

## TERMS OF REFERENCE

### **SUPPORT TOWARDS THE DEVELOPMENT OF PHASE II OF THE CCMA/BUSA LABOUR WEB TOOL**

**Submission Deadline: midnight South Africa Standard Time 27 MAY 2021 and should be sent to the following email: [maminze@ilo.org](mailto:maminze@ilo.org) with copies to [velaphi@iloguest.org](mailto:velaphi@iloguest.org)**

**Candidates should submit:**

- **Updated Company and/or institutional profile;**
- **A Technical and Financial proposal (Quote) for undertaking assigned tasks.**

#### **1. INTRODUCTION & BACKGROUND**

The ILO contributes support towards the implementation of some aspects of Phase 2 of the CCMA/BUSA Labour Web Tool owing to time constraints within which the funding support is available. In 2019, Business Unity South Africa (BUSA) and the Commission for Conciliation, Mediation and Arbitration (CCMA) collaborated towards the development and launch of a Labour Web Tool. The Labour Web Tool was developed to assist small medium and micro enterprises and informal business with critical information on labour relations processes and related regulatory hoops, as well as other information essential to their growth and greater participation in the South African economy.

The CCMA Web Tool project emanated from a BUSA study conducted in 2015/16 ([EESE Report](#)), which showed that small businesses were in need for guidance in respect of labour relations and that this was a key impediment to their formalisation and willingness to employ. Also, of concern – and a key spark to conceptualising the Web Tool – was that CCMA statistics at the time revealed that an estimated 80% of the institution's cases originate from small businesses.

The Web Tool project falls in line with the National Development Plan's (NDP's) forecast that no fewer than 90% of new jobs will be created by small businesses. However, red tape and significant bureaucratic hurdles have been cited for the high failure rate of small businesses in South Africa, as well as the country's low levels of grassroots entrepreneurial activities.

Ultimately, the Web Tool seeks to facilitate and support the National Development Plan objectives of decent work, growth, and employment creation, particularly within SMME's and informal businesses. In addition, the Web Tool project forms part of the Presidential Job Summit Framework Agreement of 4 October 2018 (the Job Summit Agreement), serving as one of the identified solutions towards supporting SMMEs in the formal and informal economy to retain jobs and stimulate greater participation in the South African Economy.

In particular, the Web Tool seeks to address the following problems encountered by South African SMME's in the formal and informal sector:

- Inaccessible information on labour law
- High cost of securing labour advice
- Complex labour law processes
- Inaccurate compliance or non-compliance with labour laws due to a lack of knowledge or affordability
- Lack of organisational policies and procedures dealing with industrial relations
- Lack of information about available government support services for informal business operators.

The Web-Tool has up-to-date information including new (National Minimum Wage Act 9 of 2018) and amended labour law, as well as contract templates, information sheets and guides on labour law requirements. Small business owners can utilise the user-friendly Web Tool to source information about how to recruit; how to manage employees and build sound workplace relationships; and how to end the employment relationship in a fair manner.

The information provided is practical, credible, accessible, and free of charge. Rather than replicate labour laws, the Web Tool provides step-by-step guides on what is required and provides self-help tools to implement good industrial relations practices.

## **2. WEB-TOOL IMPLEMENTATION PHASES**

As per the Jobs Summit Agreement, the CCMA/BUSA Web Tool was to consist of two Phases. Phase I has been completed. This consisted of developing the Web Tool and majority of the content. The CCMA and BUSA are now required to give effect to Phase II of the project as agreed to in the Jobs Summit Agreement.

Some of the key content focus areas for Phase II as set out in the Jobs Summit Agreement will not be addressed in this consultancy assignment. However, the following key content areas will be addressed as follows:

- 2.1 Upload additional information about the CCMA; and available information about government support services to informal businesses.
- 2.2 To improve the Search Engine Optimisation (SEO) of the Web Tool.
- 2.3 Enable mobile functionality to the web tool.
- 2.4 Investigate the possibility of translating the language in the web tool to other official languages.
- 2.5 Embed the Web Tool into the Call Centre, subject to the CCMA Call Centre becoming operational.

## **3. OVERALL SCOPE OF WORK FOR PHASE II OF THE WEB TOOL PROJECT**

More specifically the consultant will undertake the following during the period June 2021 – 30 September 2021:

- 3.1 Upload additional information about the CCMA; and available information about government support services to informal businesses.
- 3.2 To improve the Search Engine Optimisation (SEO) of the Web Tool.
- 3.3 Enable mobile functionality to the web tool.
- 3.4 Investigate the possibility of translating the language in the web tool to other official languages.
- 3.5 As part of the Job Summit Framework Agreement deliverables, the CCMA will embed the Web Tool into its Call Centre, if and when the Call Centre becomes operational again.

#### 4. PROPOSED TIMELINES FOR DELIVERY OF ASSIGNED TASKS

ITEM TO BE DELIVERED.	ESTIMATED TIMELINES.
1. Upload additional information about the CCMA including that which relates to available support services to informal businesses.	1 June 2021 – 30 June 2021
2. To incorporate material from Productivity South Africa (Productivity SA)	1 June 2021 – 30 June 2021
3. To improve the Search Engine Optimisation of the Web Tool.	1 June 2021 - 30 July 2021
4. Enable mobile functionality on the web tool.	1 June 2021 – 30 July 2021
5. Investigate the possibility of translating the language in the web tool to other official languages.	01 July - 30 September 2021
6. As part of the Job Summit Framework Agreement deliverables, the CCMA will embed the Web Tool into its Call Centre, if and when the Call Centre becomes operational again. BUSA will explore ways to support the CCMA in meeting this deliverable.	31 July 2021 – 30 September 2021

**Proposals received after the closing date will not be considered.**