

FOR PSA MEMBERS: KWAZULU-NATAL GENERAL PUBLIC SERVICE SECTORAL
BARGAINING COUNCIL (GPSSBC)

02-07-2020

Feedback: Chamber Meeting – Department of Education

The meeting was held on 26 June 2020 the following was discussed:

Employment Contracts

PSA had lodged a complaint that employment contracts involving Public service personnel were not signed by the employees and that certain principals were unilaterally changing the terms and conditions of the employment contracts of these employees. The Department reported to the Chamber that all schools and offices have now been provided with copies of their employment contracts. PSA is aware that some schools were not yet issued with such copies of employment contracts. It was agreed that PSA will submit to the Department the names of the schools and offices where employment contracts were not received by the employees so that they will be issued. Names of the schools and offices who are not yet issued with copies of their employment contracts must be given to PSA KZN Provincial Offices before 20 July 2020.

Utilisation of Attorneys in Disciplinary Hearing

PSA raised a concern about the Department of Education utilising the services of attorneys in disciplinary hearings which is contrary to the stipulations of PSCBC *Resolution 1 of 2003*. PSA wanted the Department of Education to respect and abide with the Resolution by not appointing attorneys in disciplinary hearings as employer representatives and presiding officers. The employer reported that they have corrected the matter and that all disciplinary will henceforth be handled by Employee Relations of the Department.

Guard Rooms

PSA indicated that Security Guards need Guard Rooms to perform their duties. Inclement weather impacts negatively on the performing of their duties and guard rooms should be made available for all security guards. The employer reported that there are no funds allocated for this purpose yet, but the matter will be raised in the consultative meetings initiated by the MEC after the budget speech so that necessary funding could be secured. PSA will be monitoring this process.

Night shift allowance

PSA indicated that security guards who worked night shift were not paid night shift allowance in terms of PSCBC *Resolution 3 of 1999*. The employer indicated that they issued HRM *Circular 4 of 2008* regarding the payment of night shift allowance to employees who work night shift. According to the employer all security guards who worked night shift were paid accordingly. PSA was however

adamant that there are employees who worked night shift and were not paid night shift allowance. The employer mentioned they were not aware of employees who were not paid and suggested that there will be no need for PSA to declare a dispute on this matter at this point as the Department is willing to pay the affected employees provided PSA provide the names of the affected employees and the proof that they did work night duty so that payment may be effected.

Affected employees to contact PSA KZN Provincial Offices before 28 July 2020.

Monitoring of Shortlisting and Interview Process

PSA pointed out that the Educators' unions are invited by some District Offices to monitor the shortlisting and interview processes for the employees employed in terms of the *Public Service Act*. PSA raised a concern because these employees are falling under GPSSBC and are not affected by Resolutions entered at ELRC. PSA demanded that the Department of Education should put a stop to this with immediate effect.

The employer issued a copy of HRM *Circular 40 of 2010* whereby the Department putting an end to union participation during shortlisting and interviewing process for positions advertised in terms of the *Public Service Act*. The employer undertook to put an end to this. The employer will resend HRM *Circular 40 of 2010* to all district offices with strict instructions for compliance thereto. PSA will further monitor compliance.

Destroyed District Offices: uMgungundlovu

During the DTT meeting that took place in December 2019; PSA raised concern regarding the working conditions in the uMgungundlovu District Office after the offices were burnt in December. There were no computers and telephones and employees were obliged to utilise their own working tools. The Department undertook to rectify the situation and to report the progress to the Chamber. On 26 June 2020, the Department reported that all the working tools were made available to the employees in January 2020 and the office is back to its normal operation.

For more information members can contact Perfect Zulu on 082-8057114

GENERAL MANAGER