



NEWSFLASH

An Internal CGE Newsletter

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Domestic workers' compensation, a CGE victory

Following a Constitutional Court judgment that declared parts of Section 1 of the Compensation for Occupational Injuries and Diseases Act (COIDA) 130 of 1993, unconstitutional, the Compensation Fund gazetted the additional regulations in March. The Commission for Gender Equality was admitted as the first amicus curiae by the Court, and supported the confirmation of the order of invalidity.

The Act excluded domestic workers employed in private households from the definition of "employee" and by implication, excluded domestic workers from claiming for injuries, diseases or death sustained while on duty. The gazette confirms that domestic workers are now covered under the Act for illness or injury contracted at work. It also stipulates the types of compensation that will be paid and what compensation will be paid for.

Compensation payable to domestic workers for occupational injuries and diseases are the same benefits that are payable to all other injured employees. For the first time, domestic workers will now be afforded temporary and permanent disability compensation. The COIDA also covers medical and funeral expenses, while offering additional compensation to surviving spouses and children.

"The Commission for Gender Equality contended that the exclusion of domestic workers from COIDA unjustifiably perpetuates the disadvantages suffered by this group of workers, and that this exclusion prevents domestic workers from equal access to social security protection" the Constitutional Court said during delivery of its judgment, "The CGE also supported the immediate and retrospective effect of the declaration of invalidity," the apex court said.



Q&A with Zanele Ncwane
KZN Provincial Manager

GBV has been a concern in the KZN province, is there initiatives the KZN office is involved in to fight this scourge?

The province participates in forums and social network groups comprising of various stakeholders fighting GBV in the province. We are part of the Provincial Multistakeholder GBV Task Team under the leadership of the KZN Premier. The CGE has been in the forefront and instrumental in the development and customisation of the National Strategic Plan (NSP) on GBV into a Provincial GBV Strategy Plan.

How has level 4 lockdown affected your work on the ground?

Our Gender and Development (GAD) training was postponed due level 4 lockdown restrictions, we had to come up with new strategies. We have in the past established good relationships with a number of community radio stations and had to leverage on these networks to reach communities. Stakeholder engagements are being conducted virtually, which has a lot of cost burden for our stakeholders. Organisations in rural areas are faced with a multitude of challenges making it difficult for them to attend virtual sessions.

Has lockdown led to the office receiving many complaints related to GBV and domestic violence?

Yes, we have been observing a steady increase in our complaints with a high number of domestic violence and sexual violence cases. Most of the cases are taking place within family system, people that are known to the victim.

What are some of the planned activities you have?

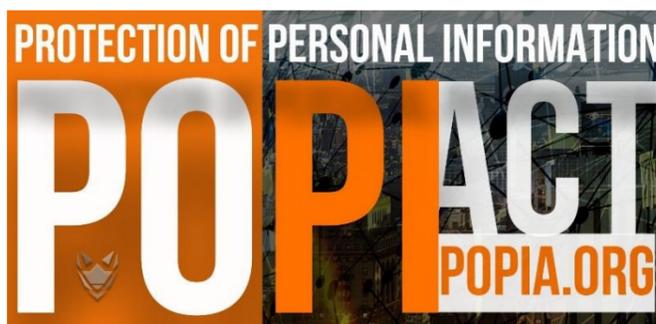
This quarter we plan to partner with eDumbe Local Municipality to implement the Gender and Development training, participants will be Community Development Workers from DSD and COGTA and the Municipality. One programme of Advocacy and Outreach Programme will be in Emahlutshini under uThukela District Municipality, whereas for more programmes we are in negotiations with two local community radio stations for the month of August and September 2021. We have confirmed Stakeholder Engagement on GBV in partnership with Gugu Dlamini Foundation, a civil society organisation based in eThekweni Metropolitan for September 2021.

Gender Development Training for Civil Society in the Free State

The Free State office of the Commission for Gender Equality is conducting the Gender and Development Training for civil society Organisations, Soul City Institute and Mosamaria. The virtual training workshop started on Wednesday, 21 July, and is set to conclude on Thursday.

"The overall goal of the gender and development training workshop is to strengthen the capacity of organisations to implement gender responsive programmes that are aimed at creating a culture of human rights and gender equality" said Boitumelo Zwane, Education Officer in the Free State province.

The workshop also seeks to capacitate participants with relevant knowledge, values and skills that will allow them to contribute effectively to the implementation of the gender equality and gender mainstreaming strategies and policies in their respective organisations.



The Protection of Personal Information Act came into effect on 01 July in South Africa. The CGE is aligning its processes to comply with the Act and safeguard information. Personal information, by way of example, means your name, contact details, identification number, employment records. etc. POPIA requires that before any of your personal information is processed, specific requirements in the law must be met so as to not infringe on your right to privacy.

CGE Committed to Protection of Personal Information

The Commission for Gender Equality has committed to ensure that persons who process personal information on behalf of the Commission, for example our service providers, Auditors, IT Service providers, People Management service provider who conduct background checks on employees and training service providers follow the prescribed POPIA regulation. The protected information includes ID Nos; contact details; employment record; sexual orientation; race; financial history; and addresses.