

# Tighten security at social

HLENGIWE KWEYAMA

THE SA Social Security Agency (Sassa) needs to urgently put measures in place to improve safety at grant pay points following the armed robbery at Lindelani, near Ntuzuma, Durban, which

claimed three lives.

The Public Servants Association (PSA) made the call yesterday in response to the robbery that cost the lives of three people. Fidelity security guards were partially blind and Phumaphi Zondi, who was gone to the Lindelani pay

to receive her

The assoc manager, Cl



# PSA in wage dispute



...NIESBURG — The Public Servants' Association (PSA) has started a wage dispute with the state after pay talks broke down. The union said yesterday that the general manager Dan... said in a statement: "We are not willing to improve our wages and insisted on taking an existing right, the right to strike with no other option but to declare a dispute."

...with the state in response to a demand for a 5% increase. The state intended to increase the current housing allowance with a housing scheme. After more PSCBC meetings, the state made its final offer on Wednesday for the 2012/2013 financial year, which workers rejected.

...will be resolved in terms of PSCBC's dispute resolution procedures. The union has 30 days to accept the offer and if not, it will go to the Public Service and Administration spokesperson Dumisani Nkomo. The government had tabled

...Right to pro... baby... Could've been... SAHRC... THE SA Human Rights Commission (SAHRC) to investigate what happened to the deaths of four babies at the George Mashego District Hospital in Limpopo. The babies died of treatable causes amid a serious staff short on January 3-6, and SAHRC spokesman Isaac Mangena says deaths could have been avoided. "We believe the alleged short of doctors is not something that provincial Department of Health should be aware of only after the deaths of these babies, and as a pre-emptive measure should have been taken," he said. "We are deeply concerned that this tragedy was allowed to happen. Mangena said incidents such as this were a violation of the constitution. "Our constitution clearly states that everyone has the right to have access to health care services. The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of the right to health," he said. Limpopo Health MEC Noro Mabasa has confirmed the 200-bed hospital should have 30 doctors, but has only eight. The National Education, Health and Allied Workers' Union (Nehawu) said only one doctor was on duty when the deaths occurred. Reports have indicated there is not only a shortage of doctors, but that the hospital's management team was also on leave at the time of the deaths. Mabasa has called for a commission of inquiry.

# Staat spaar glo met ongebruikte voertuie

**icus Bürger**  
...AATSVOERTUIE wat al maande lank ongebruik op die Glendboukollege se terrein buite loemfontein staan, kos belangbetalers waarskynlik derduisende rande. Sô sê Gerhard Koorts, bestuurder van die Vereniging vir Staatsnptenare (VSA) in die Vrystaat. Volksblad het vandeeweek op 'n Nissan Hardbody-bakkies bylen afgekomp. Van dié bakkies sesensieskywe het al verval. Koorts sê al word die bakkies

provinsiale tesourie het vroeër opdrag gegee dat departemente alre ongebruikte voertuie teruggee. "Die vraag is hoekom (die departement van) landbou dit nie gedoen het nie." 'n Ingeligte by die landboukollege het gesê slegs een van die bakkies is vroeër vanjaar vir 'n rit gebruik. Die res staan volgeenber op die staatsvoertuie. Hy het bevind dat departement het die bakkies siesieskywe vir al die bakkies. Volgens die ingeligte word dié voertuie nie gebruik nie om geld te bespaar. Hier het ook twee Tansaan, maar die



Dié staatsvoertuie staan al maande lank die... Bloemfontein.

# PSA Annual Integrated Report 2012/2013

# Sekuvunyelwene ngam...

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# Chairperson's message

The Public Servants Association of South Africa (PSA) has firmly established itself as a leading trade union in the South African public sector. This position, achieved over decades of devoted and professional service to members, however, brings with it an array of responsibilities and challenges in respect of the Union's duty towards an increasing number of employees placing their trust in the PSA.

The PSA's activities, as reflected in this report covering the period **1 April 2012 to 31 March 2013**, are a clear indication of the role the Union continues to play in the protection of members' rights and the promotion of their interests. The report addresses, amongst others, the PSA's activities in respect of service delivery to members, recruitment of new members in order to ensure the Union's vitality, as well as the empowerment of member structures and shop stewards as indispensable role-players in the PSA's operations.

Effective and continuous communication with members represents a key activity for the PSA. The various methods used in this regard to meet members' expectations are also highlighted in this report.

The PSA, apart from concentrating on its core business as a Union, furthermore prides itself in its contributions towards the social upliftment and empowerment of communities. The PSA's various national and provincial social responsibility activities, as outlined in this report, serve as testimony to its sincere commitment to improving lives.

The PSA, as an employer, strives towards representivity in its employee profile and I am pleased to mention that this objective represents yet another success for the Union. The report underlines the fact that the PSA is making excellent progress towards the achievement of its employment equity goals and targets at all levels of the organisation.

The Union's environmental footprint as well as its social and ethical conduct are also addressed.

In the final instance, the report provides insight into the Union's financial governance and performance highlights, with the assurance that professional management of these matters has resulted in the PSA's financial stability and continued viability.

Loyalty, transparency, respect, integrity, consistency and service excellence are the core values guiding all PSA activities. With the focus firmly on meeting - and even exceeding - members' needs, the PSA remains unconditionally devoted to its service call.



**Pierré Snyman**  
**CHAIRPERSON**



# Poor management caused bad matric results – union

Dept res

SARAH EVANS  
STAFF REPORTER

IN THE wake of the ambulance cri-

BY BEAUGSTROM  
IN EDIC

THE PUBLIC Servants Association (PSA) has attributed the 3.5 percent dip in the in the matric pass rate in the Province, to "serious management problems" in the North-Cape Education Department.

PSA provincial manager, Joseph Jacquire, urged for an audit of appointed directors, circuit managers, school principals, curriculum co-ordinators and subject advisors.

"The department should rid itself of incompetent officials who are only there for self-gain. It appears that these officials are more concerned about compiling an program that guarantees promotion positions.

"The monies used to remunerate senior management could be used to appoint more teachers and build more schools in the province.

"It is evident that the more chief directors and directors are appointed, the poorer the provincial results become," Jacquire said.

He also said that the curriculum



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(Eoland/Weskus)  
by 2012, p.12

DKD SK

## DIE departement van korrektiewe dienste (DKD) skuld bewaarders landwyd glo meer as R1,2 miljard oortyd.

WYNDHAM HARTLEY  
Parliamentary Editor

Disciplinary hearing at Department of Rural Development and Land Reform turned into a stir where parties were yelling at each other and one calling the other a "racist".

The hearing, which was held last week, pertained to an employee of the national Land Restitution Commission, who has since relocated to Johannesburg (formerly Nelspruit), who was charged with being absent without leave at work under the influence of alcohol.

The provincial shop steward of the Public Servants Association (PSA), Kenny Webb, has laid criminal charges of crimen injuria against the adjudicator of the



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## Prisons urged to resolve costly dispute about overtime

WYNDHAM HARTLEY  
Parliamentary Editor

The Department of Correctional Services criticised in Parliament yesterday for dragging its heels in negotiations with trade unions over service conditions in prisons and causing a serious decline in

the unions involving overtime could result in a bill to the department of more than R1bn.

MPs also lost patience with the promises and undertakings made to rectify matters that never saw any action. There were blunt warnings that when the department came to the correctional services committee for budget

Submissions to the committee from the Police and Prisons Civil Rights Union (Popcru) and the Public Servants Association detailed numerous points of dispute which remained unresolved. These included the introduction of what is known as the seven-day establishment, pay and grade progression, and payment of overtime.

The general secretary of the committee "the department failed to determine lawful shifts to date. This has led to numerous successful labour court interdicts we launched against the department to compel out attempts to compel out attempts to perform work under unlawful working hours that contradict the Basic Conditions of Employment Act".

He said that while progress on some issues, no progress had been made on the issues of promotion and the payment of overtime.

The overtime claims of the trade unions come as a result of prisons staff changing to a seven-day week with overtime paid for weekends.

"This overtime arises from the fact that the department compelled our members to work more than 45 hours a week without a collective agreement," he said. The dispute dates back to 2009 and Mr Theledi estimated that some officials were owed as much as R70 000. The department said in its written submission that the worst-case scenario was a current payment of R45m a month.

When she introduced the seven-day establishment in June 2009, Correctional Services Minister Nosiviwe Mapisa-

Nqaku way mainly time c MI conce between depar effect rehab D Jame when



# Service delivery

## PSA Management

### Board of Directors

The PSA's Board of Directors, in the absence of the General Assembly in session, acts as its representative and extension and is responsible for the control and management of the PSA's business.

During the period under review, the following members served on the PSA's Board of Directors:

<b>Adv Rashied Daniels</b>	President
<b>Peter Tlowana</b>	Vice-President (elected 17 September 2012)
<b>Pierré Snyman</b>	Chairperson (elected 17 September 2012)
<b>Ronny Maepa</b>	Vice-Chairperson (elected 17 September 2012)
<b>Oniccah Lefifi</b>	Director
<b>Annetjie Rencken</b>	Director
<b>Ben Jacobs</b>	Director
<b>Dr Vuyo Dyantyi</b>	Director (elected 17 September 2012)
<b>Rob Moody</b>	Director (elected 17 September 2012)
<b>Ashley M'Anda</b>	Director (elected 17 September 2012)



**Paul Sello**

Chairperson  
(term of office expired on  
17 September 2012)

**Jurie Saal**

Vice-Chairperson  
(term of office expired on  
17 September 2012)

**Danny Adonis** (pictured below) is the General Manager and acts as Secretary of the PSA.

### PSA Board Committees

The following members serve on the different Board Committees of the PSA:

#### Audit Committee

<b>Dr Vuyo Dyantyi</b>	Chairperson (appointed 24 October 2012)
<b>Pierré Snyman</b>	(elected 25 August 2010)
<b>Oniccah Lefifi</b>	(elected 24 October 2012)
<b>Rob Moody</b>	(elected 24 October 2012)

#### Cell Captive

<b>Peter Tlowana</b>	Chairperson (appointed 24 October 2012)
<b>Annetjie Rencken</b>	(elected 25 August 2010)
<b>Ashley M'Anda</b>	(elected 24 October 2012)

#### Remuneration Committee

<b>Ronny Maepa</b>	Chairperson (appointed 25 August 2010)
<b>Annetjie Rencken</b>	(elected 26 October 2011)
<b>Ben Jacobs</b>	(elected 26 October 2011)
<b>Rob Moody</b>	(elected 24 October 2012)

### Members representing Structures

<b>Dirk Matthysen</b>	(elected 21 September 2010 for a period of four years)
<b>Eugene Louw</b>	(elected 7 September 2012 for a period of four years)
<b>Sboniso Ndlovu</b>	(elected 17 September 2012 for a period of four years)
<b>Paulina Motecwane</b>	(elected 17 September 2012 for a period of four years)

## Assistance to members

The protection of members' rights, as one of the core functions of the PSA, has once again been executed in an excellent manner by the PSA's Rights Section in the Directorate Members' Affairs during the 2012/2013-report period.

The mentioned success is as a result of hard work and dedication by each PSA staff member, shop stewards, full-time shop stewards (FTSS) and full-time office bearers (FTOB). The good teamwork amongst the mentioned role players, in order to ensure that all PSA members' matters, irrespective of perceived significance, receive the necessary attention, further attributed to the success.

The excellent service, sometimes executed under difficult circumstances and outside ordinary working hours by staff members, shop stewards, full-time shop stewards and full-time office bearers, is much appreciated. Without their dedication, the PSA would not have been able to achieve its objectives.

The assistance referred to above, is reflected by means of the following statistics:

**Day-to-day enquiries finalised**  
(consisting of personal interviews, faxes, emails, letters and telephone enquiries) 177 571

**Conciliations**  
Shop stewards/FTSS/FTOB 348  
Staff 872

**Arbitrations**  
Shop stewards/FTSS/FTOB 251  
Lawyers 179  
Staff 780

**Disciplinary hearings**  
Shop stewards/FTSS/FTOB 997  
Lawyers 30  
Staff 1 038

**Grievances**  
Shop stewards/FTSS/FTOB 1 145  
Staff 7 662

**Court cases**  
(Review of arbitration awards, opposing of review of arbitration awards by employers, instituting contempt of Court proceedings, issuing of summonses in Magistrate's Courts, legal opinions, issuing of interdicts) 1 471

**Monetary value of awards/settlements in favour of the PSA**  
(It should be noted that the PSA Provincial Office: Johannesburg managed to secure a payment in respect of the Performance Management Development System (PMDS) to affected members at the Department of Health amounting to R29 000 000 in February 2013) R52 396 230,65

**Legal costs** (unaudited amount) R9 774 932,88

**Other meetings attended** 1 344

**Distance travelled (km)** 483 015,50

**Hours unpaid overtime worked** 2 121,9

## Collective bargaining

Collective bargaining on behalf of members represents another of the core functions of the Union. In support of progressive collective bargaining, the PSA, apart from participation in the various bargaining structures, is also an active participant in joint labour initiatives.

### Independent Labour Caucus (ILC)

The PSA, as a founding member of the ILC, has since 2007 continued to actively make positive contributions to this politically non-aligned body. The ILC strives towards fostering co-operation on collective bargaining matters amongst like-minded trade unions and jointly represented 48% of unionised public servants during the report period.

The other parties to the ILC are the National Professional Teachers' Organisation of South Africa (Naptosa), the National Public Service and Allied Workers Union (NPSWU), the Health and Other Services Personnel Trade Union of South Africa (Hospersa), the Professional Educators Union (PEU), the *Suid-Afrikaanse Onderwysersunie* (SAOU), the South African Police Union (Sapu), the National Union for Public Service and Allied Workers (Nupsaw), the United National Public Servants Association of South Africa (Unipsa), and the National Teachers Union (Natu), as the newest member.

### Public Service Bargaining Councils

The PSA represents members in the Public Service Coordinating Bargaining Council (PSCBC) and the four Sectoral Bargaining Councils, namely the Education Labour Relations Council (ELRC), the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC), the General Public Service Sectoral Bargaining Council (GPSSBC) and the Safety and Security Sectoral Bargaining Council (SSSBC).

The most important events in these Councils during the period under review are covered in this report.

## **Public Service Coordinating Bargaining Council (PSCBC)**

### **Improvement in Conditions of Service for 2013/2014-financial year: Salary levels one to twelve and employees who received an Occupational-Specific Dispensation (OSD)**

A wage agreement for a three-year period was signed in 2012 (PSCBC Resolution 1/2012). This wage agreement is effective for a period of three years ending in the financial year of 2014/2015. PSCBC Resolution 1/2012, amongst others, provides for a multi-term, cost-of-living adjustment for employees on salary levels one to twelve as well as those employees who have received an OSD. The said cost-of-living adjustment, effective from 1 May 2012 to 31 March 2013, was 7% for employees on salary levels one to twelve as well as those who have received an OSD.

### **Implementation of amendment to PSCBC Resolution 3/2009 and grading of jobs/posts on salary levels nine/ten and eleven/twelve**

Following the multi-term agreement which was entered into in the PSCBC (PSCBC Resolution 1/2012), a number of issues had to be dealt with during the report period. In relation to the improvement in conditions of employment, clause 18 of PSCBC Resolution 1/2012 relates to the amendments to be done in terms of clause 3.6.3.2 of PSCBC Resolution 3/2009. Implementation of this provision would allow employees whose posts are graded on salary levels ten and twelve to be appointed and remunerated on salary levels ten and twelve respectively.

Pursuant to this Agreement, the employer on 25 February and 15 March 2013, issued circulars serving as “Implementation Directives” by the Minister for the Public Service and Administration (MPSA) with a view to implement the relevant provisions of the applicable Resolution.

In terms of the Department of Public Service and Administration (DPSA) Circular 16/P of 15 March 2013, the employer excluded Corporate Services jobs/posts from the automatic absorption into the regraded posts with effect from 1 August 2012. Furthermore, the employer, in paragraph 5 of its circular 16/P of 15 March 2013, advised departments which had already upgraded and absorbed Corporate Services employees into salary levels ten and twelve posts respectively, to reverse such irregular upgrades and recover the resultant overpayments.

The PSA is of the view that the same measure of automatic absorption (applicable to core function) into the posts which were previously graded on salary levels ten and twelve respectively should also apply to the posts in Corporate Services. The PSA consequently wrote a letter to the Director-General (DG) of the DPSA indicating that should the employer fail to apply the said measure to Corporate Services as well, the PSA would have no other option but to challenge the employer’s inconsistent application of the measure in question in an appropriate forum.

The employer’s response was still being awaited by the end of the report period.

### **Implementation: Grading levels for Clerks in the Public Service**

The MPSA issued a directive in 2004 in terms of which a process was set out to coordinate the regrading of occupations utilized by more than one department in the Public Service.

As the jobs of Clerks in the Public Service are considered to be of a transverse nature, the above process was applied to this particular category of employees.

In terms of this process, “benchmark” job descriptions and grading levels were developed for Clerks. It was also determined that based on the “way work is generally managed in departments, that two performer (work) levels were required for each category” within the relevant occupational class. These levels were identified to be at a production and a supervisory level.

Benchmark job descriptions were subsequently developed for these two work levels after which they were subjected to the process of job evaluation. The outcome of the job evaluation process was the following: Production level Clerk - Grade five and Supervisory level Clerk - Grade seven.

The MPSA subsequently approved that these results, together with an implementation strategy containing translation measures, be issued as an “advice” to departments/provinces in terms of the provisions of the *Public Service Regulations* (PSR) (Chapter 1, Part III.I.4). Members were, however, advised of the following:

- Funds for the implementation of the “regrades” had to be available on the respective departments’ own allocated budget. The National Treasury indicated that it would not make additional funds available for this purpose and departments should either find funds on their budgets or obtain additional funds through the supplementary budget process.
- The DPSA indicated that, in view of this standpoint of the National Treasury, departments should manage the implementation of the regrades according to the availability of funds.

It is also important to note that the implementation strategy contained (apart from the general applicable measures in terms of regrading) the following measures:

- Some departments might have posts/jobs that were graded at higher salary levels than the benchmark grading levels for the relevant functions. These jobs had to be downgraded to the benchmark grading. The current incumbents would, however, retain their current salaries.
- In terms of PSCBC Resolution 3/2009 if the salary was one salary level higher than the grade of the post, the incumbent would continue to receive salary progression on the said salary level.
- However, if the salary grade was more than one salary level higher than the grade of the post, the determinations of the Incentive Policy Framework for Employees on Salary Levels one to twelve and those covered by OSD applied.

- Clerks on the so-called production level (new grade five), but whose jobs were currently graded at salary levels six and higher, would retain their current salary notches as personal.
- The jobs of these Clerks would, however, be downgraded to salary level five.
- The posts of Clerk on salary level six or higher would be phased out. No future appointments of Clerks on salary level six or higher would be allowed.
- Clerks on the so-called supervisory level (new grade seven), but whose jobs were currently graded at salary levels eight and higher, would retain their current salary notches as personal.
- The jobs of these Clerks would be downgraded to salary level seven.
- The supervisory level clerical post on salary level eight or higher would be phased out.
- No future appointments of Clerks on salary level eight or higher would be allowed.

The PSA, based on the aforementioned information, decided to take proactive steps in this regard and requested that the issue of the implementation of the new grades for Clerks in the Public Service be placed as an agenda item in respect of all the Departmental Bargaining Chambers (National Departments) as well as the Provincial Bargaining Chambers of the General Public Service Sectoral Bargaining Council (GPSSBC).

Developments will be reported during the next report period.

## **Government Employees Housing Scheme (GEHS)**

In terms of the provisions of PSCBC Resolution 2/2011, read with Resolution 1/2012, parties agreed to develop a comprehensive GEHS to promote home ownership for all levels of employees in the Public Service. A Technical Working Committee (TWC) was established with a view to conduct the investigation into the GEHS. The TWC is expected to give on-going feedback to the Council on developments in this regard. It made the following recommendations to Council:

- That a project management office be set up to manage the process.
- This office would then, amongst others, develop terms of reference for the project and also consider position papers submitted in respect of the project by the respective parties to Council.
- Although this project should be funded by the PSCBC, the employer indicated its willingness to fund the project, and the project management office would be situated in the DPSA. A market survey was conducted by the employer to establish the housing trends and preferences of South African public servants. From the presentation it was apparent that:
  - Home ownership was regarded as important and constituted an employee's investment for future years.
  - Although employees regarded home ownership as important and a good investment, they did not have the means to invest in this regard.
  - The majority of employees would prefer government to incorporate a housing subsidy into their salaries.

It was clear from the TWC report that there was still a lot of work to be done by the Committee. The results of the survey were to form part of the information to be considered by the TWC during its investigation and development of a GEHS.

Developments will be reported during the next report period.

## **Recognition of improved qualifications**

In terms of the provisions of clause 7 of PSCBC Resolution 1/2012, Sectoral Councils would be responsible for the development of criteria on the recognition of improved qualifications in their respective Sectors. The following progress reports were given by the Sectoral Councils to the PSCBC in respect of the implementation of the provisions of clause 7 of PSCBC Resolution 1/2012:

- **ELRC:** It was indicated that the current provisions with regard to recognition of improved qualifications in that Sector were more favourable than the provisions of PSCBC Resolution 1/2012. These provisions were being reviewed and the PSCBC would be kept informed of developments.
- **PHSDSBC:** The matter was being discussed in that Council. The PSCBC would be kept informed of developments.
- **GPSSBC:** The employer in the GPSSBC made some progress in developing a proposal on the criteria for recognition of improved qualifications. The process was complicated by the scope of occupational classes in that Sector. The PSCBC would be kept informed of developments.
- **SSSBC:** No response was received from this Sectoral Council. The SSSBC was reminded to provide a response to the PSCBC as soon as possible.

Developments will be reported during the next report period.

## **Implementation of "Clean-Break" Principle: Government Employees Pension Fund (GEPF)**

During 2011 the Cape High Court declared that the law governing the GEPF was inconsistent with the Constitution as it prevented the Fund from paying out benefits to spouses divorced from public servants as was the case with all other pension funds. The Court gave the government a year to remedy the situation and during that time an Act was promulgated allowing the GEPF to amend its Rules to provide for the payment of benefits awarded in terms of a Court-sanctioned divorce order or a decree for the dissolution of a marriage of a member of the Fund. Owing to increasing enquiries from members affected by the amended provisions and considering the negative impact of the consequences of the amendment of the GEPF Rules, the PSA requested the PSCBC to host an information-sharing session. The GEPF would then be invited to shed light on the matter.

The PSA's view was that a better understanding of the factors informing the amendments as they are today would assist parties to adequately deal with enquiries from members and make proposals to ameliorate the negative financial implications arising out of the formula that was being used by the GEPF.

The proposal from the PSA was supported by Council and a workshop would be held at the PSCBC by the GEPF during the forthcoming report period. The matter remains on the agenda for feedback following this workshop.

Developments will be reported during the next report period.

### **Policy and Procedure: Incapacity Leave and Ill-health Retirement (PILIR)**

It came to the PSA's attention that the DG of the DPSA issued a letter on 18 December 2012 to all heads of departments in the Public Service, relating to the suspension of the processing of the applications for incapacity leave and ill-health retirement owing to a pending Court case by prospective Health Risk Managers.

The DG of the DPSA informed departments that the selection and departmental contracting of the new Panel of Accredited Health Risk Managers had been suspended owing to an urgent interdict granted by the High Court. The DG also indicated that he had been unsuccessful in his attempts to have the interdict rescinded in the High Court.

Of great concern to the PSA were the consequences of the letter of the DG which, among others, required that all departments must put on hold all incoming incapacity leave and ill-health retirement applications of employees until further notice. That, in itself, would create severe hardship to members who might already have been incapacitated by ill health when applying for incapacity leave and/or ill-health retirement.

The PSA subsequently submitted a request to place the matter on the agenda of the PSCBC for urgent discussion. The rest of labour supported the PSA in this regard. The employer was requested to provide confirmation that no employee would be disadvantaged as a result of its decisions to suspend the processing of all applications going forward. The employer was unwilling to give such an undertaking. The employer, however, provided the following information on this matter:

- PILIR provided (as stated above) for the appointment of a Panel of Accredited Health Risk Managers in the various service areas to render a consultancy service required in terms of PILIR.
- The DPSA appointed the Panel through its procurement processes.
- The present contracts with the service providers expired on 31 December 2012.
- A new Panel would have been selected in terms of PILIR with effect from 1 January 2013.
- The selection and contracting of the new Panel were, however, suspended owing to the mentioned legal challenge.
- Backlogs of incapacity leave and ill-health retirement applications were inevitable.

After discussion, Council agreed that a contingency plan be put in place to prevent unnecessary hardship on the part of members who might be affected by this matter. As part of the contingency plan, the contracts of the current service providers (which expired on 31 December 2012), should be extended until such time as the legal challenges had been resolved.

Developments will be reported in the next report period.

### ***Education Labour Relations Council (ELRC)***

The South African Democratic Teachers Union (Sadtu) declared a dispute on 28 March 2013 and referred the matter to the ELRC for resolution in terms of its dispute resolution procedures. Sadtu indicated in its dispute that its "members who are Educators are receiving a lower pay progression of 1% as opposed to the rest of the Public Service who are receiving a 1,5% pay progression". It also referred the dispute as an unfair labour practice and demanded, as settlement of the dispute, that the "pay progression of Educators of 1% be equalised with that of other Public Service workers which is 1,5%".

The PSA is a party to the "Combined Trade Union-Autonomous Teachers Unions" (CTU-ATU) in the ELRC. Naptosa, which is acting as coordinator of the CTU-ATU, approached all parties of the CTU-ATU with the request whether or not the dispute of Sadtu should be joined.

The PSA expressed the concern that the dispute which was referred by Sadtu was clearly a matter which emanated out of the bargaining process. Furthermore, the PSA indicated to the CTU-ATU that our understanding was that the percentage in dispute was already regulated by an agreement concluded some time ago in the ELRC. Consequently, the PSA was of the view that the said dispute was an interest one and not a rights dispute as referred by Sadtu. The PSA therefore did not join the Sadtu dispute.

Sadtu, as a result of amongst others the PSA's expressed concern, amended its referral to the extent that the "new" dispute was an interest dispute. The PSA, in response to the amendment, indicated to the CTU-ATU that it would join the dispute, but only on condition that it be allowed to reconsider its options, should conciliation fail.

Developments will be reported during the next report period.

### ***Public Health and Social Development Sectoral Bargaining Council (PHSDSBC)***

During the latter part of 2011 it came to light that the General Secretary (GS) of the Council allegedly committed a number of unacceptable acts (including fraud, sexual harassment, mismanagement of the Council, viewing of pornography, etc.), serious enough to require dismissal. Details were reported in respect of the situation in the previous report.

This situation was, however, addressed with the appointment of a new Secretary to Council and significant improvements have already been noted in the management of the Council.

Council, during the report period, signed off on the extension of the GPSSBC's Resolution on the OSD for Engineers and Technicians.

Workshops were being scheduled to ensure that Provinces understood the Agreement and ensured its full implementation. A facilitation process was embarked upon to ensure that progress was made with identification of Emergency Medical Service Personnel who should receive a Standard Danger Allowance in terms of PSCBC Resolution 1/2007. The process yielded speedy results and parties were in the final stages of concluding negotiations.

The three-year Strategic Plan of the Council was developed and adopted by Council and its implementation commenced. As part of the implementation of the Plan, the Council identified permanent housing for its Administrative Office and was in a process of purchasing the building.

A workshop was also held on the proposed Constitutional changes and the draft amendments were finalised and submitted to Council for negotiation. Workshops were also held on Essential Services and the Council was in the process of extending the workshops to its Chambers.

Also part of the implementation of the Plan was the establishment of a Collective Bargaining Committee. The Committee was in the process of identifying Council Resolutions which required review and identified and addressed matters which would require Council's attention. The reports from the Chambers were also tabled for monitoring purposes in the Committee. In order to enhance capacity, the Council rolled out a training programme towards the end of 2012 in Provinces on negotiations skills training. The programme addressed the following:

- Interpret and Manage Conflict within the Workplace (USD 114226, NQF level five, eight credits)
- Conduct Negotiations to deal with Conflict Situations (USD 117853, NQF level five, eight credits)

### **Danger Allowance:**

#### **Emergency Medical Services (EMS) personnel**

Labour during 2012 supplied the employer with a list of categories which should form part of those Emergency Services Personnel who should receive the Danger Allowance as provided for in terms of PSCBC Resolution 1/2007 and confirmed in PSCBC Resolution 1/2012. This identification process was long outstanding and had not yet been finalised by the employer.

Owing to the fact that no progress was being made with the matter and that it was long outstanding, parties reached a deadlock. The provisions of the PHSDSBC Constitution were therefore invoked and it was agreed that a facilitation meeting be convened by 13 March 2013 over a period of three days during which parties would endeavour to break the deadlock. The employer after the first day of facilitation requested a postponement with a view to enable it to finalise its mandating processes. Parties agreed to afford the employer a final opportunity to come to the table with a mandated proposal to resolve the matter. Should parties fail to break the deadlock, they would be in dispute over the matter and the due processes would be followed in terms of the provisions of the Constitution.

The employer gave an undertaking that it would table a draft Agreement at the next Council meeting which would, in turn, be distributed amongst members for a mandate in terms of the PSA's internal mandating process.

Developments will be reported during the next report period.

## **National Chamber for Health and Social Development (Chamber of the PHSDSBC)**

### **Restructuring**

One of the prominent issues in the Chamber remains the restructuring process of the National Department of Health. The employer representative in the Chamber initially refused to acknowledge that the employer was indeed restructuring and resisted the introduction and discussion of the matter in the Chamber.

The PSA had to put the employer on terms before parties came to the table to commence with the consultation process early in 2011. During the period under review, the employer representatives in the Chamber continuously reported or indicated that they either had no official progress report or mandate to respond. At the end of the report period the employer, however, indicated that the DPSA had instructed it to suspend restructuring until further notice.

Following the history of avoiding the matter, the PSA insisted that the matter should remain on the agenda to monitor the situation.

### **South African Health Products Regulatory Authority (SAHPRA)**

The PSA initially insisted that the item be placed on the agenda of the Bargaining Chamber to monitor the possible implementation of the proposed Regulatory Authority. After the initial discussion, the employer indicated that the process had been placed on hold and that the *status quo* would remain in that the Act had not been implemented as yet. It became clear that until such time as a new employer came into existence, no fruitful engagement would be possible, and the matter was removed from the agenda.

The employer subsequently published a draft Bill in March 2012 increasing the number of components to potentially form part of SAHPRA.

The PSA studied this draft Bill and ensured that the matter was brought to members' attention to submit inputs as to why these components should not be transferred.

The PSA also issued a letter to the employer reiterating its position that this was considered as a transfer in accordance with section 197 of the *Labour Relations Act*.

Therefore, the PSA as a recognised trade union representing employees that would be affected by any such transfer process, should be a party to consultations/negotiations between the old and the new employer on any matters of mutual interest that might affect its members. During the report period, however, the *status quo* remained on this matter.



## **Occupational-Specific Dispensation (OSD): Monitoring of implementation**

Several Resolutions were signed in the PHSDSBC between 2007 and 2010 whereby a special dispensation model for Nurses, Therapeutic, Diagnostic and Related Allied Health Professionals, Medical Officers, Medical Specialists, Dentists, Dental Specialists, Pharmacologists, Pharmacists and Emergency Care Practitioners, was introduced.

One of the functions of the Chambers of Council is to monitor the implementation of such Resolutions as they apply to the employees falling within its scope. The National Chamber therefore established a task team in 2011 to facilitate the monitoring process. The task team did not function effectively and during the report period the PSA requested that the matter be brought back to the Chamber as a standard agenda item. This allowed the PSA to more effectively exert pressure on the employer to implement the Resolutions of Council.

In addition to this, the PSA advised members to lodge grievances and declare disputes where they did not agree with the employer's interpretation and application of the Resolutions. This two-pronged approach delivered results and at the end of the report period no further reports from members had been received indicating that the Resolutions had not been implemented.

## **Organisational Review: National Social Development**

The employer embarked upon an organisational review process to position and align its functional structure to the revised strategic plan and envisaged changes in the Department's environment such as the future establishment of the Department of Social Security. This led the Department to assess its internal environment and organisational capacity to address gaps and also to incorporate changes such as the inclusion of the Independent Tribunal for Social Assistance Appeals (ITSAA) into the structure of the Department. The last structural review for the Department was done in 2006 and therefore the Department also felt that a review was long overdue.

The employer introduced a draft document on the migration principles and process and the implementation plan. The employer confirmed that no permanent employees would lose their jobs or be prejudiced by the process. The protection thus afforded could, however, only be guaranteed in the case of permanent appointments/employees. In the case of contract employees, the contract would not be renewed when it expired and the post would be advertised and filled through the normal recruitment and selection processes to facilitate the principle of open competition.

The PSA was not comfortable with this approach and requested the employer to consider allowing such employees to have their contracts renewed or be automatically permanently appointed in such posts once the contract expired. At the end of the report period the employer indicated that it had consulted with the DPSA and that an indication was given that automatic absorption might be allowed in the case of core occupations or scarce skills but not in the case of support-service posts. Unfortunately, most of the contract appointments were in support-service posts.

## **General Public Service Sectoral Bargaining Council (GPSSBC)**

### **Review of Resolution 3/2004: Rules for Conduct of Proceedings before the GPSSBC**

The current Rules for the Conduct of Proceedings before the GPSSBC were signed in 2004. The Dispute Resolution Committee of the GPSSBC discussed the Rules as well as the Dispute Resolution Procedures of the GPSSBC with a view to address some areas in the Rules. These areas relating to the Rules for the Conduct of Proceedings before the GPSSBC were, amongst others, introduction of emails as official service delivery method, inclusion of rules to amplify section 188A applications, and taxation of the bills of cost to be in line with updated tariffs. The conciliation processes in terms of Council's Dispute Resolution Procedures were ineffective in that the settlement rate was virtually 0,02%. Arbitration proceedings took up to seven separate sessions to be finalised, mainly because of the lack of preparations by parties and lack of commitment on the part of the panellists to finalise matters speedily.

In an attempt to improve this unacceptable situation, the following measures were being considered:

- Possible introduction of a mandatory pre-arbitration conference.
- Possible implementation of con-arb processes (section 191(5A)).
- Possible introduction of full-time panelists to preside over cases referred to the GPSSBC.

Members were requested to obtain a copy of the Rules for the Conduct of Proceedings with a view to provide inputs or identify possible areas which the PSA could focus on to develop a proposal for negotiations in Council.

Developments will be reported during the next report period.

### **Levy contribution for GPSSBC**

The GPSSBC is a Sector designated by the PSCBC and comprises the State, as employer, and its employees who do not fall within the registered scopes of the ELRC, the SSSBC or the PHSDSBC. The Council has jurisdiction over approximately 305 000 *Public Service Act* personnel employed by provincial and national departments. It has a levy fund towards which all the said employees and the employer contribute equally.

This fund assists in terms of the acquisition of assets and payment of operational expenses. The monthly levy was R8 per month, of which R4 was payable by every employee and the other R4 came from the employer.

At the time of the signing of Resolution 1/2010 in respect of a levy increase of R2, the Council was informed that there would be a need to revisit the levy increase within three years as the granted increase was inadequate to provide sufficient income to sustain the operations of Council.

The dispute resolution costs were escalating at an alarming rate and other operational costs, such as IT infrastructure, accommodation costs, water and lights, human resources, etc., should also be provided for in the levy fund.

The increases in operating expenses were linked to increases in the cost of utilities and other services which were influenced by the annual inflation rate.

The high rise in expenses was also attributed to PSCBC Resolution 5/2010, in terms of which the GPSSBC was obliged to take over its overall operating costs from the PSCBC. The increase in human resources expenditure could be attributed to the review of the then-organisational structure which ultimately led to an increase over time from eight staff members to 41 staff members. The said growth ensured good governance and better service delivery to clients who were Public Service employees and at the same time members of the various trade unions operating in the GPSSBC.

Based on the mentioned factors, it was clear that a need existed to increase the levy amount in order to sustain the Council's core operations. For example, the total income received for the GPSSBC during the period 1 April 2011 to 31 March 2012 amounted to R30 839 296 and the expenditure to R32 814 707. This resulted in a deficit of R1 975 411.

In order for the GPSSBC to meet current and future financial obligations, it was proposed that the monthly levy amount be increased by 50c per employee. The total levy contribution would therefore be R4,50 per employee and the employer would match that amount.

Members were, in view of the above, requested in an *Informus* to provide the PSA with a mandate to either accept or reject the proposed increase of 50c in the levy amount per employee in respect of the GPSSBC. Developments will be reported during the next report period.

## **National Departments**

### **(Bargaining Chambers of the GPSSBC)**

In accordance with the Constitution of the GPSSBC, Chambers are supposed to meet at least four times a year. Most of the Chambers consequently chose to meet on a quarterly basis except in instances where additional urgent meetings were held.

On average, almost 50% of activities in all Chambers related to the review of existing Human Resource Policies and on matters of mutual interest such as restructuring, subsistence and travel. In general, the approach as to what could be considered as a fair and reasonable consultation process remained a challenge. Labour and the employer obviously did not always agree on this matter and labour was continuously being blamed for using delaying tactics. The lack of participation and involvement on the part of members and shop stewards also posed substantial challenges in terms of mandating and submission of inputs.

Negotiations regarding matters affecting members' interests took place regularly in the Departmental Bargaining Chambers (DBC's). The most important events are the following:

### **Department of Home Affairs (DHA)**

#### ***Unilateral change to working hours***

With regard to the unilateral change to terms and conditions of employment in respect of working hours, the PSA obtained a legal opinion on whether the conciliator was acting within her powers by making a ruling to the effect that the employer had acted within its right to amend the working hours.

The legal opinion stated that the jurisdictional ruling that was handed down was reviewable and that there was at least an arguable case that the implementation of the policy constituted a unilateral change to members' terms and conditions of employment.

The PSA, through its legal representatives, served and filed its Court papers on 20 July 2012. No court date had been received from the Labour Court by the end of the report period. Developments will be reported during the next report period.

#### ***Urgent interdict: Recruitment of South Africa National Defence Force (SANDF) members***

The PSA, during the previous report period reported that it, through its attorneys, had made an urgent application to the Labour Court to "interdict" the Department from continuing recruiting SANDF members.

On 12 October 2011, judgement was received that the Labour Court had dismissed the PSA's application. On 13 October 2011, the PSA consulted with senior counsel to discuss the judgement. During these consultations it was discovered that the honourable Judge did not deal with the issue that the parties requested him to decide on (i.e. whether or not in recruiting employees from the Department of Defence (DOD), the DHA was in breach of the provisions of Chapter 1, Part VII, C.2.4 of the *Public Service Regulations*).

In view of this, the PSA was advised to appeal against the entire judgment. The PSA thus made an application for leave to appeal and on 30 November 2011 the Court granted the PSA permission to appeal to the Labour Appeal Court. The appeal hearing was held on 24 August 2012 and the judgement against the PSA was issued on 27 November 2012 by the three Judges of the Labour Appeal Court.

The PSA took a decision not to further continue with the matter. This was based on the fact that the Department had already filled the posts and that any further legal action would not assist the PSA to address the situation that it had been faced with at that particular time.

#### ***Restructuring: Immigration Officers and their placement***

Following the recruitment of SANDF members to the DHA, Immigration Officers who were stationed at OR Tambo International Airport (ORTIA) were removed from their positions and subjected to DHA training for a period of twelve months. The PSA was engaging the employer on a regular basis to resolve issues affecting members whilst they were on training. Amongst others, the PSA raised the issue regarding "leave encashment", transport to the training venue and redeployment/ placement of employees.

During the training the affected officials were not allowed to take vacation leave and the reason provided for this was that it would impact negatively on the training programme. The PSA then engaged further with the employer and the employer agreed to compensate officials who still had leave from their previous leave cycle.

On the issue of redeployment/ placement of employees, the PSA also put pressure on the employer until the employer commenced with the process of placement of former ORTIA employees. The placement process commenced in November 2012 and was completed in January 2013.

The PSA took part in the process and also ensured that most of the affected members were placed according to their preferences.

#### ***Selective payment:***

##### ***1,5%-Pay Progression and Performance Bonuses***

The PSA raised a concern in the DBC with regard to the unilateral decision by the employer to selectively implement the payment of 1,5%-pay progression and performance bonuses for 2010/2011-financial year. Upon enquiry by the PSA, the employer indicated that the DG took the decision based on the non-compliance with instructions issued to employees to submit performance agreements within the specified time frame. A series of meetings took place with the employer at the Chamber level as well as in bilaterals with a view to address the matter. No amicable resolution of the situation could, however, be found.

Subsequent to these meetings, the PSA obtained a legal opinion in which the PSA was advised to write a letter to the DG of the DHA putting the Department on terms. On 25 March 2013 the PSA received a letter from the DHA Director Administration Support requesting the PSA to afford the Department reasonable time to attend to the matter. Another letter was received from the DG, dated 27 March 2013, wherein the employer indicated that an investigation had been conducted in all DHA provincial offices with a view to determine the extent of the problem. According to the letter, the investigation revealed that 1 217 officials had indeed submitted their performance agreements timeously to their respective Provincial Offices. The letter also indicated that a submission had been compiled by the employer to obtain approval from the DG to pay the outstanding 1,5%-pay progression and performance bonuses and that he was attending to the matter.

The PSA then wrote a follow-up letter to ascertain which members would now be paid as indicated in the letter as this would determine the extent of the claim and which members still had a dispute with the Department. Developments will be reported during the next report period.

#### **Department of Transport**

Although the PSA was not representing the majority of employees in the Department of Transport, it was highly active and took a lead on a number of issues during the report period.

The PSA, amongst others, raised a concern with regard to the policies tabled by the employer for adoption without any proper consultation with labour. These included the unilateral amendment of the PMDS. Developments will be reported during the next report period.



#### **Department of Economic Development (DED)**

This newly-created Department had not yet appointed staff to its post establishment during the previous period under review and consequently no activities took place during that time.

The Department had since been staffed and a DBC for the DED was established. An agreement for the transfer of the employees from the South African Micro Finance Apex Fund (SAMAF), that was the trading entity of the DED to the Small Enterprise Finance Agency (SEFA), was signed between the EDD, SAMAF as an employer, and Nehawu and the PSA, and submitted to the GPSSBC for ratification. In addition, the Placement Framework Agreement was also signed by parties to Council.

The transfer was as a result of the cabinet decision to merge SAMAF, Khula Enterprise and Industrial Corporation (IDC), in order to streamline services delivered to small, medium and micro enterprises in South Africa.

The most important matters discussed in this Chamber were the Placement Framework and Procedure, and the SEFA structure.

#### **Government Printing Works**

##### ***Possible introduction of a new system ("e-Gazette")***

The DBC was newly-established following a Cabinet decision which led to the reconfiguration of the Public Service. By the end of the period under review, the DBC had met four times.

A total of four task-team meetings took place. The employer tabled the issue of the restructuring of the Publication Directorate in the DBC and indicated that the Department intended introducing a new system, called "e-Gazette", in the Government Printing Department (publication department). The employer further indicated that it was still engaging stakeholders and was still conducting some research as to how the new system would fit into the Government Printing Department.

Labour noted the report and indicated that as soon as the research was completed the employer should consult with a view to enable labour to make inputs on the proposed system.

It was also agreed that a task team should be established to enable the parties to engage on the issue.

There were no developments or progress made on this matter and it was then agreed that it be removed from the agenda, and the employer could re-introduce it when it was ready to do so.

##### ***Task team on policies***

It was agreed that a task team on policies be established. Policies on Recruitment, Performance Management and Development System, Job Evaluation, Employment Equity, Remuneration outside the scope of duties, Special Leave, Sexual Harassment, HIV and Aids, Employee Mobility, Smoking, Overtime as well as Probation were at the time of reporting still being consulted with labour.

The PSA took a lead in all discussions regarding these policies.

## **Department of Mineral Resources**

The most important issues that were discussed during this financial year included the development of allowances for Inspectors as well as the Implementation of the OSD for Environmentalists.

The following policies were also formally tabled by the employer for consultation with labour:

- ICT Infrastructure Management,
- Project Management,
- Systems Development and Maintenance,
- Petty Cash,
- Recruitment and Selection,
- Management of Leave, and
- Resettlement.

One of the controversial issues consulted on in the DBC was the incorrect deduction of parking fees from employees by the employer. After intervention by the PSA, the members were reimbursed by the employer.

The PSA also requested the employer to investigate the restructuring of the Directorate: Mineral Mining and Petroleum Development Board. The employer agreed and the matter was ongoing by the end of the report period.

## **National Treasury**

Policies on Security, Job Evaluation, and Encryption were tabled for discussion. The issue of the restructuring of various sections (Government Technical Advisory Centre, Shared Services Internal Audit SARS and National Treasury, SCM Enhancement Project, ICT Change Management Project, and IREP) of the Department was also placed on the agenda of the DBC for consultation. The consultation was still ongoing by the end of the report period.

The employer indicated that an envisaged restructuring of the Chief Directorate: Provincial and Local Government Infrastructure in the National Treasury was also imminent.

It was, however, indicated by the employer that there would be no job losses and that more employees would be appointed as a result of the process.

## **Government Pensions Administration Agency**

Discussions included the review of Policies. A task team was established and tasked to deal with the identification and review of Policies. Once this process has been completed, those reviewed Policies would be tabled in the DBC for finalisation. One of the most important issues which affected members during the past year was the “Restructuring or Modernisation Process” which the employer embarked upon during the previous report period.

The employer was not transparent about this matter and the PSA requested that a special meeting of the DBC be held on an urgent basis. The GPSSBC was also requested to intervene to ensure that proper consultation took place. The matter was not finalised by the end of the report period.

## **Sport and Recreation South Africa**

The DBC operated effectively and meetings took place in terms of the year calendar.

Matters affecting the interest of members were discussed on a regular basis during meetings. The most burning issue that affected members was the process of restructuring which the employer undertook during the past financial year. The proposed organisational structure was officially tabled in the DBC and a departmental task team was set up to do the preparatory work in terms of consultation and report back to the DBC with a view to determine the way forward.

## **National Department of Tourism**

The most important issue that was dealt with in the DBC was the process of restructuring. The employer gave the assurance that no dismissals were contemplated. During the consultation process the employer commenced with the process of matching and placement without fully consulting with labour.

The intervention of the Council was subsequently sought by the PSA with a view to amicably resolve the matter. The employer insisted that it had meaningfully consulted with labour in terms of the DPSA prescripts on restructuring.

The PSA indicated its dissatisfaction with the manner in which the employer handled the matter. It was subsequently resolved that the process would be monitored and any discrepancies would be taken up with the employer and/or brought to the attention of the Council.

The DBC operated effectively during the report period. The issue of policy review was dealt with extensively in the DBC.

When consultation on the Recruitment and Selection Policy took place, the Department refused to give labour observer status. The intervention of the Council was sought. The matter was still under discussion between parties by the end of the report period.

## **Department of Higher Education and Training (DHET)**

A process of policy review was embarked upon and was discussed in the DBC. Policies on Transport, Retention of Employees, Security, as well as Workshop and Conference were discussed and finalised. Consultations and negotiations regarding the Migration Strategy of the Department were at the time of reporting still underway.

As far as the relocation process is concerned, the DHET approached the Department of Public Works to assist with the allocation of a new building to the DHET. It gave feedback in the DBC that the Department of Public Works could not meet its specifications and/or find a building suitable to accommodate the DHET. In view of this, the DHET reported that it had signed a continuation of the current lease agreement and would remain in the current building for another three years. It also indicated that it would continue to investigate the possibility of relocating to another building and would engage with senior management in terms of the process going forward.

The matter was still under discussion between parties by the end of the report period.

## **Department of Arts and Culture (DAC)**

The DAC consulted with labour in the DBC and held workshops on a number of policies which were to be adopted. In spite of a report received from the DPSA, the DAC attempted to consult with labour on special leave with a view to draft and adopt a policy.

The PSA, as the majority union, prevented the employer from doing so and requested a meeting with the Secretaries of both the GPSSBC and the PSCBC in order to advise the employer on the contents of PSCBC Resolution 5/2001, stating that special leave should be negotiated at the relevant Sectoral Councils. The PSA consequently argued that the DBC had no *locus standi* to consult or even negotiate on the issue of special leave as it was a Sectoral Council matter.

A further meeting was held between the PSA and senior management of the DPSA during which it was agreed that the DPSA would draft a framework document on special leave which would be discussed and agreed upon in the GPSSBC.

The GPSSBC would then furnish the various Bargaining Chambers with the Framework Agreement after which Bargaining Chambers would be able to negotiate special leave agreements. The matter was still under discussion between parties by the end of the report period.

There were two collective agreements agreed upon and signed by parties during the report period, namely the agreement on Remunerated Overtime and Official Working Hours.

These agreements were then forwarded to Council for ratification and the Council's response was still being awaited by the end of the report period.

## **Department of Justice and Constitutional Development and National Prosecuting Authority (NPA)**

### ***Transfer of staff from former Directorate of Special Operations in the NPA to South African Police Service***

On 6 March 2009, a joint Directorate of Special Operations (DSO) and South African Police Service (SAPS) task team, established by the Portfolio Committee in October 2008, gave a presentation on the establishment of the Directorate for Priority Crime Investigations (DPCI) within the SAPS and the subsequent migration of the investigative capacity from the NPA to the SAPS. The presentation highlighted that the transfer of staff would not take place in terms of section 197 of the *Labour Relations Act of 1995* as amended, nor in terms of the *Public Service Act, 1994*, but in terms of the *SAPS and NPA Amendment Acts*.

During the engagement, it was noted that members would be worse off on the pensionable benefit upon the transfer. The concerns raised revolved around the calculations made in terms of the SAPS calculator in which it was clear that members would be financially prejudiced upon the transfer to the SAPS.

Further engagement with the SAPS also did not yield the desired results. In order to pursue the interest of members and to protect their rights, the PSA lodged an application to the Labour Court on behalf of members. The matter was heard on 7 August 2012, where the Judge made an order that the matter be referred to trial for a period of six days.

Upon commencement of the trial, the employer reconsidered the merits of its case and approached the PSA to enter into a settlement agreement on behalf of the 47 applicants.

On 26 February 2013, the PSA settled with the employer on the basis that the agreement would be implemented after a three-month period. This, however, did not extend to the rest of the PSA's members who chose not to be part of the application at that stage.

The PSA acted proactively by approaching its attorney to engage with the attorney from the SAPS to extend the settlement agreement to all affected employees. Once again, the PSA was victorious in its efforts in that the SAPS acceded to the request to extend the agreement to all affected employees. The condition for acceding to the request was that the PSA should not proceed to lodge another application.

### ***Job evaluation outcome:***

#### ***Prosecutors and Advocates in the NPA***

During July 1999, the Minister responsible for the DPSA directed that job evaluations should be undertaken in all departments. The NPA also conducted job evaluations and implemented the results thereof in a phased-in approach to which the PSA objected.

In order to protect members' rights, the PSA referred a dispute to the GPSSBC requesting the employer to fully implement the results. At arbitration, an award was issued in favour of the PSA and the NPA was ordered to pay the employees an amount equal to the amount they would have received, had their upgrades been implemented with effect from 1 April 2005. The award was taken on review by the NPA and subsequently subjected to a number of Court processes up to the level of the Constitutional Court, which ultimately resulted in a ruling in favour of the PSA.

The PSA remained unmoved in defence of its members and was ultimately approached by the employer to settle on the matter. A settlement agreement was entered into with the employer and members received their back-pay in November 2012.

### ***Implementation: Outcome of coordinated job evaluation process - Clerks and Senior Clerks***

The DPSA issued a circular in December 2012, which recommended to Departments that Clerks and Senior Clerks be benchmarked at levels five and seven respectively as a result of a coordinated job evaluation process.

This matter was tabled by the PSA at the DBC in order to compel the employer to implement the job evaluation results. The results have since been implemented and members received backdated payment to 1 January 2013.

It was, however, noted during the implementation process that the Department utilised some Typists, Security Officers, Coordinators and Librarians to perform clerical functions without changing their job titles. This resulted in the omission of a number of employees who should have been translated.

The difficulty, however, was that not all of the employees in the mentioned categories performed clerical functions. The employer was by the end of the report period conducting an investigation in order to sift through the occupations to translate affected employees.

## Rural Development and Land Reform

### *Restructuring*

The Department commenced with a restructuring process in 2009. The employer all along maintained that no retrenchments were envisaged and that no employee would be worse off in terms of salary level and conditions of service when migrated to the new structure. Labour was also informed that the new organisational structure would effectively increase the number of posts from 4 513 to 7 467, but the filling of these posts would have to be phased in owing to a lack of funds.

It became clear at a later stage that not all employees would be absorbed into the posts on the new organisational structure owing to the change in the Department's mandate and strategic/operational plan and consequently about 616 employees would be carried out of adjustment or additional to the new establishment.

During the report period, the PSA continued to exert pressure on the Department to recreate posts for those employees who were being fully utilized as confirmed by their approved performance agreements.

Towards the end of the report period labour was informed that the employer had obtained approval to recreate the relevant posts.

### *Unilateral termination:*

#### *Piecework and Production Incentive Scheme*

In January 2009 the employer took a decision to unilaterally terminate the Piecework and Production Incentive Scheme with effect from 1 February 2009. The initial approach by the PSA was to bring an urgent application in the Labour Court against this unfair conduct by the employer.

However, on subsequent investigation and discussion, it transpired that the employer had, in fact, not implemented the decision. The reduction in work volumes, owing to the recession, impacted to the extent that there was not enough work to fully support the quotas for the piecework system which made payment of the incentive bonuses possible.

The PSA, however, still considered the decision by the employer to be in contempt of a Labour Court order of November 2006, in terms of which quotas for the piecework system and the norms for the data and micro-film schemes were agreed to. The PSA requested the employer to confirm whether the intention was to withdraw the applicable measure or to suspend the working of additional work as a result of low work volumes. The fact that the employer left the matter hanging and gave contradictory responses was not acceptable to the PSA.

Hence, the matter was eventually referred to the Labour Court for a hearing which was held on 24 August 2011. The PSA's first application was dismissed with cost in December 2011. Subsequently, the PSA was granted approval to apply for condonation and leave to appeal.

Leave to appeal was granted and the necessary documentation was exchanged and finally submitted to the Labour Appeal Court. The hearing date was still being awaited by the end of the report period.

## Department of Water Affairs

### *Occupational-Specific Dispensation (OSD)*

Resolutions were signed in the GPSSBC in 2009 to develop unique salary structures, centrally-determined grading structures and job profiles, career-pathing opportunities and pay progression measures for identified professional and specialist occupations. The Resolutions provided for a phased-in approach and phases one and two were concluded and reported on in the previous report. With regard to phase three that had to be effected from 1 July 2011, a determination from the DPSA guiding departments around the implementation of this phase of the OSDs was being awaited.

The PSA kept members informed of the implications of phase three when it became clear that only relevant or applicable experience obtained after the relevant qualification and after complying with the registration requirement as prescribed by an appropriate professional council or body would be recognized and that only production posts would benefit since supervisory and specialist posts were excluded. During the report period the employer informed labour that, as anticipated, a limited number of employees benefitted from phase three.

### *Performance incentives: 2011/2012-evaluation cycle*

In respect of the implementation of the performance incentives for the 2011/2012-evaluation cycle, members informed the PSA about the inordinate delay in finalising the process. Members were concerned that the unfair decision taken by the employer in 2011 to place a moratorium on the payment of performance incentives would be repeated.

The PSA requested the employer to indicate the reasons for the delay in finalising the assessment process. Pressure by the PSA finally resulted in the payment of incentive bonuses in December 2012.

## Independent Police Investigative Directorate (IPID)

### *Implementation: Section 23 of Independent Police Investigative Act, 2011*

The Independent Complaints

Directorate (ICD) was established in April 1997

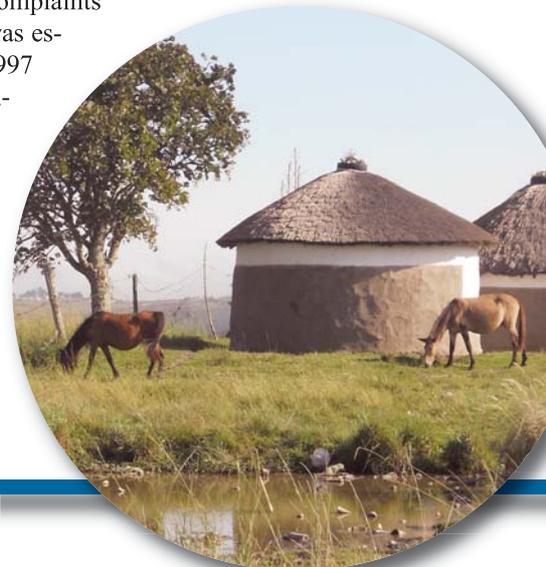
to investigate complaints of brutality,

criminality and misconduct lodged

against members

of the SAPS and

the Municipal Police Service.



It obtained its legislative mandate in this regard from section 53(2) of the *South African Police Act* (Act No 68 of 1995). This way of operating, amongst others, compromised the independence and credibility of the ICD and a decision was taken to convert the ICD into the IPID as a separate and independent body with its own legislation.

The IPID was formally established with effect from 1 April 2012, when the *IPID Act, 2011*, came into operation. Section 23 of the *IPID Act*, determines that the conditions of service, including the salary and allowances payable to an Investigator appointed under this *Act*, must be on par with members appointed as Detectives in terms of the *South African Police Service Act*.

In order to give effect to this section a task team (consisting of the employer and labour) was established to investigate and produce a document comparing the indicated aspects in order to determine whether Investigators were on par with Detectives.

During the report period, the task team met on a number of occasions and the document was finally introduced to the DBC. The conclusion was that Investigators were on par with Detectives and the said document was circulated amongst members to facilitate a formal consultation process. The PSA obtained inputs from members and presented these to the employer for consideration but by the end of the report period the Chamber had not yet met to further interrogate the matter.

## Department of Environmental Affairs

### *Sea-Going Allowance*

Emanating from a long struggle to juggle the requirements of the *Basic Conditions of Employment Act, 1997, (BCEA)* with regard to the limitation on overtime work with the unique circumstances of employees who undertook research, monitoring, control and surveillance expeditions at sea, the employer entered into a collective agreement in 2009 with Nehawu, as the majority union, for the payment of a flat-rate Sea-Going Allowance to relevant employees. PSA members did not provide a mandate to sign.

The Allowance was intended to be inclusive of overtime payment, night shift and standby allowances. The agreement contained a clause that indicated that it would be terminated on the signing of an OSD for the Marine and Coastal Branch (since renamed to Oceans and Coast). The agreement therefore effectively lapsed with the signing of GPSSBC Resolution 3/2009.

When the Finance Section of the Department picked this up, payments were supposed to be terminated. The employer, however, took an “*interim*” decision to continue with the payment of the Allowance. The employer and Nehawu discussed the possibility of “amending” the existing agreement rather than reviewing it totally but no proposals were introduced.

The PSA, on the other hand, raised its concern that without an unambiguous agreement replacing the lapsed agreement, members were at risk of receiving payments which could later be considered by the auditors to be irregular or unauthorized expenditure that had to be paid back.

Based on the continuous pressure exerted by the PSA during the report period, the employer approached the DPSA for assistance.

The DPSA raised a substantial number of questions and requests for further information and also instructed the Department to collaborate with other Departments performing functions within the same environment such as the Department of Agriculture, Forestry and Fisheries, and Public Works.

By the end of the report period the liaison process and the submission of the required information to the DPSA had not been finalised and the matter could therefore not be concluded.

## Department of Labour

The Department embarked upon a restructuring process based on a Cabinet decision that all departments needed to render a reasonable accessible service to the public. The employer consequently intended to restructure its head office, the Unemployment Insurance Fund (UIF) and the Compensation Fund (CF).

The expertise of the International Labour Organisation was utilized and various project teams were established to consult with all stakeholders, including recognized unions in the Department. A task team was established after discussion in the DBC with a view to develop a “Framework Agreement” which would regulate all restructuring processes in the Department. This Framework was also aligned with the DPSA’s “Guide on Restructuring”. Negotiations on the draft Framework Agreement were finalised and by the end of the previous report period, the PSA was obtaining a mandate to sign the agreement.

Unfortunately, it often happens that an outright majority response is not obtained from members during the mandating process, leaving branches unclear as to whether there was a mandate that could be acted upon. From a practical point of view, collective agreements cannot be left unattended for a considerable period of time until an outright majority is obtained. The Branch Chairperson was subsequently requested in terms of the *PSA Statutes* and mandating process, to provide a mandate. Developments will be discussed in the next report.

## Office of the Presidency

Although the PSA is not representing the majority of unionised employees in the Presidency, it was highly active and took the lead on a number of matters under discussion during the report period.

Despite being the minority, the PSA was very active and influential in the Department and its DBC. The Department recently embarked on a process of reviewing all its Human Resource Policies. A workshop was held with key stakeholders in the Department from the various business units and the PSA was in attendance. The workshop identified, with the assistance of the DPSA, a number of policies which should be reviewed. This process would be dealt with under the auspices of the DBC.

The PSA lodged an application to the Labour Court on the implementation of the PMDS for the 2009/2010-financial year. The employer failed to make payments for Pay Progression and Performance Bonuses to members who qualified during the said financial year.

The PSA's attorney submitted and filed all the necessary papers and a date from the Labour Court was by the end of the report period being awaited.

## **South African Police Service (SAPS)**

### ***Job evaluation results: Clerical staff***

The PSA, as a minority union in the SAPS, is not a recognised union in the SSSBC and can therefore not participate in negotiations or represent members at the SAPS.

A number of PSA members, Clerks appointed in terms of the *Public Service Act*, however, raised their concerns in respect of their salary grades. Many Clerks at the SAPS are remunerated at salary levels three and four whilst Clerks in other departments of the Public Service are remunerated at salary level five.

Despite not being recognized by the SAPS as employer, the PSA, in an attempt to assist members, took the matter up with the SAPS Commissioner. The Commissioner did not respond to these enquiries. The PSA then turned to the DPSA which indicated that it was evaluating the salary levels of Clerks in various departments, including the SAPS. The job evaluation process, which was coordinated by the DPSA, was finalised after which the DPSA issued a letter on 12 December 2012 in which national and provincial departments were advised on the implementation of the two newly-established levels for Clerks.

The PSA informed its members at the SAPS accordingly. In order to ensure that the SAPS complied with the DPSA's letter, the PSA sent a number of letters to the National Commissioner requesting an indication of which processes had been implemented at the SAPS to ensure that Clerks salary grades were corrected.

By the end of the report period, the PSA had not received a response on any of its letters. A decision was taken to consider declaring an interest dispute and ballot members to establish their support for a possible protected strike.

### ***Rank/leg promotions***

The PSA dealt with numerous complaints regarding rank and leg promotions at the SAPS. The SAPS concluded a collective agreement with admitted unions in the SSSBC in terms of which SAPS members would qualify for leg and rank promotions should they meet the prescribed requirements. The Collective Agreement, however, stated that the SAPS Commissioner would decide on a date on which the rank and leg promotions would be introduced. The Commissioner subsequently issued a "National Instruction" which stipulated that members should wait until they are invited to apply for these promotions.

The PSA consequently requested the Commissioner in writing to expedite the process and to allow members to apply for these promotions and not wait for invitations. Once again, and as expected, the Commissioner failed to respond to the PSA's request.

In an attempt to assist members, the PSA met with Sapu, a "partner" in the ILC. The PSA convinced Sapu, which is recognised in the SSSBC, to enter into a new agreement with the SAPS which would enable members to apply for the promotions.

A new agreement was subsequently signed in terms of which members could apply for the promotions. Shortly thereafter, however, for some mysterious reason, the new agreement was replaced with another agreement which, once again, stipulated that members should wait for the Commissioner to invite them to apply for the promotions.

The PSA, unfortunately, exhausted all available remedies and the said agreement, although detrimental to members, will also apply to its members as the recognized unions representing the majority of employees in the SSSBC signed an agreement. This collective agreement (SSSBC Resolution 3/2011) made provision for an implementation date of 1 April 2013.

It would at that stage not have been possible to declare a dispute on the interpretation and application of the said agreement as it would not have been enforceable in the absence of an invitation from the National Commissioner to staff to apply for grade progression.

## **Cooperative Governance and Traditional Affairs**

The Department of Cooperative Governance and Traditional Affairs (Cogta) was split to have two distinct departments, namely the Department of Traditional Affairs and Cooperative Governance. The new Department of Traditional Affairs, whilst still in the process of being made fully operational, relies on the Department of Cooperative Governance (old Cogta) in respect of administrative matters, including policy development. Some of the policies that apply to Cooperative Governance are also being applied to Traditional Affairs.

Restructuring in the Department left some Senior Management Service (SMS) members, who are members of the PSA, displaced as the process was unilaterally implemented by the employer. The PSA subsequently engaged the Department's top management and was informed that the "re-alignment" process that was embarked upon by the new Minister would address the issue of displaced SMS members. The PSA, however, demanded that the "re-alignment process" be consulted at DBC level. The employer acceded to this demand. Furthermore, the PSA held meetings with the DGs of both Departments as well as the relevant Minister, after which it was informed that the re-alignment process would be consulted with labour at DBC level once the Department had finalised the preliminary investigations in this regard. The matter had not been finalised by the end of the report period.

The employer indicated its intention to close offices in December 2012. The proposal was consulted in the DBC. Discussions led to the PSA's proposal to negotiate a collective agreement that would regulate the annual closure of the Department. The PSA proposal was accepted by the DBC and it further volunteered to sponsor a draft Agreement on Annual Closure of the Department. Further developments in this regard will be reported during the next report period.

## Department of International Relations and Cooperation (Dirco)

The DBC decided to review all policies older than two years. The Chamber Policy Task Team, comprising the representatives from all parties admitted to the DBC, was established and assigned the task of policy review. The task team was to report on progress to the DBC from time to time.

Policy development was, however, not progressing as expected despite the fact that a policy task team had been established.

The PSA expressed its dissatisfaction about the situation and the DBC decided on a number of policies to be reviewed by the task team. Developments will be reported during the next report period.

Labour was informed that the Presidency had decided to take over the Presidential Guest House. Affected employees were on the establishment of Dirco. Employees were given an option to remain with Dirco or be transferred to the Presidency. All employees decided to remain with Dirco and it was agreed that they should be seconded to the Presidency until it could run the Guest House on its own. The employer, however, reported during the report period that the Presidency's decision to take over the Presidential Guest House had been reversed and that the *status quo* remained.

## Office of the Public Service Commission

The PSA tabled an item on the contravention of the *BCEA*, 75 of 1997 by the employer in respect of the remuneration of Security Officers working on Sundays and public holidays. The employer interacted with the DPSA for advice relating to the formula it utilised to calculate payment for work on Sundays and public holidays and which was contained in one of the DPSA Directives.

According to the response that was received from the DPSA, there was, however, no contravention of the *BCEA* taking place. The PSA was, however, not satisfied with the response given by the employer and as a result, the DBC referred the matter to the GPSSBC for assistance.

The GPSSBC and the PSCBC worked together in an attempt to resolve the matter. Unfortunately, the outcome of their investigation was similar to that of the DPSA. The PSA decided to seek a legal opinion on this matter and will act decisively should the employer be found to be contravening the provisions of the *BCEA*.

Further developments will be reported during the next report period.



## National Department of Public Works

A task team was established to investigate the possible relaxation of qualification requirements with a view to accommodate long-serving, experienced and competent employees to advance to higher positions when posts were advertised. An investigation was subsequently conducted and the report with recommendations therein was submitted to the DBC. The employer indicated that the report had been escalated to the DG for approval. A response from the DG was by the end of the report period still being awaited.

The PSA raised a concern regarding restructuring that was taking place in the Department without consulting unions. The employer disclosed that the Department was busy developing a "Turnaround Strategy" which had an element of restructuring. The employer gave an undertaking that the Strategy would be consulted once the preliminary stage had been finalised.

The PSA demanded that the said restructuring be put on hold to enable proper consultation to unfold. The employer requested to be given an opportunity to seek a mandate in this regard. Meetings were held outside the DBC in which the principals of unions were informed by the Department (Minister and DG) about the Turnaround Strategy that the Department was developing.

The principals were informed that the Strategy would be consulted with labour once internal processes had been finalised. Developments will be reported during the next report period.

## Department of Communications

The employer indicated that it was contemplating restructuring the Department.

At the request of the PSA, it gave the assurance to labour that there would be no retrenchments as a result of the process. Subsequently, labour was consulted on the new approved organisational structure and the migration plan that would be used to "move" employees from the old structure to the new one. Consultation was ongoing by the end of the report period.

## Department of Stats South Africa

A departmental task team was established to deal with the review of policies. It came to the attention of the PSA that the employer had unilaterally implemented the Leave and Overtime Policies. The PSA raised its concern and indicated that it did not accept the contents of these Policies as no proper consultation had taken place in the DBC.

The employer did not want to deal with the matter, forcing the PSA to request the intervention of the GPSSBC. The PSA insisted that the said Policies be negotiated/consulted with labour. Since the issue of special leave was under discussion at Council level, the employer was advised not to implement it pending the outcome at that level.

The matter was still under discussion by the end of the report period.

## **Department of Trade and Industry (DTI)**

The GPSSBC established a new DBC for the Companies and Intellectual Property Registration Office (Cipro), separating it from the DTI based on re-alignment. A new organisation was established in terms of the *Companies Act 2008 (Act 71 of 2008)*, which created a new Companies and Intellectual Property Commission (CIPC) with the intention of enhancing service delivery by Cipro and the Companies and Intellectual Property Enforcement (OCIPE). The restructuring of Cipro was discussed at a joint meeting between the DTI and Cipro.

The PSA successfully put pressure on the employer to consult properly in the relevant forum with a view to deal with restructuring issues, identify pitfalls and to avoid any ambiguities during the restructuring process. The PSA also ensured that there were no resulting job losses. All affected employees were successfully placed in the DTI and its agencies.

The employer made a presentation on change management to the Enterprise Organisation (TEO) cluster which aims to stimulate and facilitate the development of sustainable and competitive enterprises through the efficient provision of effective and accessible incentive measures that support national priorities, such as Manufacturing Incentives, Infrastructure Investment Support, Services and Incentives, Strategic Partnership and the Office of the Chief Executive Officer.

The PSA noted the report with appreciation considering that the move was pro-job creation and would ensure effective and efficient service delivery.

## **Department of Basic Education**

A departmental task team was, at the insistence of the PSA, established to, amongst others, address the review of policies as there had been a “split” or “re-organisation” of the original Department of Education into the Departments of Basic Education and Higher Education and Training respectively. The PSA also ensured that a task team was established to deal with departmental policies as a result of restructuring.

All policies handled during the previous report period were approved by the DG and were effectively implemented. The PMDS Policy, however, was not properly implemented. The PSA, as a result, insisted that the PMDS Policy be re-negotiated. Developments will be reported during the next report period.

The PSA requested the employer to consult in terms of the “DPSA Guideline 6.1” and to disclose any relevant information regarding transformation as it would affect its constituency. The PSA played an important role in ensuring that the process was introduced without infringing on the rights and interests of members.

## **Public Administration Leadership Management and Academy (Palama)**

The further re-alignment of the Organisation was the most contentious issue on the agenda of the DBC. The PSA insisted that the employer should disclose any relevant information regarding restructuring as it could affect members negatively.

It came to light that the employer had embarked upon a unilateral process of restructuring. The PSA indicated to the employer that such actions were totally unacceptable and warned against the consequences of unilateralism on the part of the employer. Developments will be discussed during the next report period.

The PSA was also instrumental in the DBC establishing a Policy Consultative Task Team. An extensive consultation process was embarked upon in respect of Policies. Policies on ICT Security, Gym, ICT Asset Management, Physical Security, Cellphone and 3G Card, Telephone, Training and Development, Standard Operating Procedure (SOP), Transport, Office Accommodation, Resettlement, Bereavement, Disciplinary SOP, Sexual Harassment, Recruitment and Selection, Working Hours and Remunerated Overtime were subsequently adopted.

## **Department of Energy**

Since the “split” of the former Department of Minerals and Energy into the Department of Mineral Resources and the Department of Energy respectively, the DBC reviewed and adopted Departmental Policies on Recruitment and Selection, Resettlement, Salaries and Allowance, Condolence, ICT-Change Management, Laptop, ICT-Software Asset Management, Sexual Harassment, ICT-Logistical, ICT- Incident and Problem Management, ICT-Risk Management, ICT-Business Continuity and Inventory Management.

The Department’s head office was to relocate to the new building which was initially allocated to the old Land Bank at Visagie Street in Pretoria before the end of July 2012. The Communication Committee dealt with the design and the re-zoning process. The documents in that regard were submitted to Public Works to be checked.

In respect of Regional Offices, some relocation could take place which would be consulted in the DBC. The PSA is of the view that relocation should be done at state expense in line with the Departmental Resettlement Policy. For those who own houses at their current places of residence, the employer would also assist with transfer costs. The employer would consolidate all information and determine the number of affected staff. Consultations in this regard would then proceed.

## **Department of Human Settlements**

During the report period the employer tabled a “Turnaround” strategy and the “Migration framework” for the macro structure. The strategy was aimed at, amongst others, the achievement of Departmental goals/strategic objectives; better alignment of the structure with the strategy; and the promotion of efficient, and effective use of human resources so as to improve the functioning of the Department.

A special DBC meeting was convened at which the final version of the turnaround strategy was tabled. Furthermore, the Department indicated that it was still busy dealing with the job evaluation exercise. The PSA demanded that the job evaluation process be finalised before a decision could be taken on the implementation of the turnaround strategy. Finally, the “Turnaround” strategy was implemented without any job losses and/or complaints from members.

The PSA also extensively engaged the employer on the implementation of the coordination process regarding the re-grading of Clerks. It was reported that only 15 clerical posts were identified for re-grading excluding the Chief Financial Officer Branch, based on a work-study investigation process which had been undertaken. Two of the posts were upgraded, four were downgraded, three were subject to job evaluation, four were not affected, and two were subjected to a work study investigation. A submission was compiled and sent for approval for implementation.

### **South African Defence Force and Military Veterans**

A concern was raised on the pilot project regarding the new PMDS for the Department.

When the system was adopted, it was agreed that the employer would evaluate it and report back on its effectiveness. The PSA indicated that the system was inoperative in all the Units of the Department. The employer undertook to make presentations to employees in all the Units. The PSA requested the employer to communicate its program so as to inform the Provincial Offices and the Chairperson to participate in such road shows. The employer undertook to provide feedback on a regular basis.

Members reported that they were verbally informed that the Finance Chief Directorate was to be "militarised". The employer reported that the process was still being discussed at Ministerial level. The matter first had to be finalised by the Defence Review Committee whereupon labour would be engaged. Developments will be reported during the next report period.

### **Department of Public Enterprises**

The PSA sought clarity on the practice of closing the offices during December. Previously, members were made aware in time that they needed to reserve a certain number of leave days for this purpose. The employer indicated that a formal submission on how to deal with this matter in future had been forwarded to the Head of Department for consideration. The PSA requested that as soon as the outcome was made known, a multilateral meeting should be convened. The information on leave credits of members should also be made available.

The PSA furthermore requested the employer to stop the practice of simply converting contract workers into permanent staff members without following due process. Vacant positions should be advertised and all potential applicants should be afforded the opportunity to apply. This was subsequently agreed to.



### **Department of Correctional Services (DCS)**

#### ***OSD and seven-day establishment***

A collective agreement (GPSSBC Resolution 2/2009) was reached in the GPSSBC, providing for the introduction of differentiated salary scales for different categories and the implementation of a seven-day establishment/shift systems for "Centre-Based Correctional Officials".

The PSA vehemently opposed the adoption of this agreement as the issue in respect of the back-dating of the overtime pay had not yet been resolved. The PSA declared a dispute that was not resolved at conciliation. Arbitration was, by the end of the report period, being awaited.

#### ***Lease agreements for official accommodation***

The National Branch of the DCS approached the PSA to obtain a legal opinion in respect of the termination of lease agreements for official accommodation. Correspondence was sent to the National Commissioner, insisting that a moratorium be placed on the contemplated evictions of officials occupying official housing. The employer did not accede to the demand, but instead continued to serve letters on the officials stating that their lease agreements/rental accommodation had been terminated and would not be renewed.

A legal opinion was obtained which indicated that Popcru had already approached the Labour Court on the same matter and advised the PSA to apply for a "joinder" to the case which was subsequently done. The *status quo* remained in that the new Housing Policy which disadvantaged members was reviewed and set aside by the Labour Court. This matter was resolved during the report period and the National Branch of DCS took a decision to instruct the attorneys to withdraw it.

#### ***Percentage increase in terms of Resolution 5/2009***

The DCS failed to implement the agreed percentage annual wage increase as per PSCBC Resolution 5/2009. The PSA subsequently declared a dispute on the interpretation and application of a collective agreement (the DCS only implemented 10,5% for salary levels seven and eight instead of 11%). Arbitration was scheduled for 26 March 2012 and the Commissioner ruled that the DCS be joined as a second respondent to the proceedings. The matter had not been scheduled for arbitration by the end of the report period.

#### ***Overcrowding and under-staffing in Correctional facilities***

The PSA received numerous complaints that some prisons are overcrowded and understaffed. The PSA's view is that when a Correctional facility exceeds 100% capacity, it creates an increased risk for officers.

Hence, it requested that Correctional Officers be paid a circumstantial allowance. The circumstantial allowance was intended for officials working in a Correctional centre and should be reviewed annually depending on the prevailing circumstances in Correctional facilities.

The PSA demanded a R600 per month circumstantial allowance to compensate officers forced to work in facilities that were more than 100% overcrowded whilst the DCS was in a process of alleviating the situation by employing adequate personnel and building new Correctional facilities.

The matter was tabled at the GPSSBC and feedback was being awaited by the end of the report period.

## **Department of Agriculture, Fisheries and Forestry**

### ***Relocation of Meat Inspectors***

The relocation of Meat Inspectors became an issue during the previous report period when Karan Beef announced that it was compelled in terms of new legislation to terminate the services of the Department of Agriculture's Meat Inspectors.

The PSA raised the issue with the employer in the DBC and requested an inspection *in loco* to all affected abattoirs.

The employer arranged the requested meetings and the PSA met with affected employees to alleviate their fears. Most of the members were absorbed at other institutions and the few that could not be absorbed requested early retirement which was approved. This matter was amicably resolved during the report period.

### ***Transfer of staff***

The employer announced in the DBC that the Mbazwana, Mabaso and Manzengwenya Plantations were going to be transferred to the Tribal Authorities.

The PSA raised concerns as no proper consultation had taken place at that stage. The PSA requested the employer to provide more information and whether it was contemplating any dismissals. The employer confirmed that dismissals were not contemplated. A task team was established by the DBC with a view to discuss the transfer process. Meetings took place whereby certain questions were raised on the funding of this rehabilitation process of the plantations in question. The Trust indicated in a submission that several non-governmental organisations had been approached to assist with this process.

The PSA raised concerns that the funds that were available would only be sustainable for a period of three years and that members' job security was at risk after the three-year period.

The Trust proposed that the employer needed to second all affected employees to the Trust for a period of five years and be responsible for the remuneration for that period after which negotiations would continue with affected employees regarding their future after the expiry of the five-year secondment period.

The PSA rejected the proposed approach and requested that a meeting be scheduled with the Trust and indicated that section 197 of the *Labour Relations Act* needed to be followed. Developments will be reported during the next report period.

## **Further Education and Training Colleges (FETC)**

The PSA National Branch for the FETC, which was established during the previous report period, functioned well. The PSA was faced with two serious matters affecting the Colleges during the report period.

### ***Parity in respect of terms and conditions of employment***

Firstly, a collective agreement was signed which brought the conditions of service of staff members who were appointed by Colleges on par with the conditions of service of those staff members appointed in terms of the *Public Service Act*.

The matter was finalised and the collective agreement was implemented. No real problems were experienced with the implementation of the agreement.

Individual members reported non-implementation of the agreement but were dealt with as individual matters by the relevant PSA Provincial Offices.

### ***Transfer of responsibilities for FETC to DHET***

During the previous report period, the Minister for Higher Education introduced the *Further Education and Training Amendment Bill* via a *Government Gazette* notice for inputs from all stakeholders.

The PSA submitted its inputs as part of the Independent Trade Unions, generally known as (CTU-ATU) in the ELRC. The PSA therefore did not submit additional inputs in the GPSSBC in respect of Support Staff as it would have been a duplication of this process.

The *Amendment Bill* was promulgated as the *FETC Amendment Act, 2012 (Act No 3 of 2012)* during the report period, making provision for the DHET to take over the responsibilities of further education in South Africa. All the processes in terms of the transfer of functions, buildings, equipment, etc., were finalised.

The only outstanding matter was the transfer of staff which needed to be done in terms of section 197 of the *Labour Relations Act (LRA)*. Parties were by the end of the report period engaged in discussions/negotiations on the transfer of staff. The DHET drafted three collective agreements in terms of section 197(6) which make provision for the transfers of Deputy Principals, Lecturers and Support Staff separately. The draft collective agreements did not provide for the transfer of all staff members. It was unclear who would be transferred or not. This concern was communicated to members who mandated the PSA not to sign these draft collective agreements, but to insist on a "lock, stock and barrel" approach as provided for in section 197(2) of the *LRA*. Parties were by the end of the report period still engaging on the matter.

## ***Parastatals***

The PSA also represents members at various parastatal institutions. Highlights of the events in some of these parastatals are reflected in this report.

### **South African Weather Service (SAWS)**

Collective bargaining at this parastatal is regulated by certain provisions in the Constitution of the SAWS Bargaining Forum.



Bargaining Forum meetings took place in terms of an agreed-upon year plan.

Wage negotiations were concluded when parties signed an agreement with the employer in terms of which employees received a 7%-increase across-the-board.

The employer also indicated that it would enter into negotiations with labour in order to comply with the threshold for the payment of overtime as set out in the *BCEA*. Negotiations were underway by the end of the report period to have an agreement that would cover those employees falling outside the threshold.

### **National Library of South Africa (NLSA)**

Negotiations at the NLSA are regulated by certain provisions in the Constitution of the Joint Bargaining Forum.

After negotiations on wages and other substantive matters for the 2012/2013-financial year, it was agreed that all employees would receive an increase of 7% across-the-board.

### **State Information Technology Agency (Sita)**

Following a referral of a dispute on Organisational Rights, the PSA is now recognised as the union representing the majority of staff members at Sita.

The PSA was by the end of the report period negotiating a Constitution for the Sita Bargaining Forum to assist in future negotiations. Furthermore, the PSA tabled a wage demand as well as other substantive matters for negotiations after consultation with members. Negotiations had not started at the time of compiling this report, but were expected to commence shortly. Developments will be reported during the next report period.

### **South African Social Security Agency (Sassa)**

The Sassa National Bargaining Forum (SNBF) was fully functional during the report period. Discussions took place on a regular basis on matters affecting the interests of members. The most contentious issues discussed in this Forum are highlighted in this report.

The implementation of the Sassa “Delegations of Authority” was discussed at length in meetings at which the PSA expressed its dissatisfaction with the manner in which employees on salary level five were being utilized in the Institution.



These officials were performing the verification/approval function in the past despite what was stated in the Delegations of Authority. The matter was subsequently tabled at the SNBF as the “Implementation of Delegation of Authority”. The employer then advertised 197 posts on salary level seven without consulting labour on the new qualification requirements. In an attempt to address this matter, the PSA wrote numerous letters to the Chief Executive Officer without any success.

The PSA continued to put pressure on the employer to implement the Delegations of Authority. The employer then unilaterally changed the job descriptions of those officials who were performing Grant Administration duties on salary levels five and seven without any consultation with labour or the employees concerned.

The unilateral change to the job descriptions mostly affected officials on salary level seven. The PSA subsequently sought a legal opinion wherein it was advised to declare a dispute regarding an unfair labour practice relating to demotion. The PSA declared the dispute and referred it to the CCMA.

Conciliation was held on 1 August 2012 and a certificate of non resolution was issued. The PSA then referred the matter to the CCMA for arbitration. Developments will be reported during the next report period.

Policies on Disciplinary Code and Procedure, Grievance Procedure, Performance Management and Development Systems as well as Recognition Agreement were under review and at the point of being finalised. Prior to the conclusion of negotiations in this regard, the employer unilaterally implemented a new Disciplinary Code and Procedure as well as the Grievance Procedure. The employer, in the case of the Disciplinary Code and Procedure, took away the right to appeal after the disciplinary hearing was completed.

The PSA declared a dispute in respect of the Interpretation and Application of a Collective Agreement (PHSDSBC Resolution 1/2006). Conciliation was held and a certificate of non-resolution was issued. The PSA, by the end of the report period, had referred the matter to the CCMA for arbitration. Developments will be reported during the next report period.

### **Public Protector South Africa (OPP)**

The Public Protector Bargaining Forum functioned effectively and the PSA constantly communicated with members to keep them updated on matters that were being negotiated for them. A Constitution for the OPP Bargaining Forum was being finalised by the end of the report period.

The employer consulted labour on a number of draft policies regulating some of the terms and conditions of employment of employees at the OPP. All the PSA inputs were incorporated into the said policies.

A total of seven members of staff were instructed to relocate to other offices without proper consultation with them. The PSA insisted that they be consulted on the matter prior to relocation and the employer agreed to a consultation process.

In addition, a fair and reasonable financial compensation for the transferred staff members was agreed to.

## South African Revenue Service (Sars)

The National Bargaining Forum for Sars addressed a number of substantive matters. These matters were, amongst others, the Extended Sick Leave Policy, and the Grading of Team Leaders. The PSA has a very active negotiating team in the Forum consisting of full-time shop stewards, led by a chief negotiator from the PSA Administration.

The Sars Bargaining Forum was, by the end of the report period, engaged in wage negotiations. The process commenced with labour demanding 9% across-the-board and the employer offering 5,2 %.

The employer proposed a Wage Policy which was accepted by labour and the principles that should be included in the said policy would be contained in an agreement soon to be signed by parties to the Bargaining Forum.

The Sars embarked on a job evaluation process (Hay Grading) in 2003 and serious concerns and dissatisfaction regarding the process that was followed were raised by members. Despite numerous attempts by the PSA to have the matter arbitrated in terms of the Sars private arbitration procedures, the employer kept on frustrating the dispute resolution process. The PSA appointed an attorney to assist in this matter and the process was still underway by the end of the report period.

## National Health Laboratory Service (NHLS)

### *Wage agreement 2012 to 2014*

The PSA forms part of the HIP (Hospersa, ISA and PSA) alliance in the NHLS Bargaining and Labour Relations Forum in terms of a working-together arrangement.

Together with Nehawu labour does not represent 50% plus one of the bargaining unit. The PSA took the initiative to consolidate labour's wage demand in order to ensure that it was formally presented to the employer as per the provisions of the Constitution of the Forum.

During the report period the wage demand was introduced and negotiations eventually concluded with the signing of a three-year agreement for the period 2012 to 2014. The implementation date was changed from 1 July to 1 April and the increase for 2012 was 6,75%. For the periods 2013 and 2014 the agreement merely indicated that the increase would be "CPI plus 1% (as published by Treasury)".

The PSA submitted proposals on the correct wording with regard to 2013 and 2014 increases as well as other aspects but, this was ignored. The PSA cautioned the labour partners against rushing into an agreement when important aspects were not clearly addressed, but this also was ignored. The PSA again could not manage to get a mandate to sign the agreement but, since Nehawu and two of the alliance partners signed the agreement on behalf of the HIP, it also became binding on PSA members.

### *Agency Fee Agreement*

The PSA again took the initiative to introduce a draft proposal for an Agency Fee Agreement as part of the wage demand. During wage negotiations it was agreed that this matter would be deferred to form part of the review process of the Constitution of the Forum and Organisational Rights Agreement.

It is envisaged that it will eventually be included as an Annexure to the Constitution if parties reach agreement thereon.

### *Review of Constitution of Forum and Organisational Rights Agreement*

A review process was embarked upon at the insistence of Nehawu. The employer utilised the opportunity to introduce some proposals of its own such as trying to exclude trade union representatives who were not in the employ of the NHLS from attending the Forum. Since most of the labour representatives in the Forum were in the employ of the NHLS, the PSA was fighting a lone battle to try and maintain the right of full-time officials to sit in the Forum.

The employer also tried to change the basis for the calculation of the threshold for representation in the Forum and again the PSA had to fight this and provide guidance to the labour partners about the implications.

This was crucial to ensure that the PSA retained its membership of the Forum. The employer had again threatened not to implement the wage agreement for the HIP until such time as all the partners had signed. ISA signed first and its members then started to put pressure on the PSA and Hospersa to sign.

This struggle damaged the relationship and the proposal from the employer on the threshold at face value seemed like a solution for ISA to break free from the alliance but, the PSA exposed this to the labour partners and for the time being managed to convince parties to retain the current threshold.

By the end of the report period the review of the documents had not been finalised. Developments will be reported during the next report period.

## Group Branch Public Service Pensioners

The PSA, apart from its service to in-service public sector employees, also offers a unique home to retired members. These members are accommodated in the PSA's Group Branch Public Service Pensioners.

For the Group Branch, it was in many respects a unique period covered by this report. One of the highlights was the celebration of its 50th birthday.

Various changes were effected to the *Pensions Act* and its Rules during the past year, for example the "Clean-Break" principle took effect on 1 December 2011.



The principle has the effect that any pension benefits due to a former spouse immediately be paid out after the divorce and not when the member leaves the Government Employees Pension Fund (GEPF). Former spouses have already made use of this stipulation in the *Act*.

One of the amendments to the *Act*, which was a headache to the Group Branch, was the one which allowed a member to increase the spouse's pension from 50% to 75%. This was not a new amendment, but pensioners who were excluded from this before were allowed to take part therein as from 1 April 2012. The entry date changed from 30 September 2012 to 31 December 2012. This concession is not to be confused with the actions of the pensioners to bring about a 75% adjustment by the Pension Fund.

The Group Branch welcomed the fact that the funeral benefit of R7 500 would now be applicable to all pensioners and not only to pensioners who retired after 1 December 2002. Some problems with the implementation thereof were solved to a great extent. Members encountering problems with this are advised to contact the Group Branch.

The following was also reported by the Group Branch regarding the Pension Fund:

- In the past many problems were encountered regarding the date on which pensions were paid. The Group Branch, over a long period, did its best for the accomplishment of a suitable solution. It eventually resulted in the payment schedule which was published in the April 2012 *GEPF News*.
- Service by the call centre was poor. The knowledge of some of the staff about their task was poor. Telephones were not answered or calls were transferred repeatedly until the call was later simply ended. Steps were being taken to improve the situation.
- Faulty forms did not receive urgent attention, which led to delays in the payment of benefits. The fact that members of the Group Branch were on a regular basis in touch with the GPAA (Government Pensions Administration Agency), which is the Administrator of the Pension Fund, eased the situation.

One of the problems with which the Group Branch was confronted, was the fact that skillful PSA staff had to retire. It is a fact that such skill is not easily obtained which made some cases difficult to handle. In attempting to address this problem, a temporary solution was found.

The National Treasury decided to transfer all prior-to 1 July 1992 pensioners (17 000) from Medihelp to the Government Employees Medical Scheme (Gems) from 1 July 2012. The Group Branch requested the PSA to determine the legal position of these members. It was found that the National Treasury had acted within its power. The Group Branch assisted these members where it was requested to do so. Contact was made with Gems to assist in easing the process. The transfer of these members from Medihelp to Gems did not change their Group Branch membership.

By the end of the report period, attention was being given - as a result of the King III directions - to provide an extra pensioner's trustee member, which would have the result that two trustee members would in future serve on the Board of Trustees.

In 2011, the number of Public Service pensioners was 345 492 with 1 242 000 active members. The latest figures reflect a total of 360 799 pensioners and 1 270 298 active members, amounting to a notable increase.

PSA membership fees adjustment over the last few years had been a problem which caused members to resign because they could not afford the high fees any longer. An increasing number of members approached the Group Branch for assistance. This could become serious if not managed well. In respect of the membership fee adjustment, a formula was by the end of the report period under consideration which might be more consumer friendly. Senior officials of the PSA were giving their assistance.

The Chairperson of the Group Branch, Hennie Koekemoer, pointed out during a members' meeting that two factors would determine the future of the Group Branch, namely age would, within the next few years, force the present group of pensioners serving on the management to terminate their service. The biggest challenge for the Group Branch would be to involve future pensioners in its activities.

The apathetic attitude of pensioners will have to change and the lack of real interest will have to be overcome. A new way of thinking is required to ensure a heritage.

## Provincial service-delivery overview

The PSA's interaction with members by means of its twelve Provincial Offices represents a core function of the Union. The main activities in this regard during the report period are reflected.

### Eastern Cape

In the Eastern Cape the PSA brought a successful urgent application at the Labour Court in Port Elizabeth on 18 March 2011 with a view to prevent the Department of Health from continuing with deductions from members' salaries as a result of alleged incorrect rank promotions and to revert back to a meaningful and constructive consultative process. The employer was forced to reverse all Human Resource Organising Project Team (HROPT) deductions and restored the salary levels of affected employees with effect from 15 April 2011.

The Department of Health was in breach of the Court Order in that the various letters issued to members were still not indicating motivated reasons for the alleged unlawful promotion. The PSA observed that the information in personnel files was incomplete in that no information relating to their promotion was available. Various discussions took place between senior counsel of parties and the PSA took a clear stance that the employer was not in compliance with the Court Order. An agreement was reached between the PSA and the Department of Health that affected members' salaries would be reverted back to the correct salary notch and that members would pay R100 per month with regards to the overpaid amount. Their pensions would be protected against any overpayment claims.

During the 2010-strike action in the Public Service the Department of Education deducted leave without pay from all members employed by the Department, regardless of whether they participated in the strike action or not. The PSA obtained an urgent *interim* relieve order in the Labour Court and the Department was ordered to refund all PSA members who did not participate in the strike action.

As far as the Bargaining Chambers are concerned, the GPSSBC had four Chamber meetings during the report period. This Chamber was functional and agenda items were attended to by the employer.

The PHSDSBC had three Chamber meetings as well as two Special Chamber meetings. This Chamber was not functional as agenda items remained unresolved for extended periods. Owing to the fact that the Department of Health was under budgetary constraints and not complying with employees' basic service conditions, a large number of agenda items in this regard remain unresolved.

The PSCBC was functional and had three Chamber meetings during the report period. The PSA submitted the most agenda items and the employer complied with instructions of the Chamber.

Various members were also assisted by the Provincial Office in Port Elizabeth on an individual basis during the report period, with a number of cases highlighted in this report. In one case, a member was on sick leave for 23 days (non-consecutive periods) and the Department effected leave without pay on his salary. The member lodged a grievance, requesting the Department to convert the unpaid leave to paid leave by using his 38 days capped leave for which approval was granted. However, the employer failed to give effect to the approval despite the member taking the matter up with the correct official channels of communication. The member eventually came to the PSA for assistance. The PSA, by means of an attorney, sent a letter of demand to the Department to pay the member within 21 days. The Department then reversed the member's unpaid leave into paid leave and he received leave without pay recovery amounting to some R11 789.

A member applied for encashment of ten days and a service certificate after he completed 20 years of service with the Department in 2012. The Department did not respond to the member's application and he subsequently lodged a grievance. After expiry of 30 working days since the member submitted the grievance, the PSA sent a letter of demand to the Department to effect payment within 21 days. The Department eventually complied and paid the member some R7 916 in November 2012.

Two members employed by the Sars as Customs Officials were dismissed after a disciplinary hearing and also failed in their appeal with effect from 1 November 2011. They had been charged with corruption and transgression of company rules, policies and procedures. The matter was referred to the CCMA as an unfair dismissal for arbitration since conciliation failed. The matter was arbitrated for several days and ultimately the award was in the PSA's favour, declaring the dismissal of both members as from 1 November 2011 as substantively unfair and setting these aside. The Sars was ordered to reinstate the members in their posts and pay each member (in terms of backpay) the amount of R152 136,72.

A member at Eastern Cape Parks and Tourism was charged with gross negligence after being involved in an accident and damaging the company vehicle as he was driving the vehicle at 80 km/h on a road with a speed limit of 30 km/h. At the disciplinary hearing the presiding officer insisted on a visit to the accident site to confirm the speed limit and the condition of the road. At the site it was clear that the road was not suitable for speeds above 30 km/h. During the hearing, the member pleaded guilty. This worked in his favour as it was also a first offence and the employer still trusted him by giving him a vehicle to drive after the accident. All factors were taken into account by the presiding officer and the member received a final written warning.

A member at the Department of Education retired in October 2012. In December 2012 he complained to the PSA that the employer had never processed his application and as a result his benefits had not been paid to him as expected in December 2012. The PSA wrote the letter of demand to the Department and gave an ultimatum to process the member's pension benefits. The employer responded and promised to pay the member within two months with which it complied. The member received what was due to him in terms of his gratuity and pension benefits in March 2013.

The PSA's Provincial Office in Mthatha, despite additional assistance rendered by full-time shop stewards, had to deal with not only an increased workload, but also various additional challenges during the report period. Members were, however, in the majority of cases successfully represented and assisted with bi-laterals, grievances, disputes and disciplinary hearings.

The PSA Provincial Manager represented the PSA at the PSCBC. Proper communication with members, shop stewards and structures remained of paramount importance.

## Free State

The PSA's Free State Provincial Office in Bloemfontein had a high rate of successes in the various fields of its operational scope during the report period. A total of 17 590 enquiries were, for example, received from PSA members via telephone, fax, physical visits to the Provincial Office and/or e-mails, all of which were handled by the staff with great success.

The Provincial Office distributed all relevant information to members via e-mail. For the report period, 184 536 e-mails were sent to members to update them.

The Office identified a core group of capable shop stewards who primarily focus on assisting PSA members with grievances and disciplinary hearings. A total of 179 members were successfully represented by shop stewards in disciplinary hearings and 229 members with grievances during the report period.

The Office's Labour Relations Officers, who primarily focused on assistance with disciplinary hearings and arbitrations, assisted 102 members in disciplinary hearings and 279 members with grievances during the report period. In the process, shop stewards and staff travelled more than 31 000 km during this time.

In respect of arbitrations, 509 members were assisted by PSA Labour Relations Officers with a success rate of 97% being maintained. Several successes led to PSA members being reinstated after dismissal or receiving compensation. The estimated monetary value of arbitration awards received in favour of PSA members during the report period was R3 785 900.

The Office also successfully declared disputes in cases where the employer did not comply with PSCBC Resolution 1/2007, for example the non-payment of overtime (the SAPS and several provincial departments).

The Department of Health, by not correctly implementing overtime payment in terms of PSCBC Resolution 1/2007 for members in EMS, was ordered by the Commissioner to pay over R8 million. In a few cases the PSA also successfully ensured that the employer applied the job evaluation system. Regarding the employer's reluctance to comply with PSCBC Resolution 14/2002 (grievances), the Office was identified by the PSCBC and the DPSA as the Office with the most disputes relating to the employer's non-compliance.

In respect of collective matters, the PSA was responsible for more than 96% of all agenda items sponsored in the various bargaining chambers/forums during the report period and had a 100%-attendance rate, whilst other unions had a 85%-attendance rate. Some of the collective matters, as raised by the PSA during the report period, are highlighted in this report.

#### ***Non-compliance with Act 56 of 2001***

##### ***(Regulation of the Private Security Industry)***

The PSA pointed out that none of the provincial departments complied with the registration requirements as envisaged in section 42 of the Act (only the SAPS, SANDF and National Intelligence Services are exempted in the execution of their services/duties). The employer later confirmed that, despite the fact that whilst initially only one or two provincial departments registered, all provincial departments did comply with the registration requirements and training was being done.

#### ***Monitoring of implementation: PSCBC Resolution 3/2009 - Pay Progression and Career Pathing for employees who will not receive an OSD (salary levels one to twelve)***

The PSA requested a written report on the progress made by provincial departments in terms of implementing PSCBC Resolution 3/2009 (implemented with effect from 1 April 2010). The employer reported that the said Resolution was implemented or was in the process of being implemented in all departments. Based on the feedback received, which was not acceptable to the PSA, members were requested to immediately register formal grievances if the process had not been finalised. A total of 63 members successfully registered grievances.

#### ***Conscientious objection and terminations of pregnancy (TOP)***

In an attempt to find solutions to the practical problems faced by PSA members who have moral and religious objection to performing terminations of pregnancy, the matter was tabled by the PSA on behalf of such a group of doctors and nurses and the proposals from the PSA were positively met by the employer.

Ultimately, as a direct result of the PSA's inputs and involvement, the matter was echoed at national level where the Minister of Health established a national task team to deal with it. This task team distributed a document: "Working Document National Department of Health Policy Guidelines for the Implementation of Medical Termination of Pregnancy MTOP". The PSA provided comprehensive inputs on the national task team's document for consideration.

#### ***Non-provisioning of uniforms to Nursing and Security staff***

The PSA registered its concern that Nursing and Security staff were still complaining that they had not received uniforms at various Health institutions and that the employer would provide a comprehensive report per Health institution regarding the provisioning of uniforms, including protective uniforms. PSA members were, in the meantime, requested to provide as a matter of urgency, the names and detail of officials who had not received any uniform over the past year for a possible refund/in-depth investigation. Only a few members responded and their names were forwarded to the employer. PSA members were again requested to immediately register formal grievances and provide the PSA with copies of the grievances, but none were received.

#### ***Safety at workplaces: All institutions under control of Departments of Health and Social Development***

The PSA indicated, as a general complaint from staff and patients, that workplaces were not safe enough during normal working hours. During night shifts, the position was even worse. Several workplaces were mentioned and the PSA also indicated that there was a lack in clearing the role and functions of Security staff. The same position prevailed in institutions of the Department of Social Development. It was decided that the employer would table a comprehensive report per institution with regard to the safety situation. Eventually, the employer decided to appoint more than 300 additional security staff members. The PSA was by the end of the report period monitoring the success thereof.

#### ***New Government Mortuary in Bloemfontein***

The PSA registered its concerns in the Chamber around the building that was not suitable for the work staff had to perform, as well as the non-provisioning of equipment. As a result of the PSA's intervention, all these problems were attended to.

#### ***Guidelines for establishment and resuscitation of Union-Management Committees as institutions***

The Department of Health decided unilaterally to continue to establish Union-Management Committees at institutions. The PSA could not find enabling powers in the Constitution of the PHSDSBC that made provision for any party to the Chamber (including the employer) to create/establish additional structures for consultation other than those mentioned therein.

The employer indicated that it acted within its right to create the said structures which was supported by Nehawu and Hoppersa. The Secretary as well as a member of the Council, however, indicated that the PSA was correct in its interpretation of the Council's constitution and confirmed that the matter was referred to the EXCO of the PHSDSBC for clarity.

### ***Critical shortage of staff: Neonatal high care at maternity - Universitas Academic Hospital***

The PSA pointed out that the international acceptable ratio for neonatal high care was one Sister to three babies. The ratio at the Hospital was one to five (mornings) and one to eight (nights).

This alarming situation was unsuccessfully discussed with seniors on numerous occasions and staff members were not prepared to take the responsibility for any medical-legal consequences that might result from this situation. The PSA therefore requested the employer to urgently attend to this critical shortage and appraise the PSA regarding actions taken. The employer indicated that it would finalise its report in this regard for discussion in the next Chamber meeting scheduled for May 2013.

### ***Irregular application and implementation: OSD for Nursing staff***

It was brought to the PSA's attention that the employer followed an implementation process regarding Nurses in identified specialities whereby Nurses were correctly identified, remunerated and placed according to their speciality qualification/grandfather clause. Unfortunately, owing to the employer's rotation policy, Nurses in specialities were requested to rotate to non-speciality areas whilst they still were paid according to their field of speciality. Non-speciality Nurses, who were rotated to fields of speciality, did not receive the additional remuneration associated with specialities, whilst they performed the duties of specialised nursing. The PSA was therefore of the opinion that the employer should comply in full with the OSD requirements and utilize Nurses according to their OSD placement. The employer indicated that this matter was also of concern to it and that it would be forwarded to national level (DPSA and National Department of Health) for consideration. The employer indicated, however, that it could not pay those staff. By the end of the report period the matter remained on the agenda for feedback.

### ***Nursing training selection criteria***

The PSA pointed out that the employer annually identified a specific number of Nursing Assistants to do a staff nurse course and Staff Nurses to do the bridging course at identified nursing colleges. The PSA indicated that the different hospitals applied different selection criteria which led to dissatisfaction amongst candidates who were competing to do the training courses. In order to avoid unhappiness and grievances from employees, the PSA proposed uniform selection criteria. The employer was in agreement with the PSA's view. A draft was to be provided to labour, but the employer then indicated that it needed more time to respond as the matter was dealt with in the Skills Development Committee and the latter's report was being awaited.

### ***Skills development: Non-provisioning of funds to attend international medical congresses***

The PSA indicated that medical specialists were not being considered and assisted in terms of the skills development programme of the Department to be updated on developments in their respective, highly-specialised medical fields where they had to compete with national and international counterparts.

The only way in which they could be assisted was by attending international congresses. They were excluded from doing so whilst, based on their performance contracts, they were supposed to attend such congresses. The PSA requested the employer to give urgent attention to the matter and provide the PSA with a progress report. The employer indicated that it was compiling a final provincial policy regulating this matter and would provide the draft policy document to the PSA for inputs.

## **Gauteng**

The PSA's Provincial Office in Johannesburg successfully represented numerous members in misconduct hearings, utilising well-trained shop stewards in the workplaces. Members were also represented in cases that related, amongst others, to performance bonus issues, acting allowances, incorrect salary payments, OSD-implementation cases, overtime payments, etc.

A total of eight full-time shop stewards were integrated into the Office which resulted in an increased capacity and enhanced service delivery to members. With their help and assistance the turnaround time for norms and standards could be adhered to as per operational plan. Members also reacted positively when the PSA responded to them within a shorter timeframe. A third Labour Relations Officer was appointed and more members could be responded to within a shorter period of time.

During the report period, the Office attended collective bargaining meetings in the Gauteng Provincial Sectoral Chambers as well as sub structures. The PSA submitted the majority of the items for the agendas. The amalgamation and the demerger of various provincial departments were discussed. The PSA gave extensive inputs on the new staff establishments which were mostly incorporated in the new structures, for example, the Gauteng Departments of Roads and Transport, Infrastructure Development, and Health and Social Development. In the Gauteng Department of Infrastructure Development the PSA succeeded in getting all the contract workers absorbed into permanent posts.

The PSA's Provincial Office in Pretoria focused more intensely on the commitment and involvement of representatives during the report period. The Office had five full-time shop stewards, who rendered assistance to both the liaison and labour relations components. They were placed at service areas closer to their homes in order to minimise travelling costs and bringing service closer to members. Their commitment contributed tremendously to the growth and service delivery of the Office.

During the report period, Liaison Officers and full-time shop stewards visited and addressed 45 035 employees of which 28 258 were existing members, and 3 203 were new recruits. In the process, a distance of 103 617 km was travelled.

The Rights Section handled 20 713 general enquiries and personal interviews. A total of 1 933 new cases were received. In addition, 123 conciliation board meetings were attended and 187 arbitrations were handled. A total of 355 disciplinary hearings were handled and 1 418 formal grievance were dealt with. In addition, 26 new and pending cases were finalised. A total of 102 bargaining-related meetings were attended. In the process, a distance of 16 846 km was travelled.

As a result of these efforts, the number of membership cancellations and complaints regarding service delivery declined and by interviewing members who cancelled, the Office managed to turn around a few such cases.

The special events hosted by the Office also contributed to its success. Open days, various recruitment drives and celebrations, and an inter-sectorial meeting, joining Johannesburg and Pretoria, supported by various recruitment items, were undertaken. On Public Service Day, the Office served soup to members working night shift at Steve Biko Academic Hospital in Pretoria.

In respect of collective bargaining, negotiations at SASSETA started in November 2011, resulting in an agreement being reached in March 2012. The following salary increases were implemented with effect from 1 April 2012: Heads of Department - 8%, Senior Practitioners - 8,5%, Practitioners and supervisors - 9%. All other administrative staff received 9,5%.

Financial constraints resulted in the closure of the Restorative Justice Centre, which meant a loss of 21 members for the PSA.

## KwaZulu-Natal

The core function of the Union is to protect the rights and promote interests of members. The PSA's Provincial Office in Durban during the latter part of 2010 and 2012 became aware of a growing notion amongst members that they were not being serviced adequately. The resignation of members at an unacceptable rate was testimony to this. After numerous meetings with staff, structures and shop stewards, the Office effected a turnaround by ensuring that members' enquiries and problems were attended to timeously and professionally. The number of complaints decreased dramatically during the report period.

In respect of collective bargaining, the PSA was the front runner during the report period when it came to matters of mutual interest. The PSA is the only Union that constantly attended all Chamber meetings and regularly placed items on the agendas all Chambers.

Emanating from these Chamber meetings, the PSA was involved in several bilateral meetings which resolved a number of issues on the agenda of Chamber meetings. The Office also made great strides in ensuring that Chairpersons and full-time shop stewards attend all Chamber meetings thereby ensuring that they are informed of developments.

The Office, in the past did not utilize full-time shop stewards effectively to alleviate the workload of Labour Relations Officers. A plan was put in place with administrative support and mentoring, enabling shop stewards to function more effectively and adding to the capacity of the Office.



A small core group of shop stewards also started assisting the Office with grievances and enquiries.

Serious efforts were by the end of the report period underway to ensure that every department was equipped with an active shop steward.

The communication process in the Office also received seriously attention. In the past the burden was solely placed on Liaison Officers to distribute information to members. This was changed with emphasis being placed on establishing a solid database of shop stewards and also of members wishing to receive information electronically. This initiative rendered the required results and greatly improved the flow of information. Labour Relations Officers were also involved in the distribution of information as when attending grievances or hearings at departments, they dropped of newsletters with shop stewards

The PSA's Provincial Office in Pietermaritzburg had to deal with an increased workload as well as various challenges during the report period. The Labour Relations Officers, in the majority of cases, successfully represented and assisted members in bilaterals, grievances, disputes and disciplinary hearings. Office assistance was also rendered to members by the Senior Clerks.

The Office submitted agenda items with the assistance of labour relations staff, full-time shop stewards, shop stewards and members for discussion at the three Provincial Bargaining Chambers, i.e. the KwaZulu-Natal (KZN) PSCBC, KZN GPSSBC and KZN PHSDSBC. The PSA again maintained its outright majority in the KZN GPSSBC.

The PSA Provincial Manager remained the Chairperson of the KZN PSCBC and also represented the PSA at the PSCBC's Annual General Meeting in Gauteng on 18 June 2012. He furthermore chaired Pensions Restructuring Task Team meetings until 20 March 2012 in his capacity as Chairperson of the KZN PSCBC. The PSA, as in the past, was the Union that submitted the majority of agenda items from the side of labour. The PSA actively participated in negotiations and led the way in respect of task teams and labour caucuses.

Proper communication with members, shop stewards and structures remained of paramount importance. During the report period the Office issued several newsletters and made contributions to the *PSA magazine*.

## Limpopo

The PSA's Provincial Office, based in Polokwane, during the report period attended to the Limpopo Chamber of the PHSDSBC where the storage and transportation of medication in mobile clinics was a matter of utmost concern based on a lack of proper compartments for medicine, equipment and waste in the mobile units which compromised infection control as well as health and safety requirements in these clinics. This matter was not resolved by the end of the report period, but the PSA will persist until satisfied that pharmaceutical standards for storage have been met.

EMS personnel were working without proper uniforms and protective clothing which compromised their safety at accident scenes.

The PSA tabled this matter in the Chamber and after some deliberation, the employer admitted that there was a shortage and gave an undertaking to correct this.

By the end of the report period, some uniforms and protective items had been issued to employees. The item would, however, remain on the agenda until the employer has issued all outstanding clothing and/or protective gear.

The outsourcing of catering services at Health institutions is of grave concern to the PSA. The matter was subsequently tabled at the Chamber and the employer undertook to review it and seek an amicable solution to avoid possible job losses. A final decision had not been taken by the end of the report period.

The chronic shortage of support staff at hospitals is jeopardising service delivery. The PSA tabled this matter and the employer, in response, blamed it on the fact that it was under administration. The employer agreed to attempt to at least get some critical administrative posts filled. Progress would be reported at the next meeting of the Chamber.

It was confirmed at the Annual General Meeting of the Limpopo Chamber of the GPSSBC on 5 October 2012 that the PSA had the majority of members with a vote weight of 51,84%.

The Department of Roads and Transport implemented a new shift system for Traffic Officers without prior consultation in this Chamber. At the insistence of the PSA, the matter was placed on the agenda and subsequently meaningful consultation took place. The concerns and reservations of members could be tabled and resolved as far as possible.

It came to the attention of the PSA in late 2012 that the Department of Environment and Tourism was on the verge of transferring all state-owned nature reserves to the Limpopo Tourism Agency. The circular announcing this transfer was subsequently withdrawn and the matter was to be dealt with in the Chamber.

The PSA received a complaint from 112 members appointed in the Department of Education on contract to the effect that they had never been paid the 37% in lieu of benefits as per PSCBC Resolution 1/2007. At a meeting of the Limpopo Chamber of the PSCBC the employer admitted that it had erred and was indebted to employees on contract. An amount of some R3,5 million was eventually paid by the employer to employees who had been serving on contract since the implementation of the Resolution.

## Mpumalanga

The PSA's Provincial Office in Nelspruit experienced a good success rate during the report period in respect of disciplinary hearings where a group of shop stewards and full-time shop stewards represented members and rendered valuable services.

Several cases were referred to the Labour Court for either enforcement of arbitration awards or setting aside of awards. A number of cases were still pending by the end of the report period.

Various members benefitted financially based on the PSA's intervention in their cases, especially at the Department of Correctional Services where members' demotions were overturned by the Labour Court.

The PSCBC, GPSSBC and the PHSDSBC were functioning well during the report period. The PSA submitted items for the agendas and dominated in discussions. There was, however, a continued challenge in the PHSDSBC in respect of the OSD for Nurses. In some instances the Provincial Government issued letters to employees stating that they had been overpaid. This action was, however, stopped after the PSA intervened.

The PSA also issued a request to members regarding the PMDS Policy for a mandate to sign in the PSCBC in the Province and the matter was finalised.

## Northern Cape

In support of a constant approach to both retention and recruitment, the PSA's Provincial Office, based in Kimberley, from a service-delivery approach adopted two slogans which were conveyed to all stakeholders, i.e. "Recruitment through service delivery" and "Marketing is too important to be left only to the marketing personnel". This was a resonated point of all discussions during the report period which resulted in a paradigm shift with staff, shop stewards and Chairpersons.

At the core of all endeavours was a concerted effort to utilize all communication media aimed at efficiency, economy and wider communication.

The approach of shop steward accountability was a cornerstone of the Office's success coupled with sincere attempts at rectifying mistakes and enhancing the competitive edge at all fronts.

Cooperation between the liaison and labour relations component revived the credibility of the Office as a main stakeholder in collective bargaining matters. Additions to the staff compliment of the Office made a huge contribution towards service delivery. In addition, persistent, timeous, and aggressive dissemination of information by means of newsletters, email, fax and cell phone facilities ensured direct contact with members through their respective constituencies.

All structures were, during the report period, kept informed of initiatives by the Office. Involvement and accountability, according to the Congress Resolution, was encouraged throughout.

## North West

Service delivery to members by the PSA's Provincial Office in Mafikeng improved substantially during the report period owing to various reasons.



Assistance from full-time shop stewards in executing liaison and labour relations work contributed positively towards service delivery. Assistance from shop stewards with disciplinary hearings, grievances and recruitment improved drastically. Complaints from members decreased owing to the commitment of staff, shop stewards and full-time shop stewards. The Office was, however, still dealing with a challenge whereby not all shop stewards were willing to assist members.

The Office's labour relations staff, full-time shop stewards and some shop stewards did a sterling job by winning the majority of disputes and disciplinary hearings during the report period. An amount of some R600 000 was obtained in monetary value for members in the process.

The PSA contributed meaningfully in all Provincial Chambers and maintained its majority status in the GPSSBC Chamber. Momentum was steadily gained in the PHSDSBC with the gap increasingly being closed in this Sector. The PSA contributed meaningfully in all Provincial Chambers. Elections were conducted for Branches and Committees and all structures were revived.

Active participation and involvement of the PSA in various Chambers yielded positive results. This was clearly illustrated when shop stewards of two parastatal institutions, namely the North West Development Corporation (NWDC) and Mmabana Arts and Culture, invited PSA to do presentations to members. The PSA later took control of the NWDC from Saccawu and Nehawu and became the majority Union organising there. On 20 July 2012 a recognition and procedural agreement was signed by the PSA and NWDC. By the end of the report period, the PSA was about to conclude an agreement with Mmabana Arts and Culture based on a 58%-majority status.

## Western Cape

During the report period staff at the PSA's Office in Cape Town, full-time shop stewards and other shop stewards assisted ten members in new Court cases, 152 members in arbitrations, 167 in conciliation boards and 205 members in disciplinary matters. These numbers show a decline in Court cases and a 30% decline in disciplinary hearings but an increase in arbitrations and conciliations.

The PSA, with the active assistance of structures, also furthered the interests of members by participating in more than 93 bargaining meetings, representing a 60% increase from the previous year. This serves as testimony of the Office's increased

collective bargaining activities in ensuring that not only the rights of members are protected, but also furthering their interests in their employment relationship.



The mentioned services were rendered by a well-functioning and knowledgeable team of PSA staff, full-time shop stewards and office bearers and a growing group of shop stewards.

## Communication

In a fast-paced society driven by technology and modern media, people are increasingly looking for more information with shorter turnaround times. The PSA's communications offering to members is structured and integrated with reality in mind. The various services offered are aimed at reaching the widest possible audience.

During the period under review, the PSA continued to publish its free bi-monthly magazine, which is recognized as an important information, marketing and branding channel. The six editions of the magazine are posted to each member and members therefore rely on the magazine as an information link with the Union. Shop stewards and liaison officers utilize the magazine during recruitment and also use the topical articles as a reference tool. Recruitment competitions in the magazine, aimed at instilling a culture of recruitment amongst members, rendered positive results during the report period with just under 1 000 new members being recruited in this way.

Members are once again urged to ensure that the PSA has their correct postal address on record in order to ensure that they receive the *PSA magazine*.

The PSA is committed to keeping members fully-informed regarding developments in their specific workplace. The PSA's electronic newsletter *Informus*, which is distributed to members via email, serves as the main channel for communication with members in this regard. It provides up-to-date details on the PSA's efforts in the protection and promotion of members' workplace rights and interests, collective bargaining developments, and also serves to request members' inputs and mandates on such issues. In total, 416 editions of the newsletter were published during the report period.

Cellphone communications offers the PSA immediate and targeted access to the majority of its members. The PSA therefore actively pursues this channel to engage with members and 74 such messages (compared to 40 during the previous report period) were issued to various grouping of members during the report period.

The PSA's mobile site (<http://ePSA.gvim.mobi/>) experienced a sustained level of interest and will be enhanced during the coming year to provide members with a more comprehensive service.

The PSA's website, [www.psa.co.za](http://www.psa.co.za), carries a comprehensive bundle of information, events, an enquiry link, and other information, and enjoyed steady support. More than 80 923 unique visitors were recorded during the report period.

The electronic helpdesk, [ask@psa.co.za](mailto:ask@psa.co.za), also provides members with a channel to lodge enquiries and received a sustained level of communication from members.

The Union's shop stewards are regarded as important links with members. The PSA therefore produces the *PSA Link*, an electronic newsletter specifically aimed at supporting shop stewards. Three editions of this newsletter were published during the report period.

The PSA experienced a fair level of print and broadcast media coverage, mainly in response to media statements (18 in total) that were issued on a variety of topics affecting members both on provincial and national level.

The PSA realizes the importance of promoting the Union through active interventions and in this regard a national outdoor, electronic advertisement campaign at more than 40 points across the country was launched from 20 to 23 June 2012 to coincide with Public Service Day on 23 June 2012. This intervention effectively exposed the PSA brand to hundreds of thousands of commuters across the country as the PSA thanked public servants for their role in building our country.

The PSA, in search of service excellence to members, will continue to explore emerging communication channels that best serve the needs of members.

## Fringe benefits

In addition to its services to members in line with its core business of protecting and promoting their rights and interests in the workplace, the PSA also offers a range of national and provincial fringe benefits to members.

These benefits are in the form of exclusive products or discounted rates to place them in a better bargaining position than the general public. The PSA has a close relationship with its business partners at a provincial level where they are also actively involved in many PSA activities, including joint social responsibility initiatives.

During the report period, new national fringe benefits were negotiated with existing business partners. The *Assupol* product range was extended on 2 November 2012 with an *Inkomo*-provider product. This product is marketed by *Maxi Group Schemes* as a stand-alone product to provide cattle for the funeral service supplied by Kanhym. Tombstone cover and vehicle hire can be added to the *Inkomo* product at a low, additional cost. *Liberty* stopped the marketing of the current life product, but added a new life product to a maximum benefit of R250 000 and an investment product on 30 October 2012. These products are marketed by *Maxi Group Schemes*. *Mahala* added a value package on 26 June 2012 for the Funeral Lifestyle product underwritten by *Hollard*. The product includes medical and legal advice, veggie benefit, school uniforms, electrore, and a local butchery benefit.

*Dignity* concluded a deal on 26 February 2013 to provide an *Izinkomo* product (cattle for the funeral) to the value of R7 000 linked to a funeral policy. This product is underwritten by *Assupol* and the cattle are provided by Kanhym. On 31 January 2013, *Metropolitan* added a voluntary shopping benefit to its existing funeral plan at additional cost that can be redeemed at any Shoprite or Checkers. The value ranges between R9 000 and R18 000, depending of the policy-holder's choice.

The *PSA Short-term Insurance Scheme* has 5 380 members. The facility is insured by *Zurich* and was administrated by *Mustofin Insurance Brokers* until 31 March 2013. The PSA also has a short-term insurance contract with *Indwe*, the largest independent short-term insurance broker.

Funeral schemes and services are available through *Avbob*, *Assupol*, *Channel Life*, *Dignity*, *Hollard*, *Old Mutual*, *Metropolitan*, *Zisekele*, and *Sanlam*.

Assurance and other products are available from *Old Mutual*, *AIG*, *Metropolitan*, *Tsala*, *Assupol*, *Sanlam* and *Maxi Group Schemes*.

*Doves* and *Avbob* render funeral services to PSA members, their spouse or next of kin, at discounted rates.

*WeavaCell* supplies affordable options for cell phones.

Legal services are provided by *Community Legal Clinic* to PSA members and their family.

Emergency rescue services with the *Automobile Association (AA)* provide a comprehensive range of membership options at discounted rates as well as a cash-back reward program from the AA's travel, lifestyle, auto and shopping partners.

As far as health care is concerned, *AIG* provides unique hospital cash plans and accident benefits.

An agreement with *Barloworld Motors* provides free on-the-road charges to members (license, registration cost, delivery cost, pre-delivery inspection cost and number plates).

*Centre Chain* provides comprehensive tax administration services to PSA members on a national basis as well as annuity policies underwritten by *Alan Gray* and *Sanlam*.

*Old Mutual Finance* provides consolidations, unsecured personal loans and policy secured loans.

Members can obtain education finance to further their studies and those of their dependants for university, school fees, laptops and books with *Edu-loan*.

The PSA *Mahala* Loyalty Program is a rewards program whereby members can earn discounts or points (*mahalas*) on ordinary, day-to-day purchases from *Mahala* partners. *Mahala* includes the loyalty program to all PSA members applying for *Hollard* funeral policies. Loyalty programs are also available from the *AA*, and *Indwe*.

In total, more than 188 000 policy-holders are making use of the various schemes.

At the *South African National Parks*, discounts of between 10% and 15% on accommodation are available. The *PSA Holiday Resort*, at Quenera Mouth East near East London in the Eastern Cape, offers equipped chalets and camping facilities at discounted rates.

Other exclusive benefits administered by the PSA include the *PSA Funeral Benefit* where, in the event of a member's death, the dependants or next of kin can approach the PSA (within six months of the death) for financial assistance with funeral costs.



This R2 350 grant is awarded on an *ex-gratia* basis, subject to available funds.

From 1 May 2005, PSA members employed in the SAPS (*Public Service Act* as well as *Police Act*) qualify for a R7 000 **funeral assistance benefit**. By the end of the report period, a total of 1 017 claims, of which 31 were for SAPS members and 90 were for pensioners to the value of R2 528 550 had been paid out. Fewer funeral payments were made during the report period, compared to the previous period.

The **PSA's professional indemnity cover for nursing staff and medical technologists** is unique in the trade union industry, as cover has been secured at an initial R1 million, per member, per year, with no limitation, at no additional cost to the member. The scheme is administrated by **Mustofin Insurance Brokers**.

The **PSA's insurance cover for its office bearers** offers such members, or their substitutes, who serve the PSA in an official capacity, e.g. to assist members in labour matters, or when attending official PSA meetings, comprehensive insurance cover on death or permanent disability.

# Grant pay points appeal

and standards with regard to security and health issues. Sassa, as an employer, wants to get the best out of our members – their officials – yet, there seems to be no genuine attention being given to ensure their working environment is conducive to enable them to per-

form optimally and in safety. "Our members increasingly view the social grant pay dates with great trepidation, not knowing when they may become victims of senseless attacks," said Naiker.

Les Govender, IFP social development spokesman, said it

was time Sassa v the Department of Safety and Liaison pension payout protected and safe.

"The brazen senseless killing grant pay point highlights the a

## Deaths group probe

by deaths  
e been avoided – SAHRC

### Your View...

Comment on this report. SMS the word BAMES followed by your views and your name to 45496. Each SMS costs R1. Free SMSes do not apply. The Pretoria News reserves the right to edit or omit SMSes. 16cCs apply.

### Investigation

tion of inquiry to be appointed to investigate the deaths.

"I want to know exactly how and when each child died. As we understand it, two died shortly after they arrived in the casualty unit, and the other two died after being admitted to the wards," he said.

The commission was expected to report back to him within a week.

He promised to take action if hospital personnel were found to have been negligent.

The SA Medical Association (Sama) has since said it will deploy doctors to the hospital's paediatric ward.

"Our members in public and private (practice) have volunteered, starting (yesterday), with paediatric ward rounds," said Sama chairwoman Phophi Ramathuba.

"We will be taking turns in providing health services until the situation is normalised," added Ramathuba.

The Public Servants Association (PSA) yesterday condemned the deaths of the babies.

The PSA's manager in Limpopo, Pieter Koen, said what was disturbing was that the province had a vacancy level of 70 percent for medical doctors.

"What is even more disturbing is that the MEC and senior officials of the Health Department are well aware of the shortage of doctors at numerous hospitals."

Nelie Erasmus

kon word. Koort tenare ry op hul eds dienste te is keelvol."

et vroeër ook bide se trekkers vir nuwelingbc n al maande lanl opgaar.

r dié trekkers Vrede, asook len, is gerig aan, woordvoerder e departement r nog geen antw

ie.

## Artse mag vir eers private werk doen

Kaydene Davids

'n BEVEL is gister in die Vrystaatse hooggeregshof toege staan wat dokters en spesialiste wat vir die Vrystaatse regering werk en ook private werk in werkure doen, toelaat om voorlopig daarmee voort te gaan, hangende 'n hersieningsaansoek in die arbeidshof.

Regter Fouché Jordaan het 'n besluit deur dr. Benny Malakoane, LUR vir gesondheid in die Vrystaat, wat 'n verbod op dié werk tersyde stel hangende die beregting van 'n hersieningsaansoek in die arbeidshof, vir eers tersyde gestel.

Regter Jordaan het gesê dit is duidelik dat die LUR dié private dienste wat dokters en spesialiste lewer, met 'n kennisgewing op 5 April summier

pleeg of voor die tyd gekonsulteer het.

Hy het ook gelas dat die koste van die aansoek, hangende die uitkoms van die hersieningsaansoek, oorsaak.

Die Vereniging vir Staatsamptenare (VSA) het in 'n hofverklaring gesê Malakoane het dié private dienste wat dokters gelewer het summier op 5 April verbied.

Luidens die hofstukke was daar geen onderhandelinge of raadgevinge nie.

Die LUR se voorskrif dat hulle dit slegs buite werkure mag lewer, het dit feitlik onmoontlik gemaak vir die dokters, lui die hofverklaring verder.

Adv. Pieter Venter, in opdrag van Lovius Block-prokureurs, het vir die VSA opgetree. Adv. Majellie Wessels, SC, in opdrag van die staats-

## Workers at premier's office picket over no bonuses

their effective participation in the meetings."

Unions were requested to advance matters that should form part of the agenda to the secretariat of the executive management before each meeting.

A meeting on Monday January 30 between the Director General and the Public Servants Association of South Africa (PSA), based on matters sent by the PSA to form part of the agenda, was held and described as "fruitful".

Nehawu is said not to have sent anything, did not attend the meeting and did not tender an apology for their absence, according to Mabitsefa.

"The DG calls on Nehawu to honour the scheduled meeting so that their grievances can be addressed."

After having read the press release, Nehawu provincial secretary Jacob Adams said it was not true that they were invited to a meeting, as they would never pass up the opportunity to engage with employers to resolve issues.

He said the 200 Nehawu members would continue to picket daily during their lunch

**P**UBLIC servants doing business with the state will find themselves in a spot of trouble in the near future – facing up to a year in jail if found guilty.

This was Public Service and Administration Minister Lindiwe Stalder's warning yesterday. She has urged the state in her shake-up of the public service by introducing legislative amendments to criminalise the practice.

Stalder has also set her sights on private sector

businesses that are seen as the "corrupters". In most cases involving public servants, and they, too, will face the "full wrath" of the law.

Under the proposed amendments, companies found guilty won't be allowed to do business with the government for 10 years.

Amendments to entry-level requirements for directors-general and deputy directors-general are also on the cards

to ensure that adequately qualified people are deployed to head government departments.

Addressing the media ahead of her department's budget vote yesterday, Stalder said her team had indicated right from the outset that they were "very concerned about the environment" in which our public servants are able to do business with government.

"It's because we think it is very unethical and it creates an environment where it is possible for corrupt practices to thrive, and we indicated that we're going to prohibit public servants from doing business with government and we've done so. It is in the bill that was accepted by the cabinet committee on Tuesday and will be in Parliament soon."

"We also indicated our firm commitment never again to find a perception in the public that public servants are corrupt," said Stalder.

She added that, in line with this plan, her department had now established an anti-corruption bureau to be able to deal with outstanding misconduct cases.

She said the Public Finance Management Act (PFMA) has minimum sentences for people in Parliament soon.

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# Corrupt public servants facing jail time

BABALO MDENZE

Crooked companies also in Sisulu's firing line in crackdown

## Sorry picture painted by Auditor-General

THE AUDITOR-General recently released a damning report on the country's national and provincial audit outcomes, which showed that just one in five state entities received clean audits in the last financial year.

Terence Nombembe's report also showed that last year nearly R60 million in tenders was awarded to suppliers linked to employees of the relevant departments, and that in some cases, senior managers were responsible for the awarding of contracts.

According to the commission, in 2008/09, financial misconduct cost the state R100m. The next year it more than tripled to R360m, then soared in 2010/11 to R620m.

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Amendments to entry-level requirements for directors-general and deputy directors-general are also on the cards

# Membership

## Recruitment of members

During a period where there was no extra-ordinary events such as industrial action (because of the fact that salary agreements had already been signed) influencing recruitment, PSA Liaison Officers recruited 23 729 new members, bringing the overall membership of the PSA to 225 549.

The following is a breakdown of how Liaison Officers performed in recruitment during 2012:

First Quarter	:	6 007
Second Quarter	:	4 350
Third Quarter	:	7 065
Fourth Quarter	:	6 307
<b>Total</b>	:	<b>23 729</b>

The following recruitment and related statistics for 2012 were key to the successes achieved:

Points visited	:	17 115
Members addressed	:	137 273
Non-members addressed	:	32 606
Meetings attended (i.e. Branches):		584
Training sessions (for shop stewards)	:	231
Distance travelled (km)	:	556 988
Members recruited	:	23 729
<b>Overall total membership</b>	:	<b>225 549</b>

Recruitment was becoming increasingly difficult during the report period owing to smaller recruitment potential and stiff competition from rival unions. PSA Liaison Officers had to mostly concentrate their activities on a person-to-person basis, which was a time-consuming exercise. More emphasis was also placed on retaining members by answering to the high demand for service excellence, training of members and, the establishment and maintenance of member structures.

The hosting of open days and other special events to show the PSA's appreciation to members also contributed to retaining members.



During 2010, a total of 6 368 members cancelled their membership of the PSA. In 2011, this figure stood at 3 567 and during 2012 it was down to 3 296 members which was a strong indication that the PSA's retention strategies were rendering results.

Despite the challenges, the PSA is steadily pressing on, keeping the membership figure above the 200 000 mark and striving towards 250 000 members.

## Provincial highlights

### Eastern Cape

The PSA's Provincial Office in Mthatha in the Eastern Cape did well with the recruitment of members with one of its Liaison Officers ranking amongst the top-ten recruiters. Full-time shop stewards under the ELRC further strengthened the Office's recruitment position in respect of Educators.

### Free State

The Free State Provincial Office, during the report period, thanks to committed liaison staff, shop stewards and structures, experienced an increase in membership. A main contributor to the Office's recruitment success, was underpinned by the successes described in the section of this report relating to the enhancement of service delivery.

It was also clear that the Office's success in concluding provincial discount fringe benefits (59 benefits concluded) for members, paid off and contributed to the membership growth in the Province.

### Gauteng

The PSA Provincial Office in Johannesburg, during the report period, successfully recruited new members through mass meeting at schools which was largely assisted by the distribution of PSA diaries. Liaison visits were undertaken as well as open days being hosted at various workplaces.

Shop stewards at grassroots level also assisted with the recruitment of new members. The regular issuing of newsletters furthermore assisted the Liaison Officers with recruitment in the field.

## KwaZulu-Natal

Membership under the PSA Provincial Office in Durban grew steadily in numbers during the report period. The three Liaison Officers and the full-time shop stewards achieved excellent recruitment results during this period. Great effort was made to curb the rate of cancellations with staff holding personal interviews with members to ascertain the reasons for cancellation.

The PSA Provincial Office in Pietermaritzburg, through the efforts of its Liaison Officers, was able to recruit a substantial number of new members during the report period. With the assistance of the full-time shop stewards, dedicated shop stewards and shop stewards, the Liaison Officers not only met their recruitment targets, but exceeded these by far and in the process claimed second and tenth position amongst the PSA's top-ten recruiters for the period.

Despite only operating with one Liaison Officer, for the larger part of the PHSDSBC recruitment drive during 2012, the Office, with the assistance of full-time shop stewards and shop stewards, still recruited the third most members in the Sector during this drive.

The Provincial Office also celebrated two special events during the report period. The first one was the celebration of Workers' Day at the Ladysmith Town Hall on 1 May 2012 where members were addressed on the origin of the Day. PSA business partner, Old Mutual Group Schemes, informed members about the benefits available to them. The function was concluded with a luncheon.

The second event took place in celebration of PSA Day, which marked the 92<sup>nd</sup> birthday of the PSA. This function was held at Madadeni Hospital outside Newcastle in 6 July.

## Limpopo

Although the PSA's Provincial Office in Limpopo experienced no real growth during the report period, Liaison Officers met their targets for the year.

The transfer of members from the Departments of Water Affairs and Local Government to municipalities impacted negatively on the membership figure in the Province. Although an attempt was made to retain these employees as members, most municipalities were not willing to deduct membership fees and, moreover, these employees were, in many instances, intimidated by the new employer and told that the only recognised union was Samwu.

## Mpumalanga

For the Mpumalanga Provincial Office, recruitment was not as successful as projected in its operational planning. By the end of the report period efforts were, however, underway to improve the situation.

## Northern Cape

The PSA's Provincial Office in the Northern Cape experienced the most successful recruitment *per capita*, given the vast travel distances involved, a hostile political scenario, extreme weather conditions and the membership profile in the Province.

On-going monitoring of competitors enhanced the Office's competitive edge. Maximum utilization of shop stewards, business partners and resources were further key elements to the successes as were special training programs aimed at marketing and exposure.

## North West

In North West, the PSA's Provincial Office recorded a positive growth. Improved visibility through liaison visits and inter-sectoral mass meetings, assistance to members by labour relations staff, full-time shop stewards, and shop stewards in various cases, grievances and disputes attributed positively towards retention and a growth of membership.

The PHSDSBC recruitment drive further assisted substantially in achieving this objective. In respect of the said drive, the Office finished in the fourth-highest position with 379 new members being recruited in the Sector.

Employees performing night duty especially appreciated the PSA's visits as no other union serviced them after hours.

The Office also experienced some challenges during the report period such as cancellations of membership, especially at DCS Klerksdorp and Mogwase. The Office determined that, in most cases, these employees were misled to join a union not recognized by the DCS and the majority were persuaded by the PSA to change their minds. The PSA, in the process, even enhanced its standing at the Centres by recruiting new members.

The Office also ensured increased visibility at the SAPS during the report period and, as a result, recruited new members in the Sector. Invitations were even received directly from SAPS employees for the PSA to do presentations to them.

## Western Cape

In the Western Cape, Liaison Officers and full-time shop stewards of the Provincial Office in Cape Town reached out by addressing 30 194 officials during the report period. A total of 18 173 of these were existing PSA members.

In the process, 2 586 new members were recruited. In total, eleven tours were undertaken to regions outside the Cape Town Metropole, and travelling 141 210 km in the process.



The above liaison activities resulted in the PSA membership growing in the Western Cape to more than 26 000 members. This remarkable growth mirrored the PSA's national growth in membership, and was achieved owing to the PSA's sustained excellent value offering to public servants across all government and parastatal spheres in the Western Cape.

The PSA's staff and structures together with the full-time shop stewards, full-time office bearers and shop stewards, worked hand-in-hand to ensure that the PSA remained valid and visible in all workplaces.

The Office's two recruitment drives and various open-day events during the report period also paid dividends with excellent growth results being achieved in the Health and DCS Sectors.

The PSA's marketing material, and especially the PSA 2013 diary, once again assisted with sustained visibility, and attracting the interest of non-members to attend PSA meetings and events, where these non-members were then recruited.

Nurses' Day, Public Service Day and PSA Day were celebrated with events being hosted by the PSA for members at various institutions. The acknowledgement of the efforts and professionalism of our membership in serving the public was well received by members and the public.

# Poor management caused bad matric results – union

PATSY BRANSTROM  
NEWS EDITOR

THE PUBLIC Servants Association (PSA) has attributed the 3.5 percent drop in the in the matric pass rate in the Province, to "serious management problems" in the Northern Cape Education Department.

PSA provincial manager, Joseph Jacquire, urged for an audit of appointed directors, circuit managers, school principals, curriculum co-ordinators and subject advisors.

"The department should rid itself of incompetent officials who are only there for self-gain. It appears that these officials are more concerned about compiling an organogram that guarantees promotion positions.

"The monies used to remunerate surplus senior management could be used to appoint more teachers and build more schools in the Province.

"It is evident that the more chief directors and directors are appointed, the poorer the provincial results become," Jacquire said.

He also said that the curriculum

DIAMOND FIELDS ADVERTISER  
02 Apr 2012, p.5

# Nurse unions vow to fight prison moves

SANDI KWON HOO  
STAFF REPORTER

UIT ONS KONTREI  
14 Sep 2012, p.23

THE DEMOCRATIC Nurses Organisation of South Africa (Denosa) and the Servants Association (PSA) are in a consensual exchange

committed to speak out ruthlessly against injustices, incompetencies, poor service delivery and poor management in the district.

Jacquire pointed out that both the MEC and the Head of Department were aware of these problems but had done nothing to address them.

Spokesman for the Ministry of Education, Sydney Stander, pointed out that while the decline was no what they had expected, it was in no way a reflection of the quality of education in the Province.

"Although there are challenges our education system is maturing and stabilising."

He added that the department was in the process of training educators and the rationalisation of schools in the John Taolo Gaetsewe District because of multi-grade teaching and the under-utilisation of schools in an effort to improve education.

# Dept re

SARAH EVANS  
STAFF REPORTER

IN THE wake of the ambulance crisis in the Northern Cape, the Northern Cape Department of Health has outlined the state of the Emergency Medical Services (EMS) in the Province.

Earlier this week it was announced that three EMS staff members had been suspended and 44 had been issued with final written warnings after they embarked on a go-slow shortly before the Christmas weekend.

The provincial chairman of the South Africa Emergency Personnel Union (Saepu), Phillip Makapela, said that the go-slow would continue until the department was "ready to talk" to the union.

In a statement issued yesterday, department's spokesperson said

# BURGERSDORP PRIMÊR, EUREKA, KRY SPORT B

Bevig en Foto's: Roy ABRAMS

Op 28 Augustus  
personeel en le  
Primêr, Eureka,



amesprek  
Charlie M  
erliggaam  
kteur-PSA  
lige stelle

# DKD SKULD BEWAARDERS

SON (Boiland/Westus)  
25 May 2012, p.12  
Die Dkn  
DIAMOND FIELDS ADVERTISER  
17 Sep 2012, p.7

DIE departement van korrektiewe dienste (DKD) skuld bewaarders landwyd glo meer as R1,2 miljard meer oortyd.

# Racial slurs fly at hearing

SANDI KWON HOO  
STAFF REPORTER

A DISCIPLINARY hearing at the Department of Rural Development and Land Reform turned into a vulgar slur where parties were yelling at each other and one calling another a "racist".

The hearing, which was held last week, pertained to an employee at the national Land Restitution office, who has since relocated to Mbombela (formerly Nelspruit), Mpumalanga, who was charged for being absent without leave and for being under the influence of alcohol at work.

The provincial shop steward of the Public Servants Association (PSA), Kenny Webb, has laid criminal charges of crimen injuria against the adjudicator of the discipli-

plinary hearing. Obed Mvula, who he accused of labelling him a "racist, a bastard and a rubbish".

He said that not only had the hearing started two hours late, but he was also not allowed to cross-examine witnesses or present his case.

"The presiding officer showed bias and I requested Mvula to recuse himself, but he refused. The employee I was representing on charges of arriving late for work, tried to intervene after he (Mvula) called me a racist. I was ordered to 'shut up you bastard'. I replied by saying 'I will see you in court'."

Webb said that he then walked out of the hearing along with the witnesses.

"The tactics of the presiding officer amounted to hooliganism and intimidation. I am deeply per-

turbed because if this is how union representatives are being treated, State employees are facing a bleak future."

He pointed out that the charges dated back to 2011 and were no longer relevant since the employee was no longer employed at the Kimberley office.

"There was no medical or breathalyser tests to prove that he arrived drunk at work."

Mvula, the chairman of disciplinary hearing, stated that Webb displayed "aggressive and violent" behaviour. "He infringed on my personal space, was rude and disrespectful towards me."

He said the hearing was abruptly adjourned when Webb and the employee he represented stormed out. "Contrary to what he is saying, it is my honest view that

Webb intended to disrupt the hearing because he threatened to walk out of the case at the beginning of the proceedings."

Mvula only acknowledged calling Webb a "racist", but explained that he had retaliated when Webb had undermined his capabilities.

"I never called him 'a rubbish and a bastard' because it was not necessary for me to qualify my feelings that he was being racist towards me," Mvula said.

"The gentleman and his client were very abusive. This resulted in two adjournments within less than 30 minutes of the start of the proceedings. The first witness had not finished testifying by the time the meeting was adjourned."

He stated that the charges against the employee were more serious than alleged.

"As one of the most experienced and well-trained presiding officers, I would have declined to preside over a petty case of late coming by an employee. I would advise the department not to waste government resources on a case involving late coming against any of its employees unless it was chronic."

Mvula pointed out that as a loyal public servant, he did not deserve undue media publicity.

"If Webb's intention was to lay charges of crimen injuria to seek resource, he has a right to do so without running to the media. I, however, will wait for the due process of the law to take its course."

Mvula added that he would not pursue counter charges but would submit a report to the department explaining the course of events.

...vericks, Mnr. Charlie May en Mnr. Ben Jacobs tesame met

# Prisons urged to resolve costly dispute about

WYNDHAM HARTLEY  
Parliamentary Editor

CAPE TOWN – The Department of Correctional Services was criticised in Parliament yesterday for dragging its heels in negotiations with trade unions over service conditions in prisons and causing a serious decline in service delivery.

the unions involving overtime could result in a bill to the department of more than R1bn.

MPs also lost patience with the department for the long list of promises and undertakings made to rectify matters that never saw any action. There were blunt warnings that when the department came to the correctional services committee for budget approval it was unlikely to get a

Submissions to the committee from the Police and Prisons Civil Rights Union (Popcu) and the Public Servants Association detailed numerous points of dispute with the department that remained unresolved. These included the introduction of what is known as the seven-day establishment, pay and grade progression, and payment of overtime.

Popcu general secretary ... Theledi told the committee "the department has failed to determine lawful shifts to date. This has led to numerous successful labour court interdicts we launched against the department after numerous unilateral attempts to compel our members to perform work under unlawful working hours that contradict the Basic Conditions of Employment Act".

He said that while progress had been made in negotiations on

some issues, no progress had been made on the issues of promotion and the payment of overtime.

collective agreement," he said. The dispute dates back to 2009 and Mr Theledi estimated that some officials were owed as much as R70 000. The department said in its written submission that the worst-case scenario was a current payment of R1,3bn, which was escalating at R45m a month.

When she introduced the seven-day establishment in June 2009, Correctional Services Minister Nosiviwe Mapisa-

# Empowerment of structures

The PSA is unique in the sense that it is the only Union that represents members across all Sectors of the Public Service as well as various parastatal institutions. As a result, and owing to the vast extent and spectrum of its activities, the PSA strongly depends on active and efficient member structures to ensure that service delivery targets are achieved.

As a consequence, the empowerment of these member structures and democratically-elected shop stewards was once again regarded as a key aspect of activities by the PSA's twelve Provincial Offices during the report period.

## Eastern Cape

In the Eastern Cape, for example, the Mthatha Provincial Office, despite a very full program, undertook several training interventions in Mthatha, East London and Port Alfred. Two advanced training interventions were also scheduled jointly between the Port Elizabeth and Mthatha Provincial Offices. The first intervention was conducted by the Port Elizabeth Office where the skills of full-time shop stewards and shop stewards assisting the Offices with disciplinary and arbitration hearings were enhanced.

The second advanced training intervention was conducted by the Mthatha Office for shop stewards who indicated that they were interested in further training in order to assist members with grievances and disciplinary hearings. The PSA's SAPS shop stewards were also trained on handling grievances and disciplinary hearings in their Sector.

The Mthatha Office had four full-time shop stewards assisting with the representation of members with grievances and disciplinary hearings during the report period. The full-time shop steward for the PHSDSBC was still being processed by the end of the report period.

Several advanced training sessions for labour relations staff and full-time shop stewards were also conducted in various centers during the report period. In addition full-time shop stewards from the Office attended training sessions in Port Elizabeth in October 2012.

The majority of Branches and Committees functioned well and had their meetings where important issues were discussed and resolved. The Chairpersons of Committees again played a key role in representing their respective Committees' interests at national level.

Several shop stewards assisted the Office by representing the PSA on various restructuring meetings, conciliation boards, disciplinary hearings and bilaterals to resolve grievances of members.

Training was also conducted during August and September 2012 on discipline and grievance handling for both staff and full-time shop stewards.

## Free State

In the Free State, it is a standing instruction that PSA shop stewards must, where possible, accompany labour relations staff when they do disciplinary hearings, etc., in order to enhance their experience.

A total of 16 well-attended training sessions for shop stewards and PSA structures were conducted during the report period. In addition, 84 shop stewards attended one-day training courses of the CCMA in various towns in the Province.

Successful year-end inter-sectoral meetings were held in Qwa-Qwa, Bethlehem, Welkom, Kroonstad, Sasolburg and Bloemfontein which were organised with the assistance of Branches and Committees. Attendance by members was exceptional with, for example, more than 4 000 members attending the Bloemfontein rally.

## Gauteng

In Gauteng, the Johannesburg Provincial Office arranged regular Branch meetings where transverse agenda items were discussed and debated. Branches also received training based on the Branch Training Manual and pledged their willingness to be available in service of members.

In the Pretoria area, Committees and Branches met according to the requirements. Special meetings were also held. Structures were updated with the latest developments.



Shop stewards were re-elected and realigned in line with the four-year term requirement (2012 to 2016) as per PSA Statute. Most shop stewards were provided with induction training. Close on 200 shop stewards from all departments and parastatals were trained. This training equipped them to handle workplace matters as well as easing the burden on the Office by attending disciplinary hearings, etc.

## **KwaZulu-Natal**

Despite a very full program, the PSA's Provincial Office in Pietermaritzburg was involved with several training interventions of which two took place in Pietermaritzburg, one in Vryheid and the other in Dundee.

Two advanced training interventions were also scheduled between the Pietermaritzburg and Durban Provincial Offices. The first training intervention was conducted by the Durban Provincial Office where the skills of full-time shop stewards and shop stewards who had been assisting the Offices with disciplinary and arbitration hearings were enhanced by attorneys. The second advanced training intervention was conducted by the Pietermaritzburg Provincial Office for shop stewards of Branches and Committees who indicated that they were interested in further training to enable them to assist members with grievances and disciplinary hearings.

The Pietermaritzburg Provincial Office had four full-time shop stewards rendering assistance with the representation of members with grievances, conciliation boards and disciplinary hearings during the report period. Two of the full-time shop stewards for the GPSSBC served in this capacity with one stationed in the Office and the other operating from Ncome near Vryheid in northern KwaZulu-Natal. The other two DCS office bearers (full-time shop stewards) were both stationed at the Office. The full-time shop steward position for the KwaZulu-Natal PHSDSBC remained vacant.

Several advanced training sessions for full-time shop stewards were also conducted in various centers with the assistance of Head Office during the report period. Full-time shop stewards from Pietermaritzburg and Durban attended training sessions in Port Elizabeth in October 2012.

The majority of Branches and Committees functioned well and had their meetings where matters of transverse nature were discussed. The Chairpersons of Committees again played a key role in presenting their Committees' issues at their respective National Branches. The long-serving Chairpersons of the KwaZulu-Natal SAPS Committee, Sharon van Staden, and the KwaZulu-Natal Labour Committee, Ina la Rotta, said farewell and we would like to thank them for their years of dedicated service.

Sboniso Ndlovu, Chairperson of the PSA's KwaZulu-Natal GPSSBC Branch, which resorts under the Pietermaritzburg Provincial Office's jurisdiction, represented the Branch at the KZN GPSSBC meetings as well as the Annual General Meeting and Congress in Durban during September 2012 where he was also elected to serve on the Remuneration Committee. He represented the PSA on the task team dealing with the restructuring of the KwaZulu-Natal Department of Human Resettlements and assisted with some bilaterals to resolve grievances of members in various Departments.

Several shop stewards assisted by representing the PSA at various restructuring meetings, conciliation boards, disciplinary hearings and bilaterals to resolve grievances of members.

## **Limpopo**

In Limpopo, member structures were empowered by means of training. A training session was conducted in each of the five districts of the Province dealing with basic labour relations and the role and function of shop stewards. A training session was also conducted in Polokwane for Branch and Provincial Committee management members.

## **Mpumalanga**

The Provincial Office, during the report period, focused its efforts on the training of shop stewards in three regions, namely Gert Sibande, Ehlanzeni and Bohlabelo (Bushbuckridge). Business partners also attended and presented their products.

Filling of full-time shop steward and Chairperson positions progressed well in the various Sectors. The election of Chairpersons at parastatals (excluding SASSA and FETC), and the SSSBC still, however, remained a challenge.

Shop stewards and full-time shop stewards continued to assist in representing members with a variety of matters which greatly eased the burden and workload of the Office.

A challenge was still being experienced with the election of shop stewards at the Provincial Government Complex owing to members fearing victimisation. Efforts to address members' fears continued by the end of the report period so as to afford them an opportunity to elect and be represented by the persons of their choice.

## **Northern Cape**

In the Northern Cape, the Provincial Office's strict adherence to the Congress Resolution contributed to the success with the empowerment of member structures. Chairpersons, full-time shop stewards and full-time office bearers have honorary status in the Province as being part and parcel of all initiatives and plans for their constituency. Shop stewards were consistently informed of the Office's plans, initiatives, tour plans and recruitment drives.

Shop stewards, especially those serving in structures, and Chairpersons received not only shop steward training, but also advanced training on collective bargaining, arbitration, facilitation, grievances and disciplinary procedures.



An evaluation tool was developed to measure responses from participants and improve on the empowerment approach.

The appointment of full-time shop stewards in Health and the DCS enhanced participation of the member structures. The anticipated appointment of one more shop steward to the full-time positions in the GPSSBC should again supplement the already-filled post and enhance service delivery.

The approach in the Province during the report period was to ensure adequate service delivery in each district by means of full-time shop stewards in an endeavour to counter the vast distances and in so-doing, freeing up time and curbing expenses.

The regular meetings held throughout the report period with Branches and Committees raised awareness and added value to the inputs to Chamber agendas. Chairpersons, Vice-Chairpersons and Secretaries were updated on pertinent matters by means of the Office's communications database.

The Office was also assisted by four full-time shop stewards during the report period.

## Western Cape

All of the five Branches and eleven National Departmental Committees in the Province were functioning well during the report period.

Committees met regularly and some even exceeded the PSA Statute requirements. These meetings of the structures were complimented by an inter-sectoral meeting hosted at Lagoon Beach Hotel in Milnerton and attended by the PSA President and PSA Chairperson assisted by the PSA's Deputy General Manager: Members' Affairs. Various transverse PSA household- and service-delivery matters were discussed.

Training interventions for structures (domestic rules and PSA Statute), shop stewards (induction course) and selected shop stewards, who underwent advanced training in Labour Law, arbitration skills and disciplinary matters, took place throughout the report period.

*During the report period, the PSA was saddened  
by the loss of valuable and respected members  
whose legacy will long still be appreciated by the PSA –  
the PSA salutes them!*

# Tighten security at social

## Wage talks resume after deadlock

HLENGIWE KWEYAMA

THE SA Social Security Agency (Sassa) needs to urgently put measures in place to improve safety at grant pay points following the armed robbery at Lindelani, near Ntuzuma, Durban, which

claimed three lives. The Public Servants Association (PSA) made the call yesterday in response to the robbery that cost the lives of two Fidelity security guards and a partially blind woman, Phumaphi Zondi, who had gone to the Lindelani pay point

to receive her monthly grant. The association's provincial manager, Claude Naiker, said the robbery on Friday should serve as a warning to Sassa to address the safety of vulnerable workers and citizens. "A large number of pay points do not meet the norms

Samantha Enslin-Payne

PUBLIC sector unions and the government will resume wage talks today with facilitators after talks deadlocked last week. But the state is unlikely to agree to the 8.7 per cent demand given the unexpected cost

WITNESS  
5 Jun 2012, p. 5

# PSA in wage dispute

JOHANNESBURG — The Public Servants' Association (PSA) has declared a wage dispute with the state after pay talks broke down, the union said yesterday. General manager Danny Adonis said in a statement: "In view of the fact that the employer was not willing to improve on its offer and insisted on taking away an existing right, the PSA is left with no other option but to declare a dispute." Talks in the Public Service Coordinating Bargaining Council (PSCBC) deadlocked in May,

with the state offering a 6,5% rise over three years in response to the civil servants' demand for an eight per cent increase. They also demanded the current R800 housing allowance be increased to R1 000. The state intended replacing the current housing allowance with a housing scheme, Adonis said. After more PSCBC meetings, the state made its final offer on Wednesday for the 2012/2013 financial year, which workers rejected.

"The dispute will be resolved in terms of the PSCBC's dispute resolution procedures," said Adonis. Both parties had 30 days to resolve the dispute and if no resolution was reached, the PSA would not prevent its members from going on strike, he said. The government believed the negotiations had not been broken off, said Department of Public Service and Administration spokesperson Dumisani Nkwamba. The government had tabled

its settlement of a 1,5% increase in service employment on performance housing allowance. "The negotiations have been broken off, unions have been asked to consider the offer," said Nkwamba. The government is still in negotiations with the PSCBC, said Nkwamba.

PRETORIA NEWS  
30 Jun 2012, p. 9

## Rights to pay babies

Could've been avoided. THE SA Commission of Enquiry into the death of a baby at the George Maselane hospital in Limpopo. "The babies died en masse amid a series of deaths on January 3-5, spokesman Isaac M. "We believe the deaths of doctors is not so provincial. Department became aware of the deaths of these babies pre-emptive measure taken," he said. "We are deeply sorry this tragedy was allowed to happen. Mangena said in this were a violation of the constitution. "Our constitution that everyone has access to health including reproductive health. The state must take legislative and other measures to ensure its available resources are used to the progressive right to health," he said. Limpopo Health Minister Mabasa has confirmed that the hospital should have had only eight. The National Education and Allied Workers Union (Nehawu) said one of its members was on duty when the death occurred. Reports have indicated that the hospital's team was also on leave at the time of the death. Mabasa has called

allow more funds to be spent on infrastructure and social spending. Now with the as yet unquantified cost for the government to keep Sanral going, wage increases are likely to be under further pressure. Gordhan, at a dinner in Durban, said Sanral, which had expected to receive R270 million a month from e-tolling, now had no new revenue. "The government has got to find money immediately to back Sanral." He added: "We must assure people who lend money to South African institutions that we will honour our commitments. It is very important that our proud record of paying back debt is sustained." It was key that the government protect state institutions that had been built up, like Sanral, which had delivered and maintained thousands of kilometres of roads. Prior to the interim court order that interrupted the introduction of e-tolling, the government had agreed to provide R5.7 billion to Sanral. Now the government faced the prospect of providing substantial further funding (for an undetermined period) to Sanral, which borrowed money to fund the Gauteng Freeway Improvement Project (GFIP). The cost of the GFIP included R20bn for construction, R35bn for interest payments on the loans provided to fund the project, R10.5bn for maintenance over 24 years and R19bn for operational expenditure that included the employment of 1 200 people. Gordhan said the costs had not increased, but "if you choose to pay over 24 years you have to pay interest". Last week he made an urgent application to the Constitutional Court to set aside the Pretoria High Court order that halted e-tolling, saying Judge Bill Prinsloo's move stepped into executive territory.

KSBCAD  
4 May 2013, p. 2

## Staat spaar glo met ongebruikte voertuie

Luc Bürger

STAATSVOERTUIE wat al maande lank ongebruik op die Glen-landboukollege se terrein buite loemfontein staan, kos belangbetalers waarskynlik derduisende rande. S6 s6 Gerhard Koorts, bestuur van die Vereniging vir Staatsnptenare (VSA) in die Vrystaat. Volksblad het vandeeweek op Nissan Hardbody-bakkies bylen afgekom. Van di6 bakkies se sensieskywe het al verval. Koorts s6 al word die bakkies word dit deur die

provinsiale tesourie het vroe6r opdrag gegee dat departemente alre ongebruikte voertuie teruggee. "Die vraag is hoekom (die departement van) landbou dit nie gedoen het nie." 'n Ingeligte by die landboukollege het ges6 slegs een van die bakkies is vroe6r vanjaar vir 'n rit gebruik. Die res staan volgens hom sedert Desember op die kollege se terrein. Hy het bevestig al die bakkies is staatsvoertuie. Hy s6 ook die departement het die hernude lisensieskywe vir al die bakkies. Volgens die ingeligte word di6 voertuie nie gebruik nie om geld te bespaar. Hier het ook twee



Di6 staatsvoertuie staan al maande lank buite die Glen-landboukollege buite Bloemfontein. Foto: CONRAD BORNMAN

koms met die staatsgarage moet departemente, afgesien van die huurkoste, ook loopgeld betaal vir elke kilometer wat met 'n staatsvoertuig gery word. Di6 bedrag kan volgens Koorts meer as R1 per kilometer wees. Koorts s6 die departement eervaar geldprobleme weens swak beplanning. Intussen word ondermeer plaagbeheer en onkruidbestryding belemmer omdat daar nie genoeg voertuie vir amptenare beskikbaar is nie.

ste voortgesit k... sommige ampte... koste om stee... verrig. "Hulle... Volksblad he... miljoene rand... werktuie wat v... bedoel is, staan... Vrede en stof o... Navrae oor... werktuie op... voertuie by Gle... liehi Tlhabelo... die Vrystaatse... landbou, maar... de is gekry nie

# Sekuvunyelwene ngamahok

IPHWE NDWANDWE

CHUNGECRUNGHE  
Iwezinxoxo zamaholo  
abasebenzi  
uhulumeni lugcine  
zelele esiphethweni

ilandelana.  
Kubuye kwavunyelwana  
ngokuthi abasebenzi  
abakhokhela imizi  
ngokugcwele bazonikwa  
u-R900 n...

uhulumeni ububophainja  
nogodo ekubeni abasebenzi  
bedinga ukukhushulelwa  
imali.

uhulumeni azinikeze u-10%  
emaholweni an...

# Social responsibility

The PSA remains committed, in line with its social responsibility guidelines, to undertake projects that contribute to the long-term upliftment and empowerment of identified and approved beneficiaries.

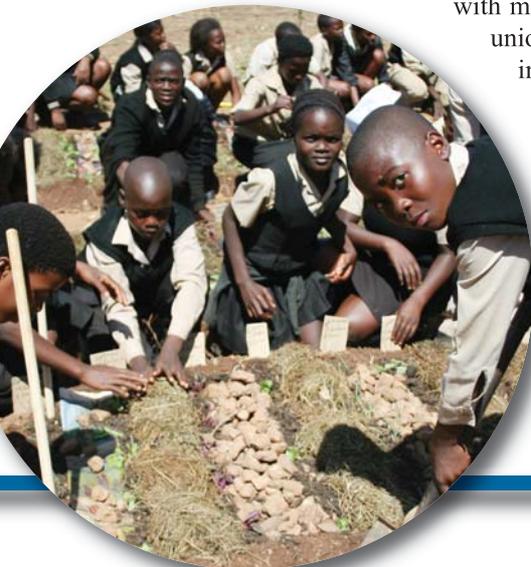
Such projects are undertaken at both national and provincial level. National projects undertaken during the period under review saw the distribution of 1 277 school jerseys to needy learners in rural schools based in Limpopo, North West and the Eastern Cape where the PSA's intervention was welcomed by all stakeholders. Based on the enormous need in this regard, especially during cold winters, a second donation of 2 070 jerseys were undertaken for identified schools in North West, Limpopo, Mpumalanga and Gauteng.

The PSA, in a joint venture with Ackermans, also donated school clothing and other items valued at R30 000 to learners of Sonop Primary School in Paarl in the Western Cape based on a nomination from a PSA member in the area.

The PSA has been a leader in establishing food gardens at schools in support of schools' feeding programs where the produce play an integral part in providing learners with a daily nutritious meal. In order to expand on these initiatives within the constraints of a limited budget, the PSA undertook as series of one-day food garden training sessions. Mathateng Primary School at Mathateng village, 110 km from Mmabatho in North West, was the first beneficiary of this life-giving skill in March 2013. The PSA enlisted the services of the Food Gardens Foundation as training service providers to learners and community on how to establish organic, trench-bed vegetable gardens. The PSA also contributed the tools needed to start and maintain these gardens.

The second food garden training session was provided to learners and educators of Mashao Primary School in Elim in the Vhembe District of Limpopo. The training also benefitted the community

with members from another union even acknowledging the value of the PSA's intervention. The event was also attended by the PSA's shop stewards who nominated the School to benefit from the project.



A third food garden training session was held at Zamokuhle Special School in the Nikwe municipal area of Bizana near Port Edward in the Eastern Cape. Training was provided to learners and community members. The fact that the School also accommodates visually-impaired learners did not hamper skills transfer for learners to also make small gardens at home. Training manuals, seeds and garden tools were donated to the School as part of the intervention. The skill of food gardening is life-long and can be acquired by one and all to utilize to the benefit of others as well.

The Small Enterprise Development Agency was approached to recommend an existing cooperative with strong potential for development and the potential to produce school uniform to local schools. This resulted in Tetta Women's Cooperative in Mpumalanga being selected as the beneficiary of the PSA's donation of four industrial sewing machines. Sewing materials and fabric for school uniforms amounting to R40 000 was also donated to enable the cooperative to launch this project.

In commemoration of Nelson Mandela Day 2012, PSA staff lived up to the Union's values. In Gauteng, for example, PSA staff took time on the day to make a meaningful contribution to the residents of the Children's Home and Nurturing Centre in Dunnottar, near Springs. The Centre, amongst others, cares for HIV/Aids-infected abandoned children and orphans. The PSA team participated on this day by cleaning and painting the environment and contributing various much-needed items to the children. PSA business partners, **Mahala** and **Ackermans**, also donated funds and clothes towards the event which was ended by serving the children with their favourite take-away food.

The PSA annually makes awards to above-average needy welfare and charity organisations based on nominations by Branches. The PSA circular calling for such nominations (dated 25 October 2012) was sent to Chairpersons and Secretaries of Branches and Committees.

As a result, the following organisations each received an amount of R3 330: Christian Social Services in Queenstown (nominated by the Eastern Cape PHSDSBC Branch), *Kroon Dagsorg Sentrum vir Volwasse Gestremde Persone* in Kroonstad (nominated by Free State FETC), Lebuwe Centre in Atteridgeville, Leratong Hospice also in Atteridgeville in Gauteng, Emmaus Protective Work Centre for Disabled Adults in George, Rotary Club of Krugersdorp, Jeffreysrus Retirement Village in Jeffreys Bay, *Oranjehof ACVV Tehuis vir Bejaardes* in Upington in the Northern Cape, and Abraham Kriel Children's Home in Modimolle (all nominated by the Group Branch Public Service Pensioners).

Various discretionary grants to institutions, schools and communities were, based on merit, also made by the General Manager during the period under review.

The PSA has since 1994 been awarding the Stiglingh Memorial Bursary, as legacy of late member J H Stiglingh, to qualifying students studying towards a qualification in Natural Science or Medicine. Students apply through the various universities and recipients are selected based on set criteria to receive a bursary valued at not less than R3 000 per recipient per annum. During the period under review, an available amount of R27 000 was allocated equally to three students with each receiving an award of R9 000.

## Provincial projects

### Eastern Cape

The Mthatha Provincial Office handed over food garden implements to 18 schools, mostly junior secondary schools, in 2012. Early in 2013 food garden implements were also donated to the Nomadolo Project in Ngqeleni.

### Free State

During the report period, the PSA Provincial Office donated 450 meat parcels to needy communities around Bloemfontein, blankets to a crèche in Sasolburg, food to needy residents of the same town, 117 lap desks to two needy schools in Botshabelo, and 400 jerseys to needy learners of Zastron Primary School. Books, sponsored by Exclusive Books, were also donated to learners.

House Olivia, which opened its doors in Bloemfontein on 1 September 2012, received a donation of R20 000. The institution, the only one of its kind in the city, accommodates people diagnosed with schizophrenia.

### Gauteng

The Provincial Office in Johannesburg launched a school jersey project at a school in the Vaal triangle whereby 800 needy learners received garments before winter.

The social responsibility initiatives of the Provincial Office in Pretoria were well received by communities and made a difference to many lives.

The Office also assisted various institutions during the report period. Sport teams at Steve Biko Academic Hospital in the city were sponsored with sports equipment and food parcels. The Ekangala Clinic was supplied with hospital beds and a blood pressure monitor. Loratong School in Hammanskraal was assisted with school shoes for 80 needy learners. The Office also contributed to the 67 minutes on Nelson Mandela Day at the Far East Rand Hospital, where staff participated in a clean-up campaign.

## KwaZulu-Natal

The PSA's Pietermaritzburg Provincial Office participated in the national school jersey campaign during the report period and in January 2013, handed 250 jerseys to learners at the Umthombomuhle Primary School in the Cato Ridge area. In February 2013 the Office handed 250 jerseys to learners of Sonkela Primary School near Paulpietersburg.

The Office also undertook three other projects during the report period. The first being at Tholulwazi Crèche, Watersmeet in Ladysmith which was nominated by the KwaZulu-Natal SAPS Committee. The Crèche received much-needed tables, chairs, blankets, toys and other items.

The second project was in aid of Qalokusha Crèche and Pre-School in Pietermaritzburg where toys and stationery were donated.

The third project was in benefit of the Bridge of Hope Development Centre in Ladysmith, which was in need of a computer to assist in its administration. Besides donating a new desktop computer, screen and a gift voucher for other smaller computer requirements, the PSA also included a disused printer.

The Office furthermore, for the first time, participated in a Consumer Justice Now Workshop, organised by the KwaZulu-Natal Department of Economic Development and Tourism in the city on 14 March 2013. A total of 50 shop stewards from Pietermaritzburg responded to the Provincial Office's invitation to attend the event. The Provincial Manager conducted the introduction by welcoming members and explaining the purpose of the Workshop. The PSA received very positive feedback from members stating that they had gained valuable insight regarding their rights as consumers.

## Limpopo

The Provincial Office, in conjunction with the PSA Head Office, donated 15 baby cots to the WF Knobel Hospital, the Polokwane Place of Safety and Ngwana House during the report period.

A second project involved the donation of school jerseys to children at twelve schools in the Province. This initiative was truly appreciated by educators, parents and learners.

A structure, to serve as basis, was donated to the EMS personnel in Roossenekal. Prior to the PSA's donation, these employees were working from a dilapidated caravan. The structure contributed to improving the working conditions of these employees who work long, irregular hours.

Finally, a food garden was established at Mashau School in the Vhembe district in conjunction with the Food Gardens Foundation.



## Mpumalanga

The Provincial Office participated in the national jersey project and distributed jerseys to six needy schools in the Province.

The Office was also instrumental in the donation of four industrial sewing machines and fabric to manufacture school uniforms to neighbouring schools to Tetta Women's Cooperative in KaNyamazane.

## Northern Cape

The vast Northern Cape, as the largest Province in the country, is home to many isolated, barren and neglected towns in constant need of resources. Involvement by PSA member structures as well as the Provincial Office's continuous encouragement resulted in many suggestions and inputs ensuring that the absolute needy were taken care of.

Chairpersons were informed of all social responsibility initiatives and structures and shop stewards participated in events.

The food garden that was established at the Roman Catholic School in Keimoes, a town 40 km South of Upington, remained an on-going initiative during the report period in order to ensure a sustainable garden for the local community.

An amount of R5 000 was donated to homeless people at the waste removal center in Springbok in Namaqualand. This initiative was identified and executed by the 16 Traffic officials of Springbok who are all members of the PSA. A donation of R5 000 was made towards the Khaya Lotando Place of Safety for Street Children.

The Provincial Office also donated R2 000 to Cansa in Kimberley. A further R3 000 raised by the Office's staff members brought the total donation to R5 000.

## North West

The Provincial Office was actively involved in social responsibility initiatives during the report period and elevated the function in the process. The highlight of activities is regarded to be the PSA's donation of school jerseys to learners of Mphoetsile Primary School in Maritsile Village, 150 km from Mmabatho.

PSA staff members and the Provincial Chairperson of the ELRC arrived at the School early on what was a very cold morning. Teachers, learners, support staff and community members were in attendance to witness the PSA enhancing children's lives.



Smiles and excitement were at the order of the day as learners and their parents stood together to receive their new jerseys. Learners were eager to remove their old, worn-out jerseys and replace these with brand-new ones as the Chairperson was at hand busy dressing them up. The School's Principal was overjoyed as he thanked the PSA for helping needy children at just the right time. He indicated that it was the first time in the history of the School that learners received an important gift of which they were in absolute need. He encouraged the learners to attend classes more regularly as they would no longer be cold. Thankful parents also expressed their appreciation towards the PSA.

The Provincial Office furthermore donated five cot beds to Tshelebana Home, a centre for handicapped children outside Rustenburg.

The PSA also established a food garden at Mathateng Primary School, 118 km from Mmabatho. Teachers, learners and members of the School's governing body were present at the launch and were very happy to receive the life-giving training. When launching this event on 13 March 2013, the PSA discovered that the community was living under extremely poor conditions with most of children going bare foot and not having school jerseys. The PSA thus took it upon itself to intervene and by the end of the report period arrangements were being finalised to hand over jerseys to needy learners at the School. Similar plans were underway for Ikalafeng Special School in Potchefstroom, and Tlamelang Special School in Gelukspan.

## Western Cape

Various smaller interventions were undertaken by the Provincial Office during the report period where the PSA showed that we care – not to be seen, but to be felt by those most vulnerable members of the societies we live in.

Interventions by the Office included a project at Orion School for Mentally-handicapped Children where stationary and material for the School's art projects were donated. The Office, together with its NPA structure, also spent 67 minutes as part of Mandela Day at the institution where they assisted with the feeding of the children and interacted with them.

The SAME Foundation received a financial donation as part of a community project to restore the Heideveldt Community Clinic.

The Office also participated in Water Week activities upon invitation of the Department of Cultural Affairs and Sport and supported activities hosted in the Cape Flats where children helped with the cleaning of rivers.

The PSA, in association with Ackermans, also sponsored school clothing and stationary to 30 needy learners of Sonopskool Noorder Paarl during the report period. The project originated from one of the members in the Province winning a *PSA magazine* competition where, as part of his prize, he was invited to nominate a school to receive much-needed assistance. This project again highlighted the fact that, as in all other PSA activities, members are the core of the Union's soul.



# PSA employment profile

On 1 May 2012 the PSA commenced with the implementation of its new, approved Employment Equity Transformation Plan and Procedure (EETPP) for the five-year period 2012 to 2017.

During the report period, i.e. 1 April 2012 to 31 March 2013, the PSA's overall workforce profile reflected an increase of 1,18% from 88,66% as at 31 March 2012 to 89,84% at the end of the period under review in respect of employees from designated groups.

The overall goal for the said group as at 31 March 2013 was determined at 92,36%. Employees from the non-designated group decreased from 11,34% at the end of March 2012 to 10,16% by the end of the report period.

The PSA's representivity status in the respective occupational levels, as at 31 March 2013, is reflected below:

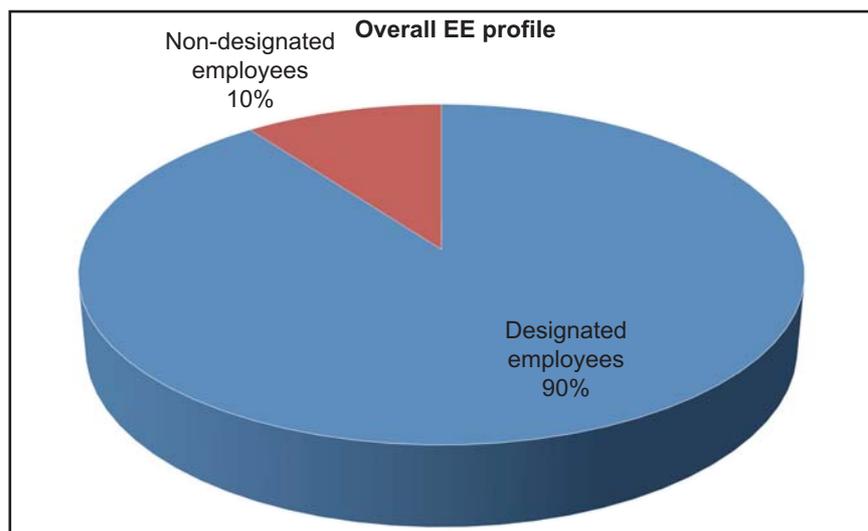
	<i>Overall designated target %</i>	<i>Current designated % (filled positions)</i>	<i>Current non-designated % (filled positions)</i>
Top Management	93%	50%	50%
Senior Management	93%	66,67%	33,33%
Middle Management	80%	54,55%	45,45%
Junior Management	92%	92,47%	7,53%
Semi-skilled	93%	100%	0%
Unskilled	93%	100%	0%

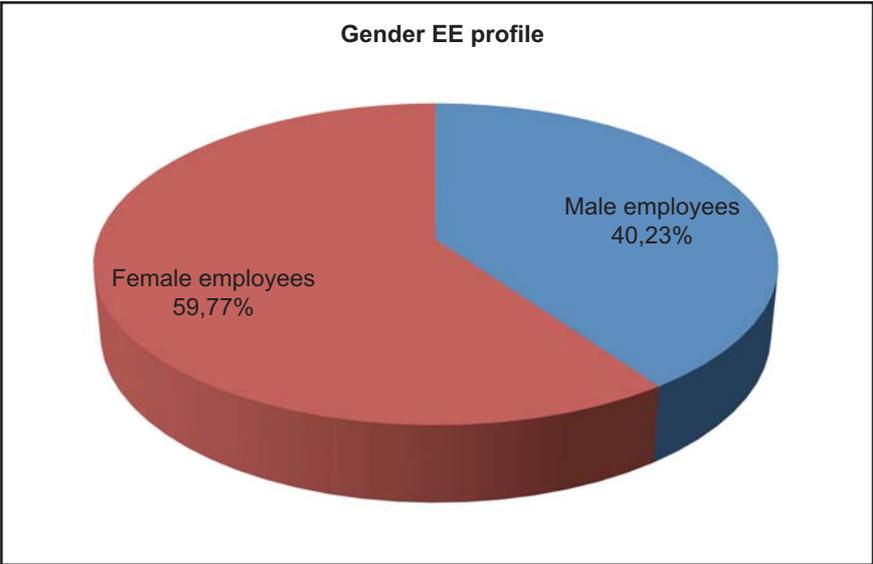
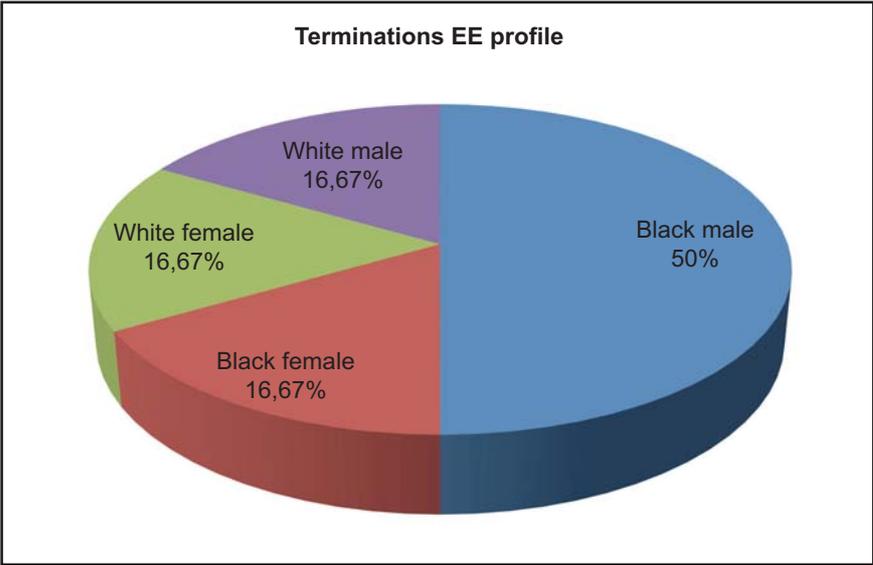
By the end of the reporting period, 40,23% of the PSA's workforce consisted of male employees, whilst 59,77% of its workforce constituted female employees. The economically active population of South Africa consists of 54,67% males and 45,33% females.

Since 31 March 2012 until the end of the report period, 100% of employees recruited by the PSA came from the designated groups and 0% from the non-designated group. A full 100% of employees promoted from within the PSA came from the designated groups. A total of 83,33% of the terminations for the said period came from employees from the designated groups of which 16,67% consisted of white females. Terminations from the non-designated group constituted 16,67%.

From the above progress report it can be seen that the PSA is consistently working towards and achieving a transformed workplace representative of the economically-active population of South Africa.

The Union is making excellent progress towards the achievement of employment equity goals and targets at all levels in the PSA. In the Junior Management, Semi-skilled and Unskilled levels, the overall designated target percentage has already been reached and exceeded. In the top three levels the non-achievement of goals may be attributed, amongst others, to the low turnover in these levels in the PSA.







and standards with regard to security and health issues. Sassa, as an employer, wants to get the best out of our members - their officials - yet, there seems to be no genuine attention being given to ensure their working environment is conducive to enable them to per-

form optimally and in safety. "Our members increasingly view the social grant pay dates with great trepidation, not knowing when they may become victims of senseless attacks," said Naiker. Les Govender, IFP social development spokesman, said it

was time Sassa v the Department of Safety and Liaison pension payout protected and safe. "The brazen senseless killing grant pay point highlights the a

# Corrupt public servants facing jail time

BARALO NDZENE

## Crooked companies also in Sisulu's firing line in crackdown

**P**UBLIC servants doing business with the state will find themselves in a spot of trouble in the near future - facing up to a year in jail if found guilty. This was Public Service and Administration Minister Lindiwe Sisulu's warning yesterday. She has urged the anti-infractions unit in the public service by introducing legislative amendments to criminalise the practice. Sisulu has also set her sights on private sector

businesses that are seen as the "corrupt" in most cases involving public servants, and they, too, will face the "full wrath" of the law. Under the proposed amendments, companies found guilty won't be allowed to do business with the government for 10 years.

Amendments to entry-level requirements for directors-general and deputy directors-general are also on the cards. "It's because we think it is to ensure that adequately qualified people are deployed to head government departments."

Addressing the media ahead of her department's budget vote yesterday, Sisulu said her team had indicated right from the outset that they were "very concerned about the environment in which our public servants are able to do business with government."

"We also indicated our fervent commitment never again to find a perception in the very unethical and it creates an environment where it is possible for corrupt practices to thrive, and we indicated that we're going to prohibit public servants from doing business with government and we've done so. It is in the bill that was accepted by the cabinet committee on Tuesday and will be in Parliament soon."

"We also indicated our firm commitment to people found guilty of certain transgressions; and our department would include something public that public servants are corrupt," said Sisulu. She added that, in line with this plan, her department had now established an anti-corruption bureau to be able to deal with outstanding misconduct cases.

She said the Public Finance Management Act (PFMA) has minimum sentences for people found guilty of certain transgressions; and her department would include something similar in the amendments the department was making to the Public Service Act. "We thought we could borrow very comfortably from that clause and use the same in our situation as well, perhaps with higher sanctions than the PFMA," said Sisulu.

The minister also touched on the need for the "bleated" public service to be "pruned" into shape by cutting down its payroll. In November last year, the Public Service Commission also called for public servants to be barred from doing business with the state after it found an alarming increase in the cost of financial misconduct. According to the commission, in 2008/09, financial misconduct cost the state R100m. The next year it more than tripled to R360m, then soared in 2010/11 to R260m. Staff Reporter

# Deaths group probe

by deaths have been avoided - SAHRC

**Your View...**  
Comment on this report. SMS the word BABIES followed by your views and your name to 45496. Each SMS costs R1. Free SMSes do not apply. The Pretoria News reserves the right to edit or omit SMSes. T&Cs apply.

Human Rights Commission (SAHRC) is to investigate whether there was a factor in the deaths of four babies at the District Hospital of treatable disease staff shortage, and SAHRC Manguza says the deaths have been avoided. An alleged shortage of staff meant that something that should have been done only after the babies, and as such, deaths should have been avoided. Manguza is concerned that the deaths should have been avoided. "We will be taking turns in providing health services until the situation is normalised," added Ramathuba. "The Public Servants Association (PSA) yesterday condemned the deaths of the babies. The PSA's manager in Limpopo, Pieter Koen, said what was disturbing was that the province had a vacancy level of 70 per cent for medical doctors. "What is even more disturbing is that the MEC and senior officials of the Health Department are well aware of the shortage of doctors at numerous hospitals."

# Artse mag vir eers private werk doen

Kaydene Davids

'n BEVEL is gister in die Vrystaatse hooggeregshof toegeestaan wat dokters en spesialiste wat vir die Vrystaatse regering werk en ook private werk in werkure doen, toelaat om voorlopig daarmee voort te gaan, hangende 'n hersieningsaansoek in die arbeidshof.

Regter Fouché Jordaan het 'n besluit deur dr. Benny Malakoane, LUR vir gesondheid in die Vrystaat, wat 'n verbod op dié werk tersyde stel hangende die beregting van 'n hersieningsaansoek in die arbeidshof, vir eers tersyde gestel.

Regter Jordaan het gesê dit is duidelik dat die LUR dié private dienste wat dokters en spesialiste lewer, met 'n kennisgewing op 5 April summier

pleeg of voor die tyd gekonsulteer het. Hy het ook gelas dat die koste van die aansoek, hangende die uitkoms van die hersieningsaansoek, oorsaak.

Die Vereniging vir Staatsampnare (VSA) het in 'n hofverklaring gesê Malakoane het dié private dienste wat dokters gelewer het summier op 5 April verbied. Luidens die hofstukke was daar geen onderhandelinge of raadpleging nie.

Die LUR se voorskrif dat hulle dit slegs buite werkure mag lewer, het dit feitlik onmoontlik gemaak vir die dokters, lui die hofverklaring verder. Adv. Pieter Venter, in opdrag van Lovius Block-prokureurs, het vir die VSA opgetree. Adv. Majellie Wessels, SC, in opdrag van die staats-

# Workers at premier's office picket over no bonuses

POLOKWANE - Nehawu members attached to the premier's office are picketing daily during their lunch hour because they did not receive performance bonuses last year. Last year the awards ceremony of the department of public works was also disrupted due to senior staff members not receiving performance bonuses. The office of the premier said it noted with concern allegations made in the media over the weekend that the premier, Cassel Mathale and the director-general of Limpopo, Rachel Molepo-Madipa refuse to meet with Nehawu to deal with their grievances. "These allegations are misleading, incorrect and devoid of the truth," provincial spokesperson Tebatso Mabitsetla said. "The office of the premier has scheduled a meeting with all the unions in the work place to deliberate on matters affecting employees through a structure called the Labour Forum. All the unions in the office of the premier including Nehawu were

their effective participation in the meetings." Unions were requested to advance matters that should form part of the agenda to the secretariat of the executive management before each meeting. A meeting on Monday January 30 between the Director General and the Public Servants Association of South Africa (PSA), based on matters sent by the PSA to form part of the agenda, was held and described as "fruitful". Nehawu is said not to have sent anything, did not attend the meeting and did not tender an apology for their absence, according to Mabitsetla. "The DG calls on Nehawu to honour the scheduled meeting so that their grievances can be addressed." After having read the press release, Nehawu provincial secretary Jacob Adams said it was not true that they were invited to a meeting, as they would never pass up the opportunity to engage with employers to resolve issues. He said the 200 Nehawu members would continue to picket daily during their lunch

kon word. Koort tenare ry op hul ds dienste te is keelvol." et vroeër ook be vir nuwelingbc al maande lanj oppaer. dié trekkers Vrede, asook en, is gerig aan woordvoerder departement nog geen antw e.

# Sorry picture painted by Auditor-General

THE AUDITOR-General, recently released a damning report on the country's national and provincial audit outcomes, which showed that just one in five state entities received clean audits in the last financial year. Terence Nombembe's report also showed that last year nearly R600 million in tenders was awarded to suppliers linked to employees of the relevant departments, and that in some cases, senior managers were responsible for the awards. In November last year, the Public Service Commission also called for public servants to be barred from doing business with the state after it found an alarming increase in the cost of financial misconduct. According to the commission, in 2008/09, financial misconduct cost the state R100m. The next year it more than tripled to R360m, then soared in 2010/11 to R260m. Staff Reporter

# Environmental footprint

The PSA is the owner of Farm 803, Quenera Mouth East, which is 184 2059 ha in extent.

The PSA is also the holder of the mining rights, and holder of the mining authorisation and is actively mining on the property. The mine is approximately 15 km north of East London on the main road to Gonubie, close to the N2. The mine is an open-cast mine and the material being mined by means of extraction by an excavator is primarily building sand.

The PSA, as a responsible mining owner, approaches the mining operations as a holistic cradle-to-grave undertaking by taking cognisance of all economic as well as social and environmental aspects in order to achieve sustainable development of South Africa's mineral resources.

The PSA affirms the commitments to the *Mineral and Petroleum Resources Development Act* to, amongst others, protect the environment for the benefit of present and future generations. In order for the PSA to comply with the prescripts of the *Act*, and to attain the commitment to the ecological impact of mining operations, it has appointed **Aurecon** to, amongst others, act as environmental consultants to monitor and minimise the ecological impact the mining operations might have on the environment.

**Aurecon** is an international consulting company which, amongst others, recognises the need for economic growth in conjunction with social development and the protection of the environment. With this in mind, the PSA appointed **Aurecon** as environmental consultant to execute services taking into consideration statutory as well as common-law provisions. **Aurecon** acts as a liaison between contracted parties, governing bodies and the PSA.

In line with this, **Aurecon** performs various functions associated with environmental protection such as frequent environmental audits to determine top-soil protection, removal and relocation of various plant species and the introduction of specific indigenous plants.

**Aurecon** also acts as liaison between the PSA and the Department of Mineral Resources to finally sign off all areas previously mined and fully rehabilitated.



# Poor management caused bad matric results – union

PATY BEANSTROM  
News Editor

THE PUBLIC Servants Association (PSA) has attributed the 3.5 percent drop in the in the matric pass rate in the Province, to "serious management problems" in the Northern Cape Education Department.

PSA provincial manager, Joseph Jacquire, urged for an audit of appointed directors, circuit managers, school principals, curriculum co-ordinators and subject advisors.

"The department should rid itself of incompetent officials who are only there for self-gain. It appears that these officials are more concerned about compiling an organogram that guarantees promotion positions.

"The monies used to remunerate surplus senior management could be used to appoint more teachers and build more schools in the Province.

"It is evident that the more chief directors and directors are appointed, the poorer the provincial results become," Jacquire said.

He also said that the curriculum

DIAMOND FIELDS ADVERTISER  
02 Apr 2012, p.5

## Nurse unions vow to fight prison moves

SANDI KWON HOO  
STAFF REPORTER

UIT ONS KONTREI  
14 Sep 2012, p.23

THE DEMOCRATIC Nurses Organisation of South Africa (Denosa) and the Public Servants Association (PSA) announced a consensual exchange

committed was to speak out ruthlessly against injustices, incompetencies, poor service delivery and poor management in the district.

Jacquire pointed out that both the MEC and the Head of Department were aware of these problems but had done nothing to address them.

Spokesman for the Ministry of Education, Sydney Stander, pointed out that while the decline was not what they had expected, it was in no way a reflection of the quality of education in the Province.

"Although there are challenges our education system is maturing and stabilising."

He added that the department was in the process of training educators and the rationalisation of schools in the John Taolo Gaetsewe District because of multi-grade teaching and the under-utilisation of schools in an effort to improve education.

# Dept re

SARAH EVANS  
STAFF REPORTER

IN THE wake of the ambulance crisis in the Northern Cape, the Northern Cape Department of Health has outlined the state of the Emergency Medical Services (EMS) in the Province.

Earlier this week it was announced that three EMS staff members had been suspended and 44 had been issued with final written warnings after they embarked on a go-slow shortly before the Christmas weekend.

The provincial chairman of the South Africa Emergency Personnel Union (Saepu), Phillip Makapela, said that the go-slow would continue until the department was "ready to talk" to the union.

In a statement issued yesterday, the department's spokesman said

## BURGERSDORP PRIMÊR, EUREKA, KRY SPORT BO

Beug en Foto's: Roy ABRAMS



Op 28 Augustus  
personeel en leer  
Primêr, Eureka,

SOV (Botland/Weekus)  
25 May 2012, p.12

## DKD SKULD BEWAARDERS

DIE departement van korrektiewe dienste (DKD) skuld bewaarders R1,2 miljard oortyd.

to Dkr  
DIAMOND FIELDS ADVERTISER  
p 2012, p.7

# Racial slurs fly at hearing

SANDI KWON HOO  
STAFF REPORTER

A DISCIPLINARY hearing at the Department of Rural Development and Land Reform turned into a vulgar slur where parties were yelling at each other and one calling another a "racist".

The hearing, which was held last week, pertained to an employee at the national Land Restitution office, who has since relocated to Mbombela (formerly Nelspruit), Mpumalanga, who was charged for being absent without leave and for being under the influence of alcohol at work.

The provincial shop steward of the Public Servants Association (PSA), Kenny Webb, has laid criminal charges of crimen injuria against the adjudicator of the discipli-

plinary hearing, Obed Mvula, who he accused of labelling him a "racist, a bastard and a rubbish".

He said that not only had the hearing started two hours late, but he was also not allowed to cross-examine witnesses or present his case.

"The presiding officer showed bias and I requested Mvula to recuse himself, but he refused. The employee I was representing on charges of arriving late for work, tried to intervene after he (Mvula) called me a racist. I was ordered to 'shut up you bastard'. I replied by saying 'I will see you in court'."

Webb said that he then walked out of the hearing along with the witnesses.

"The tactics of the presiding officer amounted to hooliganism and intimidation. I am deeply per-

turbed because if this is how union representatives are being treated, State employees are facing a bleak future."

He pointed out that the charges dated back to 2011 and were no longer relevant since the employee was no longer employed at the Kimberley office.

"There was no medical or breathalyser tests to prove that he arrived drunk at work."

Mvula, the chairman of disciplinary hearing, stated that Webb displayed "aggressive and violent" behaviour. "He infringed on my personal space, was rude and disrespectful towards me."

He said the hearing was abruptly adjourned when Webb and the employee he represented stormed out. "Contrary to what he is saying, it is my honest view that

Webb intended to disrupt the hearing because he threatened to walk out of the case at the beginning of the proceedings."

Mvula only acknowledged calling Webb a "racist", but explained that he had retaliated when Webb had undermined his capabilities.

"I never called him 'a rubbish and a bastard' because it was not necessary for me to qualify my feelings that he was being racist towards me," Mvula said.

"The gentleman and his client were very abusive. This resulted in two adjournments within less than 30 minutes of the start of the proceedings. The first witness had not finished testifying by the time the meeting was adjourned."

He stated that the charges against the employee were more serious than alleged.

"As one of the most experienced and well-trained presiding officers, I would have declined to preside over a petty case of late coming by an employee. I would advise the department not to waste government resources on a case involving late coming against any of its employees unless it was chronic."

Mvula pointed out that as a loyal public servant, he did not deserve undue media publicity.

"If Webb's intention was to lay charges of crimen injuria to seek reourse, he has a right to do so without running to the media. I, however, will wait for the due process of the law to take its course."

Mvula added that he would not pursue counter charges but would submit a report to the department explaining the course of events.

...ericks, Mnr. Charlie May en Mnr. Ben Jacobs tesame met

# Prisons urged to resolve costly dispute about o

WYNDHAM HARTLEY  
Parliamentary Editor

CAPE TOWN – The Department of Correctional Services was criticised in Parliament yesterday for dragging its heels in negotiations with trade unions over service conditions in prisons and causing a serious decline in service delivery.

Startled MPs were also told

the unions involving overtime could result in a bill to the department of more than R1bn.

MPs also lost patience with the department for the long list of promises and undertakings made to rectify matters that never saw any action. There were blunt warnings that when the department came to the correctional services committee for budget approval it was unlikely to get a

Submissions to the committee from the Police and Prisons Civil Rights Union (Popcru) and the Public Servants Association detailed numerous points of dispute with the department that remained unresolved. These included the introduction of what is known as the seven-day establishment, pay and grade progression, and payment of overtime.

Popcru general secretary Nkosinathi Theledi told the

committee "the department has failed to determine lawful shifts to date. This has led to numerous successful labour court interdicts we launched against the department after numerous unilateral attempts to compel our members to perform work under unlawful working hours that contradict the Basic Conditions of Employment Act".

He said that while progress had been made in negotiations on

some issues, no progress had been made on the issues of promotion and the payment of overtime.

The overtime claims of the trade unions come as a result of prisons staff changing to a seven-day establishment, rather than a five-day week with overtime paid for weekends.

"This overtime arises from the fact that the department compelled our members to work more than 45 hours a week without a

collective agreement," he said. The dispute dates back to 2009 and Mr Theledi estimated that some officials were owed as much as R70 000. The department said in its written submission that the worst-case scenario was a current payment of R1,3bn, which was escalating at R45m a month.

When she introduced the seven-day establishment in June 2009, Correctional Services Minister Nosiviwe Mapisa-

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# Social and ethical conduct

The PSA's Code of Ethics is based on principles of the King Code III and addressed in the new *Companies Act (71 of 2008)* under section 72(4). The Code is to be adopted and followed by all employees of the PSA and recognises the ethical obligations of each stakeholder and the importance of a relationship of honesty, openness and fairness. Employees are expected to adhere to the highest standards of business ethics. The Code is intended to raise ethical awareness, act as a guide to employees and assist in assuring stakeholders of the integrity of the PSA.

The Code shall apply to all employees of the PSA and members of the Board. It also deals with the PSA's obligation to society at large. All persons to whom the Code applies are expected to observe their ethical obligations in such a way as to properly and effectively carry out the affairs of the PSA.

PSA employees and members of the Board are required, by reason of their being in control of the affairs of the PSA, to:

- Be responsible for communicating the Code and for ensuring its understanding by members of the PSA
- Be responsible for the observance of the ethical obligations of the PSA
- Take the necessary steps to ensure compliance within the PSA with the provisions of the Code
- Set an example to stakeholders, contractors and associates in all matters pertaining to the Code
- Strive to minimise inefficiencies in the PSA, and establish standards of efficiency in consultation with members and member structures
- Introduce and maintain in the PSA an awareness that the resources of the PSA, including time resources, are in limited supply
- Keep the costs of the PSA at the lowest reasonable level
- Not permit any acts of bribery
- Act within their powers, and in the interest and for the benefit of the PSA
- Carry out their duties with the skill and care to be expected from a person of their knowledge and experience, and exercise their own judgement
- Not permit wastage of the assets and resources of the PSA
- Report accurately to members and stakeholders of the PSA on the performance and prospects of the PSA, and justify the confidence placed in them
- Furnish the external auditors with all information and explanations which they require for the performance of their functions
- Not carry on the affairs of the PSA negligently or recklessly
- Not misuse their position in PSA structures to acquire for their own benefit, any economic or other opportunity

- Not divulge confidential information of the PSA or otherwise make improper use of such information
- Not accept bribes or any other corrupt or unconscionable benefits
- Not accept any gifts or favours, without prior permission of the Board or Management
- Report to the General Manager or the Board any approach made by an employee, a member or an associate of the PSA which may compromise them in the execution of their duties
- Deal courteously with members of the PSA, having regard for cultural diversity and individual dignity
- Never expect a member or the PSA to act in an immoral, unethical or unlawful way
- Employees in management or supervisory positions are required, by reason of being responsible for staff members reporting to them, to ensure that:
  - Due attention is given to the training and development of all employees
  - Safe working conditions are provided, including appropriate tools to perform the job, and competent supervision
  - In the appointment, treatment or promotion of employees there is no discrimination on any ground which is unlawful and affects the carrying out of the duties of the staff member
  - Opportunities are provided for individuals whose potential has been restricted by historical injustices
  - Efforts of employees are acknowledged by fair and adequate remuneration and other means
  - Employees are protected against sexual, physical or emotional harassment from whatever source
  - There is compliance with laws governing labour relations and conditions of employment
  - There is effective communication with employees
  - There is commitment to honouring the agreed terms and conditions of employment

In respect of the society at large, PSA employees and members of the Board are required to:

- Pay due regard to environmental, social and public health considerations
- Before retrenching staff, consider the effect such retrenchments may have on society at large
- Participate, within means, in uplifting the community in which it operates
- Respect the law
- Respect the rights, dignity and diversity of other persons.



# Financial governance and performance highlights

As an employee organisation, the PSA is registered in terms of the *Labour Relations Act, 1995* as a trade union. The PSA is recognised and admitted to the various relevant Bargaining Councils to protect and promote the individual and collective rights and interests of its members.

The PSA conducts its business operations as a “Non-Profit Company” of the *Companies Act, 2008* and in terms of its Memorandum of Incorporation (MOI) as of a Non Profit Company (NPC), it has no share capital and the liability of its members is limited to one month’s subscription in the event of dissolution.

The trade union activities of the PSA are its core business, whilst it also operates a holiday resort, sand mine and a cell captive insurance scheme under license from **Guard Risk Insurance Company Limited** for the benefit of its members.

The Directors are required by the *Companies Act, 2008* to maintain adequate accounting records and are responsible for the content and integrity of the Annual Financial Statements. The Directors acknowledge that they are ultimately responsible for the system of internal control established by the PSA and place considerable importance on maintaining a strong internal

control environment. To assist the Directors in discharging their responsibility in this regard, an Audit and Risk Committee was established to have oversight over financial governance and risk and to assist the Board with its financial responsibility.

The Board also established an Internal Audit Function to provide oversight to obtain reasonable assurance regarding Management’s assertions that objectives are achieved for effectiveness and efficiency of operations, reliability of financial information and compliance with laws and regulations.

The external auditors are engaged to express an independent opinion on the financial statements of the PSA. The PSA’s auditors for the past four financial years have been **PricewaterhouseCoopers Inc**, which issued an unqualified audit opinion regarding the financial affairs of the PSA for the year ending 31 March 2013.

The consolidated net profit of the PSA was R3 710 908 (2012: R8 786 491 profit) after taxation of R(2 873 743) (2012: R(3 914 511)).

The summarised financial performance of the different business divisions of the PSA is tabled on page 61 of this report.

The statement of cash flows indicates positive cash flows as at the end of the financial year.

According to the Board of Directors’ report for the financial year ended 31 March 2013, the financial statements support the financial viability of the PSA and reflect the view that the PSA will be a going concern in the foreseeable future based on its potential to raise adequate revenue to meet its obligations.

The audited detailed financial statements of the PSA for the year ended 31 March 2013 are fully set out from page 7 of this report, and do not, in our opinion, require further comment.



view of the fact that the employer was not willing to improve on its offer and insisted on taking away an existing right, the PSA is left with no other option but to declare a dispute."

Talks in the Public Service Coordinating Bargaining Council (PSCBC) deadlocked in May,

JOHANNESBURG — The Public Servants' Association (PSA) has declared a wage dispute with the state after pay talks broke down, the union said yesterday.

General manager Danny Adonis said in a statement: "In view of the fact that the employer was not willing to improve on its offer and insisted on taking away an existing right, the PSA is left with no other option but to declare a dispute."

Talks in the Public Service Coordinating Bargaining Council (PSCBC) deadlocked in May,

The state intended replacing the current housing allowance with a housing scheme, Adonis said.

After more PSCBC meetings, the state made its final offer on Wednesday for the 2012/2013 financial year, which workers rejected.

with the state offering a 6,5% rise over three years in response to the civil servants' demand for an eight percent increase.

They also demanded the current R800 housing allowance be increased to R1000.

The state intended replacing the current housing allowance with a housing scheme, Adonis said.

After more PSCBC meetings, the state made its final offer on Wednesday for the 2012/2013 financial year, which workers rejected.

would not prevent its members from going on strike, he said.

The government believed the negotiations had not been broken off, said Department of Public Service and Administration spokesperson Dumisani Nkwamba.

The government had tabled

"The dispute will be resolved in terms of the PSCBC's dispute resolution procedures," said

Adonis. "Both sides agreed to resolve the dispute and a resolution was reached, the PSA would not prevent its members from going on strike, he said.

The government believed the negotiations had not been broken off, said Department of Public Service and Administration spokesperson Dumisani Nkwamba.

The government had tabled

unions have been given to consider the offer and their members, and effort to respond to the government," said Nkwamba.

The government was offering a 1.5% parameter increase, Nkwamba.

ap

its settlement offer at 6,5%

a 1.5% increase for all service employees dependent on performance, and a housing allowance, he

Both sides agreed to resolve the dispute and a resolution was reached, the PSA would not prevent its members from going on strike, he said.

The government believed the negotiations had not been broken off, said Department of Public Service and Administration spokesperson Dumisani Nkwamba.

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Public Servants Association of South Africa NPC  
(Registration number 1942/015415/08)  
Trading as PSA  
Annual Financial Statements  
for the year ended 31 March, 2013

These annual financial statements have been audited in compliance with the applicable requirements of the Companies Act of South Africa  
Published 24 July, 2013

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## General Information

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<b>Country of incorporation and domicile</b>	South Africa
<b>Nature of business and principal activities</b>	Employee organisation
<b>Directors</b>	Adv R Daniels (President) Miss OM Leffi Mr MA Maepa (Vice-Chairperson) Mrs AC Rencken Mr MP Tlowana (Vice-President) Mr P Snyman (Chairperson) Mr B Jacobs Dr CV Dyantyi Mr AD McAnda Mr RD Moody
<b>Registered office</b>	563 Belvedere Street Arcadia Pretoria 0007
<b>Business address</b>	563 Belvedere Street Arcadia Pretoria 0007
<b>Postal address</b>	PO Box 40404 Arcadia Pretoria 0007
<b>Auditors</b>	PricewaterhouseCoopers Inc. Chartered Accountants (S.A.) Registered Auditors South Africa
<b>Secretary</b>	Mr DZ Adonis
<b>Company registration number</b>	1942/015415/08
<b>Tax reference number</b>	9009987166
<b>Preparer</b>	The annual financial statements were internally compiled by: M Müller Acting AGM:F

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Index

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The reports and statements set out below comprise the annual financial statements presented to the shareholder:

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Statement of Changes in Equity	67
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### **Preparer**

M Müller  
Acting AGM:F

### **Published**

24 July, 2013

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Audit Committee Report

Report of the Audit and Risk Committee at 31 March 2013

We are pleased to present our report for the financial year ended 31 March 2013

### Audit and Risk Committee Meetings

The Audit and Risk Committee consists of the members listed hereunder. During 2013, three meetings were held.

MEMBERS	TENURE	AUDIT & RISK COMMITTEE MEETINGS
Mr JJ Saal	25 August 2010	1/3
Mr M P Sello	25 August 2010	1/3
Mr P Snyman	25 August 2010	3/3
Dr V Dyantyi (Chairperson)	27 March 2012	3/3
Mr R D Moody	24 October 2012	2/3
Ms O M Lefifi	24 October 2012	2/3

### Audit and Risk Committee Responsibilities

The Committee reports that it has complied with its responsibilities arising from the PSA Statute and Charter of the Committee. The Committee also reports that it has adopted appropriate formal terms of reference as its Audit Committee Charter has regulatory statements to comply with. The Committee has discharged all its responsibilities as contained therein.

### The Effectiveness of Internal Control and Risk Management

The system of controls is designed to provide cost-effective assurance that assets are safeguarded and that liabilities and working capital are efficiently managed. In line with the Companies Act and the King III Report on Corporate Governance requirements, Internal Audit which has been outsourced provides the Committee and management with assurance that the internal controls are appropriate and effective. This is achieved by means of the risk management process as well as the identification of corrective actions and suggested enhancements to the controls and processes. From the various reports of the Internal Auditors and the Audit Report on the annual financial statements it was noted that no significant or material non-compliance with prescribed policies and procedures have been reported. Accordingly we can report that the system of internal control for the period under review was efficient and effective. The Committee is directly responsible for the recommendation to the Board and approval of the Annual General Meeting of the independent Auditor's appointment.

### External Audit

The Committee has satisfied itself through enquiry that the auditors of the PSA are independent. The Committee, in consultation with the General Manager of the PSA, agreed to an audit fee for the 2012/2013 financial year. The fee is considered appropriate for the work that could reasonably have been foreseen at that time. The Committee has nominated, for approval at the Annual General Meeting, that PricewaterhouseCoopers Inc. be appointed as the external auditor for the 2013/2014 financial year.

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Audit Committee Report

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### Annual Financial Statements

The Committee has recommended the annual financial statements as required by the Companies Act for approval to the Board. The Board has subsequently approved the financial statements which will be open for discussion and approval at the forthcoming Annual General Meeting as required by the Companies Act of South Africa.



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Dr DV Dyantyi (Chairman of the Audit and Risk Committee)

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Directors' Responsibilities and Approval

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The directors are required in terms of the Companies Act of South Africa to maintain adequate accounting records and are responsible for the content and integrity of the annual financial statements and related financial information included in this report. It is their responsibility to ensure that the annual financial statements fairly present the state of affairs of the company as at the end of the financial year and the results of its operations and cash flows for the period then ended, in conformity with International Financial Reporting Standards. The external auditors are engaged to express an independent opinion on the annual financial statements.

The annual financial statements are prepared in accordance with International Financial Reporting Standards and are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgements and estimates.

The directors acknowledge that they are ultimately responsible for the system of internal financial control established by the company and place considerable importance on maintaining a strong control environment. To enable the directors to meet these responsibilities, the board of directors sets standards for internal control aimed at reducing the risk of error or loss in a cost effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the company and all employees are required to maintain the highest ethical standards in ensuring the company's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the company is on identifying, assessing, managing and monitoring all known forms of risk across the company. While operating risk cannot be fully eliminated, the company endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The directors are of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or loss.

The directors have reviewed the company's cash flow forecast for the year to 31 March, 2014 and, in the light of this review and the current financial position, they are satisfied that the company has access to adequate resources to continue operational existence for the foreseeable future.

The external auditors are responsible for independently reviewing and reporting on the company's annual financial statements. The annual financial statements have been examined by the company's external auditors and their report is presented on pages 63 to 64.

The annual financial statements set out on pages 65 to 98, which have been prepared on the going concern basis, were approved by the board of directors on 24 July 2013 and were signed on its behalf by:



Mr P Snyman (Chairperson)



Mr MP Tlowana (Vice-President)



Adv R Daniels (President)

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Directors' Report

The directors submit their report for the year ended 31 March, 2013.

### 1. Liability of Members

The company is registered in South Africa in terms of section 96 of the Labour Relations Act, 1995 as a trade union and in terms of the Companies Act 71, 2008 as a Non Profit Company. In terms of its Memorandum of Incorporation, it has no share capital and the liability of its members is limited to the amount of membership fees due by them to the PSA in terms of the Memorandum of Incorporation as at the date of dissolution.

### 2. Review of Activities

#### Main business and operations

As an employee organisation, the Public Servants Association of South Africa NPC (PSA) is recognised and admitted to the various relevant bargaining councils to protect and promote the individual and collective rights and interests of its members. Apart from the aforementioned function the company is also involved in other operations in the interest of its members.

The PSA Insurance Services operates under license from Guard Risk Insurance Company Ltd. According to the agreement the company shares in the profits and losses of the undertaking.

The risk attached to the liability for losses is neutralised by 100% reinsurance taken out against any risk with regards to losses.

The operating results and state of affairs of the company are fully set out in the attached annual financial statements and do not in our opinion require any further comment.

Net profit of the company was R 3,710,908 (2012: R 8,786,491 profit), after taxation of R (2,873,743) (2012: R (3,914,511))

The financial performance of the PSA business divisions is tabled below:

2013	Membership	Holiday Resort Accommodation	Sand	Cell Captive	Total
Income	220,776,132	599,641	1,636,553	47,376,456	270,388,782
Cost Of Sale	(173,548)	-	(48,965)	(2,098,333)	(2,320,846)
Other Income	2,835,929	13,731	-	1,528,745	4,378,405
Employees Cost	(128,432,144)	(877,692)	(465,192)	-	(129,775,028)
Other Costs	(95,965,693)	(627,337)	(699,369)	(41,668,006)	(138,960,405)
Nett Income	(959,324)	(891,657)	423,027	5,138,862	3,710,908
Assets	99,117,235	4,097,453	127,660	38,924,504	142,266,852
Liabilities	(30,646,667)	(29,882)	(859,113)	(15,136,944)	(46,672,606)

2012	Membership	Holiday Resort Accommodation	Sand	Cell Captive	Total
Income	194,190,366	579,955	1,275,955	51,216,384	247,262,660
Cost Of Sale	(6,489)	-	(40,061)	(2,537,024)	(2,583,574)
Other Income	3,964,608	42,368	-	1,517,802	5,524,778
Employees Cost	(115,184,596)	(925,576)	(463,536)	-	(116,573,708)
Other Costs	(81,158,468)	(842,627)	(143,257)	(42,699,314)	(124,843,665)
Nett Income	1,805,422	(1,145,880)	629,101	7,497,848	8,786,491
Assets	95,922,037	4,399,505	155,002	29,427,526	129,904,070
Liabilities	(29,508,081)	(58,387)	(300,000)	(10,007,501)	(39,873,969)

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Directors' Report

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### 3. Post balance sheet events

The directors are not aware of any matter or circumstance arising since the end of the financial year.

### 4. Auditors

PricewaterhouseCoopers Inc. will continue in office in accordance with section 270(2) of the Companies Act.



## INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE PUBLIC SERVANTS ASSOCIATION OF SOUTH AFRICA NPC

We have audited the financial statements of the Public Servants Association of South Africa NPC set out pages 10 to 43 which comprise the statement of financial position as at 31 March 2013, and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and the notes, comprising a summary of significant accounting policies and other explanatory information.

### *Directors' Responsibility for the Financial Statements*

The company's directors are responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards, the requirements of the Companies Act of South Africa and the Labour Relations Act of South Africa, and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's

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*PricewaterhouseCoopers Inc., 2 Eglin Road, Sunninghill 2157, Private Bag X36, Sunninghill 2157, South Africa  
T: +27 (11) 797 4000, F: +27 (11) 797 5800, www.pwc.co.za*

Africa Senior Partner: S P Kana  
Management Committee: H Boegman, T P Blandin de Chalain, B M Deegan, J G Louw, P J Mothibe, N V Mletwa, T D Shango, S Subramoney, A R Tilakdari, F Tonelli  
The Company's principal place of business is at 2 Eglin Road, Sunninghill where a list of directors' names is available for inspection.  
Reg. no. 1998/012055/21, VAT reg.no. 4950174682



internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### *Opinion*

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Public Servants Association of South Africa NPC as at 31 March 2013, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards, the requirements of the Companies Act of South Africa and the Labour Relations Act of South Africa.

#### *Other reports required by the Companies Act*

As part of our audit of the financial statements for the year ended 31 March 2013, we have read the Directors' Report and the Audit Committee's Report for the purpose of identifying whether there are material inconsistencies between these reports and the audited financial statements. These reports are the responsibility of the respective preparers. Based on reading these reports we have not identified material inconsistencies between these reports and the audited financial statements. However, we have not audited these reports and accordingly do not express an opinion on these reports.

*PricewaterhouseCoopers Inc.*  
PricewaterhouseCoopers Inc.  
Director: Nezira Ayob  
Registered Auditor  
Pretoria  
31 July 2013

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Statement of Financial Position

Figures in Rand	Note(s)	2013	2012
<b>Assets</b>			
<b>Non-Current Assets</b>			
Property, plant and equipment	4	37,273,343	37,076,488
Intangible assets	5	13,049,769	11,327,388
Other financial assets	6	26,756,779	26,507,269
Motor Vehicle Loans	8	5,184,130	2,661,170
		<b>82,264,021</b>	<b>77,572,315</b>
<b>Current Assets</b>			
Inventories	9	-	222,513
Other financial assets	6	525,570	511,870
Trade and other receivables	10	37,712,855	28,020,916
Motor Vehicle Loans	8	3,505,921	4,842,945
Staff Loans		6,964	11,086
Cash and cash equivalents	11	18,251,521	18,722,425
		<b>60,002,831</b>	<b>52,331,755</b>
<b>Total Assets</b>		<b>142,266,852</b>	<b>129,904,070</b>
<b>Equity and Liabilities</b>			
<b>Equity</b>			
Reserves		35,200,885	38,265,138
Retained income		60,393,361	51,764,963
		<b>95,594,246</b>	<b>90,030,101</b>
<b>Liabilities</b>			
<b>Non-Current Liabilities</b>			
IBNR Claims	12	2,179,713	948,676
Finance lease obligation	13	562,450	1,813,812
Insurance Liabilities and Reinsurance Assets		-	410,387
Outstanding Claims	14	6,335,149	5,684,484
Decommissioning, Restoration and Similar Liabilities	15	859,113	300,000
Retirement benefit obligation	16	3,515,000	3,111,000
		<b>13,451,425</b>	<b>12,268,359</b>
<b>Current Liabilities</b>			
Finance lease obligation	13	1,610,110	2,918,226
Current tax payable	17	2,873,743	2,959,966
Provisions	15	6,097,006	4,944,124
Retirement benefit obligation	16	153,000	152,000
Trade and other payables	18	22,487,322	16,631,294
		<b>33,221,181</b>	<b>27,605,610</b>
<b>Total Liabilities</b>		<b>46,672,606</b>	<b>39,873,969</b>
<b>Total Equity and Liabilities</b>		<b>142,266,852</b>	<b>129,904,070</b>

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Statement of Comprehensive Income

Figures in Rand	Note(s)	2013	2012
Revenue	22	270,388,782	247,262,660
Cost of Sales		(2,320,846)	(2,583,574)
<b>Gross profit</b>		<b>268,067,936</b>	<b>244,679,086</b>
Other Income	23	1,182,466	2,655,470
Operating Expenses	24	(264,705,742)	(236,189,767)
<b>Operating profit</b>		<b>4,544,660</b>	<b>11,144,789</b>
Finance Income	25	3,195,939	2,869,308
Finance costs	26	(1,155,948)	(1,313,095)
<b>Profit before taxation</b>		<b>6,584,651</b>	<b>12,701,002</b>
Taxation	28	(2,873,743)	(3,914,511)
<b>Profit for the year</b>		<b>3,710,908</b>	<b>8,786,491</b>
<b>Other comprehensive income:</b>			
Available-for-sale financial assets adjustments		1,848,010	253,196
Other comprehensive income		-	-
<b>Total comprehensive income for the year</b>		<b>5,558,918</b>	<b>9,039,687</b>

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Statement of Changes in Equity

Figures in Rand	Funds	Revaluation reserve	Mark to Market reserve	Contingency Reserve	Other non-distributable reserves	Total reserves	Retained income	Total equity
<b>Balance at 01 April, 2011</b>	<b>519,142</b>	<b>8,262,958</b>	<b>685,168</b>	<b>5,031,588</b>	<b>23,933,188</b>	<b>38,432,044</b>	<b>42,551,942</b>	<b>80,983,986</b>
Changes in equity								
Total comprehensive income for the year	6,428	-	253,196	-	-	259,624	8,786,491	9,046,115
Transfer to Contingency Reserve	-	-	-	(247,758)	-	(247,758)	247,758	-
Transfer to retained income	-	(12,423)	-	-	-	(12,423)	12,423	-
Transfer to retained income	-	(166,349)	-	-	-	(166,349)	166,349	-
Total changes	6,428	(178,772)	253,196	(247,758)	-	(166,906)	9,213,021	9,046,115
<b>Balance at 01 April, 2012</b>	<b>525,570</b>	<b>8,084,186</b>	<b>938,364</b>	<b>4,783,830</b>	<b>23,933,188</b>	<b>38,265,138</b>	<b>51,764,963</b>	<b>90,030,101</b>
Changes in equity								
Total comprehensive income for the year	5,227	-	1,848,010	-	-	1,853,237	3,710,908	5,564,145
Transfer from Contingency Reserve	-	-	-	(4,783,830)	-	(4,783,830)	4,783,830	-
Transfer to Retained Income	-	(133,660)	-	-	-	(133,660)	133,660	-
Total changes	5,227	(133,660)	1,848,010	(4,783,830)	-	(3,064,253)	8,628,398	5,564,145
<b>Balance at 31 March, 2013</b>	<b>530,797</b>	<b>7,950,526</b>	<b>2,786,374</b>	<b>-</b>	<b>23,933,188</b>	<b>35,200,885</b>	<b>60,393,361</b>	<b>95,594,246</b>
Note(s)	19	20		21	21			

# Public Servants Association of South Africa NPC

(Registration number 1942/015415/08)

Trading as PSA

Annual Financial Statements for the year ended 31 March, 2013

## Statement of Cash Flows

Figures in Rand	Note(s)	2013	2012
<b>Cash flows from operating activities</b>			
Cash Receipts from Members and Customers		257,369,771	242,254,092
Cash Paid to Suppliers and Employees		(245,046,196)	(241,194,553)
Cash Generated from Operations	29	12,323,575	1,059,539
Interest Income		3,195,939	2,869,308
Finance costs		(1,155,948)	(1,313,095)
Tax Paid	30	(2,959,966)	(954,545)
<b>Net Cash from Operating Activities</b>		<b>11,403,600</b>	<b>1,661,207</b>
<b>Cash Flows from Investing Activities</b>			
Purchase of Property, Plant and Equipment	4	(4,941,936)	(1,632,405)
Proceeds from Sale of Property, Plant and Equipment	4	129,351	21,141
Purchase of Other Intangible Assets	5	(3,062,644)	(2,854,333)
Movement in Financial assets		(263,210)	-
Motor Vehicle Loans Repaid		1,337,024	4,290,337
Motor Vehicle Loans Granted		(2,522,960)	(4,484,807)
Staff Loans Repaid		4,122	23,420
Staff Loans Granted		-	(24,073)
<b>Net Cash from Investing Activities</b>		<b>(9,320,253)</b>	<b>(4,660,720)</b>
<b>Cash Flows from Financing Activities</b>			
Movement in Funds (Capitalised)		5,227	6,428
Finance lease payments		(2,559,478)	2,264,469
Investment in Cell Captive		-	(9,545,455)
<b>Net Cash from Financing Activities</b>		<b>(2,554,251)</b>	<b>(7,274,558)</b>
<b>Total Cash Movement for the Year</b>		<b>(470,904)</b>	<b>(10,274,071)</b>
Cash at the Beginning of the Year		18,722,425	28,996,496
<b>Total Cash at End of the Year</b>	11	<b>18,251,521</b>	<b>18,722,425</b>