

ROAD FREIGHT SUB-SECTOR CODE FOR BBEE

- 3.8.2.2 Qualifying contributions for the socio-economic development element are contained in Annexure 700 (A) – Benefit Factor Matrix of the Statement 700 of Code 700 of the Generic Codes of Good Practice.
- 3.8.2.3 The formulae required in the determination of the socio-economic development score are contained in Annexure 700 (A) of Statement 700 of Code 700 of the Generic Code of Good Practice.
- 3.8.2.4 Measurement principles required in evaluating socio economic development contributions made by QSEs within this sector are contained in Statement 807 of Code 800 of the Generic Codes of Good Practice

4. ROAD FREIGHT SUB-SECTOR BROAD-BASED BEE SCORECARD

B-BBEE Element	Indicators of Empowerment	Private Sector 5 Year Targets	Private Sector Weightings
Ownership	Exercisable voting rights in the hands of black people	25% + 1 vote	3
	Exercisable voting rights in the hands of black women	10%	2
	Economic Interest in the hands of black people	25%	4
	Economic Interest in the hands of black women	10%	2
	Economic Interest of following black natural people in the Enterprise: -black designated groups, -black participants in Employee Ownership Schemes, -black beneficiaries of Broad based Ownership Schemes ;or -black participants in Co-operatives	2.5%	1
	Net Economic Interest/Net Value	25% graduated over 10 years as per the Codes (year 5 at 60%)	7
	Ownership Fulfilment	-	1

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B-BBEE Element	Indicators of Empowerment	Private Sector 5 Year Targets	Private Sector Weightings
	Bonus points: Involvement in the ownership of the Enterprise of Black new entrants	10%	2
	Bonus Points: Involvement in the ownership of the Enterprise of Black participants in: Employee Ownership Schemes, Broad-Based Ownership Schemes or Co-operatives	10%	2
Management (Refer to management sub-minimum target matrix)	% of total exercisable voting rights in the hands of black board members	50%	1.5
	% of total exercisable voting rights in the hands of black-women board members	25%	1.5
	% Black persons who are executive directors	50%	1
	% Black women who are executive directors	25%	1
	¹ % of black people who hold senior top management positions	40%	1.5
	% of black women who hold senior top management positions	20%	1.5
	% of black people who hold other top management positions	40%	1
	% of black women who hold other top management positions	20%	1

¹ If the measured entity is unable to distinguish between Senior Top Management and Other Top Management, both criteria may be combined into "Top Management" which is measurable as a single indicator with a target of 40% and a weighting of 2.5%, and "Women Top Management", which is measurable as a single indicator with a target of 20% and a weighting of 2.5%

Owner-driver schemes will only be considered under Enterprise Development.
Net Value under Ownership at year five should be at 60%.

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B-BBEE Element	Indicators of Empowerment	Private Sector 5 Year Targets	Private Sector Weightings
	Bonus Points: Black Independent Non-Executive Board Members	40%	1
Employment Equity	% Black People in Senior Management	43%	2.5
	% Black Women in Senior Management	22%	2.5
	² % Black People in Middle Management	63%	1.5
	% Black Women in Middle Management	32%	1.5
	% Black People in Junior Management	68%	1.5
	% Black Women in Junior Management	34%	1.5
	% of Black Women who are semi and unskilled (i.e employees below junior management)	15%	2
	Black People living with disabilities as a % of all employees	2%	1
	Black Women living with disabilities as a % of all employees	1%	1
	Bonus Points: Meeting or exceeding the EAP targets in each category of employment equity		3
Skills Development	Skills Development Expenditure on learning programmes specified in the learning programme matrix for black employees as percentage of leviable amount	3%	3

² If the measured entity is unable to distinguish between Black Junior Management and Black Middle Management, both criteria may be combined into Black Junior Management which is measurable as a single indicator with a target of 68% and a weighting of 1.75%, and "Black Women Junior Management", which is measurable as a single indicator with a target of 34% and a weighting of 1.75%. In this case, the weighting for "Senior Management" will change to 4% and the weighting for "Black Women Senior Management" will change to 2.5%. No Measured Entity shall receive any points under the Employment Equity Scorecard unless they have achieved a sub-minimum of 40% of each of the targets.

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B-BBEE Element	Indicators of Empowerment	Private Sector 5 Year Targets	Private Sector Weightings
	Skills Development Expenditure on learning programmes specified in the learning programme matrix for Black Women employees as percentage of leviabale amount	1.5%	3
	Skills Development Expenditure on learning programmes matrix for black employees with disabilities as a percentage of leviabale amount	0.3%	1.5
	Skills Development Expenditure on learning programmes matrix for Black Women employees with disabilities as a percentage of leviabale amount	0.15%	1.5
	Number of black employees participating in learnerships or category B, C & D programmes as percentage of total employees	5%	3
	Number of Black Women employees participating in learnerships or category B, C & D programmes as percentage of total employees	2.5%	3
Preferential Procurement	Procurement from all B-BBEE Compliant Enterprises as defined by the B-BBEE Recognition Levels as a % of Total Measured Procurement Spend	50%	12

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B-BBEE Element	Indicators of Empowerment	Private Sector 5 Year Targets	Private Sector Weightings
	Procurement from B-BBEE Compliant QSEs and EME as defined by the B-BBEE Recognition Levels as a % of Total Measured Procurement Spend	10%	3
	Procurement from 50% Black-Owned as a % of Total Measured Procurement Spend	9%	3
	Procurement from 30% Black Women-Owned Enterprises as a % of Total Measured Procurement Spend	6%	2
Enterprise Development	Expenditure on supplier development initiatives as a proportion of NPAT	3% of NPAT	15
Socio-economic Development	Expenditure on social development programmes as a % of NPAT. N.B: Expenditure on programmes that address HIV/AIDS, poverty alleviation, community development will be enhanced by a factor of 1.25	1% of NPAT	5
TOTAL			100

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5. QUALIFYING SMALL ENTERPRISES SCORECARD

B-BBEE Element	Indicators of Empowerment	Private Sector 5 year target	Private Sector Weightings
Ownership	Exercisable voting rights in hands of black people	25% + 1 Vote	6
	Economic Interest of black people in the Enterprise	25%	9
	Realisation Points:		
	Ownership fulfilment		1
	Net Value	25% graduated over 10 years as per the Codes (Year 5 at 60%)	9
	Bonus Points: Involvement in the ownership of the Enterprise by black women	10%	2
	Bonus Points: Involvement in the ownership of the Enterprise by black participants in Employee Share Schemes, Co-operatives or Broad Based Ownership Schemes	10%	1
Management Control	Black Representation at Top Management level	50.1%	25
	Bonus Points: Black women representation at Top-Management	25%	2
Employment Equity	Black Employees of the Measured Entity who are Management as a % of all Management	40%	7.5
	Black Women Employees of the Measured Entity who are management as a % of all Management	20%	7.5
	Black employees of the Measured Entity as a percentage of total employees	60%	5
	Black Women employees of the Measured Entity as a percentage of total employees	30%	5
	Bonus points: meeting or exceeding the EAP targets in each category		2
Skills Development	Skills Development spend on learning programmes for Black employees as a percentage of the leviabile/payroll	2%	12.5

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B-BBEE Element	Indicators of Empowerment	Private Sector 5 year target	Private Sector Weightings
	Skills Development spend on learning programmes for Black Women employees as a percentage of the leviable/payroll	1%	12.5
Preferential Procurement	BEE Procurement Spend from all suppliers based on the B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	40%	25
Enterprise Development Spend	Average annual value of Qualifying Contributions made by the Measured Entity as a percentage of the target	2% of NPAT	25
Socio-Economic Development	Average annual value of Qualifying Contributions made by the Measured Entity as a percentage of the target	1% of NPAT	25
TOTAL			175

A QSE must select any four of the above seven elements for the purposes of measurement. If a QSE does not make a selection, its four best element scores will be used for the purposes of measurement.

MANAGEMENT CONTROL: SUB-MINIMUM TARGET MATRIX

Year	Voting rights on Board		Executive Directors		Senior Top Management		Other Top Management	
	Black people	Black Women	Black people	Black Women	Black people	Black Women	Black people	Black Women
1	10%	5%	10%	5%	8%	4%	8%	4%
2	20%	10%	20%	10%	16%	8%	16%	8%
3	30%	15%	30%	15%	24%	12%	24%	12%
4	40%	20%	40%	20%	32%	16%	32%	16%
5	50%	25%	50%	25%	40%	20%	40%	20%

6. APPENDIX A: ROAD FREIGHT SECTOR OWNER DRIVER SCHEME POLICY

6.1 Introduction

There are five available options for Empowerment:

Existing Status – employed drivers assisted through accelerated training inclusive of training related to Business Management, which should, in turn, open up opportunities for promotions and progression.

Group Incentives – collective sharing of benefits between the company and the employees.

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- **Collective Ownership** – drivers belong to a group that owns the vehicles.
- **Share Ownership** – the group owns vehicles and has shares in the company.
- **Individual Owner-Drivers.**

6.2. Key Elements of an Owner-Driver Scheme

There are certain elements typically required for a successful Owner-Driver Scheme:

- **Sponsoring Corporate** – provides the business.
- **Owner-Drivers** – supply service.
- **Owner-Driver responsibility** in respect of the retention and development of the business.
- **Finance House.**
- **Business Advisor** (incorporating bookkeeper).

A Business Advisor should be an independent party and must be paid a fee, agreed by all parties, which is part of the fixed cost of an Owner-Driver's structure. While the accounting function is essential, Business Advisor's must have specific transportation and vehicle management skills.

6.3. Critical Success Factors

There are critical success factors that ensure sustainability of the Owner-Driver Scheme:

Business Training

Management Training (and business skills transfer).

Change of Mindset – empower individual and invest in asset ownership (and the promotion of independency).

Benchmark – the provisions of the relevant labour and taxation legislation must be taken into account and inform such benchmarking.

Preferential Contract, sustainable tariff and genuine independent contractor status according to the tax laws.

Transparency

- The identification of a person who will coordinate Owner-Driver Schemes and liaise between Owner-Drivers and the Principle Company or management company.
- The availability of a dedicated contract and guaranteed volumes.
- Accreditation of management companies.
- Full ownership of the vehicle at the end of the period.
- The identification of responsibilities of Owner-Drivers regarding administrative functions.

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Key Objectives

- Empowerment of the individual *and his/hers heirs*.
- Variability in cost for the company.

6.4. Criteria

The Owner-Driver Scheme can work to the benefit of both company and owner-driver, if the following issues are identified and addressed, with the aim of achieving better productivity and the inclusion of back-up arrangements:

- **Training** (an example of training elements for Owner-Drivers is appended)
 - Constant review of training and training requirements.
 - Selection criteria.
 - Accredited training courses and service providers.
 - Basic business skills.
- **Entrepreneur**
 - Mindset change of the owner-driver.
 - Mindset change of management.
- **Benchmarking**
- **Routes**
- **Sustainability**
- **Pricing**
- **Contract payment cycles payment made within 14 days of date of invoice**
- **Uniformity of Cross Border charges**
- **Identification of the elements of benchmarking**

6.5. Go Live

- Pilot in an area;
- Resign as an employee;
- Go back as an employee, if not successful as an owner-driver and;
- Time frames and guarantees;

6.6. Owner-Driver Contract

- Should be protective to the owner-driver.
- Should also include penalties to encourage excellent performance.
- Transparency.
- Share in risks and rewards.
- Should have payment, which is output, and results based.
- The development of standard guidelines/contract.
- Conditions pertaining to rate increases.

In order to protect transport operators from unscrupulous transport brokers the Cross Border Agency can also develop some model contracts to be signed by the parties concerned.

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6.7. New Legislation

- R90 000 per annum.
- Branding on vehicles. (Specifics should be included in contract)
- Uniform to be worn to identify owner-driver.
- Communication. (Needs some clarification)
- Requirements of the Dangerous Goods Legislation
- Statutory levies.

6.8. Benefits

- Improved efficiencies for the company.
- Increased revenue.
- Client relationship developed by the owner-driver, who would like to get the business.

6.9. Problems Faced by the Owner-Driver

- Taxation at the same rate as employees as if:
 - Owner-driver works more than 80% for one company; or
 - Owner-driver has less than 4 employees
- Funding
- Freight rates
- Payment of invoices
- Vehicle replacement has to be budgeted for. (need some clarification)
- The Cross Border Costs
- Input and effort of the owner-driver is required, especially in the first year.
- Timorously payment of Owner-Drivers

6.10. Conclusion

An Owner-Driver Scheme can work very well, if it is a joint effort between management and labour and not meant as a means of shifting the burden of cost by the employer. If the objective of an Owner-Driver Scheme is primarily aimed at empowerment, that would yield investment, efficiency and facilitation of asset ownership, from which both parties.

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7. APPENDIX B: COMMITMENT EVALUATION MATRICES

Ownership

Action Undertaken	Input measurement	Output measurement	Quality Control
Develop financing mechanisms for B-BBEE companies to achieve equity ownership	Money spent on research and implementation of mechanisms as a % of total discretionary funds	Report to Steering Committee/Transport Charter Council on improvement (percentage change) in black shareholding.	Committee/Transport Charter Council and Industry

Employment Equity

Action Undertaken	Input measurement	Output measurement	Quality Control
Department of Labor to ensure that employment equity targets are met.	Money spent on research survey as a % of total discretionary funds	Assessment Report on employment equity targets for black people within the industry to be handed to Committee/Transport Charter Council.	TETA & Committee/Transport Charter Council

Skills Development

Action Undertaken	Input measurement	Output measurement	Quality Control
Implement skills audit to identify management, professional and technical skills that will be required over the next decade.	Money spent on research as a % of total discretionary funds	Analysis and forecasts to be presented to Steering Committee and TETA.	TETA & Committee/Transport Charter Council
Develop training programmes to improve the business management skills of owner-drivers.	Money spent on skills development as a % of total discretionary funds	Assessment Report on management skills of owner-drivers within the industry to be handed to Committee/Transport Charter Council	TETA & Committee/Transport Charter Council

Preferential Procurement

Action Undertaken	Input measurement	Output measurement	Quality Control
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Ensure that uniform accounting practices regarding preferential procurement are adopted by public sector agencies.	Money spent on research as a % of total discretionary funds	Assessment Report on accounting practices regarding preferential procurement submitted to Committee/ Transport Charter Council.	Committee/ Transport Charter Council
Identify opportunities in which quick results can be achieved through procurement from B-BBEE companies.	Money spent on research as a % of total discretionary funds	Research Report, together with suggestions handed to Committee/ Transport Charter Council.	Committee/ Transport Charter Council
Adopt the guidelines set out by the Transport Sector BEE Council on Accounting for Affirmative Procurement.	Money spent on training and administrative costs in adopting guidelines.	Assessment Report on adherence to guidelines within the industry.	Committee/ Transport Charter Council

Enterprise Development

Action Undertaken	Input measurement	Output measurement	Quality Control
Create joint ventures with and invest directly in black owned enterprises.	Annex 600A (Benefit Factor Matrix) of the Codes shall apply	Report to Steering Committee on improvement (percentage change) in new entities created.	Committee/ Transport Charter Council
Research ways in which non-core activities such as workshops, certain maintenance functions and security services can be subcontracted to B-BBEE enterprises.	Money spent on research as a % of total discretionary funds	Research Report, together with suggestions handed to Committee/ Transport Charter Council.	TETA & Committee/ Transport Charter Council

Socio-economic Development

Action Undertaken	Input measurement	Output measurement	Quality Control
Improve socio-development contributions on poverty alleviation and community development	Percentage Net profit after tax on relevant contributions.	Report to Steering Committee on contributions made	Committee/ Transport Charter Council
Implement labour practices in line with labour legislation.	Money spent on awareness campaigns and legal and administrative fees as a % of total discretionary funds	Report to Committee/ Transport Charter Council on adherence to labour legislation.	Committee/ Transport Charter Council

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Ensure non – discrimination against employees living with HIV/AIDS.	Percentage Net profit after tax spent on HIV/AIDS education and surveys on attitude towards people living with HIV/AIDS.	Report to Committee/ Transport Charter Council on attitudes toward people living with HIV/AIDS.	Committee/ Transport Charter Council
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