

SKILLS DEVELOPMENT IN THE WORKPLACE



WHAT IS SKILLS DEVELOPMENT

The Skills Development Act is aimed at developing strategies and improving the skills of the workforce, to provide for learnerships, to provide for financing of skills development and to regulate employment services. It is vital to have a skills development and strategy, as only 14 million people out of 40 million in South Africa are economically active, which equates to 27 million persons who are not economically active.

PURPOSE OF THE ACT

The following are some of the purposes of this legislation —

- ◆ to develop the skills of the South African workforce (improving quality of life, productivity and competitiveness, to promote self employment and to improve the delivery of social services);
- ◆ to increase levels of investment in education and training;
- ◆ to encourage employers to use the workplace as an active learning environment; to provide opportunities to acquire new skills and new entrants to the labour market with experience;
- ◆ to encourage participation in learnership and training programmes;
- ◆ to improve employment prospects of previously disadvantaged persons.

INSTITUTIONAL AND FINANCIAL FRAMEWORK TO ACHIEVE THE ABOVE PURPOSES

The following institutions are established in terms of the Act —

- ◆ National Skills Authority
- ◆ National Skills Fund
- ◆ Skills Development levy-grant scheme
- ◆ SETAs
- ◆ Labour Centres
- ◆ Skills Development Planning Unit

NATIONAL SKILLS AUTHORITY

It is the body that advises the Minister of Labour on the national skills development policy and strategy, establishes guidelines for implementation and allocates subsidies from the National Skills Fund. It also liaises with the SETAs on the policy and strategy. It also conducts investigations on matters falling under the Act.

SECTOR EDUCATION AND TRAINING AUTHORITIES (SETAS)

There are approximately 27 SETAs that have been established for all the sectors in South Africa. (for example — banking; local government; health and welfare; construction and wholesale/retail).

Seta functions are as follows —

- ◆ develop sector skills plan;
- ◆ implement the plans by establishing learnerships; improving workplace skills plans; allocating grants and monitoring education and training in the sector;
- ◆ promote learnerships (identify workplaces for practical work experiences; support development of learning materials and assist in learnership agreements);

- ◆ apply for accreditation;
- ◆ liaise with the NSA; and
- ◆ report to the Director-General of Labour.

LEARNERSHIPS — DISPUTES REFERRED TO CCMA

SETAs establish learnerships (a contract of employment), which lead to a qualification registered by the South African Qualifications Authority, which are also registered with the Director-General. Learnerships create a bridge between learning and working. It establishes occupational competence, which is able to respond the labour market demands. There are learnerships for workers (persons already employed by the company) and unemployed persons (they are employed on a learnership for a fixed period of time). Any dispute pertaining to learnerships (interpretation/application of the agreement; contract; a determination in terms of s18(3) of the Skills Development Act; termination of the agreement or contract of employment). Disputes are referred to the CCMA like other referrals. The dispute must be arbitrated if not settled at conciliation.

SKILLS PROGRAMMES

It is occupationally based, gives credits towards a qualification, makes use of accredited training providers and complies with prescribed requirements. All programmes support lifelong learning.

RELEVANT LEGISLATION

The Constitution of the Republic of South Africa

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Employment Equity Act
Basic Conditions of Employment Act
South African Qualifications Authority Act
Exchequer Act