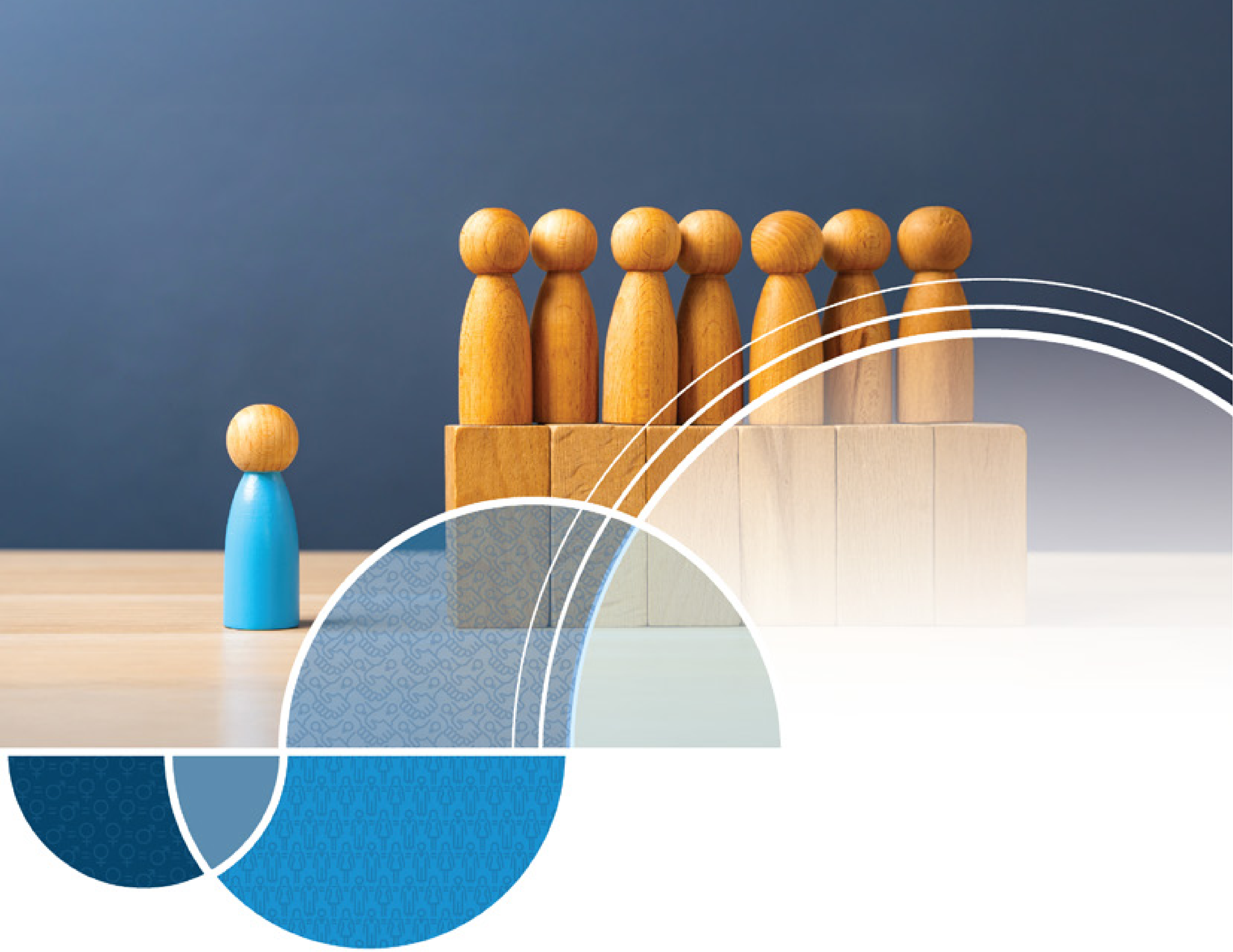
Commission for Gender Equality

Investigation into the employment equity and transformation, labour standards, working conditions, and access to justice within the Western Cape wine industry.



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EXECUTIVE SUMMARY

This report presents the findings of the Commission for Gender Equality's (CGE) investigation into employment equity, gender transformation, labour standards, and access to justice within the Western Cape wine industry. The investigation assessed two key industry stakeholders, Heineken and Spier, alongside institutional stakeholders and in loco farm inspections.

The findings reveal a dual reality within the sector. On the one hand, there is evidence of formal compliance, policy development, and measurable progress, particularly in relation to gender representation, training initiatives, and ethical frameworks. On the other hand, deep structural inequalities persist, particularly along racial, gender, and socio-economic lines.
Across both entities, women are numerically represented, particularly in lower and mid-level roles. However, their progression into senior and decision-making positions remains limited, with White women more likely to advance than African, Coloured, or Indian women. Similarly, Black South Africans remain clustered in semi-skilled, unskilled, and seasonal roles, with minimal representation at executive levels.

A significant concern is the poor representation of persons with disabilities, indicating systemic failures in recruitment, accommodation, and inclusion practices.

The investigation further highlights the prevalence of precarious employment, particularly seasonal and temporary work, which disproportionately affects women and previously disadvantaged groups. Precarity undermines job security, limits access to benefits, and restricts long-term career progression.

Institutional analysis reveals fragmented enforcement and limited accessibility of justice mechanisms, particularly in rural and farm-based environments. While structures such as the CCMA are functional, there is evidence of underreporting, limited institutional reach, and a lack of coordination.

In loco inspections confirm that working and living conditions remain uneven, with gaps in sanitation, occupational health and safety, gender-sensitive infrastructure, and access to justice information.

Overall, the investigation concludes that while compliance frameworks are in place, transformation remains and without targeted, structural interventions, the sector risks reproducing historical inequalities rather than transforming the inequalities.

1. INTRODUCTION

In terms of Section 11(1)(a) of the CGE Act, the Commission for Gender Equality (CGE) has the power to monitor and evaluate practices and policies of, amongst others, public bodies and private institutions. Section 11(1)(e) of the Act enables the CGE to investigate any gender-related issue of its own accord or upon receipt of a complaint. Section 181 of the Constitution provides that the CGE is an institution established to strengthen constitutional democracy in the Republic of South Africa. It is independent, and subject only to the Constitution and the law, and it must be impartial and must exercise its powers and perform its functions without fear, favour, or prejudice.

Other organs of state, through legislative and other measures, must assist and protect Chapter 9 institutions to ensure their independence, impartiality, dignity, and effectiveness. No person or organ of state may interfere with the functioning of Chapter 9 institutions in the execution and furtherance of their mandate.

2. BACKGROUND AND CONTEXT

The South African wine industry is one of the country's most globally competitive agro-processing sectors, contributing significantly to GDP and rural employment. However, despite its economic dynamism, the sector continues to reflect deep-seated structural inequalities, particularly along gender and racial lines. Women, especially Black women, remain disproportionately concentrated in low-wage, seasonal, and insecure roles, with limited access to ownership, leadership, or high-value activities in the wine value chain. Transformation in the industry has therefore been incomplete, uneven, and insufficiently documented, with a lack of gender-disaggregated data further constraining evidence-based policy interventions.

Against this backdrop, the CGE Western Cape Provincial Office has initiated a provincial investigation into employment equity and procurement transformation within the Western Cape wine industry, with a specific focus on mapping women's participation across the value chain from farm labour to cellar operations, management, and entrepreneurship. The purpose of this investigation is to systematically evaluate the extent, nature, and quality of women's participation in the industry and to assess the barriers that hinder equitable inclusion and advancement.

The objectives are fourfold: 1) to provide a detailed demographic mapping of women's roles across the value chain; 2) to identify enabling and constraining factors such as access to land, finance, training, and decent labour conditions; 3) to analyse patterns of under-representation and marginalisation, particularly for Black, rural, and informal women workers; and 4) to benchmark industry practices against national and international transformation frameworks, including the WISE Strategy, the National Development Plan, and the Sustainable Development Goals.

Through this investigation , the CGE aims to generate actionable recommendations that can inform gender-responsive policies, strengthen accountability among industry stakeholders, and promote inclusive rural development by ensuring that women's contributions are recognised, supported, and equitably rewarded within the Western Cape wine sector.

3. HEINEKEN BEVERAGES

3.1 INTRODUCTION

Heineken was established in 2023 following the merger of Heineken South Africa, Distell, and Namibia Breweries Limited. The company manages a diverse and inspiring portfolio of brands, including its global flagship brand, Heineken®, as well as Savanna, Windhoek Lager, Nederburg, and several others. With this portfolio, Heineken directly employs just under 5,000 people.

The company positions itself as a "Beyond Beer" business. While wine forms part of its product offering, it is not the sole area of focus. Certain elements of the winemaking process, such as grape harvesting, are therefore outsourced to specialist partners.

Heineken has adopted a transformation and inclusion strategy that applies across the entire organisation, ensuring consistent and equitable practices in all business functions. Where winemaking activities are outsourced, the workforce composition falls under external partners. Nonetheless, the company actively supports transformation throughout the broader value chain and collaborates with stakeholders to promote fair and equitable practices.

For this investigation and report, Heineken has provided information specific to its wine-related operations in line with the request for information. This submission does not extend to the broader organisational activities of Heineken as a whole.

The CGE dispatched correspondence to Heineken, extending an invitation to participate in an investigation. Alongside this invitation, Heineken was also sent a comprehensive questionnaire tailored to elucidate insights on transformational themes. Subsequently, Heineken diligently responded to the questionnaire, providing the requisite information and submitting the requested documentation.

3.2 WORKFORCE INFORMATION

This section sought to provide a detailed, disaggregated analysis of the workforce composition of the entities, assessed against national transformation goals and the requirements of the Employment Equity Act (EEA), Act 55 of 1998. The primary aim was to collect comprehensive data on race, gender, disability, and employment status, disaggregated by occupational level and citizenship, to evaluate the representation of historically disadvantaged groups, monitor trends in the appointment and retention of women, persons with disabilities, and foreign nationals, identify barriers to equitable participation and upward mobility, and assess the extent of precarious employment, such as seasonal or contract work. In addition, the enquiry examined the functional allocation of labour across the wine industry's value chain (grape production, processing, and export/logistics) to determine the extent to which demographic groups are concentrated in low-wage or seasonal roles compared to skilled or managerial positions, to identify segmentation along racial, gender, and contractual lines, and to evaluate whether higher-value activities are being meaningfully integrated into transformation efforts.

In response to the questionnaire regarding this section, Heineken responded as follows (see Table 1).

Table 1: Disaggregated data of permanent employees (including shareholders and non-executive directors) at Heineken

Level	Total	Disability (indicate race in parenthese)		Women				Men				Foreign Nationals	
		W	M	A	C	I	W	A	C	I	W	W	M
Top Management (JG30+)	1	0	0	0	0	0	0	0	0	0	1	0	0
Senior Management (JG20/25)	7	0	0	0	0	0	1	0	2	0	4	0	0
Middle Management (JG15)	6	0	0	0	3	0	1	0	0	0	2	0	0
Skilled Technical and Junior Management (JG7 - JG10)	58	0	0	7	10	0	11	2	16	0	12	0	0
Semi-skilled (JG3A - JG6)	79	0	0	4	14	0	1	20	39	0	1	0	0
Unskilled (JG1 – 3B)	63	0	0	8	15	0	0	19	21	0	0	0	0

3.2.1 Representation of previously disadvantaged persons

Representation of African, Coloured, and Indian groups is almost non-existent at the highest levels. At the top management level, the only employee is a White man. At the senior management level, there are seven positions, but four are held by White men and two by Coloured men, with only one white woman.

At the middle management level, there are six employees: three are Coloured women, indicating the presence of previously disadvantaged groups. Lastly, there are three White employees (two men and one woman) reported.

At the skilled technical and junior management levels, the data revealed more diverse representation, with African, Coloured, and Indian women together constituting a majority. However, at semi-skilled and unskilled levels, African and Coloured men and women dominate in lower occupational tiers, reflecting persistent occupational stratification.
From the above submission, one may be inclined to interpret the data as indicating that previously disadvantaged persons are clustered in the lower tiers and have extremely limited access to senior leadership roles.

3.2.1.1 Gender representation

Regarding gender representation, the data provided in Table 1 shows that women are well represented at semi-skilled and skilled technical/junior management levels, particularly white and Coloured women. However, at the top tiers (top and senior management), women's representation is weak, with only one white woman at senior management. In terms of progression trends, the data indicate that women appear concentrated in the middle to lower tiers, suggesting minimal upward progression into strategic leadership and potential barriers in career progression pipelines.

3.2.1.2 People with disabilities

Regarding Table 1, no employees with declared disabilities are reflected across any tier. This points to either a lack of targeted recruitment and retention strategies for people with disabilities or inadequate disclosure/recording systems. The absence indicates a major equity gap in workplace inclusivity.

3.2.1.3 Foreign nationals

The data in Table 1 does not reflect foreign nationals across any tier, showing a workforce that is entirely domestically sourced.

Although the workforce of the Western Cape branch is particularly small, there are potential barriers to equitable participation and upward mobility that can be concluded from the data provided.

Firstly, there is an impression of the existence of a glass ceiling for women and previously disadvantaged persons. As women and historically disadvantaged groups are concentrated in lower and middle levels, this suggests systemic barriers to promotion into senior and top management. Secondly, the data also indicates occupational stratification, as African men are clustered in unskilled and semi-skilled roles, while White men dominate senior management, indicating structural inequalities in recruitment and career progression. Thirdly, the absence of employees with disabilities points to barriers in recruitment practices, workplace accessibility, or accommodation policies.

Table 2: Disaggregated data of seasonal employees at Heineken

Level	Total	Disability (add race)		Women				Men				Foreign Nationals			
		W	M	A	C	I	W	A	C	I	W	Women	Men		
General Workers	50 (seasonal)	0	0	10	5	0	0	20	15	0	0	0	0		
General Workers	23 (non-seasonal)	0	0	5	5	0	0	8	5	0	0	0	0		
Temp Tractor Drivers	4 (seasonal)	0	0	0	0	0	0	1	3	0	0	0	0		

3.2.1.4 Disaggregated data of seasonal employees

Regarding the data in Table 2, the CGE required it for its contextualization of the functional allocation of labour across the Western Cape wine industry value chain, specifically on-farm activities, processing, and export or logistics.

Regarding previously disadvantaged people, the data indicated that there were fifty general workers, also known as seasonal workers. All seasonal workers are previously disadvantaged, with a breakdown of 10 African women, five Coloured women, 20 African men, and 15 Coloured men. There were no White or Indian employees present. This shows that previously disadvantaged people exclusively occupy the lowest tier of work in on-farm seasonal labour.

Regarding general workers, also known as non-seasonal, there were 23, with a demographic breakdown of five African women, five Coloured women, eight African men, and five Coloured men. This reflects the continuity of previously disadvantaged people's concentration in low-tier work but slightly more stable employment.

Regarding the temporary worker tractor drivers, Heineken reported on four seasonal employees. The data presented indicates that the semi-skilled category is also dominated by previously disadvantaged persons, with one African man and three Coloured men. The overall observations made by the CGE indicate that the sole labour source in seasonal and semi-skilled positions reflects deep-rooted racialised labour divisions in the wine industry, especially at the farm level.

Regarding gender representation for seasonal workers, African and Coloured women are present in the general worker categories, with 10 African and five Coloured seasonal workers, as well as five African and five Coloured non-seasonal workers. However, women are entirely absent from the tractor driver category, reflecting occupational gender under-representation.

Regarding the trends presented by Heineken, women are present but concentrated in the lowest-paid, most precarious, and seasonal work. They are absent from even modestly semi-skilled roles such as tractor driving, indicating barriers in training and access to such positions. Regarding retention, the non-seasonal roles, which amount to 23 positions, show women maintaining a share, but this remains limited and mostly at the general worker level. Regarding persons with disabilities, the data revealed that there was zero representation of persons with disabilities across all categories. This points to significant under-representation ofpersons with disabilities from agricultural seasonal labour, due to a lack of inclusive recruitment, accommodation policies, and physical accessibility in farm work environments. Regarding workforce distribution in grape production, Heineken reported 5.78% for grape production, 73.68% for processing, and 20.52% for logistics.

The data in Table 2 reveals a potential set of systemic barriers that continue to limit equitable participation and upward mobility within the wine industry. Historically disadvantaged people remain disproportionately clustered in general and seasonal farm-based roles, with little to no access to semi-skilled, technical, or value-chain positions that provide stability, higher wages, and career progression. Gender norms reinforce these patterns, with women confined to manual labour and under-represented from semi-skilled roles such as tractor driving. Persons with disabilities are similarly under-represented due to structural inaccessibility and the absence of targeted integration measures.

The sector's reliance on seasonal contracts further entrenches insecurity, hindering long-term skills development, workforce retention, and the creation of a sustainable talent pipeline. Collectively, these factors not only undermine transformation imperatives but also perpetuate inequality of previously disadvantaged persons denying them meaningful participation in the broader processing, export, and logistics functions of the wine industry. Without deliberate interventions, these barriers risk entrenching a segmented labour market that reproduces patterns of under-representation rather than advancing inclusive economic growth.

3.3 LABOUR STANDARDS, WORKING CONDITIONS, AND ACCESS TO JUSTICE

3.3.1 Employment equity strategy

The primary focus of this section was to examine whether Heineken had a formal Employment Equity Plan in place, as required by Section 20 of the Employment Equity Act 55 of 1998. Furthermore, it aimed to evaluate the strategic intent and practical measures undertaken by Heineken to eliminate barriers that hinder the equitable participation of designated groups, specifically Black South Africans, women, youth, and persons with disabilities, across all occupational levels. By identifying whether a workforce analysis has been conducted and what barriers were uncovered, the CGE aims to understand not only the challenges but also the remedial steps employers have taken to redress past inequalities and systemic barriers.

Regarding past inequalities, the CGE noted the barriers Heineken faces in employment equity for designated groups, including women, Black South Africans, and persons with disabilities, as per its workforce analysis for its employment equity plan. The reported barriers included a detailed snapshot of the current workforce profile as of 30 November 2024, highlighting the representation of various demographic groups across occupational levels. It emphasised the distribution of employees by race, gender, and disability status, as well as the numerical goals and targets for the next three years (2024–2027). However, this table pertains to the entire Heineken business, not just the Western Cape provincial division (see Table 3).

Table 3: Workforce profile snapshot on 30 November 2024 for all employees, including people with disabilities at Heineken

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management	1	0	1	3	2	0	1	2	2	0	12
Senior management	1	14	8	30	2	0	4	22	6	2	89
Professionally qualified and experienced specialists and mid-management	136	66	39	165	103	58	27	145	3	3	745
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	637	233	25	146	317	196	17	141	14	2	1728
Semi-skilled and discretionary decision making	787	342	6	25	292	102	5	24	7	2	1592
Unskilled and defined decision making	178	72	0	1	136	53	0	0	0	0	440
TOTAL PERMANENT	**1740**	**727**	**79**	**370**	**852**	**409**	**54**	**334**	**32**	**9**	**4606**
Temporary employees	109	16	3	10	115	17	3	12	0	0	285
GRAND TOTAL	**1849**	**743**	**82**	**380**	**967**	**426**	**57**	**346**	**32**	**9**	**4891**

Based on Table 3, which presents Heineken's workforce snapshot for 2024, one can conclude that Heineken has a total workforce of 4,891 employees, of which 4,606 are permanent, and 285 are temporary.

However, the workforce is heavily concentrated at the skilled technical (1,728) and semi-skilled (1,592) levels, with far smaller numbers in professional (745), senior management (89), and top management (12). Regarding the representation of Black South Africans, which comprises Africans, Coloureds, and Indians, the numerical majority is Africans, Coloureds, and Indians combined, accounting for most of the workforce in terms of headcount. Although there is a concentration at lower levels, there is representation concentrated in the semi-skilled, unskilled, and skilled technical categories.

For example, in the semi-skilled category (1,592), African men (787) and African women (292) dominate. In the unskilled category (440), African men (178) and African women (136) make up the bulk.

Their presence is also extremely limited regarding senior roles. Senior management has a total of 89 persons, which includes African men (one) and African women (two), compared to White men (30) and White women (22). At the top management, there are 12, of which Africans account for only three employees (one man, two women).

Regarding gender representation, the data reveal that men dominate overall. Male employees (3,054) outnumber female employees (1,796). Moreover, women are concentrated in lower levels, being visible in semi-skilled and skilled technical roles, but rarely progressing to management. At the top management, there are only five women (two African, one Indian, and two White). At the senior management level, women hold 28 positions, but White women (22) far outweigh African (two), Coloured (zero), or Indian (four) women. This indicates that gendered occupational under-representation persists, as women are clustered in roles with lower pay, less security, and limited career mobility.

Regarding the youth component, while not disaggregated in this dataset, the reliance on temporary contracts involves 285 employees, primarily African men (109) and African women (115), suggesting a younger, more precarious workforce segment. This could indicate that youth are entering employment primarily through insecure and low-skilled roles without clear pathways to advancement. Regarding the category of foreign nationals, the data reveal that there are 41 foreign nationals who are concentrated in skilled technical (16), semi-skilled (nine), and professional roles (six).

Regarding key observations, the data in the employment equity plan reveal that although Black South Africans constitute the majority at lower occupational levels, they remain underrepresented in senior and top management, where strategic decision-making occurs. Women are disproportionately concentrated in semi-skilled and unskilled categories, with White women achieving greater representation at senior levels than their Black counterparts. Persons with disabilities are entirely absent, reflecting a significant inclusion gap. This workforce profile suggests that, while numerical diversity has been achieved at the base of the organisation, systemic barriers, including occupational segmentation, gendered role allocation, and weak pipelines for progression, continue to hinder equitable participation and upward mobility (see Table 4).

Table 4: Snapshot for workforce profile only for people with disabilities only at Heineken

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management	0	0	0	0	0	0	0	0	0	0	0
Senior management	0	0	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid-management	0	0	2	0	0	0	0	0	0	0	2
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	0	0	0	2	0	1	0	0	0	0	3
Semi-skilled and discretionary decision making	0	1	1	0	0	0	1	1	0	0	4
Unskilled and defined decision making	1	0	0	0	0	0	0	0	0	0	1
TOTAL PERMANENT	1	1	3	2	0	1	1	1	0	0	10
Temporary employees	46	5	2	0	55	3	1	0	0	0	112
GRAND TOTAL	47	6	5	2	55	4	2	1	0	0	122

Based on the workforce profile for persons with disabilities, the CGE observed that representation remains extremely limited and inequitable. Persons with disabilities are entirely absent from top and senior management, with only two individuals reflected in mid-management roles. The overwhelming majority (92%) are employed in temporary positions, underscoring the lack of sustainable pathways into permanent, skilled, or decision-making roles. Furthermore, women with disabilities are concentrated in precarious, short-term work, reflecting compounded barriers of gender and disability, while racial disparities persist, with White men slightly better represented in upward roles than African employees. Overall, the data demonstrate that persons with disabilities remain under-represented from meaningful participation across the occupational hierarchy, indicating that businesses have not yet implemented effective measures to eliminate barriers, ensure structural integration, or promote upward mobility for this designated group (see Table 5).

Table 5: Numerical goals at Heineken

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management	1	0	1	3	2	0	1	2	2	0	12
Senior management	5	12	7	30	5	2	3	18	5	2	89
Professionally qualified and experienced specialists and mid-management	154	66	42	155	124	63	33	125	2	2	767
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	675	217	33	150	380	210	30	120	9	2	1826
Semi-skilled and discretionary decision making	763	316	12	25	338	122	14	18	4	2	1614
Unskilled and defined decision making	220	78	7	10	170	62	7	8	0	0	562
TOTAL PERMANENT	**1818**	**689**	**102**	**373**	**1019**	**459**	**88**	**291**	**22**	**7**	**4869**
Temporary employees	109	16	3	10	115	17	0	12	0	0	285
GRAND TOTAL	**1927**	**702**	**105**	**383**	**1134**	**476**	**88**	**303**	**22**	**7**	**5154**

Table 6: Numerical goals for people with disabilities at Heineken

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management	0	0	0	0	0	0	0	0	0	0	0
Senior management	0	0	0	0	0	0	0	0	0	0	0
Professionally qualified and experienced specialists and mid-management	0	0	2	0	0	0	0	0	0	0	2
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	0	0	0	2	0	1	0	0	0	0	3
Semi-skilled and discretionary decision making	0	1	1	0	0	0	1	1	0	0	4
Unskilled and defined decision making	1	0	0	0	0	0	0	0	0	0	1
TOTAL PERMANENT	1	1	3	2	0	1	1	1	0	0	10
Temporary employees	46	5	2	0	55	3	1	0	0	0	112
GRAND TOTAL	**47**	**6**	**5**	**2**	**55**	**4**	**2**	**1**	**0**	**0**	**122**

Regarding Tables 5 and 6, which represent the numerical goals of Heineken in relation to gaps present in Tables 3 and 4, it can be concluded that the workforce analysis of the employer, as reflected in the numerical goals for all employees, including people with disabilities, highlights several key patterns in relation to equitable participation across occupational levels.

The overall workforce profile under the numerical goals still demonstrates a large permanent workforce but also a reliance on temporary contracts, which are concentrated among previously disadvantaged persons.

Regarding occupational segmentation representation across occupational levels, the data still reflects clustering of previously disadvantaged persons in semi-skilled, unskilled, and skilled technical roles, while top and senior management remain dominated by White employees.

Regarding gender representation across the organisation, male employees (3,117) significantly outnumber female employees (2,001). Women are concentrated in lower occupational categories, particularly semi-skilled and unskilled roles. At management and decision-making levels, women are underrepresented, with White women showing slightly higher representation than African, Coloured, or Indian women. This indicates persistent gendered barriers to upward mobility.

The data reflects a lack of clear progression pathways for previously disadvantaged persons, particularly women, from semi-skilled and unskilled categories into management roles. The concentration of African employees in lower categories, combined with their limited numbers in professional and management levels, suggests systemic constraints on skills development and promotion opportunities. The dataset reveals that persons with disabilities are entirely absent across occupational categories, pointing to either a lack of inclusive recruitment or weaknesses in monitoring and recording, which constitutes a significant barrier to meeting transformation objectives. In addition, reliance on temporary employment remains high, with 285 employees, predominantly African workers, employed on short-term contracts, resulting in insecurity, limited career development opportunities, and challenges in retention, particularly for women and youth. By contrast, foreign nationals make up only an exceedingly small portion of the workforce (29 employees) in skilled and semi-skilled roles; while their presence does not materially affect transformation outcomes, it indicates limited reliance on external skills in the business.

3.3.1.1 Identification of barriers and planned actions

Heineken has reported on the barriers identified regarding employment equity for designated groups and has outlined corresponding actions to address the barriers. Between 1 December 2025 and 30 November 2026, the company intends to target recruitment and promotion efforts towards maximising the representation of African, Coloured, and Indian people, with a special focus on women and persons with disabilities, particularly in areas where under-representation persists.

A key barrier identified relates to recruitment procedures. Low attrition at the top and senior management levels limits opportunities for transformation. To address this, Heineken has committed to investigating additional strategies to create opportunities for transformation outside normal attrition processes and to monitor transformation opportunities in these senior roles. This action is scheduled for implementation between 1 December 2024 and 30 November 2027.

3.3.1.2 Accessibility of recruitment practices

Heineken has acknowledged that current practices do not ensure accessibility of job advertisements for persons with disabilities, particularly those who are visually impaired. The planned corrective measure is to explore and implement software solutions that will enable persons with various disabilities to access job advertisements effectively.

3.3.1.3 Work environment and facilities

Barriers have also been identified within the work environment and facilities. These include a shortage of signage and the inaccessibility of certain buildings for persons with disabilities. To remedy this, Heineken plans to conduct a comprehensive assessment of its facilities and implement remedial actions based on the findings.

3.3.1.4 Succession and experience planning

Limited representation of African, Coloured, and Indian people is evident at the top, and senior management, and levels have been highlighted as a barrier to succession and experience planning. In response, Heineken intends to drive a robust succession plan that ensures demographic representation across all occupational levels.

3.3.1.5 Retention of designated groups

Retention of designated groups remains a challenge, particularly in key locations. To address this, Heineken plans to embrace flexible working practices, such as hybrid work arrangements, launch competitive and inclusive employee value proposition (EVP) programmes, implement structured mentoring and coaching initiatives, and develop a retention strategy specifically targeting designated groups.

3.3.1.6 Corporate culture

Heineken has identified the need to embed inclusion as part of its broader corporate culture-shaping journey. To achieve this, functional directors will be held accountable for embedding inclusive practices within their respective functions, ensuring that diversity and inclusion are operationalised across the business.

3.3.1.7 Reasonable accommodation

Heineken has identified a lack of encouragement for employees to disclose their disability status. To address this, the company will continue disability awareness campaigns to encourage disclosure and foster an environment where employees feel supported in declaring their status.

3.3.1.8 Strategies to achieve numerical goals

To meet its numerical goals, Heineken has aligned its strategies with the broader objectives of its employment equity plan. These strategies include targeting recruitment and promotion efforts towards African, Coloured, and Indian employees, with a special focus on women and persons with disabilities in under-represented areas; implementing structured mentoring and coaching programmes with particular emphasis on designated groups; and investing in learning and development opportunities for under-represented employees to ensure a robust and inclusive succession plan.

Heineken further commits to continuously assessing and mitigating barriers to transformation, implementing focused onboarding and continuous engagement to support integration, exploring software solutions to ensure job advertisement accessibility for persons with disabilities, and reviewing retention strategies to support its transformation objectives. Finally, the company has emphasised embedding its culture-shaping journey into all aspects of the business, thereby fostering a genuinely inclusive working environment for all employees.

3.3.1.9 Expression of barriers and planned actions in the Talent Acquisition Policy 2025

When comparing the Talent Acquisition Policy 2025 to Heineken's detailed set of barriers and planned actions reported in its employment equity context, there is evidence that the acquisition policy does reflect some of the intentions expressed in the employment equity reporting.

Regarding fairness, equity, and inclusion, the policy repeatedly states a commitment to and compliance with the Employment Equity Act and other labour regulations.[1]

Regarding workforce planning and succession, the policy requires hiring managers to consider the employment equity plan, succession planning, and demographic data before creating or filling vacancies.[2] In its policy, Heineken commits to advertising roles inclusively on internal and external platforms, with a clause stating that no adverts will contain discriminatory language and that persons with disabilities are encouraged to apply.[3] Furthermore, the policy sets out requirements that assessments and interviews must be fair, valid, reliable, and free from bias against any designated group.[4] In terms of its Integration of diversity, equity, and inclusion (DEI) principles are embedded in recruitment decisions.[5]

3.3.2 Gaps and limitations

There is evidence of an intention to implement policies that align with its commitments set out in its employment equity plan. The policy does present several gaps.

3.3.2.1 Recruitment procedures/low attrition at senior levels

The policy mentions succession planning and demographic analysis, and hiring managers must assess workforce needs and consider the employment equity plan before filling vacancies.[6] However, the gap in the policy is that there is no indication of proactive measures to address limited turnover at senior levels; the policy is procedural rather than transformative.

1 Talent Acquisition Policy 2025 **Section 1.4: Purpose & 1.5 Objectives p. 3–4.**
2 Talent Acquisition Policy 2025 **Section 2.1 Guidelines p. 5,**
3 Talent Acquisition Policy 2025 Section **2.3 Principles p. 6.**
4 Talent Acquisition Policy 2025 **Section 4.1 Assessments & Section 5.1 Interview Guidelines**.
5 Talent Acquisition Policy 2025 **Section 1.2 Talent Ambition & 1.5 Objectives pp. 3–4.**
6 Talent Acquisition Policy 2025 p. 5.

3.3.2.2 Accessibility of recruitment for persons with disabilities

The policy indicates that job adverts will be inclusive. As an equal opportunities employer, Heineken "actively encourages and welcomes people with various disabilities to apply".[7] However, the gap here is that there is no mention of accessible formats, software solutions, or assistive technology to ensure equitable access for persons with disabilities.

3.3.2.3 Work environment and facilities

The Talent Acquisition Policy 2025 is silent on workplace signage and building accessibility; its focus is limited to recruitment processes.[8] The emerging gap identified here is the lack of a link between recruitment and broader workplace accessibility obligations, despite barriers identified in employment equity reporting.

3.3.2.4 Succession and experience planning

Heineken reserves the right to fill senior management roles via internal succession planning.[9] Furthermore, workforce planning also requires analysis of employment equity demographics before initiating recruitment.[10] The emerging gap is the lack of explicit reference to African, Coloured, and Indian representation at the leadership level, as well as robust succession planning linked to transformation targets.

3.3.2.5 Retention of designated groups

The policy objective mentions retention of high-performing employees.[11] The gap identified is that the policy focuses only on general retention of high performers, not specifically on retention of designated groups (women, African, Coloured, and Indian persons, youth, persons with disabilities). No mention of flexible work practices, mentoring, or employee value proposition programmes.

3.3.2.6 Corporate culture and inclusion

The policy expresses the embedding of diversity, equity, and inclusion principles in recruitment.[12] While diversity, equity, and inclusion are acknowledged, there is no mechanism to hold functional directors or leaders accountable for embedding inclusion in daily practices.

7 Talent Acquisition Policy 2025 p. 6
8 Talent Acquisition Policy 2025 pp. 3-16
9 Talent Acquisition Policy 2025 p. 6
10 Talent Acquisition Policy 2025 p. 5.
11 Talent Acquisition Policy 2025 objective 1.5.6 p. 4
12 Talent Acquisition Policy 2025 (pp. 3–4, Talent Ambition and Objectives 1.5.7 & 1.5.13).

3.3.2.7 Reasonable accommodation and disability disclosure

Diversity, equity, and inclusion is integrated into recruitment, and persons with disabilities are encouraged to apply.[13] Furthermore, assessments must not be disadvantageous based on disability.[14] However, the policy does not outline awareness campaigns, protections, or reporting mechanisms to encourage employees to declare disability status.

3.3.2.8 Numerical goals and monitoring

The policy states that recruitment processes must consider the Employment Equity Plan and targets.[15] Line managers must analyse departmental demographic data as part of requisitions.[16] However, the policy lacks detail on how numerical employment equity targets will be operationalised, monitored, or reported in recruitment outcomes.

3.3.3 Conclusion: Implications for transformation within Heineken

The evidence indicates that while Heineken has established a formal employment equity plan and has articulated both numerical goals and targeted remedial actions, the pace and depth of transformation remain constrained by structural and policy limitations.

The workforce analysis demonstrates that Black South Africans constitute the numerical majority in the company, but they remain clustered at the semi-skilled, unskilled, and skilled technical levels. Their presence in senior and top management is minimal compared with their White counterparts, suggesting that systemic barriers, such as limited progression pathways and occupational segmentation, continue to hinder equitable upward mobility. Similarly, while women are present across occupational levels, they remain concentrated in lower categories, with White women holding comparatively greater representation at senior levels than African, Coloured, or Indian women. Persons with disabilities are almost entirely absent from the workforce, underscoring a critical gap in both inclusion and reasonable accommodation. Youth participation is primarily channelled through temporary and insecure contracts, offering limited prospects for long-term career development.

13 Talent Acquisition Policy 2025 p. 6
14 Talent Acquisition Policy 2025 p. 9
15 Talent Acquisition Policy 2025 p. 6
16 Talent Acquisition Policy 2025 p. 5

Heineken's numerical goals (2024–2027)[17] and the identified barriers, with planned actions, reflect an intention to redress these inequities by targeting recruitment, succession planning, and the retention of African, Coloured, and Indian employees, particularly women and persons with disabilities. Measures such as improving accessibility of job adverts, introducing hybrid work arrangements, and implementing structured mentoring and coaching programmes suggest recognition of systemic barriers and a commitment to progressive remedies.

However, the Talent Acquisition Policy 2025, while aligned with employment equity principles, falls short of fully operationalising these remedial actions. It demonstrates a strong procedural emphasis on fair and transparent recruitment, succession planning, and compliance with the Employment Equity Act.[18] Yet, it lacks concrete mechanisms to address the deeper barriers identified in the workforce analysis. Specifically, the policy does not provide for accessible recruitment technologies for persons with disabilities, proactive succession planning for African, Coloured, and Indian employees at senior levels, retention measures tailored to designated groups, or accountability structures to embed inclusion across corporate culture. Furthermore, the policy does not outline how numerical employment equity targets will be monitored or enforced in practice.

Taken together, this suggests that Heineken's transformation journey reflects a dual reality: on one hand, a clear strategic intent supported by numerical goals and barrier analysis; on the other, a policy framework that remains predominantly procedural and compliance-driven, rather than transformative in practice. Unless the identified gaps, particularly related to disability inclusion, succession at senior levels, retention of designated groups, and accountability for culture change, are effectively addressed, transformation at Heineken is likely to remain uneven, with progress concentrated at lower occupational levels and limited advancement into decision-making roles.

Based on the responses provided in this section and the document detailing its five-year merger process and legal commitments, a conclusion can be drawn about the business's transformation efforts.

Regarding governance and accountability, Heineken has established a committee for employment equity and skills development, demonstrating a structured approach to transformation. This suggests a degree of institutionalisation, rather than transformation being an ad hoc exercise.

Regarding land and water ownership, the transformation commitments for Black-owned land and water are referenced as part of the merger commitments, but no specific hectares or percentages are provided in the response. This indicates that while commitments exist, there may be a reliance on compliance-driven obligations rather than an initiative-taking disclosure of tangible progress.

17 Signed Heineken Employment Equity Plan EEA13 – 2024–2027.
18 Act 55 of 1998.

Despite the under-representation of women and youth in management, Heineken has clear numerical targets for women in leadership. It reported having achieved 30% women in senior management by 2025 and is targeting 40% representation by 2030. The CGE finds that this aligns with broader national Employment Equity 2030 goals, suggesting a long-term, strategic approach to inclusivity and leadership diversity. Heineken is making notable progress in governance and gender equity transformation, but greater clarity and demonstrable evidence are still needed in land, water, and youth transformation commitments to present a balanced, comprehensive picture of equity-driven change. The overall observation is that the transformation journey appears strong on governance structures and gender representation targets, with measurable progress toward women's inclusion in senior roles.

However, transformation on land and water ownership, as well as broader inclusion of youth in management, is less transparent and may require clearer reporting to demonstrate substantive change beyond regulatory compliance.

3.3.4 Gender equity and workplace inclusion

The CGE observed that Heineken has adopted a structured and measurable gender equity strategy, embedded within its broader 2030 Employment Equity framework. The organisation has set a minimum target of 40% representation of women in leadership, which is supported by deliberate human resource and operational practices. These include targeted investments in capability-building and leadership development programmes for women to ensure a sustainable pipeline of women ready to assume senior roles.

The company demonstrates strong accountability mechanisms, with progress tracked monthly within each function and quarterly through its Employment Equity Committee. Importantly, the committee itself reflects diverse representation and includes most women, which enhances both oversight and the visibility of women's advancement.

In terms of workplace inclusion measures, the company provides some supportive interventions, such as Pro-Care Services school holiday programmes for children living on the farm. While this reflects sensitivity to the needs of employees with families, the absence of explicit reference to flexible working conditions, childcare facilities, or broader parental support beyond this programme may suggest that inclusion initiatives remain limited in scope.

3.3.5 Remuneration and equality

Here the CGE seeks to assess the extent to which remuneration practices within the Western Cape wine industry uphold the principles of fairness, transparency, and equity. The analysis is guided by constitutional guarantees of equality, relevant labour legislation, and ethical standards that prohibit discrimination in the workplace. Particular attention is given to identifying potential pay disparities that may reinforce systemic inequalities related to race, gender, employment status, or occupational hierarchy. By examining these dynamics, the section seeks to determine whether current remuneration practices contribute to a more inclusive and equitable industry or whether they perpetuate historical and structural imbalances.

The CGE noted that the Heineken remuneration framework is anchored in a structured and globally consistent reward philosophy guided by principles of supporting business strategy, pay-for-performance, competitiveness, and fairness. Importantly, the pay-fairly principle, underpinned by internal grading systems and external benchmarking, seeks to ensure transparency and internal equity across occupational levels.

This approach demonstrates compliance with the Employment Equity Act (EEA),[19] the Basic Conditions of Employment Act (BCEA),[20] and the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA),[21] while also reflecting a commitment to ethical labour practices.

An examination of the disaggregated pay data in Tables 7 and 8 below indicates that average remuneration levels are broadly aligned across gender categories, with minimal disparities at most occupational levels. For example, at the professionally qualified level, men earn on average R99,941, compared to R92,916 for women, reflecting a modest but notable gender pay gap. Among skilled technical workers, the averages are R46,811 for men and R44,080 for women, again showing a small differential. At the semi-skilled level, women (R22,671) earn slightly more than men (R21,964), suggesting positive movement toward parity. At the unskilled level, earnings are closely aligned, with men averaging R13,513 and women R13,143.

19 55 of 1998.
20 75 of 1997
21 4 of 2000

Table 7: Occupational levels by gender and race at Heineken

Occupational Levels / Race

Occupational Levels	Average of Monthly Salary
Senior Management	
Male	Confidential – 1 employee
Professionally qualified	**92,916**
Female	81,674
Male	99,941
Skilled Technical	**45,490**
Female	44,080
Male	46,811
Semi-skilled	**22,127**
Female	22,671
Male	21,964
Unskilled	**13,388**
Female	13,143
Male	13,513
Grand Total	

Occupational Levels / Gender

Occupational Levels	Average of Monthly Salary
Senior Management	
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Semi-skilled	**22,127**
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Male	21,964
Unskilled	**13,388**
Female	13,143
Male	13,513
Grand Total	

These figures suggest that, while the company has made measurable progress toward narrowing gender-based wage disparities, residual gaps at the higher occupational levels remain, which may reflect structural issues such as the representation of women in senior roles, rather than overt pay discrimination.

The reliance on structured grading and external market medians is a strength in ensuring consistency, but the persistence of differentials at senior and professional levels underscores the importance of ongoing monitoring. Furthermore, while this dataset covers permanent and fixed-term employees, the CGE's concern with seasonal workers remains relevant. In the wine industry, seasonal labour staff often experience significantly lower pay, precarious employment conditions, and limited benefits compared to permanent staff. The absence of this data limits a holistic assessment of compliance with decent work standards and equality objectives.

However, it does seem that, overall, Heineken's remuneration practices are underpinned by a fair and transparent philosophy, with pay scales showing relative gender parity across most levels. Nevertheless, Heineken should address residual gaps at the upper tiers and extend the same scrutiny to seasonal workers, whose under-representation risks obscuring critical inequities in the broader value chain.

3.3.5.1 Training and skills development

This section examines the extent to which businesses in the Western Cape wine industry are prioritising inclusive, equitable, and transformative approaches to training and skills development. The focus is on assessing whether such initiatives contribute to long-term human capital growth and sustainable economic empowerment, particularly for previously disadvantaged individuals and groups. In doing so, the analysis considers whether companies have introduced targeted measures to close existing skills gaps and expand opportunities for advancement. Special attention is given to two groups that continue to face significant barriers within the sector: women in technical fields, viticulture, and leadership roles where their representation has historically been limited; and seasonal or contract workers, who frequently remain in low-wage, insecure positions with restricted prospects for permanency or upward mobility.

Regarding training and skills development, the CGE observed that in Heineken's response regarding investment in training and skills development, Heineken has established multiple structured programmes, including learnerships, internships, bursaries, business skills initiatives, global e-learning platforms, and foundational certificate programmes. Many of these initiatives are SETA-accredited and designed to build technical and job-ready skills, particularly targeting unemployed youth and graduates. Such measures directly contribute to long-term human capital growth. The CGE also observed that, notably, the Foundational Certificate Program and the Employee Bursary Scheme address systemic inequities by improving employee qualification levels and expanding access to accredited education. These initiatives reflect alignment with both the Broad-Based Black Economic Empowerment (B-BBEE) framework and Sustainable Development Goal (SDG) 8 on decent work and economic growth.

3.3.5.2 Support for women in technical and leadership roles

The company has confirmed the existence of targeted programmes for women in technical, viticulture, and leadership areas. However, details regarding the scale, participation levels, or measurable outcomes of these initiatives were not provided, limiting the ability to assess their impact.

Although there is a strong indication of concerted efforts by Heineken regarding training and development, the CGE has also identified gaps, particularly regarding seasonal and contract workers. Heineken confirmed that no targeted programmes are in place to support seasonal or contract workers in transitioning to permanent or higher-skilled roles. This represents a significant shortcoming, as the stated objective emphasises empowering this vulnerable group. Regarding viticulture-specific training, the CGE observed that although the wine industry context places importance on viticulture, Heineken's programmes primarily target packaging, supply chain, marketing, and business operations. No evidence of targeted skills development in viticulture was presented.

In conclusion, Heineken demonstrates substantial investment in structured and accredited training initiatives that advance human capital development, empowerment, and alignment with SDG 8. While initiatives targeting women in technical and leadership roles are acknowledged, the absence of clear data on participation and outcomes limits the ability to assess their impact. Furthermore, the absence of programmes for seasonal or contract workers, together with the lack of viticulture-specific training, indicates a misalignment with critical aspects of the stated objective.

3.3.5.3 Ethical practices and monitoring

This section assesses the extent to which stakeholders in the Western Cape wine industry uphold ethical labour practices, human rights standards, and workplace accountability, with specific attention to third-party certifications and the prevention of sexual harassment. Ethical accreditation, such as the accreditations by WIETA or Fairtrade International, provides independent verification of compliance with labour laws and sectoral codes, covering fair working conditions, non-discrimination, health and safety, and worker empowerment. In parallel, the section examines whether businesses have functional systems to prevent and address sexual harassment, including reporting mechanisms, case outcomes, and regular discrimination prevention training. Together, these measures indicate whether ethical and human rights commitments are institutionalised, continuously verified, and effectively implemented.

Heineken confirmed that it holds ethical certification (e.g., WIETA, Fairtrade International, or similar). While the response affirms certification status, it does not provide the requested detail regarding the audit history, such as the frequency of audits conducted, findings, or corrective actions undertaken. The absence of such information limits the ability to determine whether compliance is continuously verified and institutionalised or whether certification is nominal.

3.3.6 Sexual harassment complaints and mechanisms

3.3.6.1 Policies and procedures

Regarding sexual harassment complaints and mechanisms, Heineken indicated that sexual harassment complaints are addressed in accordance with its Corrective Action Policy and Sexual Harassment Policy. This suggests to the CGE that formal procedures exist for handling such cases. However, the response does not clarify whether the system is survivor-centred, ensures procedural fairness, or safeguards confidentiality.

Furthermore, Heineken reported that it has registered six complaints from September 2023 to the present, with four complaint dismissals and two complaints deemed unfounded. This indicates that complaints are being recorded and resolved, with disciplinary action taken where warranted. However, the time frame covered is relatively short (since September 2023), and no historical data prior to integration is available.

3.3.6.2 Preventive training

Under preventative training, Heineken reported on a harassment awareness training campaign, with over 1,300 employees trained to date, demonstrating a proactive commitment to prevention and sensitisation. However, details on the frequency of such training, targeted groups (e.g., management vs general staff), and the evaluation of training effectiveness were not provided.

3.3.7 Evaluation against the Code of Good Practice of Heineken's harassment policies

The Code of Good Practice on the Prevention and Elimination of Harassment in the Workplace requires employers to adopt policies that explicitly prohibit all forms of harassment, provide clear procedures for reporting and resolving complaints, ensure survivor-centred protections, and institutionalise ongoing prevention and accountability mechanisms. The Heineken Harassment Policy and Procedure and its Annexure A were reviewed and cross-checked against these requirements.

3.3.7.1 Scope and prohibition

The Code of Good Practice requires policies to apply broadly, covering employees, applicants, contractors, service providers, and others who may be affected in the workplace. Heineken's Harassment Policy and Procedure meets this requirement. Regarding the policy, the company explicitly prohibits harassment in all forms, including sexual, racial, bullying, cyber harassment, and harassment of persons with disabilities. Heineken further extends the policy's scope to cover contractors and third parties, thereby aligning with the Code of Good Conduct's broad protective framework.[22]

3.3.7.2 Definitions and examples

The Code of Good Conduct emphasises the importance of providing practical definitions and examples to enable employees to recognise harassment. Heineken's Harassment Policy and Procedure is comprehensive regarding harassment.[23] The policy provides detailed definitions and numerous examples of prohibited conduct, including unwelcome sexual advances, offensive jokes, intimidation, exclusionary practices, and verbal or physical abuse.

3.3.7.3 Reporting channels

The Code of Good Practice requires accessible reporting mechanisms, including multiple channels and the option for anonymous complaints. Heineken's Harassment Policy and Procedure provides a range of options, including reporting to line managers, human resources, business partners, the employment equity and transformation managers, and via external "speak-up" channels.[24] While anonymous complaints are acknowledged, the policy merely states that these will be acted upon "with due regard to available information" without explaining how anonymity will be preserved in practice. As such, the policy only partially complies with the Code on this point.

22 Heineken Harassment Policy and Procedure p. 2
23 Harassment Policy and Procedure
24 Harassment Policy and Procedure

3.3.7.4 Survivor-centred protections and confidentiality

The Code of Good Practice places strong emphasis on confidentiality, survivor-centred complaint handling, and access to support services. Heineken's Harassment Policy and Procedure addresses confidentiality, prohibits victimisation, and commits to referrals to the Employee Assistance Programme (EAP) where necessary. Annexure A[25] further provides that employees affected by third-party harassment may be removed from exposure to perpetrators and referred to the programme.[26] However, the policies do not explicitly set out confidentiality protocols such as who may access complaint records, how records will be securely stored, or whether informed consent is required before information is disclosed to third parties. Furthermore, while operational adjustments such as reassignment are mentioned, the policies do not expressly provide interim protective measures such as paid leave or formal no-contact orders. This indicates only partial compliance with the Code of Good Conduct's survivor-centred requirements.

3.3.7.5 Investigations, independence, and timeframes

According to the Code of Good Conduct, investigations must be impartial, conducted without undue delay, and supported by clear independence safeguards. Heineken's Harassment Policy and Procedure sets out both informal and formal procedures, with immediate investigations to be launched "in as confidential a manner as possible".[27] Investigators are appointed by the Group Head of Employee Relations, and reports are produced based on a "balance of probabilities" standard. However, the policy does not stipulate timeframes for acknowledging complaints, concluding investigations, or delivering outcomes. Nor does it provide safeguards against conflicts of interest or specify investigator qualifications and training. Accordingly, the policy only partially complies with the code in this area.

3.3.7.6 Record-keeping and data protection

The Code of Good Practice requires employers to keep confidential records of complaints and outcomes, and to ensure these are available for monitoring and compliance. Heineken's Harassment Policy and Procedure states that human resources must maintain a register of all complaints, including the nature of the complaint, outcomes, and supporting documentation.[28] Annexure A also affirms record-keeping obligations.[29] However, the policies do not specify retention periods, secure storage protocols, or how anonymised reporting will be used for trend analysis or audits.

3.3.7.7 Non-retaliation and false reporting

The Code of Good Practice requires protection against retaliation and measures against false allegations. Heineken's Harassment Policy and Procedure fully complies with the prohibition of victimisation of complainants and witnesses, and also cautions against malicious or fabricated complaints.[30]

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25 Harassment Policy and Procedure Annexure A
26 Harassment Policy and Procedure Annexure A
27 Harassment Policy and Procedure
28 Heineken Harassment Policy and Procedure
29 Harassment Policy and Procedure Annexure A
30 Heineken Harassment Policy and Procedure

3.3.7.8 Disciplinary outcomes and remedies

The Code of Good Practice expects employers to provide a range of disciplinary and remedial measures. Heineken's Harassment Policy and Procedure complies with requirements by allowing outcomes ranging from mediation to dismissal.[31] Annexure A additionally allows the company to terminate contracts with third-party perpetrators, demonstrating responsiveness to external risks.[32]

3.3.7.9 Prevention and training

The Code of Good Practice requires employers to institutionalise prevention by implementing awareness campaigns and regular, mandatory training for staff and management. Heineken's Harassment Policy and Procedure commits to training and awareness, promoting a speak-up culture.[33] However, the policy does not set mandatory training frequencies, target groups, or mechanisms to evaluate effectiveness.

3.3.7.10 Third-party harassment

The Code of Good Practice requires employers to protect employees from harassment by clients, suppliers, or other third parties. Heineken has a strong provision in this regard: Annexure A provides detailed procedures for reporting, investigating, and resolving third-party harassment. The annexure allows for removing affected employees from exposure, engaging with the third party's employer, and, where necessary, terminating business relationships.[34] Reflecting full compliance with the code.

3.3.7.11 Monitoring, evaluation, and continuous improvement

The Code of Good Practice requires ongoing monitoring, annual reviews of policy effectiveness, and corrective action following audits. Heineken's Harassment Policy and Procedure requires the human resources department to keep a register of complaints, but does not establish formal audit processes, periodic reviews, or reporting cycles to ensure systemic improvement. This is a significant gap and indicates non-compliance with the code's continuous improvement requirements.[35]

In summary, Heineken's Harassment Policy and Procedure demonstrates strong compliance with the Code of Good Practice in areas such as scope, prohibition, definitions, reporting channels, disciplinary remedies, and third-party harassment. However, there are critical gaps regarding confidentiality safeguards, survivor-centred measures, investigation independence and timeframes, record-keeping protocols, training standards, and monitoring frameworks.

31 Heineken Harassment Policy and Procedure
32 Harassment Policy and Procedure Annexure A
33 Heineken Harassment Policy and Procedure
34 Harassment Policy and Procedure Annexure A
35 Heineken Harassment Policy and Procedure

3.3.8 Living and working conditions

This section examines the broader socio-economic conditions and lived realities of workers in the Western Cape wine industry. In addition, the section focuses on the quality of housing, access to basic services, employment practices, workplace safety, and the vulnerability of workers to violence, exploitation, and under-representation. Recognising the historical legacy of rural marginalisation and land dispossession, the analysis also considers barriers to land access and credit, with particular emphasis on Black South Africans, women, and migrant workers. By exploring the intersection of work, family, and community life, this section seeks to provide a comprehensive assessment of social justice and sustainable development in the sector. The findings will enable the CGE to monitor compliance with constitutional, labour, housing, and land-related legislation; identify systemic risks and vulnerabilities; evaluate progress toward decent living and working conditions; and advance worker dignity, human rights, and inclusive rural development.

3.3.8.1 Employment practices and worker protections

Heineken's provision of paid maternity leave in line with the Basic Conditions of Employment Act, alongside job protection for returning mothers, signals compliance with basic labour standards and provides a measure of security for women workers. However, while this supports gender equity in principle, it does not address broader occupational segregation and mobility barriers highlighted in the workforce analysis.

Working hours are fixed at 45 hours per week, with compensation and adherence to the minimum wage guided by the Company Reward Policy. Importantly, Heineken reports no wage disparities by race, gender, or employment type. This is a positive indicator of compliance with equal pay principles. However, the absence of wage disparity reporting could also reflect a lack of robust monitoring mechanisms, particularly for seasonal and contract workers, where inequities are often most pronounced in the sector.

3.3.8.2 Workplace safety and access to services

Access to clean drinking water and ablution facilities is reported as available, though gender-separated facilities exist only at processing sites, not at vineyards. This partial compliance reflects progress on workplace dignity but highlights rural infrastructure gaps that disproportionately affect women workers in farm-based roles.

Occupational health and safety (OHS) measures appear well-established, with the provision of personal protective equipment (PPE), training, and no reported loss-time injuries in the past year. These provisions reflect a structured occupational health and safety regime consistent with the Occupational Health and Safety Act. However, the lack of employer-provided transport, particularly for seasonal or remote workers, raises concerns about accessibility, safety, and potential vulnerability to exploitation in commuting arrangements.

3.3.8.3 *Violence, exploitation, and vulnerability*

The existence of a sexual harassment policy and prevention strategy, combined with employee training and reporting procedures, demonstrates compliance with constitutional and labour law requirements. Heineken further acknowledges incidents in the past five years, suggesting not only that risks exist but also that some level of reporting and resolution mechanism is functioning. This positions the business as more compliant than many industry peers, though effectiveness depends on transparency and survivor-centred redress.

Regarding migrant labour, Heineken itself does not directly employ migrant or foreign national workers, but acknowledges that contractors do. While minimum wage compliance and WIETA certification are noted, the absence of language, cultural, or legal support services leaves migrant workers vulnerable to exploitation, or limited access to rights enforcement.

3.3.8.4 *Freedom of association and collective representation*

Employees have the right to unionise, with ABANTU recognised as a union. Formal annual engagements and collective bargaining are reported, providing an institutionalised platform for worker voice. The right to unionise is a positive marker of compliance with labour rights and suggests some degree of social dialogue within the company.

3.3.8.5 *Access to land and resources*

On structural issues of rural marginalisation, Heineken identifies barriers to accessing land, water rights, agricultural inputs, and credit for employees and emerging farmers. These reflect systemic constraints in the broader wine sector, particularly for Black South Africans, women, and migrant workers. Heineken does not report any direct support for land reform, equity share schemes, or co-ownership models, nor mentorship structures for emerging farmers. This represents a significant gap in addressing historical land dispossession and promoting inclusive rural development.

In summary, Heineken demonstrates compliance with core labour standards in areas such as maternity leave, minimum wages, health and safety, and freedom of association. Policies on sexual harassment and collective bargaining reflect positive commitments to worker dignity and rights. However, limitations persist, as rural workers face unequal access to gender-sensitive facilities, no transport is provided for seasonal or remote workers, migrant labour conditions are delegated to contractors with minimal oversight, and systemic barriers to land access, credit, and equity ownership remain unaddressed.

In terms of transformation, Heineken's response shows progress at the workplace level but limited engagement with the broader socio-economic and structural inequities, in particular, land reform, sustainable livelihoods, and rural inclusion that underpin long-term social justice in the Western Cape wine industry.

3.3.9 Conclusion

The CGE's investigation into Heineken's transformation efforts within the Western Cape wine industry reveals a mixed picture of progress and persistent structural challenges. On the positive side, Heineken has established a formal employment equity plan, complete with numerical targets and a structured committee for employment equity (EE) and skills development (SD), demonstrating institutional commitment to governance, accountability, and alignment with national transformation frameworks.

The company has also adopted measurable gender equity goals, including achieving 30% representation of women in senior management by 2025 and 40% by 2030, supported by leadership development programmes, structured monitoring, and a committee for employment equity with strong representation of women. Furthermore, remuneration practices appear to be guided by a globally consistent reward philosophy anchored in fairness, transparency, and competitiveness, with limited evidence of overt gender-based pay disparities.

Investment in training and skills development through SETA-accredited programmes, internships, bursaries, and global learning platforms reflects significant strides in advancing youth employment and addressing skills gaps, particularly for women. Heineken also maintains ethical certifications (Wine and Agricultural Ethical Trade Association [WIETA], Fairtrade International), has formalised sexual harassment policies, and provides maternity leave, minimum wage compliance, personal protective equipment, and the right to unionisation, signalling compliance with core labour standards and ethical obligations.

Despite these advances, critical gaps remain that undermine substantive transformation. Workforce data shows that Black South Africans, while numerically dominant in the organisation overall, remain clustered in unskilled, semi-skilled, and technical roles, with minimal presence in top and senior management where decision-making power resides. White men continue to dominate leadership, and White women are comparatively better represented in senior positions than African, Coloured, or Indian women, reflecting both racialised and gendered occupational stratification. Persons with disabilities are entirely absent across all occupational categories, indicating systemic under-representation through either recruitment practices, workplace inaccessibility, or insufficient disclosure mechanisms. Youth are overrepresented in temporary contracts, reflecting precarious pathways into work, while women remain clustered in low-paid and seasonal positions, under represented from even modestly semi-skilled roles such as tractor driving.

While Heineken has identified barriers such as low attrition at senior levels, inaccessible recruitment practices for persons with disabilities, limited succession planning, and weak retention of designated groups, its Talent Acquisition Policy 2025 remains largely procedural and compliance driven. The policy lacks concrete mechanisms to address succession bottlenecks, improve disability inclusion, or embed accountability for an inclusive culture.
Similarly, although the company acknowledges systemic barriers to access to land, credit, and water, there is no evidence of proactive support for equity share schemes, co-ownership models, or mentorship for emerging farmers, leaving broader rural transformation commitments unfulfilled.

In terms of harassment, while the company's policies align with many provisions of the Code of Good Practice, gaps remain in confidentiality safeguards, survivor-centred protections, monitoring systems, and continuous training.

Taken together, these findings suggest that Heineken's transformation strategy is strongest in governance structures, gender equity targets, remuneration fairness, and investment in training. However, progress is uneven, with transformation largely concentrated at lower occupational levels and limited advancement into decision-making roles. The persistent absence of persons with disabilities, the clustering of Black South Africans and women in low-wage roles, reliance on temporary contracts, and limited engagement with structural issues such as land reform and rural inclusion all point to systemic gaps. Unless deliberate, measurable interventions are implemented to address these areas (particularly disability inclusion, succession at senior levels, and socio-economic empowerment beyond the workplace), transformation within Heineken risks remaining compliance-oriented rather than transformative in practice, thereby entrenching patterns of sytemic gaps instead of advancing inclusive and equitable growth in the Western Cape wine industry.

4. SPIER

4.1 INTRODUCTION

As part of this investigation, Spier was identified as a participating entity. The CGE dispatched a structured questionnaire to Spier, requesting detailed information on employment equity, gender transformation, remuneration practices, and skills development initiatives. Spier responded to the questionnaire and provided supporting documentation. The CGE has analysed these submissions to assess the extent to which Spier advances gender equality and transformation within its operations.

Spier Farm Management (Pty) Ltd and Nooitgedacht Vineyards (Pty) Ltd form part of the broader Spier operation within the Western Cape wine sector. For the purposes of this investigation, Spier provided workforce data to 31 August 2025, along with responses regarding its employment equity strategy, gender policies, remuneration framework, and training initiatives.

The CGE notes that the information submitted forms the basis of the analysis below and reflects Spier's operational approach to transformation within the wine industry.

4.2 WORKFORCE INFORMATION

This section of the enquiry sought to provide a disaggregated analysis of workforce composition across occupational levels, to assess representation of designated groups, identify patterns of inclusion and under-representation, and evaluate the extent of equitable participation within the organisation.

Table 8: Disaggregated analysis of workforce composition at Spier

Permanent		Disability		Women				Men				Foreign Nationals	
Level	Total	W	M	A	C	I	W	A	C	I	W	W	M
1. Executive	8	0	0	0	0	0	3	0	1	0	4	0	0
2. Senior Management	21	0	0	0	4	0	7	0	3	0	7	0	0
3. Professionally qualified/ middle management	30	2	0	1	5	0	15	2	6	0	1	0	0
4. Skilled technical/Junior Management	24	0	0	0	14	0	3	0	7	0	0	0	0
5. Semi-skilled	29	0	1	6	3	0	0	1	18	0	0	0	1
6. Unskilled	29	1	0	3	15	0	0	0	11	0	0	0	0
TOTAL	141	3	1	10	41	0	28	3	46	0	12	0	1

The above table demonstrates disaggregated data of employee representation across occupational levels at Spier Farm Management and Nooitgedacht Vineyards. The analysis reveals notable disparities in demographic inclusion, particularly concerning historically disadvantaged groups and persons with disabilities.

Under the level of executive management:

There is a total of 8 employees, represented as 3 White women, 1 Coloured man and 4 White men. There is no representation of African women or men, including the representation of persons with disability. The 60% representation of women employees at executive level is commendable. However the diversification of persons from designated groups indicates a need for targeted recruitment practices.

4.2.1 Representation of previously disadvantaged persons

Regarding the executive management, the CGE observed that there are eight employees, 7 White and 1 coloured, with no representation of African men or women and no employees with disabilities. While women constitute approximately 37.5% at this level, this representation is largely confined to White women, indicating limited intersectional transformation.

At the senior management level, the workforce comprises 21 employees, with representation concentrated among White and Coloured individuals. The complete absence of African employees at this level is notable, as is the absence of persons with disabilities.

At the professionally qualified and middle management level, the CGE observed that women are well represented, particularly White and Coloured women. However, African representation remains minimal, and there are two persons with disabilities at this level.

At the skilled technical and junior management levels, women constitute the majority, particularly Coloured women. While this reflects progress in gender inclusion, it does not extend to equitable racial representation or disability inclusion.

At the semi-skilled and unskilled levels, African and Coloured employees are more strongly represented, particularly in lower-tier roles.

From the above, it can be concluded that while gender representation is relatively strong across occupational levels, transformation remains uneven. Women are well represented, but this representation is not equitably distributed across racial groups. African employees are significantly underrepresented at senior and executive levels, while persons with disabilities are under -represented at the top and senior levels.

This suggests the persistence of occupational stratification, where historically disadvantaged groups, particularly African employees, are concentrated in lower-tier roles with limited access to decision-making positions.

4.2.2 Age distribution

Regarding age distribution, the CGE observed that African employees are underrepresented across all age groups, particularly within older cohorts (51–65 years), where there is no representation of African men or women. This contrasts with the strong presence of White employees within older age groups, particularly White men, reflecting historical access to employment opportunities.

Table 9: Age distribution at Spier

Casuals/Fixed Term/Learnerships		Disability		Women				Men				Foreign Nationals	
Level	Total	W	M	A	C	I	W	A	C	I	W	W	M
1. Executive	0	0	0	0	0	0	0	0	0	0	0	0	0
2. Senior Management	0	0	0	0	0	0	0	0	0	0	0	0	0
3. Professionally qualified/ middle management	0	0	0	0	0	0	0	0	0	0	0	0	0
4. Skilled technical/Junior Management	0	0	0	0	0	0	0	0	0	0	0	0	0
5. Semi-skilled	0	0	0	0	0	0	0	0	0	0	0	0	0
6. Unskilled	41	2	2	8	5	0	1	10	16	0	1	0	0
TOTAL	**41**	**2**	**2**	**8**	**5**	**0**	**1**	**10**	**16**	**0**	**1**	**0**	**0**

While there is some representation of African employees within younger age groups, the overall numbers remain low, indicating limited transformation over time. The data further reflects a strong presence of Coloured employees across all age groups, particularly in middle-aged cohorts.

From this age distribution, it can be concluded that historical patterns continue to shape the current workforce profile, with limited progression of African employees into long-term and senior roles.

4.2.3 Non-permanent employees

Regarding non-permanent employees, the CGE observed that there are 41 employees, predominantly African and Coloured individuals. Representation of persons with disabilities remains minimal.

Table 10: Non-permanent employee distribution at Spier

Youth employed		Disability		Women				Men				Foreign	
Level	**Total**	**W**	**M**	**A**	**C**	**I**	**W**	**A**	**C**	**I**	**W**	**W**	**M**
1. Executive	0	0	0	0	0	0	0	0	0	0	0	0	0
2. Senior Management	0	0	0	0	0	0	0	0	0	0	0	0	0
3. Professionally qualified/ middle management	5	0	0	1	0	0	2	1	1	0	0	0	0
4. Skilled technical/Junior Management	10	0	0	0	4	0	0	0	4		2	0	0
5. Semi-skilled	17	0	0	5	2	0	0	0	10	0	0	0	0
6. Unskilled	7	0	0	0	0	0	0	0	7	0	0	0	0
6. Casuals/FTC/Learnerships	33	4	0	4	3	0	1	10	14	0	1	0	0
TOTAL	**72**	**4**	**0**	**10**	**9**	**0**	**3**	**11**	**36**	**0**	**3**	**0**	**0**

The data indicates that African employees are largely concentrated in temporary and lower-tier roles, suggesting a pattern of precarious employment.

Regarding the key observation made by the CGE, the CGE found that this reliance on temporary employment disproportionately affects previously disadvantaged groups and contributes to job insecurity, limited access to benefits, and restricted opportunities for upward mobility. Reliance on temporary employment further reinforces structural inequalities within the organisation.

4.2.4 Employment equity strategy

The purpose of this section was to assess whether Spier has implemented a formal Employment Equity Plan and to evaluate the extent to which barriers to equitable participation have been identified and addressed.

Spier confirmed that it has conducted a workforce analysis in terms of the Employment Equity Act. However, it indicated that no formal barriers amounting to discriminatory practices were identified. Notwithstanding this, the organisation acknowledged areas requiring improvement, including job grading, performance management, and succession planning.

Regarding the key observations, the CGE notes that there is a misalignment between the organisation's assertion that no barriers exist and the workforce data presented. The absence of African representation at senior levels, the under-representation of persons with disabilities at top and senior levels, and the concentration of disadvantaged groups in lower-tier roles indicate the presence of systemic barriers.

Regarding job grading, the lack of a formal and structured system raises concerns regarding transparency and consistency in remuneration and promotion practices. Similarly, inconsistent performance management systems may result in subjective decision-making, which can disadvantage designated groups.

Regarding succession planning, the absence of clearly defined pathways limits opportunities for career progression, particularly for women and previously disadvantaged employees.

4.2.4.1 Employment equity plan and transformation goals

Spier confirmed the existence of an Employment Equity Plan covering the period 1 September 2024 to 31 August 2027.

The organisation has set a target of maintaining 40–50% representation of women in management. It has also articulated a youth development goal aimed at reducing unemployment within the local community. However, the CGE notes that there are no specific targets relating to Black-owned land or water ownership.

Table 11: Employment equity distribution at Spier

Age Distribution (permanent)		Women				Men				Foreign	
Age	**Total**	**A**	**C**	**I**	**W**	**A**	**C**	**I**	**W**	**W**	**M**
18 to 25 years	10	2	2	0	0	0	6	0	0	0	0
26 to 34 years	33	6	5	0	5	1	16	0	0	0	0
35 to 50 years	67	3	25	0	14	1	18	0	5	0	1
51 to 65 years	31	0	9	0	9	0	6	0	7	0	0
TOTAL	**141**	**11**	**41**	**0**	**28**	**2**	**46**	**0**	**12**	**0**	**1**

The CGE observed that while gender representation targets are clearly articulated, broader transformation objectives relating to structural economic inclusion remain limited. This suggests a focus on workplace representation rather than systemic transformation.

4.2.4.2 Gender equity and workplace inclusion

The CGE observed the Spier Women's Rights Policy, which promotes equitable treatment, protection against gender-based violence, and equal access to opportunities. Women are well represented across multiple occupational levels, including executive and management positions, as well as vineyard operations and winemaking functions.

It can be concluded that Spier demonstrates strong performance in relation to gender representation. However, this progress is not fully reflective of intersectional equity, as racial diversity among women remains limited. Regarding workplace support measures, Spier provides maternity and paternity leave, flexible working arrangements, and wellness support. These measures contribute positively to workplace inclusion, although the absence of childcare facilities may limit broader accessibility.

4.2.4.3 Remuneration and equality

The CGE observed that Spier's remuneration practices are guided by market benchmarking, internal consistency, and a commitment to paying above the National Minimum Wage. The organisation has adopted a living wage approach and provides additional benefits to employees, including transport and educational support.

It is observed that while these measures demonstrate a commitment to fair remuneration and decent work principles, the absence of a formal job grading system poses a risk to the consistency and transparency of pay structures.

Furthermore, Spier has not conducted a formal pay equity audit across gender and race. Although internal reviews are undertaken, these lack standardisation and external validation, limiting the ability to conclusively assess compliance with the principle of equal pay for work of equal value.

4.2.5 Training and skills development

The CGE observed that Spier has implemented a range of structured training and development initiatives aligned with SDG 8 on decent work and economic growth. These include youth employment programmes, partnerships with organisations such as Harambee, bursaries for persons with disabilities, and community-based agricultural training initiatives.
The CGE observed that the organisation demonstrates a strong commitment to skills development and youth empowerment. However, while these initiatives provide entry-level opportunities, there is limited evidence of structured pathways enabling progression into permanent and leadership roles, suggesting that while access to training has improved, upward mobility remains constrained.

4.2.6 Ethical practices and monitoring

The CGE observed that Spier maintains ethical certifications, including WIETA, and has implemented comprehensive ethical sourcing and compliance systems.

The organisation has established grievance mechanisms and provides training on sexual harassment and gender-based violence. While these measures indicate a commitment to ethical practices, the CGE notes that the Sexual Harassment Policy does not fully align with the 2022 Code of Good Practice, particularly in relation to the scope and definitions of harassment and the inclusion of various forms of conduct.

This suggests that further strengthening of policy frameworks is required to ensure comprehensive protection.

4.2.7 Conclusion of Part 1: Implications for transformation

Given that Spier is a family-owned and family-run business, the evidence indicates it has made meaningful progress in certain areas of transformation, particularly in gender representation, ethical practices, and skills development initiatives. However, transformation remains uneven.

While women are well represented across occupational levels, African employees remain underrepresented at senior and executive levels.

Furthermore, structural challenges such as informal human resources systems, reliance on temporary employment, and limited focus on broader economic transformation continue to constrain progress.

Taken together, this suggests that Spier's transformation approach reflects a combination of progressive practices and persistent structural limitations. Without targeted interventions to address racial inclusion, disability integration, and upward mobility, transformation is likely to remain concentrated at lower and mid-levels, with limited impact on decision-making structures.

4.3 LABOUR STANDARDS, WORKING CONDITIONS, AND ACCESS TO JUSTICE

4.3.1 Introduction

This section of the investigation expands on the CGE's enquiry into transformation within the Western Cape wine industry by examining the conditions under which labour is performed and the extent to which workers, particularly women, can access protection, redress, and institutional support.

In line with the mandate of the CGE, and as outlined in the concept note guiding this phase of the investigation, the CGE has identified labour standards, working conditions, and access to justice as critical areas requiring focused analysis.

The rationale for this expanded enquiry stems from concerns about the lived experiences of workers in the wine industry, particularly in rural and farm-based contexts, where employment conditions are often shaped by a combination of economic vulnerability, geographic isolation, and unequal power relations. While South Africa's legislative framework provides for fair labour practices, occupational health and safety, and protection against discrimination, the extent to which these protections are realised in practice remains uneven.

Regarding fair labour practices, the CGE's analysis moves beyond policy compliance to assess the practical implementation and enforcement of labour standards across the value chain, including farm-level operations, processing environments, and associated supply systems. Particular attention is given to how gender intersects with labour conditions, including the extent to which women experience differentiated forms of vulnerability in relation to job security, workplace safety, and access to benefits and protections.

Furthermore, this section considers the effectiveness of institutional mechanisms responsible for oversight and enforcement, including the Department of Employment and Labour, the South African Police Service, municipalities, and other relevant entities. The CGE examines whether these institutions are accessible, responsive, and adequately equipped to address labour-related grievances, gender-based violations, and broader workplace injustices.

The scope of this section is therefore twofold. Firstly, the section seeks to assess compliance with labour and occupational health and safety standards, including conditions of employment, remuneration practices, workplace safety, and the availability of gender-responsive policies. Secondly, the section evaluates access to justice and redress mechanisms, including workers' ability to report violations, seek protection, and obtain effective remedies through institutional channels.

Through this analysis, the CGE aims to determine whether current labour practices in the Western Cape wine industry can advance fair, safe, and dignified work, or whether structural and systemic barriers continue to limit meaningful access to rights and protections, particularly for women and other vulnerable groups.

In furtherance of the enquiry into labour standards, working conditions and access to justice, the CGE issued structured questionnaires to key institutional stakeholders responsible for labour regulation, service delivery, and access to justice within the Western Cape wine industry. These stakeholders included the Commission for Conciliation, Mediation and Arbitration (CCMA), the National Prosecuting Authority (NPA), the Department of Employment and Labour (DEL), the South African Police Service (SAPS), and the Cape Winelands District Municipality.

The purpose of the questionnaire was to obtain empirical data and institutional perspectives on the enforcement of labour standards, the regulation of working conditions, and the accessibility and effectiveness of justice mechanisms for workers, particularly women in rural and farm-based environments.

The analysis below is therefore based on the responses received from these stakeholders, as well as the gaps, omissions, and limitations identified within those responses.

4.3.2 Commission for Conciliation, Mediation and Arbitration (CCMA)

Regarding the CCMA, the CGE observed that 123 labour disputes originating from the wine industry were referred over a three-year period. Notably, all disputes were referred by women within key wine-producing areas, including Stellenbosch, Paarl, and Robertson. The disputes were categorised across a range of labour-related issues, including misconduct, constructive dismissal, incapacity, probation-related disputes, operational requirements, and non-renewal of fixed-term contracts. Of particular concern is the presence of disputes relating to the refusal to reinstate employees following maternity leave.

From the above, the CGE concluded that Women constitute the primary users of dispute resolution mechanisms within the sector. Moreover, a significant proportion of disputes relate to employment insecurity and termination of employment. Lastly, the presence of maternity-related disputes indicates potential gaps in compliance with labour protections for women.

The CGE further observed that a portion of disputes remains uncategorised or insufficiently explained, which limits the ability to fully assess patterns of labour violations.

4.3.3 Efficiency and accessibility of CCMA processes

Regarding the response tendered, the CGE observed that the average turnaround time for dispute resolution is approximately 30 days for conciliation and up to 120 days for arbitration.

While these timeframes fall within statutory expectations, the CGE notes that the accessibility of these processes for rural and farm-based workers remains dependent on outreach initiatives and partnerships with external organisations.

The CCMA has conducted outreach through collaborations with civil society organisations, trade unions, and government departments, including multiple engagements and training sessions across the Western Cape.

Notwithstanding the above, it can be concluded that the CCMA has taken steps to improve accessibility through outreach and partnerships. However, the relatively low number of disputes may indicate underreporting rather than a low incidence of violations. Lastly, there is limited disaggregated data on beneficiaries and outcomes of outreach programmes.

Furthermore, the CCMA indicated that it lacks jurisdiction over occupational health and safety matters, which fall within the Department of Employment and Labour mandate. This creates a limitation in addressing workplace conditions holistically.

4.3.4 National Prosecuting Authority (NPA)

Regarding the NPA, the CGE observed that the institution did not provide direct responses to the questionnaire in its original format. Instead, the NPA indicated that prosecutorial data requires contextual interpretation and must be accessed through formal research processes in line with its internal policies. The NPA further emphasised the importance of maintaining prosecutorial independence and highlighted existing reporting mechanisms through Parliamentary oversight structures.

From the above, it can be concluded that there are procedural and institutional limitations in accessing prosecutorial data. Secondly, the absence of direct data limits the CGE's ability to assess prosecution outcomes related to labour violations and gender-based offences within the sector. Lastly, further engagement with the NPA will require alternative processes, including formal research requests or direct institutional engagement. This indicates a gap in the availability of accessible, sector-specific data on prosecution and accountability outcomes.

4.3.5 Cape Winelands District Municipality

Regarding the Cape Winelands District Municipality, the CGE observed that the municipality indicated that many key services affecting farmworker communities, such as housing, healthcare, and basic service provision, fall outside its direct mandate and are classified as national or provincial competencies. The municipality indicated that its primary role is limited in certain areas, including testing drinking water and environmental health compliance with applicable legislation. Based on the questionnaire responses, it can first be concluded that there is fragmentation of responsibilities across spheres of government, and a second conclusion would be that municipal-level accountability for farmworkers' living conditions is limited. Both the fragmentation and lack of accountability may contribute to gaps in service delivery, particularly in rural and farm-based environments.

4.3.6 Gender integration and community support mechanisms

The CGE observed that the municipality has established a Gender Focal Point and implements programmes to support women, youth, and other vulnerable groups. In addition, the municipality partners with the South African Police Service, provincial departments, and civil society organisations to address gender-related and community-based issues. Mechanisms for lodging complaints are in place and include telephonic, written, and in-person submissions. However, it can be concluded that while structures for gender mainstreaming exist at a policy level, their practical impact on farmworker communities is not clearly measurable. Furthermore, although complaint mechanisms are available, they may not be sufficiently accessible to workers residing in remote or isolated farming areas.

Regarding coordination and oversight, the municipality indicated that it collaborates with other institutions through stakeholder engagements and joint operational structures. Notwithstanding this, it can be concluded that while coordination mechanisms are present, they appear largely reactive. There is limited evidence of proactive monitoring of farm-level conditions, and existing follow-up mechanisms rely predominantly on reporting rather than on direct enforcement or sustained oversight interventions.

4.3.7 Department of Employment and Labour (DEL)

Regarding the Department of Employment and Labour, the CGE observed that there are 217 labour inspectors in the Western Cape, with a portion allocated to the Cape Winelands District across key operational areas.

This demonstrates that the current inspectorate does not have the capacity to provide regular, comprehensive oversight of over 6000 commercial farms in the Western Cape. With only 217 inspectors responsible for all sectors of the provincial economy, and only 36 inspectors serving the Cape Winelands District, it is unrealistic to expect every commercial farm to be inspected on a frequent basis. At the inspection rates reflected in the Department's own data, it could take many years before all farms are inspected, particularly when account is taken of repeat inspections, complaint investigations, enforcement actions, and the need to monitor industries beyond agriculture.

4.3.8 South African Police Service (SAPS)

The CGE notes that no response was received from the South African Police Service at the time of analysis, despite follow-up correspondence. From the above, it can be concluded that there is a lack of institutional engagement regarding the investigation. Secondly, this limits the CGE's ability to assess law enforcement responses to labour-related offences and gender-based violations within the sector. Further engagement with SAPS will be required to obtain relevant information.

4.3.9 Conclusion of Part 2: Stakeholder responsiveness and systemic implications

The analysis of stakeholder responses reveals a fragmented and uneven institutional landscape regarding labour standards, working conditions, and access to justice within the Western Cape wine industry.

While certain institutions, such as the CCMA, demonstrate structured engagement and measurable outputs, others reflect significant gaps in data provision, accountability, and responsiveness.

Regarding key findings, the CGE found that:

4.3.9.1 Evidence of labour disputes affecting women, particularly in relation to job security and maternity protection

The investigation found clear evidence that women within the Western Cape wine industry experience labour-related disputes that directly affect their employment security and workplace rights. Information received from the CCMA indicates that women constitute the primary users of formal dispute resolution mechanisms within the sector. The disputes reported span a range of employment-related concerns, including dismissals, constructive dismissals, operational requirements, incapacity matters, non-renewal of fixed-term contracts, and probation-related disputes.

Of particular concern is the presence of disputes relating to maternity protection and the failure to reinstate employees following maternity leave. These disputes raise concerns regarding the practical implementation of labour protections afforded to women under South African labour legislation. While legislative safeguards exist, the occurrence of such disputes suggests that compliance remains inconsistent and that women may continue to face vulnerabilities associated with pregnancy, maternity, and caregiving responsibilities.

The findings further suggest that women may be disproportionately affected by employment insecurity, particularly within sectors characterised by seasonal and temporary work arrangements. This not only impacts economic stability and career progression but may also discourage women from asserting their labour rights due to fear of retaliation or loss of employment.

4.3.9.2 Limited accessibility and utilisation of dispute resolution mechanisms

The investigation found that although formal dispute resolution mechanisms exist through institutions such as the CCMA, there is limited evidence that these mechanisms are fully accessible to workers within rural and farm-based environments. Geographic isolation, transportation challenges, limited awareness of available remedies, and socio-economic vulnerabilities may all contribute to the underutilisation of available services.

While the number of disputes reported demonstrates that some workers are able to access formal channels, the data does not necessarily reflect the full extent of labour-related grievances occurring within the sector. The rural nature of many wine-producing areas creates practical barriers that may discourage workers from lodging complaints or pursuing legal remedies.

Furthermore, the absence of comprehensive data regarding awareness campaigns, outreach programmes, and farm-level engagement initiatives makes it difficult to assess the effectiveness of existing efforts to promote access to justice. The findings therefore suggest that the utilisation of formal dispute resolution mechanisms may be significantly lower than the actual prevalence of workplace disputes and labour rights violations within the sector.

4.3.9.3 Fragmentation of responsibilities across government spheres, resulting in gaps in service delivery

The investigation found that responsibility for labour standards, workplace safety, dispute resolution, social support services, law enforcement, and worker protection is dispersed across multiple institutions operating at national, provincial, and local government levels. These include the CCMA, Department of Employment and Labour, National Prosecuting Authority, South African Police Service, municipalities, and various sector-specific regulatory bodies.

While each institution performs an important function within its respective mandate, the investigation identified limited evidence of integrated planning, coordinated interventions, or formal mechanisms for cross-sector collaboration. This fragmented approach creates gaps in service delivery, duplication of efforts in certain areas, and the potential for critical issues to fall outside the scope of any single institution's responsibility.

The absence of a coordinated institutional response is particularly problematic within rural environments where workers often face interconnected challenges relating to employment, housing, safety, transportation, healthcare, and access to justice. Without effective intergovernmental coordination, workers may experience difficulties navigating institutional systems and obtaining comprehensive support.

4.3.9.4 Insufficient transparency and data from enforcement institutions

The investigation found significant limitations in the availability, quality, and consistency of data provided by certain stakeholder institutions. In several instances, responses lacked sufficient detail to enable a comprehensive assessment of labour standards, enforcement activities, compliance trends, and gender-specific challenges within the wine industry.

The absence of detailed, gender-disaggregated, and sector-specific data constrains effective oversight and limits the ability of stakeholders to identify emerging risks, monitor compliance, and develop evidence-based interventions. In some instances, institutions were unable to provide information regarding inspections, complaints, enforcement outcomes, or the demographic profile of complainants.

The findings suggest that current reporting and data management systems are not adequately aligned to support proactive monitoring of labour rights and gender equality within the sector. Improved transparency and standardised reporting mechanisms are therefore necessary to strengthen accountability and facilitate informed decision-making.

4.3.9.5 Limited evidence of gender-responsive approaches across institutional frameworks

The investigation found limited evidence that stakeholder institutions have systematically integrated gender considerations into their labour enforcement, service delivery, and access to justice frameworks. While certain institutions collect information relating to women and gender-related disputes, there is insufficient evidence of dedicated strategies aimed at addressing the specific challenges experienced by women within the wine industry.

This is particularly concerning given the unique vulnerabilities faced by women workers in relation to maternity protection, employment insecurity, workplace harassment, caregiving responsibilities, and access to support services. The absence of gender-responsive approaches may result in interventions that fail to adequately address the underlying causes of inequality and discrimination.

Furthermore, limited evidence was identified regarding specialised training, gender-sensitive complaint mechanisms, targeted outreach programmes, or the routine collection of gender-disaggregated data. This suggests that gender considerations are not yet consistently mainstreamed across institutional responses to labour-related challenges within the sector.

4.3.9.6 Non-responsiveness from key law enforcement stakeholders

The investigation found that certain key stakeholders failed to provide responses to the Commission's requests for information despite follow-up engagements. In particular, the absence of a response from the South African Police Service limited the Commission's ability to assess the effectiveness of law enforcement responses to labour-related offences, workplace violence, gender-based violations, and other criminal matters affecting workers within the wine industry.

The failure of key institutions to participate in the investigation undermines transparency, accountability, and collaborative governance. It also limits the ability of oversight bodies to obtain a comprehensive understanding of the challenges affecting workers and to evaluate whether existing legal protections are being effectively implemented.

The findings further suggest that institutional responsiveness remains uneven across the stakeholder landscape. Where institutions fail to engage with oversight processes, opportunities to identify systemic weaknesses, improve service delivery, and strengthen worker protections are significantly diminished. Effective accountability requires meaningful participation from all relevant stakeholders, particularly those responsible for enforcing legal protections and safeguarding constitutional rights.

Taken together, this suggests that while institutional frameworks are in place, the effectiveness of the frameworks is constrained by capacity limitations, coordination challenges, and implementation gaps.

Without strengthened inter-agency coordination, improved data transparency, and targeted gender-responsive interventions, the ability of workers, particularly women, to access fair working conditions and effective justice mechanisms will remain limited.

4.4 IN LOCO FARM INSPECTIONS – ANALYSIS OF VISUAL OBSERVATIONS

4.4.1 Introduction

Regarding in loco farm inspections, the CGE selected farms within the Cape Winelands District. The purpose of these inspections was to obtain first-hand, observational insight into labour standards, working conditions, occupational health and safety practices, and access to justice mechanisms within the wine industry.

The inspections were conducted using the CGE's standardised Farm Inspection Visual Observation Tool. It is important to note that these inspections were limited to visual observations and did not include worker interviews or document verification processes. The findings below are therefore based on what was directly observed on-site.

4.4.2 Working and living conditions

Regarding Spier Nooitgedacht, the CGE observed that worker housing structures were present on-site; however, these were not consistently well maintained. While the structures appeared generally stable, there were visible signs of deterioration, including broken windows and inadequate upkeep. Basic services such as electricity and potable water were available. Notwithstanding infrastructure deterioration, access to water and social services is limited. Workers are required to bring their own water supplies. Ablution facilities were provided in the form of mobile units; however, these were observed to be unclean, poorly maintained, and not gender segregated. The CGE further observed that the farm is geographically isolated, with limited access to essential services, including healthcare facilities, social development services, and reliable public transport. From the above, it can be concluded that while basic housing and services are present, their maintenance and overall quality remain inconsistent. In addition, sanitation facilities do not adequately meet hygiene or gender-sensitive standards, and workers may experience restricted access to essential services due to the farm's geographic location. These conditions collectively reflect a degree of dependency on employer-provided infrastructure, which may impact workers' overall living conditions and well-being.

Regarding Diemersfontein, the CGE observed that there were no on-site worker housing facilities. It was indicated that former farmworker housing had been converted into residential or hospitality-related accommodation. As a result, the CGE was unable to assess the living conditions of workers within the farm environment. From the above, it can be concluded that the absence of on-site housing limits the CGE's ability to evaluate worker living conditions directly. Furthermore, the conversion of worker housing for alternative uses may affect worker accommodation and accessibility. Accordingly, further enquiry is required to determine where workers reside and the conditions under which they are accommodated.

4.4.3 Occupational health and safety

Regarding Spier Nooitgedacht, the CGE observed that workers were provided with basic personal protective equipment, including uniforms and footwear. However, the personal protective equipment appeared worn, damaged, and not consistently maintained, raising concerns regarding its adequacy and effectiveness. While chemical storage areas were observed to be labelled, concerns were noted regarding accessibility, as chemicals appeared to be easily accessible within the work environment, potentially posing safety risks. Furthermore, no first-aid kits were visibly available in the work areas, and additional protective measures, particularly those addressing environmental exposure, such as heat and prolonged sun exposure, were not evident. From the above, it can be concluded that while personal protective equipment provision exists, it is not consistently maintained or sufficient to mitigate workplace risks. In addition, there are potential safety concerns related to chemical handling and accessibility, and there is limited evidence of comprehensive occupational health and safety measures. Environmental exposure risks, including heat and sun exposure, also appear not to be adequately addressed.

Regarding Diemersfontein, the CGE observed limited occupational activity during the inspection, as most workers were absent due to the off-season. As a result, observations were largely confined to the cellar environment, where the workers present appeared to be appropriately clothed and to have general compliance measures in place. However, due to restricted access to broader operational areas and the absence of a full workforce, the CGE was unable to assess occupational health and safety practices comprehensively across the farm. From the above, it can be concluded that while cellar operations appeared compliant based on limited observation, the absence of workers and restricted access significantly limited the scope of the assessment. Consequently, there is insufficient observable data to draw definitive conclusions regarding overall occupational health and safety compliance at the farm level.

4.4.4 Gender transformation and inclusion

Regarding Spier Nooitgedacht, the CGE observed that women were visibly represented within the workforce, indicating a level of gender inclusion. Gender-related policies and grievance procedures were displayed on-site; however, these were primarily presented in Afrikaans, which may limit accessibility and comprehension for workers who speak other languages. Notably, the CGE did not observe the presence of gender-specific facilities, such as separate sanitation or changing areas for women. From the above, it can be concluded that while women are present within the workforce, and there is a degree of institutional recognition of gender-related issues, gender-sensitive infrastructure remains lacking. Furthermore, language barriers may limit the effectiveness, awareness, and utilisation of available policies and grievance mechanisms. Overall, gender transformation appears to be present at a basic level, but not fully integrated into workplace practices and infrastructure.

Regarding Diemersfontein, the CGE observed limited gender-related indicators during the inspection. While women were present within the cellar workforce, there was no visible display of gender-related policies, grievance procedures, or gender-sensitive facilities. From the above, it can be concluded that gender inclusion is not visibly institutionalised within the workplace. There is limited evidence of gender-responsive workplace practices, and the absence of visible policies and mechanisms may negatively impact worker awareness, access to information, and the ability to report grievances or seek redress.

4.4.5 Access to justice and information

Regarding Nooitgedacht, the CGE observed that there were no visible contact details for key institutions, including the SAPS, CCMA, and the Department of Employment and Labour. Furthermore, no complaint boxes or on-site reporting mechanisms were observed. From the above, it can be concluded that access to justice mechanisms is not visibly accessible to workers within the workplace. There is limited evidence of internal reporting or grievance systems, and this may create barriers for workers seeking to report violations or access external support services.

Similarly, regarding Diemersfontein, the CGE observed an absence of visible access to justice information, including institutional contact details, reporting mechanisms, and compliance-related displays. From this, it can be concluded that there is a lack of visible institutional support mechanisms within the workplace. As a result, workers may lack access to the information necessary to assert their rights or seek assistance, thereby limiting practical access to justice within the farm environment.

4.4.6 Social development and worker support

Across both sites, the CGE observed an absence of visible social support infrastructure, including facilities such as crèches, on-site clinics, or training and development centres. From the above, it can be concluded that there is limited evidence of integrated social support services within the farm environments. As a result, workers may be required to access such services externally, which may be constrained by factors such as distance, cost, and limited availability of transport. This further reinforces the broader challenges associated with rural isolation and may impact workers' ability to access essential social and developmental support services.

4.4.7 Conclusion of Part 3: Implications of in loco inspections

The in loco inspections reveal a mixed picture of compliance and gaps within the wine industry.

While certain elements of compliance are present, such as basic personal protective equipment provision and workforce inclusion, there are notable shortcomings in maintenance, gender-sensitive infrastructure, access to justice mechanisms, and overall working and living conditions.

The findings further highlight the limitations of visual inspections, particularly in contexts where access is restricted or workers are not present. Notwithstanding this, the observations indicate that:

1. Working conditions are uneven and, in some instances, inadequate
2. Gender responsiveness remains limited in practice
3. Access to justice mechanisms is not sufficiently visible or accessible
4. Rural and spatial factors continue to shape worker vulnerability.

Taken together, these findings suggest that while compliance frameworks exist, their implementation at the farm level remains inconsistent, and further oversight, monitoring, and targeted interventions are required to ensure fair, safe, and dignified working conditions within the sector.

4.5 FINDINGS

4.5.1 Women are concentrated in lower-tier roles with limited upward mobility

The investigation found that while women are represented across various occupational levels within the Western Cape wine industry, their participation remains concentrated primarily within semi-skilled, skilled technical, administrative, and seasonal positions. Across both Heineken and Spier, women are significantly underrepresented within senior management, executive leadership, and strategic decision-making structures. Where women are represented at higher occupational levels, White women are more likely to occupy these positions than African, Coloured, or Indian women.

The data further reveals that women continue to experience occupational segregation, with limited access to career pathways that facilitate progression into management and leadership positions. In farm-based environments, women remain concentrated within seasonal and manual labour roles, while participation in semi-skilled technical positions remains limited. This suggests that existing recruitment, promotion, succession planning, and skills development interventions have not sufficiently addressed historical barriers affecting women's advancement.

The concentration of women within lower occupational categories perpetuates gender inequality, limits economic empowerment, and undermines the achievement of substantive gender transformation within the industry. While entities have adopted employment equity and gender-related policies, there is insufficient evidence of measurable interventions specifically designed to accelerate the advancement of women, particularly Black women, into leadership positions.

4.5.2 African employees are underrepresented at leadership levels

The investigation found that African employees remain significantly underrepresented within senior management and executive leadership positions despite constituting many employees within lower occupational categories. Workforce data indicates that African employees are predominantly concentrated within semi-skilled, unskilled, seasonal, and temporary employment categories, while leadership structures continue to be disproportionately occupied by White employees.

Although evidence of demographic transformation exists at lower occupational levels, this transformation has not translated into equitable representation within strategic decision-making positions. The findings suggest the existence of structural barriers affecting promotion, succession planning, access to leadership development opportunities, and career progression.

The persistence of racial disparities within leadership positions raises concerns regarding the effectiveness of existing transformation strategies and highlights the need for more deliberate interventions aimed at ensuring equitable representation throughout the occupational hierarchy. The current workforce profile reflects numerical transformation without corresponding transformation in organisational power and decision-making structures.

4.5.3 Persons with disabilities are underrepresented across the workforce

The investigation found a near-total absence of persons with disabilities across both participating entities and within seasonal, permanent, and leadership categories. The data reveals limited evidence of targeted recruitment initiatives, reasonable accommodation measures, accessibility interventions, or disability inclusion strategies.

The absence of persons with disabilities cannot reasonably be attributed solely to labour market availability and instead suggests systemic barriers relating to recruitment practices, workplace accessibility, organisational culture, disclosure mechanisms, and accommodation processes. Furthermore, women with disabilities face compounded under-representation due to the intersection of gender and disability discrimination.

The findings indicate that disability inclusion remains one of the most significant transformation gaps within the Western Cape wine industry. Current transformation efforts appear to focus primarily on race and gender while insufficient attention is afforded to disability equity and inclusion.

4.5.4 Seasonal employment reinforces inequality and insecurity

The investigation found that seasonal and temporary employment remains a significant feature of the wine industry's labour model. Seasonal work is predominantly occupied by historically disadvantaged groups, particularly African and Coloured workers, with women heavily represented within the most precarious categories of employment.

The reliance on temporary labour limits access to employment security, career progression opportunities, training, benefits, and long-term economic stability. Seasonal workers often remain without structured development opportunities that would facilitate movement into more stable and higher-paying positions within the value chain.

This employment pattern perpetuates cycles of poverty and vulnerability while undermining the objectives of transformation and inclusive economic participation. The concentration of historically disadvantaged groups within insecure employment categories reflects the continuation of historical labour patterns rather than substantive transformation.

4.5.5 Gender transformation lacks intersectional depth

While both entities have implemented policies and initiatives aimed at promoting gender equality, the investigation found that these interventions are not sufficiently responsive to the intersecting experiences of race, gender, disability, socio-economic status, and rural location. Transformation efforts appear largely focused on numerical representation without adequately addressing the structural barriers faced by African women, women with disabilities, seasonal workers, and women residing within rural communities.

The findings demonstrate that women do not experience workplace inequality uniformly. Black women continue to face multiple and overlapping forms of disadvantage that limit access to leadership opportunities, skills development, ownership, and economic participation. Existing interventions do not sufficiently account for these differentiated experiences.

Consequently, gender transformation initiatives have achieved partial progress but remain insufficiently integrated into broader organisational systems, workforce planning, infrastructure development, and socio-economic empowerment programmes.

4.5.6 Institutional enforcement mechanisms are fragmented and reactive

The investigation found that responsibility for labour regulation, worker protection, dispute resolution, service delivery, and access to justice is dispersed across multiple institutions. While individual institutions perform important functions, the evidence reveals limited coordination, inconsistent responsiveness, gaps in data collection, and varying levels of engagement with the challenges affecting workers within the wine industry.

Responses received from stakeholders demonstrate uneven institutional capacity and limited evidence of integrated approaches to addressing labour rights violations, workplace discrimination, and gender-related concerns. The absence of comprehensive and gender-disaggregated data further limits effective oversight and accountability.

As a result, institutional interventions are often reactive rather than preventative, reducing their effectiveness in addressing systemic challenges experienced by workers, particularly women in rural and farm-based environments.

4.5.7 Access to justice is limited in rural environments

The investigation found that workers within rural and farm-based communities continue to face significant barriers in accessing justice mechanisms and support services. Geographic isolation, limited transport, insufficient awareness of available remedies, and the absence of visible reporting mechanisms contribute to reduced accessibility.

The findings reveal that information relating to labour rights, grievance procedures, and institutional support services is often not readily available within workplace environments. Furthermore, workers may face practical challenges in accessing external institutions responsible for dispute resolution and protection.

These barriers disproportionately affect women, seasonal workers, and other vulnerable groups, limiting their ability to report violations, seek assistance, and obtain effective remedies when rights violations occur.

4.5.8 Farm-level conditions reveal gaps in dignity, safety, and access

The in loco inspections revealed a mixed picture of compliance and non-compliance regarding working and living conditions. While certain farms demonstrated compliance with basic occupational health and safety requirements, significant shortcomings were observed relating to infrastructure maintenance, sanitation facilities, gender-sensitive amenities, and access to support services.

Particular concerns were identified regarding the condition and maintenance of ablution facilities, the absence of gender-segregated infrastructure in certain environments, limited access to social support services, and the broader effects of geographic isolation. These conditions have implications for worker dignity, safety, wellbeing, and equality.

The findings suggest that compliance frameworks alone are insufficient where implementation, monitoring, and maintenance remain inconsistent at the operational level.

4.5.9 Policies exist but lack implementation and accountability mechanisms

The investigation found that many employers have adopted policies addressing employment equity, harassment, occupational health and safety, and ethical labour practices. However, the existence of policies does not consistently translate into effective implementation, monitoring, and measurable outcomes.

Evidence suggests that several initiatives remain compliance-driven, with limited accountability mechanisms to assess effectiveness or address implementation gaps. In particular, there is insufficient evidence of regular monitoring, transparent reporting, measurable transformation outcomes, and consequences for non-compliance.

The findings therefore indicate a gap between policy commitments and practical implementation, reducing the transformative impact of existing frameworks.

4.5.10 Structural transformation relating to land ownership, economic participation, and wealth creation remains limited

The investigation found limited evidence of initiatives aimed at addressing broader structural inequalities affecting ownership, land access, enterprise development, and economic participation within the wine industry. While transformation efforts have focused primarily on employment-related measures, there has been limited engagement with the underlying socio-economic conditions that continue to shape inequality within rural communities.

Black South Africans, women, and historically disadvantaged groups remain largely without ownership opportunities, access to productive resources, equity participation, and higher-value segments of the wine value chain. The absence of meaningful interventions addressing these structural issues constrains long-term transformation outcomes.

Consequently, transformation remains concentrated at the level of employment representation rather than extending to economic empowerment, ownership, and sustainable wealth creation. Without deliberate interventions targeting structural inequalities, the industry risks reproducing historical patterns of inequality rather than achieving substantive transformation.

5. RECOMMENDATIONS

Regarding the findings made by the CGE regarding the investigation, the CGE's overarching recommendation is that there should be beyond-compliance-driven approaches and implementation by both Heineken and Spier, that is;

1. Systemic
2. Sustained
3. Accountable interventions to address both workplace practices and broader socio-economic inequalities.

The CGE notes that the recommendations arising from this investigation span a broad range of policy, regulatory, socio-economic, labour, health, housing, agricultural, and social development matters. As such, responsibility for their implementation does not rest with a single institution or government department. Rather, the recommendations require coordinated action by multiple stakeholders, including government departments, regulatory bodies, employers, industry associations, organised labour, and civil society organisations. It is therefore neither practical nor appropriate to assign each recommendation exclusively to a particular department. Instead, the CGE will utilise its strategic engagement, advocacy, monitoring, and oversight functions to engage with all relevant stakeholders whose mandates intersect with the recommendations. Through these engagements, the CGE will seek to promote accountability, facilitate collaboration, and monitor progress towards the implementation of systemic, sustained, and accountable interventions aimed at addressing workplace inequalities and the broader socio-economic challenges identified in this investigation.

The inspection data provided indicates that a significant number of labour and occupational health and safety (OHS) inspections were conducted between 2022 and 2025. However, the number of unannounced inspections remains relatively low. Based on the analysis of the Department's response, it can be concluded that while inspection activity is present, it appears largely compliance-driven and reactive. The limited use of unannounced inspections may constrain the effectiveness of enforcement, particularly in detecting non-compliance that may not be evident during scheduled visits. Furthermore, the absence of detailed outcome-based data limits the CGE's ability to assess the overall impact and effectiveness of these inspections.

The CGE further observed that several critical areas of the questionnaire were not addressed by the Department. These include information relating to OHS contraventions, enforcement actions such as notices and penalties, compliance rates, gender-sensitive inspection practices, wage parity monitoring, maternity protection enforcement, and coordination with other institutions. From this, it can be concluded that there is a significant lack of transparency in enforcement-related data. The absence of this information constrains a comprehensive assessment of the effectiveness of labour regulation within the sector and indicates insufficient evidence of gender-responsive enforcement practices.

Thus, the industry is guided towards the recommendations that follow:

5.1 Strengthen employment equity and accountability

5.1.1 Introduce mandatory and measurable transformation targets at senior management and leadership levels.
5.1.2 Implement clear accountability mechanisms linked to these targets.
5.1.3 Ensure regular public reporting on transformation progress.

5.2 Advance gender transformation

5.2.1 Develop and implement targeted leadership development programmes for African women.
5.2.2 Provide gender-responsive infrastructure, including:
- Sanitation facilities
- Childcare support.

5.2.3 Remove language barriers to ensure equitable access to policies and grievance mechanisms.

5.3 Promote disability inclusion

5.3.1 Develop inclusive recruitment strategies for persons with disabilities
5.3.2 Implement reasonable accommodation frameworks in workplaces
5.3.3 Introduce measurable targets for the employment and representation of persons with disabilities.

5.4 Address precarious employment

5.4.1 Create pathways to permanent employment for workers
5.4.2 Extend benefits and protections to all workers, including seasonal and temporary employees
5.4.3 Strengthen job security, particularly for women and youth.

5.5 Strengthen labour enforcement mechanisms

5.5.1 Increase unannounced labour inspections
5.5.2 Improve data transparency in enforcement processes
5.5.3 Adopt gender-responsive inspection frameworks.

5.6 Enhance access to justice

5.6.1 Establish on-site reporting mechanisms for workers
5.6.2 Ensure visible display of institutional contact information
5.6.3 Expand mobile and rural outreach services to improve accessibility.

5.7 Improve farm-level living and working conditions

5.7.1 Upgrade housing and sanitation facilities
5.7.2 Ensure access to clean water
5.7.3 Implement comprehensive occupational health and safety measures.

5.8 Strengthen institutional coordination

5.8.1 Improve inter-agency collaboration across government and oversight bodies
5.8.2 Develop integrated service delivery models for rural communities
5.8.3 Shift from reactive to proactive enforcement approaches.

5.9 Integrate social support services

5.9.1 Expand access to:
5.9.2 Childcare services
5.9.3 Healthcare services
5.9.4 Worker development programmes
5.9.5 Address broader socio-economic challenges affecting workers.

5.10 Advance structural economic transformation

5.10.1 Support equitable access to land and productive resources
5.10.2 Promote co-operative and equity ownership models
5.10.3 Enable meaningful participation of women and historically disadvantaged groups across the value chain.

6. CONCLUSION

The investigation undertaken by the CGE reveals that transformation within the Western Cape wine industry remains partial, uneven, and structurally constrained. While the entities assessed demonstrate a degree of compliance through the adoption of formal policies, gender targets, and ethical frameworks, these measures have not translated into substantive or systemic transformation outcomes. Instead, compliance appears largely procedural, while deeper structural inequalities continue to persist across the sector.

The findings highlight persistent systemic challenges, including entrenched occupational stratification, gendered labour dynamics, and the widespread reliance on precarious forms of employment. Historically disadvantaged groups, particularly African employees, remain concentrated in lower-tier roles, while women continue to be confined to lower-paid and less secure positions. Institutional enforcement mechanisms are fragmented and reactive, limiting their effectiveness in ensuring accountability and protecting workers' rights.

Transformation within the sector is largely visible at entry and mid-level positions, but remains significantly limited at senior and decision-making levels. Furthermore, current efforts are insufficiently aligned with broader socio-economic justice imperatives, particularly those relating to equitable access to resources, rural development, and long-term economic inclusion.

The investigation further demonstrates that, despite the presence of policy frameworks, implementation remains inconsistent and accountability mechanisms are weak. Representation of persons with disabilities is minimal, and gender transformation initiatives lack the necessary intersectional approach to address compounded inequalities. Additionally, challenges relating to access to justice and adequate living and working conditions continue to undermine the dignity and well-being of workers, particularly in rural and farm-based environments.

Overall, the evidence indicates that transformation within the sector remains limited in scope and impact, with little progress in addressing structural inequalities related to ownership, economic participation, and upward mobility within the value chain.

The CGE therefore concludes that meaningful transformation within the Western Cape wine industry requires a shift beyond compliance-driven approaches toward sustained, systemic, and accountable change. Without such a shift, existing inequalities are likely to persist, and the objectives of inclusive growth and gender equality will remain unattained.

The abovementioned institutions are requested to submit the progress reports regarding implementing the recommendations herein by 30 August 2026.

NOTES

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NOTES

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