happening, then surely there is a need to re-look and examine ourselves and see how best we can remedy the situation."

The conference is held under the theme "Collective commitment to quality education," and debates and discussions as well as decisions and resolutions passed at this conference would influence and shape policies in years to come.

Some indicators in the monitoring of progress were impressive, but others were neutralized by other factors, which participants needed to address, if progress was to be maintained.

Over the past five years, Namibia moved from 96 per cent to 98 per cent net enrolment of learners in schools, but that impressive enrolment was offset by a 10 per cent dropout rates across all grades and below.

Dr Namwandi said that the repetition in Grade 5 rate, for example 2008 repetition rate was 23, 4 per cent and was now 24, 7 per cent, up by one per-

cent. The conference was organized in such a manner that participants would gain insight into the progress against indicators.

The need for improved quality at all levels was greater than ever. Dr Namwandi called for a course of action and a turnaround strategy in respect of repetition and dropout rates, especially at primary level.

"Let this conference emphasize greatly on equity and efficiency," he said. "Equally significant, it is paramount for the conference to interrogate quality of delivering in our school.

"I personally believe that no person, no country, no continent can claim to have monopoly of intelligence. This country cannot remain at the bottom of the ladder in education regionally speaking.

"This is a brave nation, it defeated the most fearful system of apartheid, and shall certainly remove all hurdles in our education system. Yes it shall, yes we can and we shall do it well."

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