

FOR PSA MEMBERS: PUBLIC SERVICE COORDINATING BARGAINING COUNCIL
(PSCBC)

11-11-2021

Feedback: PSCBC meeting - 8 November 2021

Danger allowance: Additional categories of employees

In terms of the provision of the issue, Sectoral Councils were tasked to identify additional categories to receive a danger dispensation. Parties could not reach agreement on the inclusion of the additional categories and therefore escalated the matter to the PSCBC for further engagement. Research was also conducted and was previously tabled in Council. For the research to be completed, direction was required from parties on whether the current danger allowance will be utilised for the insurance purposes. Labour made it clear that its demand was not intended for that purpose. The employer viewed it differently. Council subsequently also agreed that these matters will be discussed in a workshop/conference, referred to as the Birchwood-3 session. This engagement is set to take place before the end of December 2021.

Overtime work performed on Sunday to be paid in line with BCEA

Labour disagreed on the interpretation of the *BCEA* for work performed on a Sunday and how it is currently applied. The General Secretary of Council assisted with an interpretation after the application was clarified by the employer. Labour was, however, adamant that it prefers for the interpretation to be provided by an independent person. Council has set down the matter for a hearing before Adv Matshekgga for 12 November 2021.

Establishing Ombudsman for Government Employees Pension Fund (GEPF)

The GEPF previously engaged Council on the possibility to introduce an Ombudsman for disputes arising from the administration of the Fund. The purpose is also to fast-track resolution of disputes in the most cost-effective manner. Current pension law does not make provision for an Ombudsman for the GEPF as the GEPF is governed by its own set of rules. The Ombudsman was established as an internal structure in the GEPF, with Adv Ramanulana heading the office.

Limited withdrawals from Pension Fund to combat effects of COVID-19 pandemic

The matter was raised in Council after it was made known that government intends amending the *Pension Fund Act* to allow for limited withdrawals to assist workers in the private sector to combat the effects of COVID-19. The PSA tabled this item at Council level as it was argued that public servants are

also experiencing hardships a result of the effects of COVID-19. The employer indicated that the matter is still be receiving attention at the next Council meeting.

Amendments to draft *Public Service Amendment Bill 2021* and draft *Public Service Amendment Bill 2021*

Previously, these Bills were tabled for engagement by the employer. Labour provided input, however, the employer claimed not to have received it. It was also indicated to the employer that labour views the engagement on these Bills as not in good faith as the employer already tabled these in Nedlac for engagement. The Nedlac meeting to engage on the Bills is scheduled for 24 and 25 November 2021. Labour insisted that its input still stands and requested the employer to respond to it.

Request for extension to utilise annual vacation leave not taken

Labour previously tabled a request for an extension of the utilisation of annual leave not taken. The PSA successfully obtained an extension in 2020 owing to lockdown restrictions. The employer was of the view that employees were not prevented from taking their leave as there was no hard-lockdown restrictions implemented this year. Parties could not agree and the matter will remain on the agenda for a final response by the employer.

Proposed amendment to *Government Employees Pension Law 1996*, section 14.6.2 to increase spouses pension

The PSA referred the proposed amendment for consideration in that the spouses pension be increased to three quarters of the annuity the pensioner member received at the time of death. As this amendment will require majority support from other unions, the other unions requested time to consult with their principals before a decision is made to support the amendment. The item will remain on the agenda to allow parties to consult.

Professionalisation of Public Service

The National School of Government, through the DPSA, made a presentation to Council on a draft Framework developed by Cabinet on the professionalisation of the Public Service. Amongst some of the matters that the Framework intends to address, is to remove politics from the appointment process. Labour, however, raised several questions of clarity and concerns regarding the process. Labour will further engage on the matter in the next Council meeting as the previous presentation was a mere overview of the Framework. Labour requested that the employer also provides additional information on whether a skills audit was conducted to identify the area for professionalisation and where the gaps are.

Members will be informed of developments.

GENERAL MANAGER