

DEPARTMENT OF PUBLIC WORKS

NOTICE 724 OF 2018

Construction Industry Development Board**cidb Draft Language Policy for Public
Comment****November 2018**

The Chief Executive Officer of the Construction Industry Development Board (cidb) intends to publicise the cidb Language Policy. The use of Official Languages Act, Act 12 of 2012 mandates all government departments and their entities to develop language policies, adopt at least three official languages make provision for the use of the other remaining languages and establish a dedicated language unit that would implement the approved departmental language policy. The draft language policy annexed hereto is accordingly published for public comment.

This draft Language Policy is issued here for public comment. Interested persons and the public are invited to submit comments on the draft Language Policy within 30 days of the date of this publication. Interested parties are requested to forward their comments in writing for the attention of Ms Ntswaki Mokonyane to one of the following:

cidb
P O Box 2107
Brooklyn Square 0075

email: ntswakim@cidb.org.za

cidb
Block N&R
SABS Campus
2 Dr Lategan Drive
Groenkloof, Pretoria

Fax: 087 238 5555

Comments received after the closing date may not be considered.

SCHEDULE**USE OF OFFICIAL LANGUAGES POLICY****1. PREAMBLE**

Section 6 of the Constitution of the Republic of South Africa (RSA) Act 108 of 1996, recognises the following eleven official languages:

- Sepedi
- Sesotho
- Setswana
- siSwati
- Tshivenda
- Xitsonga
- Afrikaans
- English
- isiNdebele
- isiXhosa; and
- isiZulu

The Constitution recognises the historically diminished use and status of indigenous languages and requires the state to take practical and positive measures to elevate the status and advance the use of these languages. It further requires all official languages to enjoy parity of esteem and to be treated equitably.

Use of Official Languages Act 12 of 2012 was enacted to give effect to the provisions of the Constitution.

Section 4(1) of the Use of Official Languages Act provides that all government departments and entities must adopt a Language Policy.

Section 4(2) (a) of the Act further provides that a language policy adopted must:

- a) comply with the provisions of section 6(3)(a) of the Constitution;
- b) identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes;
- c) stipulate how official languages will be used, amongst other things, in effectively communicating with the public, official notices, government publications and inter- and intra-government communications;
- d) describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is-
 - (i) not an official language contemplated in paragraph (b); or

- (ii) South African sign language.
- e) describe how members of the public can access the language policy;
- f) provide a complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national public enterprise;
- g) provide for any other matter that the Minister may prescribe; and
- h) be published in the Gazette as soon as reasonably practicable, but within days of its adoption.

The purpose of this Language Policy is to set the framework for cidb compliance with the provisions of the Use of Official Languages Act.

The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) and the following legislations are applicable to this policy:

- The Use of Official Languages Act, 2012 (Act 12 of 2012)
- The National Language Policy Framework
- Pan South African Language Board Act 59, 1995 (Act 59 of 1995)
- Promotion of Access to Information Act, 2000 (Act 2 of 2002)

2. PRINCIPLES

The provisions of this policy are applicable to cidb internal and external stakeholders.

The Construction Industry Development Board (cidb) is a Schedule 3a public entity established in terms of the CIDB Act of 2000, to lead construction industry stakeholders in construction development

Construction plays a pivotal role in South Africa's economic and social development. It provides the physical infrastructure that forms the backbone of economic activity. It is also a large-scale provider of employment opportunities.

The role of the cidb is to facilitate and promote the improved contribution of the construction industry to SA's economy and society.

The cidb offices are located in all nine provinces of South Africa and the organisation serves multilingual societies. The cidb respects the country's linguistic diversity and upholds the right of citizens and the public to have access to information relating to its role and services.

The cidb is committed to making use of all eleven languages as set out in the Use of Official Languages Act, Act No. 12 of 2012 where feasible, and as and when requested by members of the public.

2.1 Official Languages

The cidb recognises and adopts the use of all eleven official languages of South Africa in the conduct of its official business.

In adopting these languages the cidb embraces the language cultures and diversity of all nine provinces of South Africa. The following languages are adopted for the following provinces:

Table 1. Adopted languages per province

Province	Adopted languages
Western Cape	English, Afrikaans, isiXhosa
Limpopo	English, Sepedi, Xitsonga, Tshivenda
Mpumalanga	English, isiNdebele, isiSwati, isiZulu
Gauteng	English, isiZulu, Sepedi, Sesotho, Setswana, Afrikaans, isiXhosa, Xitsonga, Tshivenda, isiSwati, isiNdebele
Free State	English, Sesotho, Afrikaans
Eastern Cape	English, isiXhosa
North West	English, Setswana, Afrikaans
Kwazulu-Natal	English, isiZulu
Northern Cape	English, Afrikaans, Setswana, isiXhosa

Accordingly, the goals and objectives of this policy must inform cidb policies and business practices including recruitment, labour relations, customer service, stakeholder engagement, public relations, and production of publication.

2.2 Use of adopted official languages:

English is the primary medium of communication in all cidb written and verbal communication.

2.2.1 Written communication

To promote public access to information and services, and equitability and parity of esteem of all official languages, documents, reports, policies, publications and informational materials will be translated to other official languages in a gradual and phased approach taking into cognisance:

- Budgetary constraints and financial limitations of the cidb;
- Practicality; and
- The provisions of Section 18(1) of the Promotion of Access to Information Act

The cidb will translate official documents on a rotational basis. In particular, the principle of rotation will be applied for languages belonging to an individual family of languages, specifically the Sotho and Nguni languages.

Where cost constraints render printing impractical, translated documents will be published on the cidb website, where they can be accessible to members of the public.

The cidb will translate any document to the preferred language of any member of the public on request.

Although not yet recognised as an official language of South Africa a member of the public may request written information from the cidb in braille.

A request for a document to be translated to a preferred language or to braille must be made to the cidb in writing, or according to Section 18(3) of the Promotion of Access to Information Act No. 2 of 2000. The cidb must respond to a request so submitted within 30 days or in accordance with Section 26(1) of PAIA, for extension of period to deal with a request.

2.2.3 Verbal communication:

English is the primary official medium of verbal communication. It is used for official meetings of the cidb internally and externally.

English and other official languages of stakeholder's preference will be used as the medium of verbal communication in all offices of the cidb and in its official engagement with stakeholders.

To the best of its ability the cidb will accommodate the needs of deaf and blind people to access information. A written request for assistance in sign language must be submitted to the cidb seven days in advance to enable the Language Unit to arrange the necessary resources.

An employee can use a preferred official language and have access to a translator during a disciplinary hearing on request. Such request must be submitted to the cidb in writing seven days in advance, to enable the Language Unit to arrange the necessary resources.

3. COMPLAINTS MECHANISM

Any person who is dissatisfied with the use of official languages by the cidb may lodge a complaint and address it to the cidb. If submitted electronically, the complaint must be sent to: cidb@cidb.org.za

Complaints must be lodged as follows:

- a) In writing, within three months of the complaint arising;
- b) Any complaint lodged must state the following: name, surname, physical address and postal address and, contact information of the complainant;
- c) The complaint must be sufficiently detailed and provide all facts material to the complaint
- d) The cidb will consider the complaint and respond in writing, not later than two months after the complaint was lodged.

4. LANGUAGE UNIT

A Language Unit will be established within the Marketing and Communication Unit to oversee, facilitate and monitor implementation of this policy. The Language Unit will be responsible for:

- a) Advising the Board and the Executive of progress and challenges affecting implementation of the Language Policy;
- b) Monitoring and assessing the use of the official languages by the cidb;
- c) Monitoring and assessing compliance with the Language Policy.

5. POLICY CONSULTATION, REVIEW AND AMENDMENT

There has been wide consultation with the relevant stakeholders during the development of this policy

This policy will be reviewed as and when required to ensure that it remains aligned to the constitution and the Use of Official Languages Act

No amendments may be made to any provisions of this policy without such amendments first being approved and signed by the cidb Board