

3. Legislative Advocacy and Policy Reform

The 2025/2026 period has been defined by an unprecedented volume of legislative activity. The IRSP Committee has adopted an evidence-based advocacy model, utilizing labour market analytics and regional benchmarking to ensure that new legislative frameworks enhance national competitiveness rather than impeding business viability.

Policy / legislative instrument	Policy objective	Current status	Key provisions of interest to business	BE position / concerns	Actions by BE	Next advocacy focus
Employment Bill No. 12 of 2024	Modernise employment relationships	BE appeared before the Parliament Portfolio Committee and made Technical submissions. A copy of the submissions delivered to the Clerk of Parliament in June 2026.	Section 129 on triangular employment; severance; fixed-term contracts; other employer obligations under the proposed framework.	Oppose a total prohibition of triangular employment and advocate regulation consistent with ILO Convention 181 and labour-market realities; preserve contractual flexibility while maintaining worker protections.	Awaiting invitation from the relevant Senate Parliamentary Portfolio Committee for oral Technical submissions and economic impact survey and continued sectoral advocacy.	Secure oral hearing before Senate portfolio Committee and both houses Parliament and defend the private-sector position, including the evidence on employment and enterprise impacts.
ENPF Conversion Bill No. 13 of 2025	Convert ENPF into a National Pension Fund providing long-term pension protection	Before Parliament Portfolio Committee for the Ministry of Labour & Social Security; Stakeholder consultation concluded for comprehensive member mandate for Parliament. The MoLSS portfolio Committee deadline for consultations missed. Key issues remain unresolved	Governance of the Fund; protection of occupational schemes; Lack of Govt Guarantee: ENPF/PSPF interface; contribution and remuneration ceilings; public-officer treatment.	Conditional support for conversion, subject to credible tripartite governance, rotational chairmanship, fiduciary autonomy, safeguards against excessive ministerial discretion and resolution of the ENPF/PSPF interface.	Member and stakeholder consultations concluded; Consultation Report adopted by IRSP committee; social-partner engagement continues on governance.	Secure governance safeguards in the interim structure and in the Bill; To finalise and submit comprehensive submissions to parliament.

Occupational Safety and Health (OSH) Bill 2026	Modernise occupational safety and health regulation	Consultations ongoing through the Technical Committee on Occupational Safety and Health (TCOSH).	Risk-based safety systems; Internal Responsibility System; employer duties and compliance timelines.	Support a preventative, systems-based approach rather than an excessively punitive framework; ensure obligations and implementation timelines are realistic for SMEs.	BE initiated employer consultations and it is recommended that sectoral consultations continue for industry relevant input into a section-by-section review of the bill for submission to TCOSH, starting with Agriculture.	Continue technical engagement and ensure compliance obligations, enforcement mechanisms and transition periods are practical for employers, industry wide.
Industrial Relations Amendment Bill	Reform industrial-relations governance and dispute regulation	Pending for tripartite review before the LAB; the LAB's term has expired, effectively stalling further consideration.	Union amalgamation; bargaining-unit demarcation; replacement labour during industrial action and related industrial-relations rules.	Support balanced regulation that protects the right to strike while safeguarding business assets, enterprise continuity and orderly collective bargaining.	Ongoing engagement through the social-partner structures.	Press for urgent LAB reconstitution and completion of tripartite consideration of the Bill.
Immigration Bill, 2025	Modernise immigration governance and labour-migration administration	BE finalised technical submissions following sectoral consultations and formally delivered them to the Clerk of Parliament in March 2026; awaiting invitation to present oral evidence.	Access to skills and talent; investor and business visas; localisation; administrative discretion; workplace inspection powers; institutional representation and appeals.	Advocate a predictable, transparent and investment-enabling migration regime, with clear criteria, safeguards against excessive administrative discretion, meaningful business representation and workable localisation requirements.	Sectoral consultations completed; technical submissions delivered; Secretariat monitoring Parliamentary process.	Secure an opportunity to present oral evidence and defend the private-sector position.

Industrial and Vocational Training (IVT) Bill	Reform TVET governance, funding and skills development	Technical work is continuing, with the S4Y Programme supporting development of the TVET financing model and wider IVT reforms.	TVET governance; proposed TVET Council; financing mechanism; training levies; employer participation and workplace learning.	Support an industry-led system and a financing model that is affordable, reliable, administratively simple and does not impose an undue levy burden or duplicate existing employer investment in training.	BE is participating through the S4Y governance structures and engaging the financing workstream.	Interrogate the proposed financing model, particularly tax credits, levy exemptions, vouchers, SME cash-flow protection and fiduciary independence of the Fund.
Unemployment Benefit Fund Bill	Establish an unemployment protection mechanism and related labour-market support	Draft under technical review; the second draft has been referred back to consultants to incorporate additional actuarial work covering proposed sickness and maternity benefits before consideration by the LAB.	Legal and institutional status of the Fund; contribution collection; administration of claims; scope of benefits; interaction with TVET and skills development.	Support a sustainable unemployment protection system but oppose loading the Fund with functions that properly belong to the TVET/NQF and skills-development architecture. The Fund should have clear institutional status and sustainable financing. BE has also proposed consideration of sickness and maternity benefits given employer costs.	Technical comments provided; BE requested further actuarial assessment incorporating unemployment, sickness and maternity.	Review the revised actuarial work and draft before LAB consideration and ensure institutional clarity, affordability and long-term sustainability.