

Xenophobia and your business

In light of the recent xenophobic attacks on foreign nationals, Kay Vittee, CEO of Quest Staffing Solutions asks: "How we can celebrate 21 years of South Africa's democracy by denying hard-working foreigners the fundamental human rights that our Constitution affords us?"



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Vittee said: "The recent xenophobic attacks have negatively impacted on South African businesses both locally and throughout Africa as many people believe South Africa is biting the hand of the continent that feeds it. This is to the detriment of local and international business."

Vittee referred to two studies released last year by the Migrating for Work Research Consortium (MiWORC), an organisation that examines migration and its impact on the South African labour market.

Lower unemployment rates

According to the MiWORC data, international migrants in South Africa have much lower unemployment rates than others. Vittee noted that this is unusual. "In most other countries, international migrants tend to have higher unemployment rates than locals."

"South Africa's unemployment data shows that 26.16% of 'non-migrants' are unemployed and 32.51% of 'domestic migrants' are unemployed. By comparison, only 14.68% of international migrants are unemployed," she said.

But while international migrants are less likely to be unemployed, Vittee said that most find themselves in positions of unstable, 'precarious employment', unable to access benefits or formal work contracts.

According to the research, Migrants play a positive role in South Africa as international migrants are far more likely to run their own businesses - 11% are 'employers' and 21% are classed as 'self-employed'.

Vittee said: "It is important to note that not all immigrants are asylum seekers; skilled African professionals who relocate to South Africa are actually creating jobs. There are many other foreign businesspeople and graduates who come here to offer rare skills and seek investment opportunities because the climate is good."

CCMA ruling

In a recent case of xenophobia, noted Vittee: "The CCMA found in favour of a Liberian asylum seeker searching for work within our country. Described as a powerful ruling in the country's fight against xenophobia, the CCMA's ruling included monetary compensation for the profound and shocking impact on the employee's dignity."

"Foreign nationals have similar rights to South Africans when it comes to the Labour Relations Act and finding legal employment in the country," Vittee warned.

"When hiring employees, it is important to be well informed and vigilant, as foreign nationals working for your company - who don't confirm their employment with the Department of Home Affairs or whose visas have expired - could put you and your

company at serious risk.

"On the other hand, for employers who don't tell the department that they employ foreigners, The Department of Home Affairs has a task team that prosecutes those companies improperly employing foreign staff," she said.

The South African government has created a variety of work visas to accommodate South African businesses looking to hire foreign workers:

- General Work Visa;
- Critical Skills Work Visa;
- Intra-Company Transfer Work Visa;
- Corporate Visa; and
- Student Visa.

Vittee is optimistic: "Fortunately, there are many ways a South African employer can reasonably hire a foreign national employee. Knowing which visas permit employment and understanding the requirements of said visas will allow employers expand their hiring base.

"There are numerous benefits for companies hiring culturally diverse employees. People from different cultures bring their own unique and valuable skill sets. A diverse and aware workforce can create a company culture of mutual respect and dignity, garnering a reputation as a fair employer in the job market," she concluded.

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