



NATIONAL ASSEMBLY

CONTRIBUTION BY ELMA DIENDA, MP, (PDM) ON THE RE-APPOINTMENT OF THE EMPLOYMENT EQUITY COMMISSIONER

27 MARCH 2024

Honourable Speaker
Honourable Members

Allow me to refresh your memories about the mandate of the Employment Equity Commission (EEC). Its mandate is to monitor employment fairness in all workplaces through the application of Affirmative Action Policies to the benefit of historically racially disadvantaged persons, women and persons with disabilities, without denying employers the right to select other qualified persons. This mandate is currently a big struggle for the commission as many employers in Namibia continue to do what they want and employ who they want.

Honourable Members

The labour situation in our country is beyond our comprehension. It is a crisis that is overlooked and the responsible Ministry of Labour, Industrial Relations and Employment Creation has completely failed to address the labour crisis in our country. Companies and even government ministries continue to practice unfair labour practices, side-lining previously disadvantaged people and persons with disabilities.

The Employment Equity Commission therefore needs to shape up and improve its operations to ensure that all employers in Namibia respect and obey all existing laws as many employers in Namibia still disregard the Affirmative Action Act 29 of 1998 and don't submit the required affirmative action reports annually to the commission as prescribed by law.

It is also revealed that government ministries and agencies do not submit affirmative action reports to the Office of the Prime Minister as required. This says a lot about governments efforts to fully implement the Affirmative Action policy.

Honourable Speaker
Honourable Members

The Honourable Minister in his motivation outlined that Advocate Podewiltz was appointed for a 5-year term, but apparently never had the opportunity to complete his five years as Commissioner because of the COVID-19 pandemic. This has to be the biggest unfair excuse ever. The entire world was affected by COVID-19 and Namibia was no exception. We all had to work from home with innovative strategies to ensure that we fully carry out their duties. We all had Zoom meetings to ensure that we successfully carry out our duties as public officials. So to conclude, it means that Advocate Podewiltz did not perform any work for 2 years because COVID-19 started in 2020. This also says a lot about the constant poor performance of the entire Employment Equity Commission.

Furthermore, allow me to inform this August House about the current situation regarding the Equity Commissioners in this country. It has been disclosed to us that the current Equity Commissioners that are plus minus 30, do not meet on a regular basis for their working meetings as there are no funds for such meetings to take place. This is an operational crisis the Commission finds itself in. This therefore defeats the purpose of the Equity Commissioners and the entire Employment Equity Commission of Namibia.

Honourable Members

The Minister further outlined that the Commissioner could not complete his five years because he was acting as Executive Director at the Ministry from January 2023 to 30 September 2023 which impacted his ability to render full service. This is another excuse that we should not even entertain. Why would you allow the Commissioner to act as an Executive Director, knowing that he has his own duties as the Employment Equity Commissioner? And for that matter him being Chairperson. And also, if he is re-appointed again, will such practices be allowed to continue?

No reports tabled for the Past 5 years, Page 3 of Speech.

Honourable Members
Honourable Members

The Employment Equity Commission is ineffective in addressing the existing unfair labour practices in Namibia. Despite meeting all the necessary requirements, women continue to be side-lined. Persons with disabilities are not even considered for employment and are discriminated against. Previously disadvantaged people like the San Community are overlooked when it comes to employment opportunities. It is time that all people in our country get equal chances to job different opportunities. It is therefore important that the Commission undergoes an urgent transformation process to ensure that all private employers including the Public Service Commission adhere to the Affirmative Action Act 29 of 1998.

Honourable Speaker
Honourable Members

In principle, I am not happy with the performance of the Employment Equity Commission and not even pleased with the performance of the recommended re-appointment of Advocate Podewiltz. We need to stop the practice of re-appointing people that don't deliver the required results as it directly impacts the mandate of the institution. In conclusion, the Ministry of Labour needs to wake up and solve the labour crisis we have in our country. We cannot allow our people to experience discrimination at the hands of employers.

I Thank You.