



NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL

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**REPORT ON THE CRITICAL SKILLS LIST SPECIAL SESSION HELD ON 03 SEPTEMBER
2021**

1. PURPOSE

- 1.1. The purpose of this report is to outline and highlight the engagements from the Critical Skills List Special Session held on 03 September 2021, convened jointly by the Nedlac's Development and Labour Market Chambers.

2. BACKGROUND

- 2.1. On 18 February 2021, Government (Department of Home Affairs (DHA)) published the Critical Skills List, 2020 for public comment. The public was given thirty (30) days to submit comment. Any submission received after the deadline was not considered.
- 2.2. On 23 March 2021, Nedlac invited Government, and requested that the revised Critical Skills List be tabled at Nedlac for engagement at the joint sitting of the Labour Market and Development Chamber which was going to be held on 08 April 2021.

- 2.3. The joint session was convened to collectively engage on processes to be followed in engaging on the Critical Skills List and to consider the draft the Terms of References (ToRs) as developed by Secretariat. However, Government could not table the List as it was not yet ready for engagement.
- 2.4. Government (DHA) stated in its correspondence to Nedlac on 29 April 2021 that the Critical Skills List needed to undergo a quality assurance process, which aimed to ensure that the inclusion and exclusion of occupation was informed by a sound methodology supported by thorough research and a broad public participation.
- 2.5. On 04 August 2021, Government confirmed that it was ready to table the revised Critical Skills List to Nedlac for engagement by social partners.
- 2.6. A joint session between the Labour Market Chamber and Development Chamber was convened on 03 September 2021 for the presentation of the List.

PRESENTATION BY GOVERNMENT ON CRITICAL SKILLS LIST

- 2.7. Government presented the Critical Skills List (Annexure A), and highlighted the following:
 - 2.7.1. DHA assisted the Department of Higher Education and Training (DHET) in developing the Critical Skills List in 2020. This List was published in 2021 for public comments.
 - 2.7.2. There were 363 comments that were received from the public and these comments were reviewed by both Departments and incorporated in the List that was being presented at Nedlac.
 - 2.7.3. The original List had 126 occupations, 48 of those occupations were removed and 40 new occupations were added. The addition and removal of these occupations was informed by research on the methodology and criteria established, on what occupations should be added and removed.
 - 2.7.4. The criteria below was established and utilised in developing the List:
 - i. Acute or intense shortage - a survey was done in this regard and it was observed that there were skills that needed to be added into the list

- ii. Strategic Priority- which was aligned to the Economic Reconstruction and Development Plan
- iii. Skills Level- candidates should have NQF 5 and up.
- iv. Lead time - this related to the work experience that an individual should have, which should be 3 years or more.
- v. Unemployed- DHET used the database from the Employment and Service administered by the Department of Employment and Labour (DEL) as it provided the list of the unemployed members/ individuals in South Africa.
- vi. Impact of Covid 19 pandemic- the skills needed post Covid 19 were added onto the list.

2.7.5. In instances whereby, an occupation did not meet the above-mentioned criteria and there was sufficient in evidence supporting its removal, it was removed from the List.

2.7.6. Meanwhile, the occupations included in the List were those which met the criteria and there was sufficient evidence to include it.

2.7.7. The Critical Skills List was therefore concluded and it needed to be finalised to be tabled in Cabinet by the end of September 2021.

2.7.8. It requested that the engagements at Nedlac be expedited in order to meet its deadline.

2.8. **RESPONSE FROM CONSTITUENCIES**

2.8.1. Labour stated:

- i. It sought clarity on the following:
 - The List should not be named as “Import Critical Skills List” instead
 - Whether there was an alignment between the List and shortage in some occupations.
 - Whether the Department of Trade, Industry and Competition (DTIC) was consulted on the methodology.
 - Whether there any programmes in place at the DHET to provide skills in young teachers.
- ii. On the criteria regarding the NQF level 5 it was concerned that there were employers who recruited a significant number of workers in this particular area.

- iii. Most people have technical skills as compared to the above-mentioned minimum qualification. Such technical skills and the recognition of prior learning (RPL) also needed to be considered their exclusion would disadvantage South African citizens when considering individuals for a particular job.
- iv. Scarce and Critical needed to be clarified as this may be confused.

2.8.2. Business stated:

- i. It welcomed the presentation; however, it had not consulted within its constituency and received a mandate regarding the List, as it was indicated that the List was confidential.
- ii. Therefore, it requested to consult within its constituency and thereafter revert with a comprehensive and mandated response.
- iii. It sought clarity regarding the qualifications below NQF 5 both in health and agricultural sector. The reality was that labour was coming into South Africa seeking employment opportunities. Business Constituency would like to ensure that South Africans are employed into these critical positions to avoid gaps.

2.8.3. Community sought clarity if there was a link between the Critical Skills List and the Strategy that was being engaged on under the Economic Recovery at Nedlac. It was concerned that it was not part of that committee and therefore that may impact its contributions towards the List.

2.8.4. Government responded as follows:

- i. The name of the list was aligned to the legislation which defines it as Critical Skills List.
- ii. Regarding NQF level 5 this could not be changed as it was aligned with labour laws. The RPL would need to have measurement criteria to compare foreign nationals and SA citizens. Such criteria did not exist at the moment.
- iii. Therefore, qualification was the only measure that was used in this regard.
- iv. It re-iterated that the Nedlac process needed to be expedited as the Minister would like to publish this List, therefore if there would be any additional engagements, they should be held before end of September 2021.

- v. Engagements were convened with DTIC, Tourism, Department of Health (DoH) on the issue of over-supply, more engagement were being convened in this regard. The response specifically from DTIC was that the list is fine.
- vi. An alignment between the shortage and the List was established, therefore in developing the List, shortage in various occupations was considered, such as:
 - Health professionals – there were shortages on professionals in the rural economics. International Countries are also poaching the healthcare professionals.
 - Call center manager – This particular skill was in shortage – there was evidence produced that informed the inclusion in the list.
 - Teachers – not all teachers – this was the teachers of Gr8 – 12 for maths and sciences.
 - Lectures – specific years of experience attached to it was more important - 10 and above experience.

3. WAY FORWARD

- 3.1. Constituencies proposed that further engagements should be held on List to ensure that an agreement was reached by social partners that it was refined before submitting the list to the Minister for implementation. It was therefore agreed that a 6-aside will be established.
- 3.2. Constituencies would urgently submit their names to the Secretariat for this task team by the end of business day on 06 September 2021. The task team will convene urgent and frequent meetings in September 2021, and the task team would try and meet the end of September deadline.
- 3.3. However, Government should in the meantime communicate with its Minister that it may not be possible to publish the List by end of September 2021.
- 3.4. The Secretariat will convene the first meeting of the task team by 17 September 2021.

- 3.5. Government would submit the research conducted on the methodology, in order for the Constituencies to provide comprehensive inputs. Furthermore, it would invite DTIC and DoH into the next meeting.

4. CONCLUSION

- 4.1. The Constituencies agreed that the engagements on the List must be expedited.
- 4.2. Government will publish the List once the Nedlac engagement process has been finalised.

ANNEXURE 1**ATTENDANCE REGISTER FOR THE SPECIAL SESSION HELD ON 03 SEPTEMBER 2021**

BUSINESS:	LABOUR	GOVERNMENT	COMMUNITY	SECRETARIAT
S. Jantjies	M. Parks	F. Venter	M. Ndzimande	B. Milisi-Mngese
M. Jacobs	A. Diale	P. Mbhele	L. Qakaza	P. Mashabane
B. Jack	L. van Kramberg	K. Mamphokhu	L. Kganyago	T. Radebe
D. Moodley		J. Mckay		
K. Qwabe		M. Bobani		
		M. Capazario		
		E. Tloane		
		N. Mathebula		
		H. Narsee		