PROGRAM DATE: 2015-05-17

PROGRAM NAME: WOMANITY WOMAN IN UNITY

GUEST NAME: MILDRED OLIPHANT – MINISTER OF LABOUR RSA

| SPEAKER | TRANSCRIPTION |
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| DR. MALKA (INTRODUCTION) | Hello, I'm Dr. Amaleya Goneos-Malka, welcome to 'Womanity – Women in unity'. The show that celebrates prominent and ordinary African Women's milestone achievements in their struggles for liberation, self-emancipation, human rights, democracy, racism, socio-economic class division and gender based violence. |
| DR. MALKA (GUEST SYNOPSIS) | Joining us in studio today is Mrs. Mildred Oliphant, the Minister of Labour of the Republic of South Africa, a position which she has held since November 2010 and was reappointed on 26 May 2014. She has been a Member of the National Executive Committee of the African National Congress since 2012 and is Chairperson of the ANC Caucus in the National Parliament. She has been a Member of Parliament since 1994 when South Africa started its democracy and Regional Convenor of the African National Congress Women's League, North Coast Region, from 2008. She has also been a Member of the Kwa-Zulu Natal Provincial Executive Committee and Provincial Treasury of the ANC Women's League since 2008. She is a former Trade Unionist and a Leader of the South African Commercial Catering and Allied Workers Union. She served as a Chairperson of the Portfolio Committee on Public Services and was the House Chairperson of Committees in the National Council of Provinces. She has also served as a House Chairperson on International Relations in the National Assembly. She was Chairperson of the Portfolio Committee on Land and Environmental Affairs and Chairperson of the Joint Rules, Joint Programme and Joint Ethics Members Interest Committees. She was a Member of the Kwa-Zulu Natal Provincial Legislature; a Member and Convenor of the Health Study Group of the Kwa-Zulu Natal Legislature; a Member of the National Council of Provinces and Provincial Whip. She was Regional Secretary of the ANC North Coast Region; Local Treasurer of SACCAWU South African Commercial Catering and Allied Workers Union; Local Secretary of the Congress of South African Trade Union and Minister Oliphant served as Chairperson of the Cosatu Women's Forum and was Regional Chairperson of the ANC Women's League for the North Coast Region. |
| DR. MALKA | Minister, that is an incredible portfolio. |
| MINISTER OLIPHANT | Thank you so much but I must also say good day to the listeners and I hope they will appreciate what we are going to discuss today so that whatever we proceed next time, they have to give us the mandate and further empower us on what we should do. |
| DR. MALKA | I think that's an excellent suggestion. Welcome to our show. |
| MINISTER OLIPHANT | Thank you very much. |

| MINISTER OLIPHANT | Yes, and that is why the law now is in operation I must say, as from the 1 st October last year, and therefore what we are going to do as the Department now, because we have had road shows to discuss these issues with the employers and the employees to say employees in particular, they must |
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| DR. MALKA | I think that the figures that I saw about six months or so ago they were talking about the discrepancy being 23% difference. That men on average were receiving 23% more than women for doing exactly the same job. |
| MINISTER OLIPHANT | We have taken a decision that whenever we deal with the legislation in South Africa, based on the Constitution and also based on the Freedom Charter, it talks about equal before the law and therefore from the onset we can't discriminate people based on their gender. So immediately when you deal with the legislation in the country, refer to NEDLAC National Economic Development and Labour Council and we must make sure that that legislation supports the gender perspectives. For example, as I have said even in the Employment Equity, we have now dealt with the issue of equal pay for the work of equal value because what was happening pre 1994 is that whether you are a man or a woman, as long as you are doing one and the same job, but you will be discriminated based on gender when it comes to the salaries. So now we are saying that should not happen in our country. |
| DR. MALKA | Minister, the Department of Labour's practices and its activities aim to play a significant role in reducing unemployment which is a significant problem in South Africa. Poverty and inequality through sets of policies and programmes which have been developed in consultation with social partners and some of these include improved economic efficiency and productivity; creation of employment and eliminating inequality and discrimination in the workplace. When the Department establishes policies, is a gender perspective applied to take into consideration the different needs of men and the different needs of women, or, are they treated as one group irrespective of being male or female? |
| MINISTER OLIPHANT | Yes. I must say, firstly my priority is to make sure that women do participate in the top management in particular and that is why we have further amended the Employment Equity Act, to make sure that women do get a space at the relevant positions. I know that previously women were not allowed to be part of the top management positions and sometimes us as women as well, we were afraid to take that responsibility because we thought that there were challenges. But I believe that a woman can really deal with the challenges, irrespective of what kind of challenges they are and I must also say whenever we take these positions we must also understand that there are people there who are waiting to see us failing and therefore the first thing that we have to do is to say I don't want to disappoint women of this country or women of the continent or women of the world and therefore, whatever we do we must share the ideas with other women on how we have to take these issues forward. |
| DR. MALKA | Minister can you share with us, to begin with, how your new term in Office is and is there any specific milestones that you want to achieve in this term. For instance, is increasing the representation of women within the department one of your elements on the agenda? |

| | monitor whether their employers are implementing that legislation. If they are not, they have to call us as the Department of Labour, even if we are doing our own inspections on those issues. But I must say, I really appreciate what the employers have said during the breakfast show because they said they support the legislation that we have passed and we have even dealt with the issue of the contract workers because they were affecting women, particularly in the retail sector, where you will find that most of the women employees were casuals for more than ten or fifteen years. It should not happen again. |
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| DR. MALKA | And the retail sector is an important industry but one which I think is almost over subscribed by women as the composition in the employee workforce. |
| MINISTER OLIPHANT | Yes, precisely because you will find that when it comes to the working conditions as well, they have seen that area as the soft target for women. So men will be working either in the packaging but women are in the forefront and we have said you can't allow that situation. Even in the hospitality industry as well, you will find that most of women are employed there and also the challenge in that industry as well, is that we find that in certain instances most of those workers are being paid through tips. So we are going to look at the sectorial determination that deals with that specific area to say you can't really allow a person to be paid based on tips. |
| DR. MALKA | And Minister while we're talking about the different areas of where women are employed, although South African women constitute 44% of the South African workforce, approximately 80% of the female labour force are occupying low skilled positions - according to Statistics SA - and the 2014, I think it was quarter two survey. What is your perspective on this and is there anything in place to try and change this situation like offering free education to help change their environments, to help them escalate and get better positions? |
| MINISTER OLIPHANT | There are bursaries from various departments. But what we have targeted and what we have agreed upon is that together with the Department of Higher Education and Training, we must come up with the skills development for those workers who don't have certain qualifications because it will be easier to train those people because they already know what is happening in that particular field. So in order to upgrade them we have said to the Department of Higher Education and Training, let us come up with the programme of saying how then can we make sure that these people who have got the experience but unfortunately didn't have either certificates or diplomas, just to get those particular qualifications so that they can be part of the top positions and immediately we have also said through the Employment Equity if there is any vacancy, rather than to go outside and employ a new person, to supervise the person who has been there for almost ten or fifteen years' experience but because he or she doesn't have qualifications, therefore the higher education must kick in, but we have to partner with the very same employers and what is happening right now at a government level is that there is a human resource development council that is chaired by the Deputy President, that is focussing precisely on the issue of skills development. And I will really encourage women just to come up with the proposals to the Department of Higher Education on what skills do they want to be re-trained on so that |

| | that particular programme will inform the Department of Higher Education in terms of the qualifications of those particular workers. |
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| DR. MALKA | So for citizens to take it upon themselves to undergo or diagnose what their skills audit is and to present their proposals to the Department of Higher Education? |
| MINISTER OLIPHANT | Yes, that is what I will encourage. |
| DR. MALKA | That is a great initiative, to have that adult education in place so that people can up-skill themselves and it's never too late to learn. |
| MINISTER OLIPHANT | No it's never too late to learn and I must also say we are also assisted by the International Labour Organisation. Because when we go there, employers are part and parcel of that and we have agreed that we need to have decent work agenda for each and every country so that we can empower the workers of each and every member of state who participate in the ILO. |
| DR. MALKA | And I think that talks ounces in terms of the ambition and the direction so that people have a future and they know where they want to go ahead. But when we're talking about – I use a phrase that I call mans' hours – I consider that our working world has typically been designed from a 9 to 5 scenario and that's what I use as mans' hours and that is how our society has been structured. But ultimately what it means is that half of society's multi-taskers - our women - are being lost from the workforce because women are having to adhere to performing their traditional roles as well as trying to accommodate their work needs, fulfil those family obligations. What is your perspective and do you think that in the 21 st Century that it's about time that we have something where our days are restructured to allow for greater flexibility to accommodate all of these roles that women have to achieve? |
| MINISTER OLIPHANT | I must say it is up to us as women of this country to decide what is it that we want to achieve. For example, when I entered into politics I took a decision that I have to protect the workers of the country by being a shop steward in the first place and I must say also in that space, you know it is difficult because men were there and they were challenging us. But as long as women are going to be proud of who they are and implement what they think, it will protect themselves and protect other women, they can be able to succeed. But if they will rely to other people to tell them what to do and how to do it and when to do it, then there will be a challenge. Yes, they can have advisors, but if you are advised it doesn't mean that you have to implement that advice and I really believe that those are the issues that will encourage women to say from this particular perspective, this is what I want to achieve for the women of this country, this is how I have to approach women - including men, by the way. Fortunately, I am part of the ANC so whatever decisions that are taken in the conferences we make sure that women do participate and understand the constitution of the ANC and look at the constitution of the Women's League as well, on what exactly, what kind of character - leader character - do you want in this country. So then we will take it from there because we will be able to argue based on the constitution of the political party. And that is why we also participate in the Multi Party Women's Caucus in Parliament to say yes, we are coming from |

| | different political parties, but when it comes to women issues, they are the same, irrespective of which political party you come from. |
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| DR. MALKA | So everybody everybody unites together. |
| MINISTER OLIPHANT | Yes. |
| DR. MALKA | And I think one of the things that is important for listeners who may not know that, but within the ANC constitution everything is very much 50/50. 50% Male, 50% female and in our other political parties they don't have that same legislation. |
| MINISTER OLIPHANT | Yes. I think some of them they have started to say but we need to have at least a certain percentage in our political party. But we always encourage each other when we have discussions in our multi party caucuses. Those are the things that we are looking at on how we should assist each other and support each other so that whatever we do it can be really managed and I must say during the fourth term there was a legislative proposal from the Ministry of Women, by then it was women, children and people with disabilities. That was also talking about the issue of the percentage when it comes to the membership of the parliament, including the membership, whether it is government positions or private sector. So what we were trying to do was to say look at this space and see how we can enforce the issue of women empowerment. Yes, I know that it is very difficult, particularly because there are other people who still believe that men should always lead. Yes, they have to lead in certain instances, but if we do have women that we see that see that no, but these women really qualify to be in that position where they can lead, let us allow that space to kick in. |
| DR. MALKA | Minister you were talking a little bit about policies and looking at how we reflect things from a political point of view and have women's representation and I think- and you were - was this alluding to the Women Empowerment and Gender Equality Bill that is currently under review and consultation, I know it was due to be passed before the end of the previous term, but is now undergoing that consultation process? Gender Equality is increasingly becoming a global focus the world over, but one of the aspects of that particular bill is about achieving gender equality in the political sphere, in the private sphere and I know that from a South African point of view within government structures, we have got really strong women's representation. But yet, when we look at the business side, there is exceptionally low representation of women and in fact, it's almost on par with what international levels are so there was a census done by the South African Business Women's Association in 2012 which indicated that women only accounted for 21.4% of executive managers. Do you think that legislation like this will help close those gender gaps? |
| MINISTER OLIPHANT | Yes, the legislation that we have, it can help. As long as the companies do comply with that particular legislation. So that is why we have even further amended the fines in terms of the Employment Equity. Precisely because what was happening was that companies were not implementing that legislation, precisely because they knew that they can afford to pay the fines if they don't comply. |

| DR. MALKA | So they were happy to pay the fines and not comply? |
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| MINISTER OLIPHANT | Yes - some of them they even budgeted for those fines and now what we have said, we have said okay fine, if we go there and do the inspection and find that they don't comply we will now just take that particular issue to the Labour Court and if when they for three times and we find that even then they are not complying, then immediately we will link the fines with their annual turnover. That's where the argument was when that legislation was being processed by NEDLAC National Economic Development and Labour Council but at the end of the day we succeeded because now, if you don't comply for the three consecutive times, then we have to link the fines with your turnover and then also, we will expose them because they will be always getting these charges from the Labour Court. So that is the only way that we have to deal with it. |
| DR. MALKA | Thanks for all of that insight. We'll be right back after this. |
| | AD BREAK |
| DR. MALKA | Today we are talking to South Africa's Minister of Labour, Mildred Oliphant. We would love to receive your comments on twitter@womanitytalk. In our previous conversation Minister Oliphant described elements of the practices that the Department of Labour is undergoing, particularly emphasising work undertaken with regards to the new Women Empowerment and Gender Equality Bill and the implications it has on organisations that do not adhere to policy. |
| DR. MALKA | Minister, turning more towards your personal perspective, in the previous segment you mentioned that you started your work in the political space as a shop steward. One of the questions that I ask all of my guests on this programme who have made significant contributions in their respective fields of expertise, is about the factors that contribute to their success. Everyone speaks about hard work, perseverance – in your opinion, what have been some of the key factors that have contributed to your success? |
| MINISTER OLIPHANT | You know, if you enter the field of politics, you must firstly understand the consequences because you will be competing with men and they will not allow a situation where they will see women prospering in those particular fields and sometimes they don't share those challenges as women as well, but I must say you know I took a decision that whether a person likes to work with me or he doesn't like to work with me, but I will make sure that I continue with what I believe in. So that is how you have to deal with the challenges. You must just cool off as if you didn't hear what that person was saying to you and you just keep on going to say this is what I want to achieve. You have to set your own goals and immediately when you set your own goals then you will be able to set up your programme and the programme will be informed by the people or the constituencies around you and then when you interact with those ordinary people on the ground, then you will be able to know where do you want to go to. For example, if there are workshops and summits that are held by the political parties you must always attend and you must contribute. Even if you don't want to contribute you must listen so that you can take some of the good things that they are discussing and look at how then you will link up with your goals that you have said you want to achieve it. But I must say also, the |

| | interesting thing in Cosatu and ANC is that they take you through and really I think those who were pushing me to do that, that was Comrade Baleka and Comrade Doris Khosane and even Comrade Nosiviwe Mapisa-Nqakula and I must say when I was the chairperson of the Regional Women's League, Comrade Bathabile said this is what you have to do. She was the Secretary General of the ANC Women's League by then and I always respect those women because they were saying we are not asking you but we are telling you, because we have seen the capacity in you so this is how you have to take these issues forward. That is how I have learned during those difficult situations. But I must also say sometimes even if you are busy in those structures, even there are some women who will not appreciate what you are doing and there will be fights now and again, but if you have set out your own goals that you want to achieve, you will take everyone on board, whether that person is fighting with you or not you must say this is what I am prepared to do and you must do it. And by doing that, other people will start to say no, maybe we have to discuss with her and just ask her some issues on how she is doing these things so that she can move forward. |
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| DR.MALKA | Thanks for sharing your perspective and it ties in nicely with my next question. Today you have become a role model and you have provided evidence throughout your career to many women and girls in South Africa and into the continent that with hard work, personal sacrifice, everything can be achieved. Can you share with us some of the gender challenges that you encountered? You mentioned earlier that there was conflict, that you had to understand what the consequences of getting into politics were because you ultimately are going into a man's world when you first started, and how you overcame them during your career, and then secondly, what would be your advice to all the girls who want to follow in your footsteps and pursue a career in politics? |
| MINISTER OLIPHANT | When there are people who ask you how do you do it, you must say you learn and you share the ideas with other people and you must take all the ideas that you have discussed with other people, irrespective of where they come from, and say how do you build all those particular advices. And sometimes if you are being elected to a certain position, don't say no. You must take that challenge and then tell yourself that you will learn as and when you go with that challenge. You know, I must tell you that when I was called by the President we were coming from China because I was House Chair in international relations, we were led by the speaker then, Mr. Sisulu, and I must say all those chairpersons that we went with to China, I think we were about 8 or 9 - 7 of us were appointed deputy ministers and I was the only one who was appointed the minister. Then the president said that he has been asked by the Office Bearers of the ANC to tell me that I must go and swear in as the Minister of Labour. You know I didn't even recall that this is the president of the ANC |
| DR. MALKA | How did it make you feel? |
| MINISTER OLIPHANT | I said "what?!" and I said, "no, I am not going there, can you please ask another person to take that position?" And he said no, I can't go back and tell the Office Bearers what you have said and he said I thought you understand the ANC and I said yes I understand the ANC that it deploys |

and redeploys, that you know that I would be better if I can be a backbencher or continue to be the House Chairman International Relations. And he said no, I don't think that I qualify to take that position. And he said well, I am not going to go back, we are expecting to see you tomorrow and he said bye. And you know I was crying the whole week because I was looking at the challenges and I didn't even know whom I am going to work with in the first place because I didn't even know what kind of department I am going to go in.

DR. MALKA

And it's a critical department within our democracy.

MINISTER OLIPHANT

Yes and I was looking at organised labour, Cosatu (Congress of South African Trade Unions), Fedusa (Federation of Unions of South Africa), NAPTU (National Teachers Union) and I said these people they always go on strike, how am I going to handle that. And I am telling you it was, -you know, I said this is beyond my control but I was expected to come and swear in. I went there and two weeks after being appointed Cosatu invited me. And I was afraid to go there but when I was there I just requested a bottle of water and I put it in front of me and they said I must address them and I just sipped water and I said okay, and I said thank you very much for inviting me but you must understand that I am coming from you as a Cosatu and therefore if there is something wrong that I am doing, you must not blame me but you must blame yourselves because it means you have not trained me properly. I said "well, also what you must understand is that the way you were dealing with the issues when I was a shop steward, against the employers, you must now understand that I will be using the same tricks when I am dealing with the issues with you. The same tricks that you have taught me, now I am going to use it against you and therefore, you must respect what we will be doing as the government and the department". I said "by the way, of course we are going to agree to disagree, so that is what we must understand. And then I met with Fedusa Federation of Unions of South Africa and NAPTU as well. So everybody appreciated it, so I said "let us work together. If there are challenges, we need to sit down and say what are the challenges, how can we resolve those challenges?" So the way we are working together I think I must say that is the best area and I said to myself well this is the best department because I am working together with organised labour, organised business so whatever legislation we are doing, we all have to sit down and find a consensus and then it will go. And that is why I have said to business, you can't later say you don't agree with this are part in the process of dealing with that legislation because we particular legislation before it even went back to cabinet for cabinet to say now we are ready, we can table it in parliament. And even during that process as well, in parliament, they can go there and make some suggestion if they feel that whatever they have said at NEDLAC it was not agreed All of them organised labour and organised business in the community, it can still go the route of parliament.

DR. MALKA

Minister you have already described elements of your experiences, but taking into consideration the challenges and the successes that you have had in the past 20 years and the experiences that you have gained from that, in your opinion what areas do you think we still need to address with regards to women's

| | development? |
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| MINISTER OLIPHANT | I think what we need to do is the issue of communication because these are the issues that we do, taking a decision to empower women, but the question is do women out there understand exactly what we are doing on their behalf? Not on their behalf only per se, but to say how do we take them on board to understand why do we have these legislations that are there. So I think it is an issue of how do we communicate with them. So immediately when we have a strategy on communication, then we will be able to deal with all the challenges because women as well will come up and say these are the challenges that we are faced with and therefore sit down and say how then do we take those challenges and resolve them and how should we resolve them as well? For example, what we have done in the department, we have a branch that deals with the public employment services and that branch had hosted business summits and jobs fairs and when we talk about jobs fairs, that is when we will be saying to different employers, can you come and exhibit so that people, particularly young women and young boys, can see how you are working and if they have vacancies in the processes of those jobs fairs and jobs summits, we will find that employers will say that we need so many people in this particular area and then if they see that there are people who have those qualifications during that particular process, they will just interview those young people and employ them. And what we do as well, we register those who are work seekers and look at their qualifications and we refer them to the higher education and training if they need further training. But if there are employers who are saying we want these particular skills, then we will say okay we do have work seekers here, can we come together and train these people on these particular skills? |
| DR. MALKA | So we are looking at matching assets and attributes of our young people coming up, so almost as a database, coming into the database and looking at organisations who have a demand for those specific skills. |
| MINISTER OLIPHANT | Yes, yes. And then what will happen is that immediately after that training we will know that this company is going to absorb them. So that is how we are working together with various employers and also with various government departments. So we always encourage the employers to register with us because when they get those people from our system, they will not pay a cent because they are there, we will be supporting them and we think that by doing so we will be able to further employ a lot of young people in particular. |
| DR. MALKA | On that point, are you saying that the Department is then going to fund or pay the salaries of these young graduates whilst they are working for the organisation, or is it the training that the Department is paying for? |
| MINISTER OLIPHANT | No, what we do, we do the training together with the Higher Education and Training and we will pay a stipend for those young people who want their training. But when they are absorbed by the companies then the companies will pay their salaries. |
| DR. MALKA | Okay, so they become a responsibility. |
| MINISTER | Yes. |

| OLIPHANT | |
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| DR. MALKA | And Minister another point of reflection that I ask on your experience, have you witnessed any changes towards gender progression since you began your political career up to this point in time? |
| MINISTER OLIPHANT | Yes, I must say so, that for example in the ANC, even in the structures the issue of say 50/50 must be implemented. Whether you are in the office bearers or what do you call executive committees from branch to national. So that principle is working. Even if they are making their list to parliament or legislations, that principle is working. But sometimes you will find that in certain instances we find that we are not yet exactly at 50/50. Even in parliament, I must say, ANC has used the principle of 50/50. I think what has happened is that we were at least 48% but we dropped. Parliament dropped that particular figure because other political parties didn't use the same principle. If all political parties were using the same principle, probably women were going to be around 49/50. |
| DR. MALKA | And as a consequence of that with the Inter-Parliamentary Union, we were ranked 5 th in the world and now we have dropped to 10 th position and it's purely because other parties did not adopt that quota system. |
| MINISTER OLIPHANT | Yes, yes, that was the only challenge but I think that if we work together as women in parliament in particular, then we will be able to convince all political parties but the challenge is that you can't go to another political party and speak on behalf of those women so they have to start their own process within their political parties. |
| DR. MALKA | Of Course. Minister one of your philosophies that you highlighted earlier was about learning and sharing. Looking to the future, what would you like your legacy to be? |
| MINISTER OLIPHANT | I think I will be the happiest woman if a 50/50 principle is there and also if the issue of gender equality has been implemented fully and also if there will be no contract work, whether it's in the farming sector, domestic sector and I wish everybody can come on board to say let us implement the labour laws of this country. Because if everyone can implement that, then we will know what we have fought for has been achieved. |
| DR. MALKA | And finally Minister in closing our conversation today, can you please share a few words of inspiration that you'd like to pass onto other women who are listening to the programme in Africa? |
| MINISTER OLIPHANT | I would say there was one lady that I really appreciated, even if she is no longer alive but looking at what she was saying previously, that is |

| | move the continent forward. |
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| DR. MALKA | Thank you very much for sharing those words. It's been a pleasure to have you on our show. |
| MINISTER OLIPHANT | Thank you very much. |
| DR. MALKA | And we look forward to hearing about the future developments happening within the Department of Labour both within its internal structures with regards to increasing the representation of women in the upper echelons and also in terms of the work that its doing for us, for the everyday people in the country. |
| MINISTER OLIPHANT | Thank you so much, thank you so much. I will appreciate the support as well from women out there to say they want to support us and we will always avail ourselves to share the ideas with them and particularly yourselves in the media, I think that will be the easiest route for you to communicate whatever government is doing for the women of this country. |
| DR. MALKA | You've been listening to Womanity, Women in Unity on Channel Africa, the voice of the African Renaissance and we have been talking to South Africa's Minister of Labour, Minister Oliphant. |
| | PROGRAMME END |