

INFORMUS



FOR PSA MEMBERS: DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION (DTIC)

09-12-2020

Feedback: Departmental Bargaining Chamber

OHS Compliance and COVID-19 Regulations

The employer reported that the OHS COVID-19 committee is still functional and responsible for dealing with all issues related to the Department's response to COVID-19. The PSA raised concerns regarding the role of the clinic, which seems to be overstepping the bounds of DPSA Circular 27 of 2020. The circular directs departments to accept medical reports that meet a standard indicated in it with the specified details that need to be in such medical reports. However, the circular does not make any mention of other functionaries such as the clinic (Doctor or Nurse) that should conduct a re-evaluation of employees who submit proof of their co-morbidities. The process outlined in the circular for allowing employees to work from home owing to co-morbidities is purely administrative and does not require the expertise of medical practitioners for the Department to process.

Members should be aware that they are not compelled to provide consent to the clinic for access of their medical records from the treating doctors and that they have a right to have their information treated with strict confidentiality. The PSA has submitted members' concerns regarding this issue in writing to the employer and awaits a response.

Payment: Performance bonuses - 2019/20

The PSA enquired about the reasons for the non-payment of the 2019/20-performance bonuses that were expected in November 2020. The employer indicated that the period for submission of performance assessments for 2019/20 was extended by the DPSA and departments have been permitted to process payments of bonuses by March 2021. However, the DTIC is determined to pay all employees who are due for payment in February 2021. Employees who have not finalised their 2019/20 assessments are urged to finalise these as soon as possible to avoid further delays.

Shop stewards' right to send emails to DTIC employees

The PSA challenged the employer's decision to suspend the rights of its shop stewards to send out emails to DTIC staff. The matter was referred to the General Public Service Sectoral Bargaining Council for conciliation where the conciliating commissioner referred it to the Departmental Bargaining Chamber (DBC) for deliberation and resolution. It was agreed at the DBC that parties will enter into a negotiation process on the use of email facilities by union representatives and conclude a collective agreement.

Members will be updated on developments.

GENERAL MANAGER