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28 January 2016

Response by the Labour and Enterprise Policy Research Group (LEP), University of Cape Town, to the SABC article under the headline "SA labour laws led to massive job loss: ILO" published on 27 January 2016

Dear Editor,

The Labour and Enterprise Policy Research Group takes very strong exception to the SABC's grossly misleading interpretation of the detailed research report: 'Farm Workers' Living and Working conditions in South Africa: key trends, emergent issues, and underlying and structural problems', presented to the Parliamentary Portfolio Committee for Agriculture.

The article can be found at

<http://www.sabc.co.za/news/a/005920004b77919484f9e643e5868fd4/SA-labour-laws-led-to-massive-job-loss:-ILO--20160127>

The intention of the research, as per the opening paragraph of the Executive Summary, was to understand the factors that are undermining the working and living conditions of farm workers and stoking labour relations conflict. The Executive Summary further makes clear that a confluence of factors have impacted on the farming sector, in particular market deregulation and trade liberalisation as well as the integration of farmers in global value chains in a position of weakness. It is in the context of these developments and the policies that have facilitated them, that legislation and policies that have sought to improve the working and living conditions of farm workers are discussed.

The report makes clear that pressures on the agricultural sector have elicited coping responses by farmers that have subverted the intention of such labour market regulation and policy. Nowhere does the report, or yesterday's presentation by LEP's Margareet Visser, causally link job losses on farms to 'labour laws' or to any particular piece of labour legislation or policy, or to the sectoral determination for farmworkers. Nor does it link evictions to 'labour laws'. In fact, the report as a whole explicitly argues against simplistic and mono-causal explanations for the problems being experienced in the farming sector.

The SABC report also states that the presentation warned about exacerbating the dire situation on farms by banning labour brokers. This is incorrect. The presentation highlighted the role that labour brokers were currently playing in the farming sector by linking seasonal

workers to jobs, but argued that labour brokers need to be effectively regulated to avoid abuses of workers.

The Labour and Enterprise Policy Research Group (LEP) has for 25 years conducted extensive research on the relationship between labour market regulation and the labour market/development in South Africa. LEP has consistently argued that the above relationship needs to be examined empirically and has to move beyond sweeping generalisations about 'labour laws' as a single undifferentiated entity and simplistic notions that assign direct causality to the impact of labour market regulation on the labour market to the exclusion of any other policies or factors. It is for this reason that we object so strongly to your report.

We request that you publish a correction.

For any further comment on this matter please contact Dr Shane Godfrey, Coordinator, LEP, at 021 650 5636 or shane.godfrey@uct.ac.za

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