

FOR PSA MEMBERS: SOUTH AFRICAN SOCIAL SECURITY AGENCY (SASSA)

26-07-2021

Update: Salary negotiations - SASSA

The PSA tabled demands (*attached*) in May 2021 for the cost-of-living adjustment and improvement of conditions of service for SASSA employees. The demands were tabled in terms of the provisions of the SNBF Constitution that provides for parties to engage on salary negotiations. The employer submitted a response to the PSA (*attached*), which does not provide substantial offers to the demands. The PSA wrote to the Chairperson of the SNBF to schedule sessions for the commencement of engagement between parties on salary negotiations.

The PSA is of the view that SASSA should conclude its collective agreement on salaries and not adopt the PSBC agreement without giving employees a choice in the matter. In the event that the employer refuses to engage in negotiations, the PSA will exercise its rights as provided for in the *Labour Relations Act, 66 of 1995*.

Members will be updated on developments.

GENERAL MANAGER

EXCO Presentation

EMPLOYER'S RESPONSE TO THE LIST OF SALARY ADJUSTMENT ITEMS

14 June 2021

Introduction

- SASSA National Bargaining Forum (SNBF) was established more than ten years ago comprising of employer representatives appointed by the Chief Executive Officer and organised labour representatives appointed by Organised Unions at SASSA workplaces.
- Organised Unions at SASSA are Public Servants Association (PSA) representing about 6 088 members/employees making up 68.6% vote weight and NEHAWU representing about 2 786 members/employees equivalent to 31.4% vote weight, all make a total of about 8 874 members/employees.

MPSA – Determination of 2006

In 2006 the Honourable Minister of Public Service and Administration made a determination that in terms of the **SASSA Remuneration, Grading and Performance Management Framework**, all the policies and PSCBC resolutions applicable to public services shall apply to all SASSA employees.

(Made in terms of (Sec 7(2) of SASSA Act, 2004 and Sec 7 (2) of PSA, 1994)

Paragraph 5 “Remuneration Framework” of SASSA Remuneration, Grading and Performance Management Framework: Determination by the Minister for Public Service and Administration states that “The remuneration frameworks (remuneration structures and dispensations), provided for in the Public Service Regulations (2001), as from time to time determined by the MPSA for the Public Service, and the relevant PSCBC and sectoral resolutions apply to all staff in SASSA who are appointed in terms of South African Social Security Act, 2004.”

No	Salary adjustment items	Is this a new condition of service or service benefit?	Proposed Employer's response to the organized labour's demands
1	<p>Salary adjustment for 2021 / 2022 financial year</p> <ul style="list-style-type: none"> that parties should conclude a single term agreement. General salary increases of CPI plus 5% 	Implemented annually when there's settlement agreement in place	<p>The Agency will await the settlement reached at the current PSCBC negotiations because both SNBF parties are represented.</p> <p>Whilst the employer respect the fact that the SNBF parties can negotiate for SASSA employees it is the employer's view that there is no need to duplicate the process.</p>

2	<p>Implementation of outstanding agreements</p> <ul style="list-style-type: none"> It is proposed that all outstanding resolutions be implemented with immediate effect, this includes Resolution 1 of 2018, which is the previous PSCBC Wage Agreement that was adopted by SASSA 	Last leg of 2018 settlement agreement currently frozen by the government	The employer proposes that parties should wait for this matter to be finalised in court.
3	<p>Comprehensive Danger Insurance:</p> <ul style="list-style-type: none"> The employer should find a comprehensive danger insurance for all SASSA when they work in areas that expose to them to danger such as pay points and healthcare centres. 	New proposed condition of service or service benefit for SASSA	The Employer proposes the need by parties to have the possibility of extending the PSCBC Resolution 3 of 1999: Danger Allowance currently in place to apply to identify eligible SASSA employees investigated.

4

Housing Allowance

- That the current allowance be increased to R2 500.

Existing condition of service or service benefit

As this benefit was part of settlement reached at the previous PSCBC negotiations and SNBF parties are represented there, the proposed increment should first be tabled there for parties to engage on.

5

Leave

5.1 Leave for religious observance:

- It is demanded that (three days per annum) be granted to SASSA employees for religious observance.

5.2 Disaster Leave

- Employees affected within the agreed definition shall inform their employers of their predicament and request time off. The employer shall not unreasonably withhold such request. Special leave of up to 5 working days should be granted depending on the magnitude of the disaster.

As the leave benefit was part of settlement reached at the previous PSCBC negotiations and SNBF parties are represented there, the proposed new types of leave should first be tabled there for parties to engage on.

Provision of Child Care and Breast-feeding Facilities at all SASSA offices

- To provide Breastfeeding – friendly workplace facilities for employees in all SASSA offices.

With the advent of Covid 19, most of elderly employees are exiting the public service, to be replaced by a younger generation of childbearing age. The need for childcare facilities is a priority for this in coming population. This arrangement give parents a peace of mind knowing that their little ones are taken good care of. This also assist in instances when the little one is sick, the parent instead of taking leave, will be able to check on their little ones during their interval times.

To provide aftercare facilities in all SASSA offices to ensure productivity of the parents knowing that their toddlers or infants are taken care of and that they can closely monitor their progress in development.

New proposed condition of service or service benefit

There are no funds allocated in the current baseline budget of 2021 – 2023 MTEF allocation for this new proposed demand. This will be difficult for SASSA to fund from its current baseline allocation.

Working Remotely/ Greater use of technology, knowledge and innovation.

- The list of benefits that such an arrangement can bring is endless. It will also allow for those who can work from home to save on transport, childcare facilities and thereby ensuring that children are also protected and cared for by their primary care giver.

Savings made, can allow SASSA to redirect such funds to its employees, to ensure that the operating cost of electricity and premise utilisation is compensated for. This will increase income and further contribute to economic development. There should be a permanent arrangement which will provide for such flexibility.

Partially existing condition of service or service benefit. The Agency is currently drafting and consulting on the new policy.

The Agency is current implementing the DPSA leave determination through SASSA leave Policy, and the DPSA / CEO COVID-19 Circulars which cater for the need for employees to work from home.

The SASSA Remote Working draft policy is currently been developed and consulted on

The SASSA ICT Policy makes provision for IT equipment and Infrastructure to be procured and supplied to all SASSA employees as tools of trade

Prolonged suspensions, frivolous litigation, mismanagement of funds and corruption, outsourced contracts when services can be rendered internally, etc.

- It is demanded for immediate action and the development of alternative means and an action plan to address prolonged suspensions in SASSA, the avoidance, curbing and resolving of matters that are taken for frivolous litigation and plans with timeframes on the recovering of mismanaged funds and those lost to corruption.
- This in itself will also contribute to proper management of state resources and a subsequent long-term increase in state revenue

Not a condition of service or service benefit but concerns raised by the organised labour for management to address

The Employers will ensure compliance with current labour relations framework makes provision timeframes to be complied with when employees have been suspended

SASSA has a general litigation framework and strategy. However, the litigation strategy differs per each case.

The Employer will ensure adherence to the National Treasury Frameworks and SASSA Financial misconduct policy or framework to deal with all reported cases of misuse of SASSA financial resources.

Full/ Permanent Employment/
Outsourcing of functions

- Employees who are still on contract and temporary employment for years, should be permanently employed. Functions should be insourced as far as possible within a set timeframe.

Not a condition of service or service benefit but a proposal for management to implement

The objective of EPWP is to provide work opportunities and income support to poor and unemployed people thereby contributing to development.

Internship programme is a programme that affords a person an opportunity to gain work experience.

In terms of the Staffing Practices Policy all SASSA positions should be advertised to afford equal employment opportunity to all.

Bursary for children of SASSA employees.

- To ensure improved productivity, building capacity, ensuring a developmental state, access to education should be fostered by Government and that it should start with its own employees who are part of the community at large.

In order to ensure that productivity is enhanced in the process, the obtaining of a bursary or access thereto can be included as an achievement as a performance reward.

New proposed condition of service or service benefit

SASSA doesn't have adequate funds to cater for this new proposed demand. This will be difficult for SASSA to fund from its current baseline allocation.

NSFAS funding opportunities will always be an alternative to provide funding for qualifying SASSA employees' children

Relevant SETA's are mandated to provide learning opportunities in various sectors of the economy which could also be accessible for SASSA employees' children.

11

Provide boarding school subsidies to be effected from Grade R-12

- Employees who, because of the job requirements, have to reside with their families in areas which necessitate their school-going children (Grade R to Grade 12) to travel daily more than 50km and/or having to cross unsafe rivers between the employee's domicillium and the nearest primary, secondary and special school, may place their children in a boarding school of their choice and may apply for a subsidy to defray the cost of the boarding school.

New proposed condition of service or service benefit

SASSA doesn't have adequate funds to cater for this new proposed demand. This will be difficult for SASSA to fund from its current baseline allocation.



12	<p>Re-introduction of capped leave</p> <ul style="list-style-type: none">Employees to have the option of encashing their leave during in service and not wait until death, retirement or disability as well as to encash more than the 10 and/or 15-day current limitation.	<p>Re-introduction of old abolished condition of service or service benefit</p>	<p>As this benefit is part of settlement reached at the previous PSCBC negotiations and SNBF parties are represented there, the proposed re-introduction of this benefit should first be tabled there for parties to engage on.</p>
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13	<p>Mentoring Programme for career advancement</p> <ul style="list-style-type: none">• Post Covid-19, for SASSA to retain and attract young competitive staff, it will need to have programmes that ensure career advancements and assist the public servants to compete favourably with the private sector.	<p>A programme currently implemented by HRD and Transformation unit.</p>	<p>The current SASSA Staffing Practice policy makes provision career advancement through the advertisement of all positions on salaries levels 1 -12 internally first.</p> <p>The current SASSA HRD Strategy or policy caters for internships, experiential learning, in-service training, school-leaver programme and learnerships.</p>
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Recommendations

It is recommended that the Executive Committee:

1. Notes the Public Servants Association (PSA)'s letter of Salary Adjustment Demands for 2021/2022 financial year
2. Notes that negotiations are currently underway at SASSA National Bargaining Forum (SNBF).
3. Duly inform the Hon. Minister of Social Development about the PSA,s letter of demands
4. Notes that SASSA's Negotiating Team will respond to the demands at the SASSA National Bargaining Forum on the 17 June 2021.
5. Duly endorse the proposed responses or provide further advice

THANK YOU

Ms Duduzile Madubanya
Chairperson
SASSA National Bargaining Forum
Private Bag X55662
ARCADIA
0083

10 May 2021

Dear Ms Duduzile Madubanya

DEMANDS FOR SALARY INCREASES AND IMPROVEMENT OF CONDITIONS OF SERVICE FOR THE 2021/2022 FINANCIAL YEAR

The Public Servants Association (PSA) has been mandated by its members to table demands for salary increases and improvement of conditions of service for the 2021/2022 financial year. The Constitution of the SASSA National Bargaining Forum (SNBF) in clause 5.1.1 empowers the SNBF to negotiate and conclude agreements on matters of mutual interest. Matters of mutual interest are defined under clause 2.1.8 of the Constitution and the definition clearly includes salaries and terms and conditions of employment. Clause 11.12 of the Constitution states that *"bargaining of salaries and conditions of service will commence at the beginning of February each year"*. Noting that February has passed and parties are running late on this matter, it is pivotal that it be prioritised and concluded urgently.

As empowered by the said Constitution, the PSA hereby submits the following demands:

1. It is demanded

- that parties should conclude a single term agreement.
- General salary increases of CPI plus 5%

2. Implementation of outstanding agreements

It is proposed that all outstanding resolutions be implemented with immediate effect, this includes Resolution 1 of 2018, which is the previous PSCBC Wage Agreement that was adopted by SASSA.

3. Comprehensive Danger Insurance:

The employer should find a comprehensive danger insurance for all SASSA when they work in areas that expose to them to danger such as pay points and healthcare centers.

Public Servants Association of South Africa NPC
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4. Housing Allowance

That the current allowance be increased to R2 500.

5. Leave

5.1. Leave for religious observance:

It is demanded that (three days per annum) be granted to SASSA employees for religious observance.

5.2. Disaster Leave

A disaster is defined as a sudden, abrupt or unpredictable circumstance, which causes human, material, economic or environmental losses, exceeding the ability of the affected employees to cope with them i.e. floods, storms, lightening, fire, strikes etc.

Employees affected within the agreed definition shall inform their employers of their predicament and request time off. The employer shall not unreasonably withhold such request. Special leave of up to 5 working days should be granted depending on the magnitude of the disaster.

6. Provision of Child Care and Breast-feeding Facilities at all SASSA offices

To comply with the UN Convention on the rights of a child (UNCRC) and the African Children Charter. UNCRC Part 5.2 para 146 recognises the role of the State in the provision of childcare facilities, to ensure that children in their formative years have access to the best care and parental protections. The White Paper on Early Childhood Development (2001), the Children's Act No. 38 of 2005 (and corresponding regulations and norms and standards), the norms and standards for Grade R funding (2008) in accordance with the South African Schools Act (1996), and the National Integrated Plan for ECD (2005-2010) verify the ratification of the Convention.

To comply with the ILO Protection Convention No 183, Article 10, which outlines the need for suitable arrangements to accommodate breastfeeding mothers, in terms of time reductions to enable the suckling of infants.

To provide Breastfeeding – friendly workplace facilities for employees in all SASSA offices.

With the advent of Covid 19, most of elderly employees are exiting the public service, to be replaced by a younger generation of childbearing age. The need for childcare facilities is a priority for this in coming population. This arrangement give parents a peace of mind knowing that their little ones are taken good care of. This also assist in instances when the little one is sick, the parent instead of taking leave, will be able to check on their little ones during their interval times.

To provide aftercare facilities in all SASSA offices to ensure productivity of the parents knowing that their toddlers or infants are taken care of and that they can closely monitor their progress in development.

7. Working Remotely/ Greater use of technology, knowledge and innovation.

With the onset of Covid-19, the use of technology has opened a new order in the world of work. Employees managed to adapt and were able to fully operate effectively from home. This brought opportunities in how the workplace is structured for SASSA as an employer which should be considered and further explored. Currently, and in the past, a number of challenges were identified with Government Buildings which have resulted in buildings being closed and services interrupted. It also became costly to maintain such buildings.

With people working from home, it did not only yield a saving in Government expenditure on electricity, water, stationary usage, telephone cost, and various others daily operating costs, but with permanent restructuring of the workplace, it can further result in savings made on the rental and acquiring of buildings for Government Services, which can fully operate remotely.

The list of benefits that such an arrangement can bring is endless. It will also allow for those who can work from home to save on transport, childcare facilities and thereby ensuring that children are also protected and cared for by their primary care giver.

Savings made, can allow SASSA to redirect such funds to its employees, to ensure that the operating cost of electricity and premise utilisation is compensated for. This will increase income and further contribute to economic development. There should be a permanent arrangement which will provide for such flexibility.

8. Prolonged suspensions, frivolous litigation, mismanagement of funds and corruption, outsourced contracts when services can be rendered internally, etc.

It is demanded for immediate action and the development of alternative means and an action plan to address prolonged suspensions in SASSA, the avoidance, curbing and resolving of matters that are taken for frivolous litigation and plans with timeframes on the recovering of mismanaged funds and those lost to corruption.

This in itself will also contribute to proper management of state resources and a subsequent long-term increase in state revenue.

9. Full/ Permanent Employment/ Outsourcing of functions

Employees who are still on contract and temporary employment for years, should be permanently employed. Functions should be insourced as far as possible within a set timeframe.

10. Bursary for children of SASSA employees.

To ensure improved productivity, building capacity, ensuring a developmental state, access to education should be fostered by Government and that it should start with its own employees who are part of the community at large.

In order to ensure that productivity is enhanced in the process, the obtaining of a bursary or access thereto can be included as an achievement as a performance reward.

11. Provide boarding school subsidies to be effected from Grade R-12

Employees who, because of the job requirements, have to reside with their families in areas which necessitate their school-going children (Grade R to Grade 12) to travel daily more than 50km and/or having to cross unsafe rivers between the employee's domicillium and the nearest primary, secondary and special school, may place their children in a boarding school of their choice and may apply for a subsidy to defray the cost of the boarding school.

12. Re-introduction of capped leave

Employees to have the option of encashing their leave during in service and not wait until death, retirement or disability as well as to encash more than the 10 and/or 15-day current limitation.

13. Mentoring Programme for career advancement

Post Covid-19, for SASSA to retain and attract young competitive staff, it will need to have programmes that that ensure career advancements and assist the public servants to compete favorably with the private sector.

You are kindly requested to ensure that the process of negotiation commences in terms of clause 14 of the Constitution.

Yours truly

Joseph Mashigo

For: General Manager

