



REPUBLIC OF NAMIBIA

**MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT
CREATION**

LABOUR ADVISORY COUNCIL



***ANNUAL REPORT OF LABOUR ADVISORY
COUNCIL FOR THE YEAR 2017/2018***

PREFACE

The Labour Advisory Council (LAC) is a statutory body established in terms of Section 92 of Labour Act, 2007 (Act No. 11 of 2007).

Section 93 (1) (c) of the Act mandates the LAC to investigate and advice the Minister on labour and employment matters.

This report covers activities of the Labour Advisory Council conducted over the period from 01 April 2017 to 31 March 2018.

The deliberations are largely derived from the Minister of Labour, Industrial Relations and Employment Creation's directives to Council when it was inaugurated on the 02 August 2017. The Council also attended to outstanding issues inherited from the previous Council.

The Council as per section 97 (2) (a) of the Labour Act No.11 of 2007, established technical Committees to perform particular functions for the Council.

The report highlights Council activities conducted throughout the period under review. These activities include amongst others:

- Support for the Informal Economy and facilitating the transition to formality;
- Improving Health and Safety at Work;
- Code of Ethics governing Conciliation and Arbitration;
- Representation of parties at Conciliation and Arbitration;
- Gender mainstreaming, adherence to Equal Remuneration Convention, 1951 (No. 100) and Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Ratification of Maternity Protection Convention, 2000 (No. 183) and Domestic Workers Convention, 2011 (No. 189); and
- Proposed Amendment to the Affirmative Action (Employment) Act 29 of 1998.

Besides, the report recognizes some matters that Council ought to deal with during the remainder of its term of office, namely; employment creation, income inequality, low wages, casualization of labour and exploitative work.

The Labour Advisory Council remains an essential vehicle for promoting harmonious labour relations and industrial peace, and enhancing social dialogue and tripartism.

The Council is grateful to the Minister of Labour, Industrial Relations and Employment Creation, the Deputy Minister, Permanent Secretary and staff for the continuous support, advice and for resources made available to the council. The function of the Council became easier to execute and this was due to the technical and administrative services rendered to Council by the support staff members of the Ministry.

Hon. Asser K.K Kapere
LAC Chairperson

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1. Introduction

Labour Advisory Council was established in terms of Section 92 of the Labour Act, 2007 (Act No. 11 of 2007) and is unique in its tri-partite character. The LAC is guided by the underlying principle that social dialogue is a pre-requisite for the development of sound national labour and employment policies and for the maintenance of healthy labour relations. Therefore, LAC has the function to investigate and advise the Minister on labour and employment matters.

This report highlights the activities carried out by the Labour Advisory Council and its Subcommittees during the period 01 April 2017 to 31 March 2018.

2. Activities of the Labour Advisory Council (LAC) 2017/20

2.1. Inauguration of LAC 2017-2020

The 13th Labour Advisory Council was inaugurated by the Minister responsible for Labour, Industrial Relations and Employment Creation at its first meeting, on the 02 August 2017 for a three (3) year term ending at the end of February 2020.

The Council consists of:

| | Names | Institutions |
|-----|-------------------------------|---------------------|
| 1. | Hon Asser K.K Kapere | Chairman |
| 2. | Ms. Martha Mbombo | State |
| 3. | Ms. Tuyakula Haipinge | State |
| 4. | Mr. Albert Biwa | State |
| 5. | Mr. Mubusisi Mabuku | State |
| 6. | Mr. John Kwedhi | NUNW |
| 7. | Mr. Gideon Thomas | NUNW |
| 8. | Ms. Nellie Dina Kahua | NUNW |
| 9. | Mr. Reginald Kock | TUCNA |
| 10. | Mr. Timothy Parkhouse | NEF |
| 11. | Ms. Monia Tjongarero | NEF |
| 12. | Mrs. Victoria Konjore-Pieters | NEF |
| 13. | Mr. Cor Beuke | NEA |

During the reporting period, the Labour Advisory Council deliberated on various issues that related to labour and employment. Some of these issues emanated from previous council's reports. These issues are:

2.2. MEETINGS

Labour Advisory Council together with its committees held a total of eleven (11) scheduled meetings during the period under review.

2.3. STANDING COMMITTEES OF THE LABOUR ADVISORY COUNCIL

2.3.1 Section 97 (1) (a) and (b) of the Labour Act, No 11 of 2007, provides for the establishment of the Committees to assist the Labour Advisory Council with its function in terms of sections 100 (a) to (d) and 104 (1) (a) and (b). There are two (2) standing Committees of LAC, namely:

- Committee on Dispute Prevention and Resolution (CDPR),
- Essential Service Committee (ESC),

2.3.2 The Labour Act further gives power for the LAC to establish technical committees in terms of section 97 (2) (a) to advise the Council on the performance of its functions. Currently there are four (4) technical Committees established in terms of the said Act, namely:

- LAC Steering Committee (SC),
- Occupational Health and Safety (OHS)
- Variation Committee (VC)
- Exemption Committee for Namibian understudies (EC) in terms of the Affirmative Action Employment Act, (Act No. 29 of 1998).

2.4 ITEMS DEALT WITH BY THE LABOUR ADVISORY COUNCIL

2.4.1 Minister's directives to the Labour Advisory Council (LAC)

On the 02 August 2017, Minister of Labour, Industrial Relations and Employment Creation inaugurated the Labour Advisory Council and tasked it to provide advice on the following matters during their year of tenure:

2.4.1.1 Employment Creation

The Minister in his inaugural speech directed the Labour Advisory Council to investigate and advise him on conditions of employment in Namibia.

Labour Advisory Council has a mandate to investigate and advice the Minister on the issue of prevention and reduction of unemployment as stipulated in section 93 (1) (c) of the Labour Act.

The LAC is yet to embark on tangible activity toward this strategic objective.

2.4.1.2 Support for the Informal Economy

In the inaugural speech, the Minister requested Council to advise him on the strategic priorities for supporting workers and employers in the informal and rural economy and on facilitating the transition to formality. To this end, Council collected blue prints, relevant studies and research findings of Labour Research Resources Institute (LARRI), including the constituencies' information from other Southern African Development Community (SADC) countries, like Zambia, for benchmarking.

2.4.1.3. Addressing Income inequality, low wages, and casualization of labour and exploitative work.

Extreme income inequality continues to characterize Namibia's labour market. Therefore, the Minister asked Labour Advisory Council to investigate and recommend measures on how to redress the issues of income inequality, casual work and exploitative practices in the work places. The Council is yet to embark on this assignment.

2.4.1.4. Improving Health and Safety at Work

The Minister of Labour, Industrial Relations and Employment Creation requested the Council at its inauguration, to consider the establishment of a Committee to evaluate the current national environment and recommend appropriate strategies to improve the situation.

In response, the Council established the technical Committee on Occupational Health and Safety (OHS) as per section 97 (2) (a), to advise it on the performance of its functions.

2.4.1.5. Code of Ethics governing Conciliation and Arbitration

The Minister, in his inaugural speech asked the LAC in conjunction with Labour Commissioner's office, to speed up the process of finalizing the project of draft of Code of Ethics of Conciliators/Arbitrators that were left incomplete by the previous Labour Advisory Council.

One of the functions of the Labour Advisory Council is to investigate and advise the Minister responsible for Labour on Code of Ethics that will guide the Conciliators and Arbitrators on the performance of their duties. The Labour Advisory Council referred the matter to one of its standing Committees "CDPR" as the Committee mandated in terms of section 100 (a) (iii) of the Labour Act, to fulfil the assignment.

The Committee for Dispute Prevention and Resolution embarked on the task and forwarded their inputs (draft Code of Ethics) to LAC for further deliberation. The Labour Advisory Council is busy consulting with its constituencies and would thereafter, forward its final product to the Minister's Office for further consideration.

2.4.1.6. Representation of parties at Conciliation and Arbitration

The Minister in his inaugural speech to current Labour Advisory Council, on the 02 August 2017, directed the Council to investigate and advise him on issue of representation of parties during conciliation and Arbitration process at the Office of the Labour Commissioner.

The Labour Advisory Council referred the assigned task to the Committee for Dispute Prevention and Resolution for proposal. CDPR requested reports from the Office of the Labour Commissioner for effective and informative reporting to LAC.

The Committee will forward its report to the Labour Advisory Council as soon as it receives the feedback from Office of the Labour Commissioner.

2.4.1.7. Gender – mainstreaming, adherence to ILO Conventions 100 and 111 and consideration of Ratification of ILO Conventions on Maternity Protection and on Decent Work for Domestic Workers.

In terms of section 93 (1) (d) and (e), the Labour Advisory Council must investigate and advise the Minister of Labour, Industrial Relations and employment creation in respect of issues arising from the International Labour Organization and raised by any other international or regional association of states of which Namibia is a member.

Council considered the convention and recommended for a gap analysis to be carried out to determine in terms of laws and regulation whether the country is in the position of ratifying convention 189.

2.4.1.8 Proposed Amendment to the Affirmative Action (Employment) Act, 1998 (Act)

The Affirmative Action (Employment) Act, was, promulgated in 1998 in order to achieve equal opportunity in employment in accordance with article 10 and 23 of the Namibian Constitution. The last amendment of the Act was done in 2007. Based on the above, the Employment Equity Commission made recommendations to the Minister in terms section 4 of the Affirmative Action (Employment) Act, 1998 Act (Act No. 29 of 1998) to amend various sections of the said Act, in order to reduce the flaws that impede the effective implementation of the Affirmative Action (Employment) Act.

The Office of the Employment Equity Commissioner submitted its proposed amendment to the Affirmative Action (Employment) Act, 1998 (Act No. 29 of 1998) to the Minister responsible for Labour for further Action. Therefore, the Minister in terms of section 93 (1) (f) (i) shared the proposal with the Labour Advisory Council for its advice.

The Labour Advisory Council deliberated on the matter and referred the draft of the proposed amendments by office of the Employment Equity Commission to one of its technical Committee, “Exemption Committee on Namibian Understudy” to make proposals for its consideration.

2.5. LAC STANDING AND TECHNICAL COMMITTEES ACTIVITIES

2.5.1. COMMITTEE ON DISPUTE PREVENTION AND RESOLUTION (CDPR)

The Committee for Dispute Prevention and Resolution is a standing committee under the Labour Advisory Council established, in terms of section 97 (1) (a) of the Labour Act, No 11 of 2007. The committee performs functions in terms of section 100 (a) (i), (ii), (iii), (iv) (b), (c) and (d) of the Labour Act.

2.5.1.1. Meetings

The committee held three (3) scheduled meetings during the period under review.

2.5.1.2. Applications for the appointment of Conciliators and Arbitrators

During the period under review, the Committee received a total of thirty nine (39) applications for the appointment of Conciliators/Arbitrators of which twenty three (23) applications were recommended for the appointment as Conciliators/Arbitrators and ten (10) applicants were recommended for the appointment of Conciliators only, while three (3) applications were rejected of which two (2) applicants were already appointed as Conciliators and did not meet the appointment requirements for Arbitrators,

while the other two (2) who did not meet the appointment requirements neither for Conciliation nor for Arbitration. Three (3) applications were put on hold pending submission of the required supporting documents. The recommendations were made in terms of section 100 (a) (iv), of the Labour Act.

Appointment requirements for Conciliators/Arbitrators used by CDPR are as follows:

An appropriate academic qualification from an accredited and recognized tertiary institution with bias in Law, particularly Labour Law (Conciliation and Arbitration).

Applicant should have passed both Modules, i.e. Conciliation, Arbitration and Law of Evidence where they are being offered separately.

In case of the applicant having passed only Conciliation then he/she will only be appointed as a Conciliator.

OR

B. Juris/LLB or equivalent qualification with Labour Law as a subject

2.5.1.3. Code of Ethics governing conciliation and arbitration

The Committee for Dispute Prevention and Resolution in collaboration with the Office of the Labour Commissioner embarked on the task of formulating Namibian Code of Ethics for Conciliators and Arbitrators as per section 100 (a) (iii) of the Labour Act and the final worked document was forwarded to the Labour Advisory Council for further deliberation.

2.5.1.4. Representation of parties at Conciliation and Arbitration

The topic is an extract from the Minister speech at the inauguration of the current Labour Advisory Council. After deliberation on the matter, the Labour Advisory Council resolved that the matter should be first dealt with at CDPR level.

Committee for Dispute Prevention and Resolution is busy discussing the matter and will forward its recommendation to the Labour Advisory Council for its consideration.

2.5.1.5. Introduction of Alternative Dispute Prevention qualification by the University of Namibia

The Labour Advisory Council believes that there is a need for the introduction of a course by University of Namibia (UNAM) that will cater for the needs of Labour Commissioner's Office as there is shortage of Arbitrators countrywide. This came out after an investigation conducted by previous CDPR and one of its findings was that, there is lack of qualified Arbitrators in the country and the two (2) years course on Dispute Prevention and Resolution currently offered by UNAM is not providing the skills needed for a graduate to become an Arbitrator at Office of Labour Commissioner.

The LAC assigned the task to CDPR to conduct the research and forward its findings and recommendations to the Council for further consideration. Committee for Dispute Prevention and Resolution is busy consulting the relevant stakeholders and will forward its final product to Labour Advisory Council for further discussion.

2.5.2. ESSENTIAL SERVICE COMMITTEE (ESC)

This Committee is established in terms of section 97 (1) (b) of the Labour Act. Its function is to recommend the designation of essential service. The Committee received two (2) applications from Namibia Civil Aviation Authority (NCAA) and Motor Vehicle Accident Fund (MVA) during the period under review, seeking the status of essential service of the Aviation and Emergency Call Centre Services.

The Committee held two (2) scheduled meetings. The Committee conducted public hearings on the declaration of Air Navigation Services.

2.5.2.1. Namibia Civil Aviation Authority (NCAA)

The Committee held a meeting on 21 September 2017, deliberated on the matter and informed the NCAA Management that, the application would be treated as new application, as the application was tabled to the Committee few years before when the applicant was in a Department under the Ministry of Works and Transport. However the Department has since been turned into a parastatal before the process was completed. Both parties agreed to have a public hearing and the advert was published in the New Era Newspaper, in the first week of October 2017.

The Essential Services Committee conducted a public hearing on 21 November 2017 with regards to NCAA application of Air Navigation Services to be declared as an essential services in terms of Section 77 of the Labour Act 2007, Act No. 11 of 2007. Air Navigation Services are defined as Services provided to air traffic during all phases of operations (aerodrome control, approach control and en-route) comprising: Air Traffic Services (ATS) including air traffic management (ATM); and Communication, Navigation and Surveillance services (CNS) ; and Meteorological services for air navigation (MET); and Aeronautical Information Services (AIS); and Search and Rescue services (SAR).

The Civil Aviation Act, 2016 provides for the NCAA's powers and functions. These include: the establishment of the Air Navigation Services Authority. Air Navigation Service is an integrated services that includes a wide range of services relevant to aviation operation. These entails the Air Traffic Service (ATS), flying of aircrafts, Communication, Navigation and Surveillance services (CNS) that are involved with radio and other communication services to pilots. Aeronautical Information Services (AIS) to communicate critical information required by a pilot, Search and Rescue services (SAR) required in cases of accidents.

The Namibia Meteorological Service, particularly the aviation weather service delivers the Meteorological services for air navigation that provide weather forecast across the aircraft route. Air Navigation Services are conducted in accordance with international Standards and Recommended Practices.

It is critically important that each of the Air Navigation Services is provided continuously so as not to endanger the lives, personal safety or health of Namibian's, and other persons using domestic and international air transport in, or to and from Namibia as well as passenger and other aircraft overflying Namibia. Committee recommended to the Labour Advisory Council (LAC) that the provision of Air Navigation Services, in its entirety be declared an essential service in Namibia, in order to ensure continuity in the provision of Air Navigation Services in Namibia as mandated by the Civil Aviation Act, 2016.

Labour Advisory Council (LAC) at its meeting of 07 March 2018, deliberated on the application and recommended that Namibia Public Workers Union (NAPWU) objection/support should be obtained for further consideration. Secretariat prepared the letter and it was forwarded to the NAPWU office on the 12 March 2018. Council requested to be allowed time to thoroughly peruse the application while waiting for the NAPWU inputs and objection on the application.

2.5.2.2. Motor Vehicle Assistant Fund (MVA)

Motor Vehicle Assistant Fund Company applied to the Essential Service Committee for one of its section (Emergency Call Centre Service) to be declared as essential service.

The Committee for Essential Service had a meeting on 01 March 2018 and discussed the MVA application and agreed to write to MVA Fund requesting them to identify stakeholders that will be affected by the declaration of Call Centre Services as essential service. The application is put on hold pending the submission of MVA requested information.

2.5.3. EXEMPTION COMMITTEE FOR NAMIBIAN UNDERSTUDIES

The Exemption Committee for Namibian Understudies is a technical committee of the Labour Advisory Council established in terms of section 97 (2) (a) of the Labour Act, No 11 of 2007, with the purpose of advising the Council on the performance of some of its functions, inter alia, exemptions to train Namibian understudies.

The Committee received 30 applications from various institutions such as; Windhoek International School, Erongo Marine Enterprises (PTY) LTD, Deutscher Schulverein Windhoek, St. George Diocesan School, International University of Management, Ongwediva Medipark, Namibia Institute of Pathology, Medical Imaging, Langer Heinrich Uranium Mine, Northlands Medical Group, Air Namibia, Claud Bosch Architects Inc, Aeurocon Namibia (PTY) LTD, Antonius Resident Trust, Walvis Bay MediPark T/A Welwitschia Hospital, E- Med Rescue 24, ,Triumphant College, City of Windhoek, Namibia University of Science and Technology (NUST), I-Tech, University of Namibia, Tulipohamba Training and Assessment Institute, NamDeb, Highlands Christian School, Lady Pohamba Private School, Medical Imaging, Tulipohamba Training and Assessment Institute, Ministry of Justice, Northland Medical Group and Walvis Bay Medipark T/A Welwitshia Hospital.

During the period under review the Committee held four (4) meetings. The positions that the institutions are seeking exemption for, varies from Deck Officer, Pilots, Architect, Registered Nurses, German Teachers, IBPYP Teachers and Specialized English Teachers, Gastric Nurses, Medical Practitioner, Radiographer, Mine Engineer, Senior University Lecturers, Chief Constable, Counselling Mentor and Universities Professors.

See the Table in Annexure 1 which illustrates Labour Advisory Council resolutions on the applications for exemption to train Namibians understudy in terms of the Affirmative Action Employment Act

2.5.4. APPLICATION OF VARIATION IN TERMS OF SECTION 139 OF THE LABOUR ACT.

❖ Avbob Namibia (PTY) LTD

Council received an application from the Office of the Minister which Avbob Namibia (PTY) LTD wrote to him applying for variation in terms of section 139 of the Labour Act. The applicant has two (2) branches in Windhoek with the staff complement of ten (10) employees.

The applicant indicated that their funeral services are often conducted over the weekends, like Saturdays and Sundays and it is difficult for the affected employees to take their lunch breaks in the middle of the funeral services. The employer wants the Minister's approval to waive the meal intervals and allow employees to take their meal intervals only on the completion of the funeral services.

Council made its recommendation on the application to the Office of the Minister and a Gazette was issued granting variation for three (3) year period to the affected employees who are involved in conducting funeral services, on condition that overtime is paid in terms of section 17 (2) and (4) of the Labour Act in lieu of the lunch hours.

2.5.5. COMMITTEE ON OCCUPATIONAL HEALTH AND SAFETY

This is a newly formed technical committee established in terms of section 97 (2) (a) of the Labour Act, to assist the Council with regard to health and safety at work places.

3. Financial Expenditures of LAC and its Standing Committees

The following is the money spent during the period under review:

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|---|------------------------|
| LAC, Standing and Technical Committees Sitting Allowances and S&T payment | N\$ 81 500.00 |
| Social Partners traveling expenses (Air Tickets) | N\$ 149 022.40 |
| Refreshment and others | N\$ 7381.12 |
| TOTAL | N\$ 237 903. 12 |

4. Challenges

- Members of Labour Advisory Council (LAC) and its Standing Committees not attending scheduled meetings, even after they confirmed;
- Limited budget to LAC which always hamper the service delivery, especially on execution of resolutions by secretariat;
- Under staffing is a major problem, members of secretariat overloaded with work; and
- Lack of training offered to members of secretariat, Council and its Committees members on International Labour Standard.

5. Recommendations

- Members of the Council and its Standing Committees should be motivated to attend the meetings;
- Labour Advisory Council must be independent so that its members and its Standing Committees can be appointed on a full time basis;
- Increased budget allocation to LAC for effective service delivery;
- Team building exercises to be conducted annually to enhance good working environment;
- Recruitment of more support staff to reduce work overload and fatigue at work; and
- Ensure that members of secretariat, Council and its Committees are equipped with knowledge and skills on International Labour Standards, for effective and quality service delivery.

Annexure 1

| Names of Relevant Employers/ Applicant | Positions | Number of Positions applied for | Numbers of Positions Recommended | Numbers of Positions not recommended | Remarks |
|--|---|---------------------------------|----------------------------------|--------------------------------------|--|
| Windhoek International School | IBPYP School Homeroom Teacher, Secondary School Teacher (IGCSE & IB) two (2) Positions, IBPYP Primary School Homeroom Teachers four (4) positions, Secondary School Mathematics Teacher (IGCSE & IBDP), Science Laboratory Technician (IGCSE & IBDP), Middle School English Teacher, Social Studies & IB Visual Art Teacher, Middle School Teaching Assistant & Mathematics Support Teacher (IGCSE), Primary Years Program Coordinator (IBPYP), Secondary School German Teacher and IBPYP Secondary School French Teacher | 15 | 15 | 0 | After an investigation done by the Committee Exemption granted for three years (3) period. |
| Erongo Marine Enterprises (PTY) LTD | Master, Ch. Mate, El. Oper. Acoustic, Boatswain, Chief Engineer, 2 nd Engineer, 3 rd Engineer, 4 th Engineer, Refr. Engineer, 2 El. Engineer, 3 El. Engineer, 1 st Motorman, Ref. Motorman, Electrician, Chief Technologist, Chief Trawl Master, Trawl Master, 1 st Mechanical Adjuster, Welder, Turner, Joiner/Fitter and Doctor | 22 | 22 | 0 | Exemption granted for three years (3) period on condition that Namibians with NAMFI's qualifications are further funded to study in the applied skills in Sweden or Russia, as a result, five (5) Namibians should be funded after every three years and progress report should be submitted to the Office of the Employment Equity Commissioner and Labour Advisory Council on an annual basis. |
| Deutscher Schulverein Windhoek | German Teacher fourteen (14) positions, Teacher two (2) positions, German Child – and Youth Centre Teacher, German Boarding School Teacher, German Pre-Primary Teacher, Head of Kindergarten: German, French Teacher, German Coordinator for Language facilitation, German Head of Pre School, German Pre Primary Assistant Teacher, German Boarding School Education Manager, German Finance Receivables Accountant , | 26 | 24 | 2 | Exemption granted for German teaching positions for three years (3) period, except to two (2) teaching posts, with condition that the institution demonstrates efforts to narrow the gap of skill shortage in the country and submit a progress report to the EEC and LAC annually. |
| St. George Diocesan School | Science Teacher, History and English Teacher, Senior English Teacher, Chaplain Teacher, Math Teacher and Business Studies Teacher | 6 | 6 | 0 | Exemption granted for three years (3) period, with condition that the institution demonstrates efforts to narrow the gap of skill shortage in the country and submit a progress report to the EEC and LAC annually. |

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| International University of Management | Senior Lecturer (Education), Lecturer (Education) and Lecturer (Nursing) | 3 | 3 | 0 | Exemption granted for three years (3) period, and the university to submit progress report to the Office of the Employment Equity Commissioner on an annual basis. |
| Ongwediva Medipark | Registered Nurse (Theatre) and Registered Nurse (ICU) | 2 | 0 | 2 | Exemption not granted to Ongwediva MediPark because there are currently Namibians who can be appointed as understudies. |
| Namibia Institute of Pathology (NIP) | Technician, Technologist, Histopathology's, Medical Technologist, Clinical Pathologist and Haematologist | 6 | 6 | 0 | Exemption granted for three years (3) period, provided that NIP should submit progress report to the Office of the Employment Equity Commissioner on an annual basis and the institution is required to give bursaries to the Namibians to study in the skills applied for. |
| Medical Imaging, | Radiologists | 2 | 1 | 1 | Exemption granted for three years (3) period for one (1) Radiologist and exemption not granted for the other one (1) Radiologist due to the fact that Work Permit expired while the application was due for consideration. |
| Medical Imaging | Diagnostic Radiologists' | 2 | 2 | 0 | Exemption granted to medical Imaging in relation to the two (2) positions of Diagnostic Radiologist for a period of three (3) years on condition that one (1) more Namibian is funded to study Radiology and that progress report is submitted to the Office of the Employment Equity Commissioner and Labour Advisory Council on an annual basis |
| Langer Heinrich Uranium Mine | Managing Director and Chief Operating Officer | 2 | 0 | 2 | Exemption not granted due to the fact that there are Namibians with Engineering qualifications and work experience who qualified to be appointed on the two (2) positions |
| Northlands Medical Group | Medical Practitioners | 6 | 3 | 3 | Exemption granted for three 3 Medical Practitioners, while the other three Medical Practitioners was not granted as the work permit of Doctors in those positions expired. The exemption is granted on condition that Northlands Medical Group grant at least one bursary to a Namibian to study Medicine and that a progress report is submitted to the Office of the Employment Equity Commissioner and the Labour Advisory Council on annual basis |
| Northlands Medical Group | Medical Practitioners | 3 | 0 | 3 | Exemption not granted to Northlands Medical Group in relations to all the three (3) positions of Medical Practitioners because of non- compliance for funding Namibians to study in the field of Medicine. Committee recommended to the Minister to withdraw the previous exemption |

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| | | | | | issued last year because of non-compliance with the conditions. |
| Air Namibia | Pilots | 7 | 3 | 4 | Exemption granted for three (3) years period. The others four (4) positions were not granted as they have no valid work permits |
| Claud Bosch Architects Inc, | Architects | 7 | 7 | 0 | Exemption not granted to Claud Bosch Architects as the Council is not convinced that it should be hard to get someone with the relevant skill in the labour market. |
| Aeurocon Namibia (PTY) LTD | Civil Engineering | 1 | 0 | 1 | Application put on hold pending the outcome of the company recruitment process |
| Antonius Resident Trust | Geriatric Nurse | 1 | 1 | 0 | Exemption granted for a period of three (3) years on condition that the company create public awareness to the Namibians to specialize in Geriatric Nursing and that a progress report is submitted to the Office of the Employment Equity Commissioner on an annual basis. |
| Walvis Bay MediPark T/A Welwitschia H | Chief Radiographer one (1) and Registered Nurses ten (10) | 11 | 1 | 10 | Exemption not granted for 10 registered Nurses positions as there are Namibians who can be appointed as understudies. In relations to the position of Chief Radiographer was granted exemption for three 3 years with condition that the institution avails internship at least to three Namibians and report annually. |
| Walvis Bay MediPark T/A Welwitschia | Registered Nurses | 4 | 0 | 4 | Not Exempted as there are Namibians who can be appointed as understudies. |
| E- Med Rescue 24 | Paramedic's | 2 | 2 | 0 | Exemption granted to E- Med Rescue 24 in relation to the two (2) paramedics' positions for a period of three (3) years on condition that they create public awareness to the Namibians to specialize in Paramedic and that a progress report is submitted to the Office of the Employment Equity Commissioner and Labour Advisory Council on an annual basis. |
| Triumphant College | Lectures | 6 | 6 | 0 | Exemption granted to Triumphant College in relation to the six (6) lecturers' positions for a period of three (3) years on condition that |

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| | | | | | they grant at least one bursary to a Namibian and that a progress report is submitted to the Office of the Employment Equity Commissioner and Labour advisory Council on an annual basis. |
| City of Windhoek | Chief Constable | 1 | - | - | Committee has no Jurisdiction to discuss the application as it does not fall under the scope of the exemption for understudy. |
| Namibia University of Science and Technology (NUST) | Lectures | 7 | 1 | 6 | Exemption granted in relation to Ms. Isabel Bish for the remaining period of the expiry of her Work Permit, 15 December 2017. Exemption not granted to NUST in relations to the others six (6) positions held by the following Non-Namibians because of the expired work permits and the skills applied for are not regarded as scarce in Namibia: |
| I-Tech | Demand Creation Manager, HIV Support Physician and two (2) HIV Clinical Nurse Mentor | 4 | 0 | 4 | Exemption not granted to I- Tech Namibia in relations to all the four (4) positions held by Non-Namibians because of the expired work permits and the skills applied for are not regarded as scarce in Namibia. |
| University of Namibia | Veterinary Medicines, Pharmacology, Researcher, Anesthesiology, Pediatrics, Morbid Anatomy, Psychiatry, Nautical Mechanics, Associate Professor: Statistics & Population Science, Associate Professor: Physics | 13 | 13 | 0 | Exemption granted to University of Namibia in relation to the thirteen (13) positions for a period of three (3) years on condition that Namibians are identified for training in Veterinary Science, through the current staff development programme and that a progress report is submitted to the Office of the Employment Equity Commissioner |
| Tulipohamba Training and Assessment Institute | Registrar and Student Services Manager, Community Health Lecturers, Dental Surgery Assisting Lecturer and Counseling Lecturers | 6 | 0 | 6 | Exemption not granted to Tulipohamba Training and Assessment Institute in relations to all the six (6) positions held by Non-Namibians because the skills applied for are not regarded as scarce in Namibia. |
| Tulipohamba Training and Assessment Institute | Information Technology Lecturer and Health Care Services Lecturer | 2 | 0 | 2 | Exemption not granted to Tulipohamba Training and Assessment Institute in relations to all the two (2) positions held by Non- Namibians because the skills applied for are not regarded as scarce in Namibia |
| NamDeb | Occupational Hygiene Coordinator and Pilot/Airport Manager | 2 | 0 | 2 | Exemption not granted to the position of Occupational Hygiene Coordinator and Pilot/Airport Manager, because the skill applied for is not regarded as scarce in Namibia. |

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| Highlands Christian School | Teachers | 6 | 0 | 6 | Exemption not granted to Highlands Christian School in relations to six (6) teaching positions as teaching skills applied for are not regarded as scarce in Namibia and appointment of understudies is not a challenge. |
| Lady Pohamba Private School | Registered Nurses eighteen (18) positions and Paramedic one (1) position | 19 | 1 | 18 | Exemption granted to Lady Pohamba Private Hospital in relations to one (1) paramedic position because it was regarded as scarce skill in Namibia for three (3) years. Furthermore Exemption not granted to Lady Pohamba Private Hospital in relations to all the eighteen (18) nursing positions held by Non-Namibians because the skills applied for are not regarded as scarce in Namibia. |
| Ministry of Justice | Chief Legal Officers Two (2), Senior Legal Officers two (2) and Legal Officers 2 | 6 | 0 | 6 | Exemption not granted to the Ministry of Justice in relations to all the six (6) positions of Legal Officers held by Non- Namibians because the skills applied for are not regarded as scarce in Namibia |



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