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19 March 2024

Dear Director-General,

As the Independent Directors Association Africa (IDAA), we express deep concern regarding the prevalent vulnerability issues discussed in our recent meeting. It is important to highlight that the IDAA aligns closely with the sentiments expressed by the SAGA. This is evidenced by the existence of a memorandum of understanding (MOU) between our organizations. IDAA believes that as an industry integral to the cultural and economic fabric of our nation, it is imperative that we address these issues to ensure fair and equitable treatment for all workers involved in this sector.

To address these challenges effectively, the IDAA recommends the following mechanisms:

- 1. Clarification of Legal Status:** Develop clear guidelines outlining the legal status of freelancers and their rights to collective bargaining. This should include provisions for freelance workers to engage in collective negotiations and access to dispute resolution mechanisms.
- 2. Regulation of Non-Standard Employment:** Implement regulations to ensure that temporary employees receive fair treatment and benefits commensurate with their contributions to productions. This could include mandates for minimum wages, access to social security benefits, and job security measures.
- 3. Empowerment of Workers:** Establish mechanisms to address power imbalances within the industry, such as creating industry-wide forums for dialogue between employers and employees, facilitating mentorship programs, and promoting diversity and inclusion initiatives.
- 4. Complaints and Grievance Procedures:** Develop standardized procedures for lodging complaints and grievances related to discrimination, harassment, and other workplace issues. These procedures should guarantee confidentiality, impartial investigation, and appropriate disciplinary action where necessary.
- 5. Written Contracts:** Mandate the use of written contracts of employment for all workers in the film and TV industry. These contracts should clearly outline the terms of employment, including roles, responsibilities, remuneration, and dispute resolution mechanisms.
- 6. Minimum Remuneration Standards:** Work collaboratively with industry stakeholders to establish negotiated minimum levels of remuneration for workers across various roles and skill levels within the industry. These standards should be periodically reviewed and adjusted to reflect changes in the cost of living and industry trends.
- 7. Regulation for Performers' Protection:** Introduce legislation or industry agreements to protect performers' rights, including provisions for fair compensation, residual payments, and safeguards against exploitation.
- 8. Protection from Unfair Dismissals:** Enact legislation or regulations to protect workers from arbitrary or unfair dismissals, providing avenues for recourse and reinstatement where appropriate.

We believe that the implementation of these mechanisms will contribute to a more equitable and sustainable film and TV industry in South Africa, fostering a conducive environment for creativity, innovation, and growth.

Thank you for your attention to this matter and making it a priority. We look forward to working collaboratively with the Department of Employment & Labor and other relevant stakeholders to address these vulnerabilities and ensure a brighter future for all workers in the South African film and television industry.

WARM REGARDS,

CHAIRPERSON

Independent Directors Association Africa

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