



# Impact of employment and labour legislation on workforce strategy

The Employment Services Amendment Bill (ESAB) and the National Labour Migration Policy (NLMP), which are open for commentary, will have a material impact on workforce strategies and design.



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HR expert and chief operating officer for Global Business Solutions SA, John Botha says, "The reason for this lies in the fact that the Minister of Labour will be empowered to set quotas for representation of foreign nationals after having taken scarce and critical skills into account and based on the SA national labour market goals, which include employment creation and skills development. This could have serious consequences for particular businesses that have very high levels of representation of foreign nationals."



## National Labour Migration Policy released for public comment

2 Mar 2022



The Commission for Employment Equity report (2021) records that foreign national representation across all occupational levels spans from 1.7% to 3.7% which means that SA workplaces would have up 500,000 foreign nationals subject to these revised regulations. The impact on businesses, talent transfer, flight out of SA and employment models means that employers will be well advised to start taking decisions on how to move forward.

"Further to the matter of foreign nationals," concludes Botha, "the needs of the 4IR in regulating digital labour platforms and not-for-profit staffing organisations introduce a new dimension as digital labour platforms and NPO staffing providers could be deemed employers of the workers they place, and along with that comes the need to comply with the provisions of all applicable labour laws."

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