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CHAIRPERSON'S REPORT

MARCH 2009

Another year has flown past and my tenure as Chairperson draws to a close. It has certainly been met with trials and tribulations and I take this opportunity to thank my Exco for their support and Marie Jacobs in the ANASA office for her hard work. It looks as though 2009 will be a challenging year with the temporary employment sector under fire from the unions and the ANC. I firmly believe that united we can accomplish much however those alone, die alone. We are often asked "What does ANASA do for me?" and I encourage members to start looking from within to ascertain what each can offer ANASA and not what ANASA can offer you. It must be remembered that ANASA comprises of agencies all in business and our membership fees do not warrant the recruitment of highly skilled permanent staff to fight our battles or an infrastructure that accommodates the like.

CAPES AND SERVICES SETA

The challenges that face the temporary employment sector have been widely publicised in the media. A judgement was made on the 1st December 2008 in the Namibian High Court that outlaws labour hire. This has sparked concerns within the South African staffing sector, especially in view of the on-going hostility to labour broking, TES and other atypical work relationships. The ANC's recently released election manifesto appears to have heightened these concerns, in respect of references to the need for regulation. There is a misperception that the activity of Labour Brokers is tantamount to human trafficking. CAPES current focus and resources are directed at securing clear, comprehensive and supported evidence in the areas of contribution. CAPES will engage directly (or through Nedlac) with the Department of Labour and COSATU on the commitment to self-regulation, as it is clearly preferable to an outright ban or over-regulation.

The Services SETA has indicated that it will be getting more involved in nursing and road shows to this effect were planned. The Services SETA currently provides training free of charge for labour recruitment consultants. Members are advised to utilize this opportunity.

SOUTH AFRICAN NURSING COUNCIL

Following our meeting with Mrs Subedar in October 2008, which was reported on in my last newsletter, ANASA was again afforded the opportunity to comment on the Draft Regulations. These draft regulations with the comments have been forwarded to John Botha courtesy of Charisma Healthcare Solutions and will be discussed at the next General Meeting. A copy of the Draft Regulations will be forwarded to members so that the discussion can be expedited.

MEMBERSHIP TO APSO

With the changing business environment as I highlighted in the paragraph referring to CAPES and Services SETA, the question of ANASA belonging to APSO (Association of Personnel Service Organizations) needs to be explored. The benefits of such association follow:

- Industry representation on relevant, identified and influential bodies.
- Promotion of interests of the industry through legislative advocacy
- Access to established, implemented and industry enforced Code of Ethics and a body that provides conflict resolution between agencies, their clients and other stakeholders
- Access to industrial relations advice and services (including free access to LabourNet)
- Access to information that keeps members abreast of relevant national and international trends
- Access to education, both professional qualifications and CPD
- Access to conferences and other events
- Opportunity to take part in consultative forums and to access members input and opinions
- Access to industry related information that has been interpreted on behalf of the members
- Access to advice, support and services to promote legislative compliance
- Opportunity to attend relevant networking opportunities
- Access to legal and contractual guidance
- Adhere to minimum entry and operating standards including an entry exam
- Differentiation of APSO members amongst clients and candidates
- Access to business opportunities to members through participation on committees that influence the industry

APSO has an active regional committee in each of the main regions of South Africa including Gauteng, Kwa-Zulu Natal, Western Cape, Eastern Cape, Free State and Border. The regional committees are available to provide support to members and to facilitate regional training and networking events.

ANASA will investigate the possibility of APSO membership and the impact of such membership could further influence the ANASA membership fee structure. It is the opinion of the Exco that such association could be greatly beneficial to our membership. I look forward to addressing this issue and the General Meeting and securing a mandate.

HOME CARE STANDARDS AND HOME CARE CONTRACT

Traditionally the Western Cape has been the geographical area within South Africa that practices extensive home care. Ms Sybil Jacobs has undertaken the task to formulate a working committee to finalize this issue.

MEMBERSHIP FEES AND HONORARIA

In order to maintain our escalating running costs of ANASA it has been necessary to increase our membership fees by 10%. 2009/2010 membership fees for the main branch will cost R3200.00 per annum and each branch R1320.00 per annum. We depend on these membership fees to support the ANASA membership of CAPES and enjoy the services of an ANASA office.

CODE OF ETHICS

There seems to be confusion between the ANASA Criteria for Membership and the Code of Ethics. The Criteria for Membership is part of the ANASA Constitution and every member and new members on application for membership sign the Code of Ethics. The Code of Ethics is to be revised with the assistance of John Botha of CAPES as compliance of the Code of Ethics needs to be enforced and as such need to be aligned to that of a temporary employment service.

ANASA OFFICE

The Exco addressed the Limited Duration Contract for the Office Administrator that expires on the 31st March 2009. Marie Jacobs has agreed to extend her contract with ANASA for the forthcoming year.

IRP30

It has come to ANASA's attention that there has been an amendment to the Income Tax Act in respect of the definition of Labour Brokers, whereby you are only obliged to apply for an IRP30 certificate should you be defined as a "natural person" as defined within the Act. This excludes companies etc. The amendment is effective from 1 March 2009. At present Adcorp is consulting with SARS to acquire an explanation and interpretation of these changes and the effect that this will have on the business of the temporary employment sector. ANASA will keep its members abreast of new developments as soon as we receive notification.

CONCLUSION

I would like to invite all members to access the ANASA website on www.anasa.org.za and check your agency's details. Furthermore in conclusion I would like to highlight our accomplishments. We have met with Ms Zodwa Gumede of the Gauteng Department of Health, met with industry analysts from SARS regarding nursing agency taxation of employees, created an opportunity for networking at the Spring Breakfast, secured a Ministerial Determination in respect of Section 50 of the BCEA, met with Mrs Subedar, Registrar of the SANC, held a meeting with DENOSA regarding a Memorandum Of Understanding that was unsuccessful, enjoyed representation at CAPES and Services SETA, managed changes and improvements within ANASA structures, revised our contracts for our members, made a submission to the Director-General of Health regarding the National Reference Price List to name but a few. I wish the new Chairperson well in his/her position.

Leslie Magee
National Chairperson 2008/2009