

FOR PSA MEMBERS: OFFICE OF HEALTH STANDARDS COMPLIANCE (OHSC)

03-07-2020

Feedback Bargaining Forum Meeting: 26 June 2020

The following items were discussed:

Unsafe Building

It was reported that there are problems in relation to the structure of the building where it was purported that there are tremors causing cracks in most of the floors. Labour further reported that the aircon is not functioning properly and it is very cold especially on the 1st floor of the building. To this, the employer proposed that employees move to other floors within the building, as the building is not fully occupied in the interim. The employer further committed to look into the budget and will procure a service provider who will investigate the air conditioning and rectify the temperature. The issue in relation to the tremor, was addressed after both parties requested an inspection through an independent Inspector from the Department of Employment and Labour. The findings were that there was no evidence of the tremor, instead it was found that there were cracks in some of the pillars, which was subsequently addressed by the Landlord. Labour further requested that water taps, which are opened manually be replaced, as they can be a risk since they are manually operated. The landlord should also be requested to ensure that there is hot water in the bathrooms for proper sanitisation.

Employees Tax Concerns

There are challenges with the calculation of the tax of employees who were transferred as part of Section 197 process. Other benefits paid *via* normal salaries, are paid *via* persal whilst other benefits are paid *via* pastel. This creates an impression that an employee is receiving 2 salaries and thus raises their tax bracket. The employer is refusing to obtain another Tax Practitioner, who will investigate and address the challenge after they gave the incorrect terms of reference, to an initial service provider who was not correctly briefed. The matter is still pending. Labour indicated that it will seek recourse from other avenues as employees were expected to pay for the procurement of an independent Tax Practitioner for a fault created by the employer.

Amendment: Inconvenience Allowance Policy

The employer is currently combining various benefits such as overtime, inconvenience allowance, and danger allowance as one and this creates challenges, as some benefits such as danger allowance are not taxable. Once again employees are not aware of the formula that the employer is using as it is completely different from the DPSA formula. The employer agreed to unbundle various benefits to see if the tax will change and the issue will be revisited at the next Labour Forum.

GEPF: Updated report

Employees who were transferred as part of the Section 197 process, requested the employer to furnish them with an updated report from GEPF to see whether their benefits are still handled by GEPF, as the employees have noted that their names are appearing in various departments such as Agriculture, Environmental Affairs and not as part of the OHSC employees. The employer agreed to furnish labour with the report from GEPF at the next Labour Forum as they are not aware of such problems.

Succession and talent strategy

Employees are concerned regarding the above, as they feel that they do not have any opportunities for growth, since the employer is recruiting externally and they are expected to train those employees who do not have the required experience. The employer requested examples of instances where the employer has hired external people with no experience. Labour undertook to provide such examples at the next Labour Forum.

Employment Equity Committee

Labour previously requested, that their Chief Negotiator be a part of this structure, as management has deployed Senior Managers. Shop stewards felt that there was no balance in terms of knowledge. The employer agreed to include the Chief Negotiator as part of the committee and a follow up meeting will be scheduled in a week. Labour requested the current Employment Equity Plan and Report, which was submitted to the Department of Employment and Labour be furnished before the next meeting.

Training Budget for Employees

There is an outcry from labour that the employer is refusing to pay for training of employees, in-line with their individual training needs, as indicated in their Performance Development Plan. The employer indicated that they are not aware of such refusal and labour was requested to furnish instances where such a request was refused by the employer and submit prior to the next meeting.

PMDS Moderation Committee

Labour requested to be given an observer status at the above committee, as they are of the view that scores are subjected to change without any explanation, by the committee after there was agreement on the ratings with their immediate superiors. The employer refused to allow labour a seat as they indicated that the structure is only for management and employees who are not happy do have a recourse in an event where they are not happy with their ratings as per the PMDS Policy.

Wage disparities

Labour indicated their concerns around wage disparities and demanded that the employer ensure that there is equal pay for work of equal value. The employer indicated that they are in the process of procuring a service provider who will scrutinize job profiles and salary grading. Labour will be consulted once they have procured the service provider, as a way of getting the service provider to investigate if there are salary disparities and if indeed the investigation point at such abnormalities, the employer will consult with the Board and correct such abnormalities.

UIF (Unemployment Insurance Fund) Implementation

The employer stated that they will be starting to deduct UIF in-line with the new regulations where public servants are now expected to pay UIF. Labour stated that if it is the new regulation, they will not resist but requested the Chief Negotiator check if all Departments are going to be subjected to the same regulations and report back at the next Labour Forum.

COVID 19 Return to Office Plan

Labour indicated that the employer failed to consult around the return to office as the OHS committee was still discussing the modalities on the return to work. It was also raised that the employer acted

outside of the OHS decision by sending an email to employees on a Sunday afternoon wherein it expected employees to return to work on the Monday. Labour also raised a concern about the manner in which the employer was screening employees, as they are of the view that proper training was not provided to those responsible for screening and on what to do in an event where an employee have symptoms of COVID-19. There was also a concern regarding field workers who get deployed to high risk provinces, who upon return from such a deployment, were not put in quarantine but instead were expected to go back home to their families without being tested.

The employer agreed to revisit the testing or screening, by ensuring that a competent person is entrusted with the screening and agreed to engage the Board, in relation to placing the field workers on quarantine post deployment. The employer further indicated that they would amend the inconvenience allowance, but will first obtain a mandate on the request tabled by labour. Both parties confirmed that the employer was complying with the guidelines of Circular 18, as there is a Steering Committee in place, sanitisers were procured for employees, and some are placed next to the lifts and in the entrance of the OHSC.

GENERAL MANAGER