

The analyses of non-standard employment and contemporary labour protest in South Africa

by Jerry Mmanoko Mathekga*

Abstract

This paper analyses the contemporary non-standard employment and labour unrest in South Africa, with special emphasis on the South African Post Office (SAPO) and universities across South Africa. The paper argues that attempts by SAPO and the universities to cut labour costs and to be more flexible and competitive through the use of non-standard employment have not reduced exploitation. Marginalisation, inequality, poor working conditions, lower wages and lack of protection and representation still prevail in most workplaces across the country, with companies and institutions still benefiting extensively. The paper relies on both primary and secondary sources. No empirical research has been done. It aims to advance knowledge of non-standard employment through discussion of this practice and of the entities in which it takes place. The impact of non-standard employment on workers is discussed. The paper also provides a critical view on non-standard employment.

Key words: *non-standard employment, labour protest, working conditions, wages, labour exploitation*

1 Introduction

In South Africa, after nearly 22 years as a functioning democracy, the majority of workers are still experiencing exploitation. The security of workers, their health and safety as well as their access to trade unions are still a concern as the number of vulnerable workers is increasing. The mounting labour exploitation and lack of protection leave workers with no option but to protest with the intention of ending all forms of labour exploitation. South Africa remains a highly unequal society where unemployment and poverty are high. In addition, not all those who are in employment have permanent positions and are protected. Non-standard employment is a fundamental and far-reaching challenge facing South Africa today.

The number of workers who fall into the non-standard employment category is increasing. There has been much research on non-standard employment. The research reveals that most workers employed in this fashion do not have access to constitutional rights such as the right to join trade unions, are exploited, work under poor conditions and do not get the same benefits as permanent workers even if they perform the same job. Non-standard employment is a major feature of South African industrial relations

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and it has been a burning issue in politics and South African industrial relations. The article examines non-standard employment and its impact on workers in democratic South Africa, and the way workers have responded in dealing with labour issues. It describes and analyses the recent labour unrest in South African tertiary institutions and the telecommunications sector (Post Office). It will also give a brief overview of flexible employment (zero-hours contract) in New Zealand, Australia and the United Kingdom (UK). Firstly, the paper briefly explains and provides an overview of non-standard employment.

2 Non-standard employment: What is it?

There is no official definition of non-standard employment. However, according to the 2015 report by the International Labour Organization (ILO,) non-standard employment has to do with jobs that fall outside the scope of a standard employment relationship, which in turn is understood as full-time, indefinite employment in a subordinate employment relationship. Forms of non-standard employment include: temporary employment, temporary agency work or labour broker work, part-time work and outsourcing (ILO 2015; Dickinson 2015a; Ebisui 2012; Fourie 2008). Independent contract workers and self-employed workers do not fall within the definition of non-standard employment (ILO 2015). Non-standard employment, especially in regard to part-time, temporary and labour agency workers, has always existed in the South African labour market. The use of labour brokers, in particular, in all sectors of the South African economy has since become a political issue that has been challenged by organised labour as a whole (Theron & Visser 2010). The division among workers has intensified as a result of the ever-increasing use of non-standard employment.

The decision by companies and the public sector to use workers in non-standard employment is prompted by varying reasons. Some companies prefer non-standard employment because of its specific characteristics, such as size, the industry in which it operates, the skills level of its workforce, its exclusive knowledge, the practices of competing enterprises, and the regulatory framework of the country in which companies operate. On the other hand, some sectors of the economy, such as agriculture, construction and retail, have traditionally been associated with non-standard arrangements, such as temporary, part-time and seasonal employment. However, non-standard employment has spread to other industries, such as local municipalities, hospitals, clinics, manufacturing, service sectors, telecommunications and the airlines (ILO 2015; Grossman 2009).

In South Africa, companies, organisations and institutions prefer non-standard workers for the following reasons: as a means of cutting labour costs and maintaining profit margins; as a strategy for avoiding labour regulations imposed through the Labour Relations Act 66 of 1995; and because the use of non-standard workers provides more flexibility (Theron 2005). For instance, labour broker workers are more vulnerable to arbitrary dismissal including retrenchment and they do not have the same legal protection as full-time permanent workers (Rees 2009). The reason for this is that labour broker workers are employed on a fixed-term contract. Changes in technology have also prompted companies to use non-standard employment. Temporary, part-time, and labour broker workers are often cheaper because of lower wages and are not usually organised. In most cases, companies view full-time and labour regulations as too costly. For example, municipalities use labour brokers because this allows the municipalities to employ cheap labour without the prospect of future claims such as

retrenchment claims; labour brokers reduce labour problems; and labour brokers supply temporary labour when there is absenteeism (Rees 2009). As more and more companies switch to non-standard employment, the workplace is no longer a place where an employee of an employer works as defined by the Labour Relations Act of 1995 but rather a place where the employees of different employers work (Theron 2014).

3 Non-standard employment at the SAPO and universities: a brief overview

Dickinson (2015a:8) points out that the telecommunications sector, the South African Post Office (SAPO), has been using non-standard employment in the form of labour brokers for a long time. Employment by the labour brokers (temporary employment service) is, to a certain extent, regulated by section 198 of the South African Labour Relations Act (LRA). In terms of section 198 of the LRA, labour brokers, also known as "temporary employment services" according to the LRA, are any individuals who, for remuneration, supply clients with workers who perform given duties for the client (Ndungu 2009). Labour brokers provide workers to the client in a flexible manner (Bezuidenhout & Kenny 1999). The client pays the labour brokers for providing workers and the workers are paid by the broker (Ndungu 2009; Theron, Godfrey & Visser 2011). Furthermore, it should be noted that the LRA spells out that it is the responsibility of both the labour broker and the client to comply with the BCEA as they are severally liable (Ndungu 2009; Theron, Godfrey & Visser 2011).

At the SAPO, labour broking involves the placement of workers within SAPO's core business (mail delivery) on a long-term basis by temporary employment services (TES). The workers who have been placed in employment, together with permanent workers of the SAPO, are then supervised by SAPO line managers. In this situation, labour broker workers became "permanent casuals". They are regarded as permanent because their employment in the SAPO is on-going. They are also casuals because they are not employees of the SAPO (but work for the labour broker) and because their employment is dependent on the commercial contract between the SAPO and the labour broker (Dickinson 2015a).

The labour brokers supply the workforce to mail centres and acted as placement agencies across the organisation when there is a need for short-term cover. Three labour broker companies which supply labour to the SAPO are: Kelly, Transman and Quest (a BEE subsidiary company of Adcorp) (Dickinson 2015a:11). However, the SAPO decided to contract labour from Black Economic Empowerment (BEE) compliant companies. The labour agency (Kelly) responded by establishing two BEE companies, viz Marula Staffing and Workforce Management. These two labour agencies are among the brokers that supply workers to the SAPO (Dickinson 2015a).

Labour broker workers do not have written details (or a contract) of employment, and if they do, they are not provided with a copy. Despite working alongside permanently employed postal workers, and doing exactly the same job, labour broker workers have very different terms and conditions of employment, and their wages are not the same as those of permanent workers. They have no pension scheme, fewer leave days, fewer sick days, no housing subsidy; they are not issued with SAPO uniforms and are provided with inadequate wet-weather clothing. They are not entitled to an annual profit-linked, "gain sharing" bonus paid to permanent workers (Dickinson, 2015a; 2015b). Their salaries are sometimes paid late, and sometimes not paid in full

(Dickinson 2015a; 2015b). Labour broker workers have experienced dismissals without hearings.

From this perspective, SAPO's use of labour broker workers is intended to cut labour costs. Labour broking is a major mechanism which is used to restrict expenses. The labour broking system has saved the SAPO approximately R380 million a year in salaries. In addition, SAPO has reduced its overall labour costs by not having to provide benefits such as pensions and medical aid contributions, which have been negotiated for permanent employees (Dickinson 2015a). In contrast, labour broking, while providing cheap and flexible labour, always appears to have been accompanied by the undermining of conditions of employment, thereby increasing worker vulnerability, preventing union organisation, creating tensions within the workforce, and complicating industrial relations.

In 2011, the trade union movement that organises and represents workers in the telecommunications sector, the Communication Workers Union (CWU), lodged a complaint against the SAPO, alleging that there had been maladministration by the Post Office in the leasing of the Eco Point Office Park in Centurion to accommodate its head office. The union also alleged that there had been maladministration in the procurement of catering services and the procurement and use of labour brokers. The Public Protector initiated an investigation into the SAPO in 2011. The report was released on 23 February 2016. The allegation that the SAPO had inappropriately appointed labour brokers who operated without written contracts was proven by the Public Protector's report.

According to the report, the SAPO irregularly appointed and used labour brokers from April 2002 to September 2012, with some of them having expired contracts and others no written contracts at all. Furthermore, labour brokers were appointed without following proper procurement procedures as envisaged in the SAPO Procurement Policy and related laws. The total amount involved in the procurement of labour brokers is estimated at about R2.7 billion. The relationship between the SAPO and labour brokers was not properly regulated and the billing was difficult to control as there was false billing, overbilling and overcharging, all of which have contributed to the SAPO's current liquidity and cash-flow problems. The SAPO's appointment of the labour brokers without following proper procedures constitutes maladministration as outlined in section 6(5)(a) of the Public Protector Act 23 of 1994 and improper conduct as envisaged in section 182 of the Constitution (Report of the Public Protector 2016).

4 Non-standard employment at higher education institutions

Non-standard employment has also increased at universities across South Africa, especially in the form of outsourcing of the so called "non-core" services (Van der Walt, Bolsmann, Johnson & Martin 2003). Bolsmann, Johnson, Martin and Van der Walt (2002) emphasise that the outsourcing of workers by higher tertiary institutions (universities) dates back to the early 1980s. For example, the University of Venda (Univen) outsourced support services in the 1980s. The Rand Afrikaanse Universiteit (RAU), now known as the University of Johannesburg (UJ) after a merger between RAU, the Technikon Witwatersrand (TWR) and the Soweto and East Rand campuses of Vista University in 2005, outsourced support services in 1991 (Van der Walt et al 2003:278). Other universities followed suit and outsourcing has since increased (Van der Walt et al 2003).

Outsourcing is explained as the procurement of services and goods by contract from outside companies or contractors; however, the term “outsourcing” usually relates to services rather than goods (Theron et al 2011). The reason given for outsourcing is that it makes it possible to focus on the core business. Which functions fall under “core business” and which under “non-core” has not been accurately ascertained. In most cases services are outsourced purely because of their strategic importance to the business, rather than because they are non-core (Theron et al 2011). Outsourcing is achieved by retrenching existing workers whose duties are seen as less important to the core business of the client (Theron 2004).

Brown and Budlender (2013) point out that the main services that have been progressively outsourced by the country’s universities are: cleaning services, transport, catering, security services, maintenance, such as electrical services, and gardening (Nkosi 2015b; Maree & Le Roux 2014; Nkosi 2015a). By outsourcing such services, university managements escape accountability to workers because they argue that workers are not the responsibility of the universities – but instead the responsibility of the private companies to which the services were outsourced. However, the very same workers to whom the universities feel that they are not accountable spend their entire working life on campus providing services to all the people who live and work at universities (Nkosi 2015a). The practice of outsourcing has a negative impact on workers’ salaries, job security and workers’ lives and benefits, as most of these are reduced. Other employees lose their jobs (Van der Walt et al 2003).

At Wits University, outsourcing began in 2000 when the former Vice-Chancellor, Colin Bundy, outsourced most of the university’s cleaning, grounds maintenance, buildings maintenance and security services to private companies (Barry 2015; Luckett & Mzobe 2016). The process of outsourcing led to the retrenchment of 613 workers by Wits University, less than half of whom were reemployed by the private companies that took over. As a result of outsourcing, workers’ salaries were reduced and they received few benefits or no benefits. Workers do not have travel allowances, any maternity benefits or medical pensions. For example, the wages of cleaners were reduced from R2.227 to about R1.200 per month. Workers lost benefits and pensions, including medical aid. But perhaps most importantly, workers lost the right to free education for their children at the institutions where they work. Outsourcing has also made it much more difficult for workers to gain access to organised representation in trade unions. Outsourced workers were not permitted to meet on campus to discuss their grievances, and unionisation became very difficult (Barry 2015).

At the University of Cape Town (UCT), the move to outsource other services was initiated by the former Chancellor, Dr Mamphela Ramphele, in the 1990s (Abdool 2015). Workers lost almost all their benefits and part of their wages. Before outsourcing, UCT cleaning workers used to earn between R11 and R14 per hour. After outsourcing workers’ hourly rate was R6 per hour. Kenny and Clarke (2000) state that UCT outsourced some security services to an outside company called Armourguard on a “probationary basis” for 18 months in 1998. Workers employed by Armourguard earned a minimum wage of R7.00 per hour as provided by the Wage Determination in comparison with the minimum wage of R15.00 per hour that UCT security staff received. Where the workers received benefits as well, the average wage for all security operations (including all security staff – guards, supervisors and senior security staff) amounted to R32.96 per hour per UCT employee. In contrast, the average wage cost for the same service was only R18.56 per hour per Armourguard employee (Kenny & Clarke 2000). The companies that currently work at UCT are: G4S (Campus

Protection Services), Metro (cleaning of residences), Supercare (cleaning of university buildings), C3 (catering in student residences), Turfworks (grounds and gardening services) and Sibanye (student and staff transport services) (Lucas 2015).

At the University of Johannesburg, cleaning services were outsourced to a private cleaning company called Elite, which was later sold, the name being changed to Servest. Workers did not know about these changes. They were left in the dark about their terms of employment and provident funds (Nkosi 2015b).

Universities have chosen to outsource “non-core” services for the following reasons: as a means of cutting costs, because outsourcing would enhance the universities’ competitiveness, and because those support services are not core services of the universities. Non-core services are services that are not part of the “academic mission”: teaching, learning and research (Kenny & Clarke 2000). Fort Hare, Venda, the University of the Western Cape (UWC) and the University of the North (now known as the University of Limpopo after its merger with the Medical University of South Africa (MEDUNSA in 2005) supported outsourcing, arguing that financial limitations forced the institutions to reduce the workforce (Kenny & Clarke 2000). The University of Stellenbosch in the Western Cape outsourced non-core services mainly because it wanted to cut costs (Van der Walt et al 2003). Other universities have outsourced non-core services because they saw outsourcing as being aligned to government policy (Van der Walt et al 2003). Whatever the reasons for outsourcing, the result has been the same: the retrenchment of workers in non-core services and the outsourcing of non-core services (Kenny & Clarke 2000).

5 Implications of non-standard employment

The growth in the number of labour broker workers has divided workers, and has created tensions within the workplace. It has also weakened worker unity and shifted the balance of power in favour of the clients (the SAPO and the universities). Inequality in the workplace has not been removed; instead it has been highlighted by the contrast between non-standard employment and permanent employment. Very little has been done regarding non-standard employment except, resoundingly, an increase in labour exploitation, and widening income and gender disparities. Non-standard employment workers remain marginalised, voiceless and vulnerable. Opportunities for non-standard employment workers to move upward within their workplaces have remained limited, and therefore they remain marginalised in terms of the legal framework (Dicks 2007).

The fact that workers have remained confined to non-standard employment has resulted in their exclusion from benefiting from constitutional rights, or accessing constitutional rights. Non-standard employment is viewed as a separate marginal employment sector, not directly connected to formal employment, that provides minimum wages or a safety net for vulnerable workers, and thus it is treated as such. These workers are also referred to as “precarious workers” (Scully 2015:3). The term “precarious workers” is used to refer to an extensive and diverse range of employees such as part-time or temporary workers, wage workers in outsourced services and labour broker workers (Scully 2015).

Fewer non-standard employment workers are visible in trade union activities and membership. Non-standard employment has put the unions on the defensive. Union membership has declined, trust in trade unions has also declined, and workers and other people have begun to question the relevance and efficacy of trade unions. The use of casual labour, labour broker workers, temporary workers and outsourced

workers has been one of the challenges confronting unions in South Africa, and many unions have failed to organise the growing flexible workforce. Another example is that of farm workers, who are increasingly un-unionised. This reflects in part the difficulty of organising vulnerable workers in South Africa (Du Toit & Ronnie 2012).

While it has been found that non-standard employment gears towards violation of labour regulations, exploitation, and lowering minimum wages, it has also been argued that non-standard employment such as that offered by the labour broker industry is linked to job creation. Jeffrey (2011:2) and Sharpe (2009) offer a different perspective, arguing that labour brokers have been providing flexibility to employers and job-seekers and assisting newcomers to enter the job market (Jeffrey 2011). A report by CAPES found that since the year 2000, labour brokers have introduced 3.5 million part-time, temporary and contract workers into the South African labour force. Of the 3.5 million employees, 2 million workers were first-time job seekers, mainly Africans and youth between the ages of 18 and 35. As a result, over 32% of these workers secured permanent jobs within 12 months, followed by 42% of workers who secured permanent jobs within three years (Sharpe 2009).

Findings from a 2011 report by the South African Institute of Race Relations (SAIRR) indicate that 70% of first-time seekers went on to find permanent employment (Jeffrey 2011). Furthermore, the report by the Services SETA indicates that labour brokers contributed R15 million to the National Skills Fund in the years 2008 and 2009. In addition, research carried out in 2008 by Statistics South Africa (SSA) shows that the percentage of atypical workers in relation to the entire workforce stands at 13.1% and 59.2%. The highest number of these workers is found in the construction sector, namely 59.2%. In the wholesale and retail sector, the percentage stands at 42.8%, followed by 39.7% in transport and communications (Sharpe 2009). A 2011 research report by the SAIRR indicates that the number of non-standard employment workers stood at 3.89 million in 2010 (Jeffrey 2011).

As much as it is argued that non-standard employment creates jobs, it should be noted that the fact that labour brokers have created many of these jobs does not offer a satisfactory explanation as to who really created those jobs. Clearly, the jobs in question are not available at the offices of the labour brokers (even if they have offices) but at the workplace of the client, who is not even an employer in terms of the LRA. But the client supervises the labour broker and outsourced workers daily. Clearly, jobs are created by clients, who in turn use labour brokers to recruit workers or outsource work by contract to obtain the services they need. From that perspective, the labour and services are traded.

6 Workers' struggle and resultant labour unrest, 2012–2016

Ongoing grievances have prompted workers to take to the streets in protest. In post-apartheid South Africa, some of the grievances that have prompted workers to protest are related to non-standard employment. For example, the 2015 SAPO strike, which lasted three months, has demonstrated that workers are against labour brokers, casual and contract employment. The workers demanded that all SAPO contract workers, mostly casual workers, should be employed permanently and work directly for the SAPO. Workers also demanded a 15% salary increase plus payment of outstanding back pay and total abolition of piecemeal salaries (Van Zyl 2015).

In 2015–2016, workers, mainly outsourced contract workers supported by students, at the University of Johannesburg (UJ), University of Pretoria (UP), Tshwane University

of Technology (TUT), University of South Africa (UNISA), University of Cape Town (UCT), University of the Western Cape (UWC), Wits University and other universities across the country protested against outsourcing. The protesters demanded immediate insourcing and permanent employment with a minimum salary of R10 000 per month (Luckett & Mzobe 2016; Barry 2015). The workers wanted the universities to employ them directly and give them access to benefits such as pensions. Workers see outsourcing as the worst form of labour exploitation (Habib 2015; Nkosi 2015a).

The demands by UCT contract workers include the introduction of a basic minimum wage of R10 000 without any retrenchment of other workers, the implementation of Clause 6.7 of the UCT Review, which recommends an adjustment to the salaries of outsourced workers, and the direct employment by UCT of all those working at the institution. The last demand refers to section 198A (3) (b) of the LRA, which deals with the issue of “dual employment” in regard to who the employer of the workers is (Abdool 2015).

7 The emergence of the left

The protesters, workers supported by students, showed signs of the emergence of left-wing politics in democratic South Africa. All who took part in the struggle supported social equality, often in opposition to the social hierarchy and social inequality. The protestors organised themselves autonomously. They typically showed concern for those in society who they perceive to be disadvantaged relative to others and a belief that there are unjustified inequalities that need to be reduced or abolished. Workers have not retreated – but are continuing with the struggle for permanent employment, improving wages and benefits, and advancing labour protection. Workers are proposing an agenda to reform non-standard employment. A sense has emerged among workers of starting over in mapping out a strategic agenda for equality, justice and labour protection and benefits.

Cooperation between outsourced workers and university students reveals an initiative to work through a social coalition that is independent of any political parties. It has resulted in the formation of the #OutsourcingMustFall movement. The #OutsourcingMustFall movement is organising workers at the following universities: North West University, Stellenbosch University, University of the Western Cape, University of Johannesburg, the Free State Central University of Technology, the University of KwaZulu-Natal, the University of Venda, Cape Town University of Technology and the TUT campuses (Nicolson 2016).

8 Consequences of the strike

In the end, it was a victory for outsourced workers. Universities across the country agreed to insourcing, with salary increases and access to other benefits. Task teams have been established by universities to ensure that insourcing is implemented properly. For example, Unisa agreed to employ outsourced workers with benefits (IOL 2016). The UCT management and the National Education, Health and Allied Workers' Union (NEHAWU) signed an agreement. The University committed to employing outsourced workers, including catering, transport, cleaning, security and maintenance workers. The first workers are expected to sign their new employment contracts in June 2016.

CPUT established a Management Committee Task Team to investigate different models of insourcing/outsourcing (Groundup 2016). Wits University agreed in principle

to do away with outsourcing of services and committed to insourcing in a financially sustainable manner. A commission will be established to determine the details of how insourcing will be implemented. Wits also announced that children of outsourced workers who qualify to study at the university will receive financial assistance from the university (ANA reporter 2015; Phakathi 2015).

The University of Stellenbosch reached an agreement with service workers in 2015. Both parties agreed to place an immediate moratorium on all new forms of outsourcing. The university promised funding of the cost-to-company of the ring-fenced external workers who earn less than R5 000 a month, as from March 2016. The university established an independent helpline where workers can lodge any complaints. The university has also established a task team to make sure that the agreement between management and workers is implemented (Groundup 2016). At UWC, outsourced staff will have access to the same study allowances as permanent staff, for themselves and their children. The university committed to engage the companies about improving the employment conditions of the outsourced workers. The university will assess the long-term impact of insourcing in the context of financial sustainability and will explore possible alternatives such as worker co-operatives (Groundup 2016).

A deal to employ security guards, cleaners, gardeners and other general workers was reached at the University of Pretoria. The University agreed to employ some of the outsourced workers permanently. The workers and their children will be entitled to study at the university free of charge and they will have access to treatment at all medical facilities of the university. Other universities, such as the Nelson Mandela Metropolitan University (NMMU), the University of Kwazulu Natal (UKZN) and TUT have agreed to insourcing. Most universities, workers and their representatives have agreed on the interim salary increase from R5 000 to R5 500. The salary increase of R10 000 will be implemented in future.

Regarding the SAPO, contract and casual workers have not received the salary increase of 10%, their working conditions have not improved, the contract workers with long service and casual workers are still not employed permanently by the Post Office. In May 2016, the workers at the SAPO downed tools demanding a salary increase of 10% and permanent employment. However, the strike, which lasted for two days, was suspended for a month while both the SAPO and the union (CWU) continued to discuss outstanding labour issues (Donnelly 2016; Lindeque 2016; Van Zyl 2016).

9 Flexible and precarious employment in New Zealand, Australia, Britain and the United Kingdom (UK)

Flexible and precarious employment in the form of zero-hours contracts is also common in commonwealth countries such as New Zealand, Australia, Britain and the United Kingdom (UK). Zero-hours contracts are a type of employment contract between a worker and an employer, where a worker may sign an agreement about his or her availability to work as and when needed by the employer, an employer is not obliged to provide any minimum working hours, the remuneration depends on the number of hours worked, and workers are hired with no guarantee of working hours and income (Department for Business Innovation and Skills 2014). Initially, zero-hours contracts were used for a short-term period. However, they are no longer used for a short-term period only. The number of people (mostly parents and students) working on zero-hours contract flexible arrangements has increased to somewhere around 800 000 and 1.5 million (The Guardian 2016). This figure applies to all people working on zero-hours

contracts. However, unions are calling for a total ban on zero-hours contracts, arguing that they exclude workers from employment relations; they are a worse form of labour exploitation, and are simply a strategy that allows employers to hire workers cheaply (Taylor 2015). Unions also argue that zero-hours contracts allow employers to avoid their proper obligations, such as providing paid vacation leave, sick pay and family responsibility leave. On the other hand, the government has dismissed the union's call for a total ban on zero-hours contracts, arguing that regulation would be better than a total ban (Taylor 2015). In New Zealand and the UK, the government argues that zero-hours contracts provide a flexible labour market for those who want flexible employment, and they should be arranged on the basis of a fair and flexible workplace (Taylor 2015).

10 Conclusion

In a context of growing inequality and unemployment, the question of what non-standard employment holds for workers in the future needs addressing. Non-standard employment has simply facilitated flexible employment rather than creating permanent jobs. Labour exploitation and inequality in South Africa still exist, affecting fundamental opportunities for salary improvements and access to employment benefits. Non-standard employment arrangements have been the subject of debate in South African labour relations. While trade unions and civil society call for full-time employment, companies have been on their feet defending the use of non-standard employment. Jobs in South Africa have become increasingly flexible, unprotected and fragmented and they deviate from the promise of work with dignity and citizenship rights that once inspired massive opposition to apartheid. The same applies to commonwealth countries such as Australia, New Zealand and the United Kingdom, where flexible and precarious employment have become an integral part of the economy. As a result, workers are excluded from industrial relations, and their rights have been undermined.

Workers who fall into the non-standard employment category have been protesting, calling for the banning of labour brokers and outsourcing and calling for direct, full-time employment. The vital objective for the insourcing of service workers is to achieve decent work and a decent wage, and therefore insourcing should result in an important improvement in the standard of living of the workers concerned. Much remains to be done to protect workers, redistribute wealth, maintain and nurture workers' rights, and empower the citizenry in a country where the gap between the rich and the poor is widening, and unemployment is responsible for major social and economic challenges.

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