

FOR PSA MEMBERS: PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL  
(PSCBC) : ALL PUBLIC SERVICE EMPLOYEES

15-06-2020

## Feedback Special PSCBC Meeting: 12 June 2020

### **Forfeiture 2019 annual leave**

The PSA previously has received numerous complaints from members, that they were unable to utilise their annual leave during the Lockdown period. In terms of the provisions contained in PSCBC Resolution 5/2001, if the leave is not utilised by 1 July 2020 employees will forfeit their leave. In view thereof, the PSA tabled an urgent item at the Public Service Co-ordinating Bargaining Council (PSCBC), to demand that employees be afforded more time to utilise their vacation leave. The employer pointed out that the public service was on reduced functions during the period, but did not completely shut down. Members are still at liberty to take their annual leave.

The PSA however pointed that out employees sacrificed their leave to devote their time in the fight against the pandemic. The employer conceded to the demand by the PSA and indicated that it will issue a directive. The directive will allow for the extension of taking of annual leave by another six (6) months until end December 2020. The amendments will be made to the Persal in the interim, whilst the modalities of the agreement are finalised.

*Members are requested to urgently provide the PSA with a mandate to accept the extension and to sign the agreement to this effect. It will be appreciated if such a mandate can reach our Provincial Offices by no later than 17 June 2020.*

### **Draft Collective Agreement to deal with management of employees with Co-morbidities and other underlying conditions**

A draft agreement, like the one signed in the Education Labour Relations Council (ELRC), was tabled at the Task Team of the PSCBC dealing with the COVID-19 pandemic. The task team has deliberated on the purpose of signing a collective agreement to ensure that vulnerable employees are protected. Based on the urgency of the matter, the matter was referred to Council for engagement. The employer indicated that they need to obtain a mandate on whether to sign such an agreement on the matter and to also propose measures from their side. The employer will inform the General Secretary on 15 June 2020 of their position.

### **Transport Allowance: Public Servants**

The PSA has indicated that the regulations that were issued by the Minister of Transport, indicating that public transport must not carry more than 70% of their maximum licensed passengers, has placed a tremendous burden on the public transport system and resulted in massive loss of income for the industry. This has resulted in the Taxi Association, indicating that they intend to increase taxi fees with effect from 15 June 2020 with an increase of 172%. This enormous fee increase has significantly impacted on public servants, who make use of public transport to render a service and assist in fighting against the spread of the Corona virus. In the interest of social justice and ensuring that service delivery is not hampered during this stressful time, the PSA demanded that Government pay a transport allowance of R 400 to all public servants, who are required to report for duty as per the regulations and who make use of public transport. The employer indicated that the status of the fiscus and economy does not allow for any space in the budget to accommodate such expenditure. They submit that it should be evident from the outstanding implementation of the salary agreement. After much debate, the employer indicated that the demand is unaffordable for the state.

The PSA is aware of the economic hardship that public servants have to endure during this period and will continue to negotiate for some concession for public servants. The item will remain on the agenda for further discussion at the next meeting.

#### **Work Performed on Sunday**

Section 16 of the *Basic Conditions of Employment Act (BCEA)*, requires that the state as an employer pay an employee who works on Sunday double the employee's wage for each hour worked, unless the employee ordinarily works on a Sunday, in which case the employer must pay the employee at one and half times the employees wage for each hour worked. It was raised that the state did not fully comply with the provisions of the *BCEA* and the agreement on the matter. The PSA demanded that the employer complies with the provisions of the *BCEA*.

The employer requested time to obtain a mandate on the demand from their Principals and will report back at the next meeting.

ACTING GENERAL MANAGER