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Dispute Prevention and resolution as Pillars of Social Dialogue: Southern African Perspective

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INTRODUCTION

- 1) Are we in a **polycrisis**?
- 2) Social dialogue as centre stage
- 3) Dispute Prevention and Resolution-**essentials** of social dialogue.
- 4) Social justice –**world peace**
- 5) Focus -impact factors & selected comparative international & SADC Jurisdictions.

Impact factors-conse.of global polycrisis

- 1) Labour Relations in workplace-history, economy and politics
- 2) Legal framework-enforceable and in line international standards
- 3) Tripartite formations-social dialogue
- 4) Referral Since inception-4,005,704. per annum 184 075

Impact factors-specific

- 1) Exclusion and inequality
- 2) Poverty –resolve the root cause
- 3) Pandemics-effect on mental health
- 4) Comprehensive approach to dispute resolution and prevention
- 5) Address skills and educational gaps



Selected comparative International & SADC Jurisdictions

Dispute prevention & Resolution: legislation and practise in comparative and international perspective.

- 1) Access to justice-in SADC dispute prevention is not mandatory.
- 2) In South Africa- access to tribunal is constitutionally protected.
- 3) Dispute resolution is voluntary but accessible.
- 4) Third party intervention-impartiality and trust.



South African Dispute Prevention & Resolution system and practises as leading common denominator and inspiration (CCMA in SA.)

- 1) Programme on dispute prevention.
- 2) Dispute resolution is the biggest chunk
- 3) Deal with international disputes
- 4) Have a MOU with ILO.
- 5) Contributes to legal reform
- 6) Aligned with ILO conventions and treaties (constitutional obligation)



Emerging SADC sub regional approaches and experiences.

- 1) **Shaped** by historical, political, cultural and the globe.
- 2) Example is **new labour amendment Act 11 of 2023** of Zimbabwe.
Protection against retrenchment and forced labour.
- 3) Another example is Ghana, like South Africa, **has aligned its law with ILO standards.**
- 4) **Consensus seeking bodies** in Eswatini, Zambia, Botswana and Namibia.

conclusion

- 1) Importance of **social dialogue** as basis for dispute prevention and resolution in the context of **polycrisis**.
- 2) We examined impact factors with its **consequences of polycrisis**.
- 3) **new ways of resolution and prevention** of disputes needs to be developed
- 4) Placed **emphasis on social dialogue**
- 5) **Quest for the renewal of the ILO mandate**-human centred strategies.