

ISBN: 978-0-621-43269-3 | RP12/2015

SENZ'UMEHLUKO *Making a Difference*



**Strategic Plan
2015 / 2016 -
2019 / 2020**

Table of Content

TABLE OF CONTENT	2
GLOSSARY.....	3
OFFICIAL SIGN-OFF	5
OVERVIEW BY THE DIRECTOR OF CCMA	6
PART A: STRATEGIC OVERVIEW.....	7
1. VISION	7
2. MISSION	7
3. VALUES	7
4. CONSTITUTIONAL AND LEGISLATIVE MANDATES.....	8
4.1 CONSTITUTIONAL MANDATES.....	8
4.2 LEGISLATIVE MANDATES	8
4.3 RELEVANT COURT RULINGS	9
5. SITUATIONAL ANALYSIS	10
5.1 PERFORMANCE ENVIRONMENT.....	10
5.2 ORGANISATIONAL ENVIRONMENT.....	11
5.3 DESCRIPTION OF STRATEGIC PLANNING PROCESS	17
6. STRATEGIC IMPACT ORIENTED GOALS.....	17
PART B: STRATEGIC OBJECTIVES.....	19
7. STRATEGIC OBJECTIVES.....	19
8. RESOURCE CONSIDERATION	22
9. RISK MANAGEMENT	23

GLOSSARY

Acronym	Description
BAS	Business Application Systems
BCEA	Basic Conditions of Employment Act no 75 of 1997
CCMA	Commission for Conciliation, Mediation and Arbitration
DM&P	Dispute Management & Prevention
ESC	Essential Services Committee
ESU	Employment Saving Unit
EEA	Employment Equity Act no 55 of 1998
ETD	Education Training and Development
EXCO	Executive Committee
GB	Governing Body
GDP	Gross Domestic Product
HRM	Human Resource Management
IT	Information Technology
ILO	International Labour Organisation
KPA	Key Performance Area
LRA	Labour Relations Act no 66 of 1995
MTEF	Medium Term Expenditure Framework
PFMA	Public Finance Management Act
SADC	Southern African Development Community
SCM	Supply Chain Management
SG	Strategic Goal
SO	Strategic Objective

Acronym	Description
TDU	Training Development Unit

List of Figure

Figure No	Description
1	Caseload
2	Organisational Structure

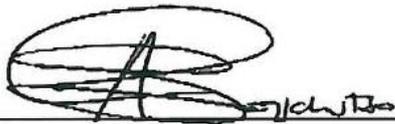
List of Tables

Table No	Description
1	Core Values
2	Strategic Impact Oriented Goals
3	Strategic Objectives
4	Medium Term Expenditure Estimates
5	Risk Management

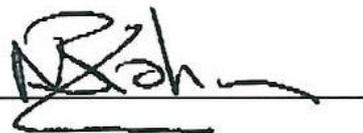
OFFICIAL SIGN-OFF

It is hereby certified that this Strategic Plan was developed by the management of the CCMA, under the guidance of the Governing Body. The Strategic Plan takes into account all the relevant legislation, policies, and other mandates for which the CCMA is responsible. The Plan accurately reflects the strategic impact oriented goals and strategic outcome orientated objectives which the CCMA will endeavour to achieve over the five (5) year period from 1 April 2015 to the 31 March 2020.

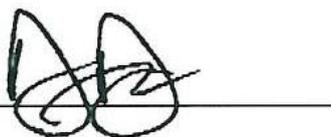
Ntombi Boikhutso
Chief Financial Officer

Signature: 

Nerine Kahn
Accounting Officer

Signature: 

Daniel Dube
Governing Body Chairperson

Signature: 

Approved by:
Hon. Mildred Oliphant
Executive Authority

Signature: 

OVERVIEW BY THE DIRECTOR OF CCMA

The Commission for Conciliation, Mediation and Arbitration (CCMA) is an independent and autonomous organisation that was established by the Labour Relations Act of 1995 [as amended] (LRA) to deliver services that ensure fair labour practices.



Principally, as one of the organisations enjoined with implementing the LRA, the CCMA's mandate is derived from the purpose of the LRA which, amongst others, is to advance economic development, social justice, labour peace and the democratisation of the workplace. The mandate of the organisation is further enhanced by the statutes that deal with the world of work and in particular the Basic Conditions of Employment Act [as amended] and the Employment Equity Act [as amended].

The formulating of the CCMA Strategy 2015-2020 has taken place in the context of a number of developments in the CCMA's legislative framework and challenges in the South African labour market. The recent amendments to South African employment laws have profound implications for the organisation. The labour market environment has become more complex and testing with the triple crisis of inequality, unemployment and poverty impacting on labour disputes. These challenges are being reflected in the workplace with a blending of socio-economic and workplace demands and a more rapid escalation into violent protests.

Learnings have been drawn from these new challenges and the organisation, in this strategic plan, has responded with resourcefulness and innovation. Delivering on public value has been adopted as the central ethos of the CCMA's new strategic direction. In demonstrating the organisation's dynamic ability to respond to the prevailing labour market imperatives and catapulting off its already recognised success in delivering on its core mandate, the strategy expands the CCMA's position and role within the labour market beyond a primary focus on dispute resolution into more proactive dispute prevention and management and value added services in line with the mandatory and discretionary functions of the CCMA. Cognisant of the CCMA's public value commitment, informed by the CCMA's legislative framework and in response to the organisations operating environment, the strategy sets out the road map in terms of which the organisation will execute its mandate and account for its performance over the next five (5) years.

The strategic plan outlines the vision of the CCMA, its mission and values. Secondly, it addresses the strategic goals and strategic objectives of the CCMA and its linkage with the vision of the Department of Labour which is "to strive for a labour market which is conducive to economic growth, investment and employment creation and which is characterised by rising skills, equity, sound labour relations, respect for employment standards and worker rights". Thirdly, the strategy is a product of a thorough consultative process involving the Governing Body that is comprised of social partners [Organised Labour, Organised Business and the State], Stakeholders as well as Management and Staff of the organisation. Finally it seeks to, while maintaining current performance levels in its day to day work, to be innovative and responsive to the current labour market challenges.

Nerine Kahn

PART A: STRATEGIC OVERVIEW

1. VISION

To be recognised and valued by everyone for changing working life by promoting social justice and transforming workplace relations.

2. MISSION

To give effect to everyone's Constitutional right to fair labour practices.

3. VALUES

The core values and operating principles of the CCMA are:

Values	Operating Principles
Respect	We value those that we serve, those who we work with and our organisation. <i>We value differences in people and ideas, treating everyone with fairness and dignity.</i>
Excellence	We continuously do our best in delivering on our mandate and in service to our people. <i>In committing to excellence we continuously strive to deliver quality work, and always seek to improve our processes and services to everyone.</i>
Accountability	We hold ourselves responsible for our actions and outcomes of our work. <i>In being accountable we are committed to each other and all we do and take responsibility for our actions and our performance.</i>
Diversity	By embracing diversity and inclusivity, we learn from each other daily while sharing and celebrating who we are and what we do". <i>We embrace inclusivity and celebrate the differences of our people</i>
Integrity	We do the right thing even when no-one is looking <i>We are honest and ethical in everything that we do.</i>
Transparency	We work in a manner that is open, fair and transparent <i>Guided by our statutory obligations and commitment we are open in our dealings with everyone we serve.</i>

Table 1: Core Values

4. CONSTITUTIONAL AND LEGISLATIVE MANDATES

4.1 CONSTITUTIONAL MANDATES

The CCMA constitutional mandate is drawn directly from Section 23 of the Constitution of the Republic of South Africa that deals with Labour Relations.¹

4.2 LEGISLATIVE MANDATES

The CCMA's mandate is drawn from the purpose of the LRA itself, which is "to advance economic development, social justice, labour peace and the democratisation of the workplace".

The CCMA derives its mandate from specific provisions of the LRA. Section 115(1) (a) to (d) of the LRA identifies the mandatory functions that the CCMA is required to perform as follows;

- Conciliate workplace disputes;
- Arbitrate certain categories of disputes that remain unresolved after conciliation;
- Establish picketing rules in respect of protected strikes and lock-outs;
- Facilitate the establishment of workplace forums and statutory councils;
- Compile and publish information and statistics;
- Consider accreditation and subsidy of bargaining councils and private agencies; and
- Administer the Essential Services Committee, including the Director of the CCMA functioning as the Accounting Officer for the Essential Services Committee.

Section 115(2) and (3) identifies the discretionary functions that enhance delivery of the CCMA's mandate and do not replace the delivery of the mandatory functions as follows:

¹ Chapter 2 Section 23: Labour relations (1) Everyone has the right to fair labour practices. (2) Every worker has the right to form and join a trade union; to participate in the activities and programmes of a trade union; and to strike. (3) Every employer has the right, to form and join an employers' organisation; and to participate in the activities and programmes of an employers' organisation. (4) Every trade union and every employers' organisation has the right; to determine its own administration, programmes and activities; to organise; and to form and join a federation. (5) Every trade union, employers' organisation and employer has the right to engage in collective bargaining. National legislation may be enacted to regulate collective bargaining. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with section 36 (1). (6) National legislation may recognise union security arrangements contained in collective agreements. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with section 36 (1).

- Provide administrative assistance to an employee who earns below the stipulated threshold
- Supervise ballots by unions and employer organisations
- Provide training and information relating to the primary objective of the LRA
- Advise parties to a dispute about the procedure to follow
- Offer to resolve a dispute that has not been referred to the CCMA and
- Publish guidelines on any aspect of the LRA and to make rules

The CCMA additionally derives its mandate from specific provisions of the Employment Equity Act [as amended] (EEAA). Chapter 2 Prohibition of unfair discrimination, Section 10 (5) (6) (a) and (b) of the EEAA identifies the functions that the CCMA is required to perform as follows;

- Conciliate any dispute referred to it in terms of this Act
- Arbitrate disputes that remain unresolved after conciliation according to the stipulations of this Act.

The CCMA additionally derives its mandate from specific provisions of the Basic Conditions of Employment Act [as amended] (BCEA). Chapter 5 (Section 41)

- Conciliate any dispute relating to severance pay referred to it in terms of this Act
- Arbitrate disputes that remain unresolved after conciliation according to the stipulations of this Act.

4.3 RELEVANT COURT RULINGS

The CCMA regularly receives Court rulings and these are implemented into the processes, procedures and rules of the organisation. To this end the organisation publishes a Practice and Procedure manual for Commissioners and this is revised and updated annually and on contingency. The manual is distributed to each Commissioner as a reference and guide, not only to ensure professional service but also to create process consistency in dispensing social justice. Commissioners also attend regular Case Law Monitor workshops, as well as an Annual Commissioners Indaba where the latest case law developments are discussed for purposes of continuous professional development.

Recently the Constitutional Court dismissed the application for leave to appeal an SCA decision (Commission for Conciliation, Mediation and Arbitration and Others v Law Society of the Northern Provinces [2013] 11 BLLR 1057 (SCA)). This ruling upheld the constitutionality of Rule 25(1) (c) of the CCMA Rules which deals with the right to legal representation. The right to legal representation is not an automatic right when it is a dismissal for misconduct or incapacity. This decision upheld a central tenet of the Labour Relations Act which is to ensure that all citizens have access to affordable justice in terms of dispute resolution as provided for by the CCMA.

5. SITUATIONAL ANALYSIS

5.1 PERFORMANCE ENVIRONMENT

The world economy has experienced subdued growth over the past two (2) years on the back of persistent knock-on effects of the global financial crisis, several heightened geopolitical conflicts and elevated unemployment rates in several regions. Almost all regional economies underperformed in 2013 forcing the world economy to grow at a lethargic pace. The forecast for growth in the world economy is 3.9% for 2015 (National Treasury, 2014).

The South African economy has not been immune to these global trends, although it seemed insulated when the other economies declined drastically in 2009. Real GDP growth in South Africa peaked in 2011 at 3.6% and subsequently declined to 1.8% in 2013 (National Treasury, 2014). At the heart of this dramatic fall was the persistent unemployment rate, which remained stable at 25%; prolonged labour unrest in critical economic sectors (such as manufacturing, mining and agriculture) and sporadic community service-delivery protests and strike action. This threatens to constrain economic growth in South Africa in the medium term.

The economic outlook for South Africa, however, is expected to improve, with GDP growth estimated to returning to 3.2% in 2015 and 3.5% in 2016 (National Treasury, 2014). This comes off the back of increased exports due to a weak rand, and a stronger international trade environment, but is entirely reliant on reasonable stable conditions in the domestic labour market.

Since 1994, a raft of transformative legislation has been passed to give effect to the provisions of equality in the South African Constitution and in so doing redress South Africa's legacy of discrimination in relation to race, gender and disability that has denied access to opportunities for education, employment, promotion and wealth creation to the majority of South Africans. Despite this priority, the pace of transforming our society and notably the labour market remains slow. Unfair discrimination practices in the workplace continue to lead to the under-utilisation of the greater portion of the productive population of South Africa. The national workplace equity profile shows that challenges persist in transforming equitable representation of the designated groups particularly in upper management levels, inconsistency of gains made in the representation of designated groups over a period of time, continued high under representation of women and persons with disabilities in the workplace and a skewed increase in representivity of certain designated groups (Commission for Employment Equity 2014). The amendments to the Employment Equity Act (2014) will promote transforming the workplace further; however more needs to be done by all social partners to eliminate the on-going effects of our past racial, gender and disability discrimination.

The labour market environment has become more complex and testing and the CCMA has had to respond appropriately and effectively. The new strategy is developed against the backdrop of the events that unfolded in the Platinum Belt that saw unprecedented industrial action in South African mining history, as well as the subsequent death of people in Marikana the majority of whom were miners. The platinum strike of 2013/14 highlighted emerging challenges that the CCMA has to face and address in the coming years. A key challenge in this respect is the coalescing of workplace demands and socio-economic issues arising from the triple crises of unemployment, poverty and inequality.

The dynamic labour market has necessitated that the CCMA regularly review and considers its role in dealing with workplace. The CCMA has had to respond both creatively and innovatively to the persistent increase in service demand, and the need

for different and proactive services in certain sectors, while remaining within allocated resources. In the last five years the organisation has been constantly challenged by an ever-increasing workload as well as an expansion of its mandate. This has been further compounded by the increased complexity of mediation processes with an intertwining of workplace demands and community needs in the areas of wages negotiations and operational requirements. This demonstrates the pressure that the CCMA operates under and therefore is required to continually align itself to prevailing market imperatives while still delivering on its core mandate.

The CCMA caseload has increase by 22% over the last six (6) years as illustrated below:



Figure 1: Caseload

5.2 ORGANISATIONAL ENVIRONMENT

An organisation's performance is strongly influenced by how well the organisation's strategy is matched to its organisational structure. For the organisation to deliver its plans, the strategy and the structure must be woven together seamlessly. Importantly for the CCMA in this coming period, the interdependence and complementarity of strategy and structure to ensure good performance takes on an even greater importance under a challenging operating environment.

The amendments to the Employment Laws will have a four-fold impact on the CCMA's organisational environment. First, the amendments are likely to result in a significantly higher caseload for the CCMA. This is evident in that within the first three months of coming into effect, the referral rate of EEA cases doubled, (about 500 cases referred in three (3) month period, compared with about 1000 over the previous twelve (12) month period). Secondly, the amendments will result in a higher administrative workload for the CCMA, as the CCMA will be required to provide administrative support to users who earn below a set threshold. Thirdly, the amendments have enjoined the CCMA with administering the Essential Services Committee (ESC). In the fourth instance the revision of the definition of who is an employee, will in the beginning lead to the need for the organisation to make regular rulings on employment relationships, and hence a more complex, slower dispute resolution process will ensue.

The CCMA has commenced with an institutional review that will result in the alignment of the CCMA Strategy 2015/16-2019/20 and the organisational structure purpose-fit to deliver. Currently the CCMA has six (6) functional areas, excluding the Office of the Director and Internal Audit, as well as twenty one (21) regional offices that assist the organisation to meet its statutory mandate.

The organisational structure of the CCMA is as follows:

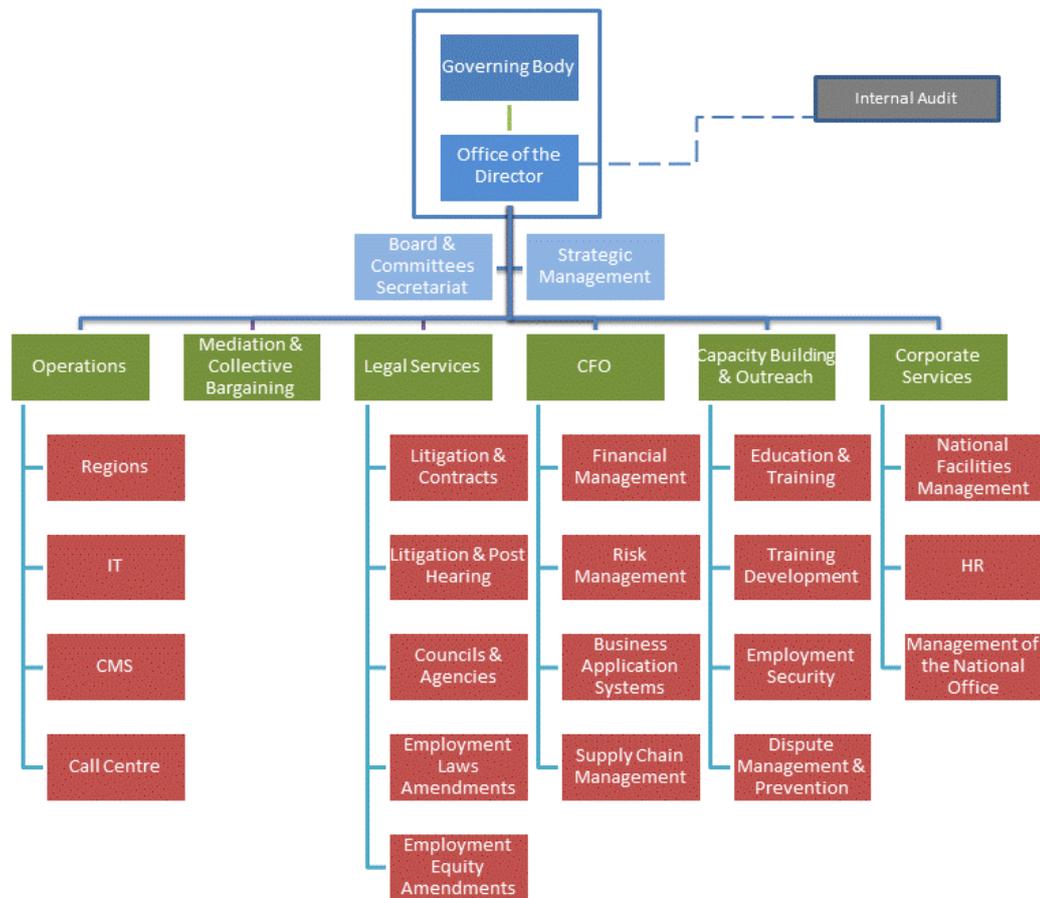


Figure 2: Organisational Structure

The CCMA Governing Body

The CCMA is governed by a tripartite Governing Body made up of a non-executive independent chairperson, three (3) representatives each from Government, Organised Labour and Organised Business and the Director of the CCMA who is a non-voting member. The members of the Governing Body, other than the Director of the CCMA, are appointed for a three (3) year term through a process managed by NEDLAC and by the Minister of Labour.

The roles and responsibilities of the Governing Body are stipulated in the LRA (Section 116) and derived from the PFMA and Treasury Regulations. The non-delegable functions of the Governing Body include the appointment of the Director,

appointment of commissioners, or removing commissioners from office, depositing or investing surplus money, accrediting of councils or private agencies, or amending, withdrawing or renewing their accreditation and subsidising accredited councils or accredited agencies.

In terms of the LRA, the additional functions of the Governing Body include the delegation of certain functions to the Director (Section 125) and the variation or setting aside of decisions taken by its delegates. The Governing Body is also responsible for the development and monitoring of the execution of the strategy, ensuring that an evaluation system is in place to monitor major capital projects and the implementation of appropriate and effective measures to prevent unauthorised, irregular and or fruitless expenditure and wasteful expenditure, or losses from criminal conduct. The LRA (Section 121) enjoins the GB to establish committees to assist the CCMA. The following committees have been established; Finance and Risk Committee, Accreditation and Subsidy Committee, Audit Committee, Human Resource Committee and Governance, Social and Ethics Committee.

Office of the Director

The Director of the CCMA's function as determined by the LRA (Section 118) is to manage and direct the activities of the CCMA and to supervise the CCMA staff. This means giving strategic direction to the organisation, coordinating the organisation and all of its activities and liaising with all stakeholders. Notably the Director plays the role of the CCMA accounting officer in terms of the PFMA (Section 38)

The Strategic Management department, which reports to the Director, is tasked with the strategic support areas of strategy coordination and governance, policy development and management and organisational performance monitoring and evaluation. This department is also responsible for the delivery areas of Communications, Research and Community Social Responsibility. The latter includes volunteerism, professional exchange programme, and internship programme and community social projects.

The Office of the Director provides the secretariat duties for the CCMA Board and Committees.

Internal Audit

In line with the PFMA Section 51(1)(a)(ii), King III Report and IIA Standards, the Internal Audit is responsible for providing independent, objective assurance on the adequacy and effectiveness of CCMA's systems of governance, risk management and internal control to the Governing Body and executive management and, in doing so, helps enhance the controls culture within the organisation. The work of Internal Audit is focused on the areas of greatest risk, both current and emerging, to CCMA as determined by a comprehensive, risk-based planning process. The Audit Committee approves the annual internal audit plan and any subsequent material amendments to it and also satisfies itself that Internal Audit has adequate resources to discharge its function.

Chief Financial Officer (CFO)

The Chief Financial Officer oversees four (4) departments namely the Financial Management, Risk Management, Business Applications Systems and Supply Chain Management.

Financial Management focuses on designing, maintaining and implementing sound financial processes and controls, and on ensuring full compliance to the provisions of the Public Finance Management Act (as amended), the Labour Relations Act (as amended) and other legislative prescripts. The section's main functions are financial administration, financial accounting, payroll, treasury management and reporting.

The primary risk management function is to review the effectiveness of the organisation's systems, processes and procedures, and to provide recommendations for improvement. The unit is tasked with embedding risk management within the organisation. The unit assists in identifying, assessing and recording strategic and operational risks and to monitor procedures aimed at mitigating them. The risk management unit is also responsible for occupational health and safety (OHS), insurance, and the monitoring of the audit findings raised by the regulatory audit of the Auditor-General. The Risk Management and Internal Audit functions work closely together to provide combined assurance on the identification and management of key risks faced by the organisation.

The responsibility of the Supply Chain Management Unit is to ensure that the procurement system is fair, transparent, equitable, competitive and cost effective. The primary responsibility of the unit is to ensure compliance with relevant legislative prescripts including, but not limited to, the PFMA, PPPFA and BBBEE Act.

Business Applications Systems (BAS) leads business and technical analysis sessions to support new development efforts to meet current and projected business needs as well as providing expertise on the systems capabilities/ limitations as it relates to business goals. Additionally BAS is responsible for quality assurance management, training on business application systems, managing of service level agreements and the development and improvement of internal control systems.

Operations

The Operations Department draws its mandate directly from the provisions of Section 115 (1) (a), (b), (c) and (d) of the Labour Relations Act.

The Operations department is the delivery hub of the organisation providing a range of technical services and regional support to all internal and external users. The key responsibilities of the department are ensuring day to day management of all regions including ensuring that all CCMA offices are well resourced and have appropriate systems in place to provide speedy, cost-effective and efficient dispute resolution services to users. The department is responsible for the CCMA's information technology, measures regional operational efficiencies and maintains the CCMA's electronic case management system, call centre and electronic query services.

Two (2) senior managers manage the Operations Department, one being responsible for the operational management of all regions and the other managing the national operations service delivery areas of Case Management, the Call Centre and Information Technology. Both provide support to all users, regions and associate organisations to ensure that the CCMA mandate is delivered in terms of its broader goals and strategy.

The CCMA has twelve (12) regions with twenty-one (21) offices and hears matters in one thousand one hundred and ninety-one (1191) hearing venues throughout the country. Depending on case load, each region is managed either by a Convening Senior Commissioner or Senior Commissioner. CCMA regional structures are demarcated to ensure easy access and effective service delivery to the public.

Mediation and Collective Bargaining

The Mediation and Collective Bargaining Department derives its mandate from Sections 115 (1)(a) of the LRA to attempt to resolve any dispute referred to it through Conciliation, including mutual interest disputes in terms of S134 of this Act. Section 115 (2) (c) further empowers the CCMA to offer to resolve Public Interest Disputes (Section 150) including those that have not been referred to it. Section 115 (2)(f) enables the CCMA to conduct, oversee or scrutinise any election/ ballot of registered trade unions or employers organizations. The CCMA may through S 115 (3) (a) advise parties to establish collective bargaining structures upon request.

The primary role of the Mediation and Collective Bargaining department is to provide support and guidance for all conciliation, mediation and facilitation processes and to promote, support and assist in collective bargaining matters. The Department is headed by a National Senior Commissioner (NSC), two (2) senior commissioners for collective bargaining and conciliation respectively and supported by regional mediation commissioners. *Corporate Services*

Corporate Services consists of three (3) departments namely National Facilities Management, Management of the National Office and Human Resource Management.

National Facilities Management covers the service support areas of management of leases, travel management, security, pool vehicle management, occupational health and safety and asset procurement (furniture, electronic equipment and small assets).

Human Resource Management provides operational support to the human resource needs, well-being and relations of the organisation as well as ensuring compliance with and reporting to the relevant employment legislation. In terms of the Labour Relations Act the recruitment and termination of commissioners is the exclusive function of the Governing Body with Human Resource Management providing administrative support to the commissioner recruitment process.

Capacity Building and Outreach

Capacity Building and Outreach includes the Education and Training Department (ETD), the Training Development Unit (TDU), the Employment Security Unit (ESU) and the Dispute Management and Prevention Department (DM & P).

The Dispute Management & Prevention department draws its mandate from the LRA, in particular Section 115 (1) (d) to compile and publish information and statistics about its activities; Section 115 (2) (a) to if asked, advise a party to a dispute about the procedure to follow in terms of this Act; Section 115 (3) (d) to prevent and resolving disputes and employees grievances; Section 115 (3) (g) in respect of the process of restructuring the workplace; Section 115 (3) (l) in respect of prevention of sexual harassment in the workplace; Section 115 (4) which empowers the Dispute Management & Prevention function to provide outreach services dealing with Basic Conditions of Employment Act (BCEA) and Employment Equity Act (EEA). These sections should be read in conjunction with Section 74 of the BCEA and Section 10 of the EEA. The Dispute Management and Prevention department offers a wide range of outreach services to CCMA users and social partners

nationally. The main focus of the department is capacity building, information sharing, awareness raising and problem solving. Its main objective is effective and proactive management of conflict and disputes from workplaces to CCMA hearing rooms.

The Employment Security Unit draws its mandate from the LRA; in particular Section 1(c) to provide a framework for social partners to bargain collectively and formulate industrial policy; Section 115(3) to provide advice and training relating to the primary objects of the LRA, Section 115(3)(g) to provide advice on restructuring the workplace and Section 189 and 189A in terms of which the CCMA may facilitate and assist parties to reach consensus on ways to avoid or minimise retrenchments and mitigate the adverse effects of retrenchment. The Employment Security Unit brings together all of the CCMA's activities related to employment security, operational requirements dismissals and the Training Layoff Scheme.

The Education and Training Department draws its mandate from the LRA; in particular Section 115 (3) if asked, the Commission may provide employees, employers, registered trade unions, federations of trade unions, federations of employers' organisations or councils with advice or training and Section 15 (b) in respect of affirmative action measures as well as stipulations in the Occupational Health and Safety Act (No 181 of 1993) and Skills Development Act (No 97 of 1998). The Education and Training Department is responsible for all capacity building internal to the CCMA. This includes the development of a workplace skills plan, skills audits, Skills Development Act reporting and the delivery of training interventions in line with the CCMA's strategic objective to build skills to achieve professionalism. The primary purpose of the Training Development Unit (TDU) is to design and develop training materials and courses for the CCMA's capacity building and qualifications development activities.

Legal Services

Legal Services draws its mandate from the LRA; in particular Section 115(1)(b) to arbitrate certain matters, Section 115(2)(a) to advise on procedures to be followed in terms of the LRA, Section 115(2)(b) to assist a party to obtain legal advice, assistance or representation and assist in the consideration of the accreditation and subsidy of bargaining councils and private agencies, assist in the publication of guidelines on any aspect of the LRA and Section 115(2A) to assist in the drafting and creation of rules.

Legal Services includes the following departments; Litigation and Contracts, Arbitration and Post-hearing; Councils and Agencies, Employment Laws Amendments and Employment Equity Amendments. Additionally Legal Services provides secretariat support services to the Essential Services Committee.

Litigation and Contracts Department provides legal advice and support to the CCMA. This department is tasked with instituting and defending litigation for and against the CCMA, as well as ensuring that all contracts entered into are compliant with relevant legislation, treasury regulations and policy.

Arbitration and Post-hearing Department supports and assists organisational best practice by ensuring CCMA commissioners are kept abreast of jurisprudential developments as well as to update the Practice and Procedure Manual, the Case Law Monitor for Commissioners and distribute Practice Notes. Members of the department participate in annual law conferences, case law monitor sessions and other information sharing workshops.

Councils and Agencies Department is tasked with the accreditation and maintenance of accredited bargaining and statutory councils and private agencies. This department also certifies arbitration awards from Bargaining Councils through Section 143. In addition, this department is tasked with paying subsidies to accredited Bargaining Councils and accredited Statutory Councils.

Employment Law Amendments Department is dedicated to ensure that all commissioners and users are prepared for and kept abreast of all Employment Law Amendments. In addition, this department offers support to the CCMA as an Employer to comply with amendments to the Employment Laws.

Employment Equity Amendments Department ensures that commissioners interpret and apply the new employment equity law and its related regulations, consistently and in line with their spirit.

5.3 DESCRIPTION OF STRATEGIC PLANNING PROCESS

The CCMA follows a broadly conventional, inherently iterative strategy formulation process that includes a review of the standing strategy, conducting a situational analysis and extensive consultations involving both internal and external stakeholders.

The strategy planning process was initiated with the mid-term review of the standing CCMA Siyaphambili Strategy. A key outcome of this review was the position by the Governing Body that the current labour market conditions required a shift in the strategic direction. This set the strategic agenda for the 2015/16 -2019/20 delivery period. The CCMA Governing Body tasked the EXCO to develop a strategic position in which the shift did not represent a departure from the current strategy, but rather the strengthening of the delivery of existing functions and the expansion of additional services in response to the needs of the changing labour market environment. This led to the development of the CCMA Broad Mandate Document, which was extensively consulted on, and which forms the framework for the CCMA Strategy 2015/16 -2019/20.

In the second phase the CCMA 2015/16 -2019/20 strategic platform was drafted comprising of the vision, mission, values, strategic goals and strategic objectives, following a comprehensive consultative process involving all stakeholders. The strategic platform received approval from all stakeholders.

The process of drafting the strategy document was then completed.

6. STRATEGIC IMPACT ORIENTED GOALS

The CCMA's strategic outcome goals are as follows;

Table 2: Strategic Impact Oriented Goals

Strategic Impact Oriented Goal 1	Enhance and extend service delivery to transform workplace relations and advance development
Goal Statement	The CCMA will enhance and extend service delivery to transform workplace relations and advance development in the five (5) year period
Strategic Impact Oriented Goal 2	Strive for organisational effectiveness
Goal Statement:	The CCMA will strive for organisational effectiveness in the five (5) year period

PART B: STRATEGIC OBJECTIVES

7. STRATEGIC OBJECTIVES

Strategic Goal 1: Enhance and extend service delivery to transform workplace relations and advance development

Strategic Objective 1	Enhancing the labour market to advance stability and growth
Objective Statement	<p>The CCMA will strive to enhance labour market stability and growth by:</p> <ul style="list-style-type: none"> • Providing thought leadership and facilitating social dialogue; • Advancing employment security; • Strengthening partnerships for better delivery; • Enhancing accessibility to services; and • Pro-actively responding to labour market developments.
Baseline	<p>Under the Siyaphambili Strategy the CCMA has:</p> <ul style="list-style-type: none"> • Played a meaningful role in the facilitation of social dialogue and economic development on identified labour market issues locally and internationally; • Provided support and assistance to local, regional and international organisations; • Enhanced the quality and effectiveness of dispute resolution under the auspices of the Bargaining Councils and Private Agencies; • Promoted employment security through publicity and capacity building activities; • Established a Job Saving Unit; and • Participated in the process of amending CCMA relevant Employment Law and policy development.

Strategic Objective 2	Advancing good practices at work and transforming workplace relations
Objective Statement	<p>The CCMA will strive to advance good practices in workplaces and transform workplace relations by:</p> <ul style="list-style-type: none"> • Pro-actively facilitate improved Collective Bargaining; • Managing conflict in the workplace; • Transforming workplace relations; •
Baseline	<p>Under the Siyaphambili Strategy the CCMA has:</p> <ul style="list-style-type: none"> • Maintained specialist dispute resolution service and post dispute support services; • Made high impact offers of assistance in public interest matters (section 150 matters); • Facilitated the establishment of collective bargaining structures; • Piloted the Collective Bargaining Improvement process; • Held user engagements to address identified user DR compliance problem areas and targeted social justice blockages; • Improved the quality of dispute resolution service delivery; • Conducted workplace transformation interventions; • Improved accessibility for users; and • Implemented initiatives to measure the quality of dispute resolution processes and outcomes.

Strategic Objective 3	Building knowledge and skills.
Objective Statement	<p>The CCMA will contribute to building knowledge and skills in the labour market by:</p> <ul style="list-style-type: none"> • Developing and delivering initiatives for effective work place knowledge and skills aligned with the needs of the labour market; and • Professionalising the practice of labour relations in the labour market.
Baseline	<p>Under the Siyaphambili Strategy the CCMA has:</p> <ul style="list-style-type: none"> • Provided User and Stakeholder empowerment and capacity building; • Developed and delivered a Conflict Resolution Practitioner occupational qualification; • Designed and developed training materials and courses that supported continuous professional development; and • Developed and updated assessment and mentoring methods.

Strategic Goal 2: Strive for organisational effectiveness

Strategic Objective 4	Optimising the organisation.
Objective Statement	<p>The CCMA will strive to optimise the organisation to support delivery of the strategy through:</p> <ul style="list-style-type: none"> • Embedding a culture that facilitates implementation of the new strategic direction; • Utilising resources optimally; and • Providing for continuous professional development aligned with the needs of the organisation and our people.
Baseline	<p>Under the Siyaphambili Strategy the CCMA has:</p> <ul style="list-style-type: none"> • Developed and delivered effective human capital training that aligned with the needs of the organisation; • Ensured that all Employees understand and accept the Performance Management Development System; • Improved and strengthened organisational capacity for holistic external and internal communication; • Ensured top of mind awareness of risk management principles and consideration in all planning and decision making throughout the organisation; • Enhanced the policy approval process; • Provided training and induction to the GB and its committees in order to enhance the oversight role and execution of fiduciary responsibilities; • Conducted annual evaluation of the performance of the Governing Body and the committees; • Ensured compliance with PFMA and Treasury Regulations; • Improved user accessibility of CCMA infrastructure; • Implemented a revised ICT strategy that was benchmarked against best practice; and • Embedded continuous professional development of staff with a particular focus on women.

Table 3: Strategic Objectives

8. RESOURCE CONSIDERATION

Budget resources

Budgetary requirements for the new strategy are given careful consideration to ensure successful service delivery. A three year budget has been prepared for the new strategy. Budget estimates for the 2015/16, 2016/17 and 2017/18 financial years are presented by budget programmes in the table below.

	Medium-Term Estimate (R thousand)		
	2015/16	2016/17	2017/18
Administration	354 502	388 448	418 445
Institutional Development	53 598	57 307	61 217
Corporate Governance	2 498	2 636	2 776
Social Services	336 351	338 017	343 165
Total Expense	746 949	786 408	825 603

Table 4: Medium Term Expenditure Estimates

9. RISK MANAGEMENT

#	Risk Description	Mitigation Strategy	Application to Strategic Objective (SO)
1.	Stakeholders (internally and externally) do not subscribe to the new strategic direction	<ul style="list-style-type: none"> • Consultation initiative conducted to advocate the new strategic direction • Communication and education campaign run to promote the new strategic direction • Change management programme conducted • Reporting campaign to inform on progress 	<ul style="list-style-type: none"> • SO 1 • SO 2 • SO 3 • SO 4
2.	Trust and cohesiveness between social partners, governing body and management	<ul style="list-style-type: none"> • Structured approach to ensure continuous engagements with the respective social partners • Delegation of Authority to be reviewed annually • Enhancement of the Framework for Corporate Governance and Charters to be reviewed annually • Continue to streamline the process of Commissioner appointment 	<ul style="list-style-type: none"> • SO 1 • SO 2 • SO 3 • SO 4
3.	Reputation damage to the CCMA	<ul style="list-style-type: none"> • Review Communication Function to enhance internal and external communication • Review funding/business model • Entrench organisational culture that facilitates service delivery and promotes social justice • Remove social justice blockages in the CCMA internally and externally • Institutionalise the vision and mission of CCMA for employees to identify with it • Ensure access for all Commissioners to the Employment Assistance Program (EAP) system and establish a coaching and support system 	<ul style="list-style-type: none"> • SO 1 • SO 2 • SO 3 • SO 4
4.	Impact of operationalising the new labour law amendment on the organisation.	<p><i>(Mitigation strategies are in respect of this risk are at an advanced stage of implementation)</i></p> <ul style="list-style-type: none"> • Identify amendments impacting on the CCMA and interpret their practical application 	<ul style="list-style-type: none"> • SO 1 • SO 2 • SO 3 • SO 4

		<ul style="list-style-type: none"> • Analyse management's capacity to manage the implementation project • Analyse and review preparedness to implement the amendments and develop recommendations on: <ul style="list-style-type: none"> — the appropriateness of the organisational strategy; — the review organisational structure and design ; — enhancing or developing business processes; and systems; — training and development of staff; — determining funding needs; developing comprehensive organisational change plan; and — continuous engagement of business and labour commitment through road shows. 	
5.	None compliance with legislative prescripts i.e. PFMA, Treasury Regulations requirements	<ul style="list-style-type: none"> • Continuous monitoring of compliance • Continuous training of all staff and GB members • Integrated Corruption Case Management Framework • Delegation of authority and segregation of duties 	<ul style="list-style-type: none"> • SO 1 • SO 4
6.	Limited availability of human resources with required knowledge and skills	<ul style="list-style-type: none"> • Talent management strategy in place and being enhanced • Internship programmes • External bursary programme • Comprehensive succession planning tool in the process of being developed • Process to review the structure of the organization in place with the view to recognising technical specialists' commissioners who do not want to go into managerial roles • Review and monitor the Employment Equity targets report and take appropriate action 	<ul style="list-style-type: none"> • SO 1 • SO 2 • SO 3 • SO 4

Table 5: Risk Management