

FOR PSA MEMBERS: **DEPARTMENT OF WATER AND SANITATION (DWS)**

16-11-2022

Feedback: Departmental Bargaining Chamber (DBC) - 14 November 2022

Collective agreement (GPSSBC Resolution 1/2018)

Both parties resolved to identify future dates outside the Chamber to engage in a task team to finalise this matter. The previous dates that were set aside by parties were utilised for meeting with the Minister and dealing with conditions of service for section-76 employees (Construction workers). Resolution 1/2018 deals with various matters of mutual interest. It is an agreement that was reached by parties to end a strike that was taking place in the Department in 2018, however, some outstanding matters have not been implemented by the Department.

Human Resource Policies (PMDS Policy, Bursary Policy, Skills and Development Policy)

The employer indicated that the mentioned policies have been consulted upon and requested that the policies be adopted or ratified. The PSA concurred that the policies were consulted but it did not have a mandate to endorse the policies because the final draft policies were only received on 11 November 2022. The PSA was given until 28 November 2022 to get a mandate from members to adopt the policies. Members are provided with a final opportunity to either provide a mandate to adopt or to make further substantive inputs. If no mandate or further inputs are received by 28 November 2022, the policies may be adopted thereafter. Mandates or further substantive inputs should be submitted to Johnny Nwaila at NwailaJ@dws.gov.za. The policies are *attached* for easy reference.

Review: Departmental structure

The employer made a presentation indicating that the organisational structure was extensively consulted and that the Minister approved the structure on 26 September 2022. The PSA raised discontentment that the employer approved the structure whilst the consultation process was not finalised and demanded the employer to rescind the approval of the structure and revert to consultations with labour. The employer refused to accede to this demand and indicated that it is in the process of implementing the structure. The PSA noted the employer's refusal to accede to its demand and requested for facilitation of this matter by invoking section 17 of the governance rules.

Payment of performance bonus for section-76 employees: 2021/22 and 2022/23 cycles

Members were previously informed that the employer requested to reduce the performance bonus of section-76 employees to 50% payment, citing financial constraints. Labour objected to the proposal by the employer and requested additional information regarding the financial position of the Construction unit

for further engagements. The employer committed to providing the additional information to labour within seven days.

Water and Sanitation: Code of conduct

The resolution taken under the Human Resource policies applies to this agenda item as well. Members have until 28 November 2022 to provide a mandate to adopt the code of conduct or to provide further substance inputs.

Changes to performance assessment cycle for personnel appointed in terms of section 76 of the *National Water Act* (Construction)

The employer asked for the indulgence of labour to change the performance cycle of section-76 employees to align it to the financial year and the Annual Performance Plan (APP) of the Department. The performance cycle of section-76 employees runs from July to June the following year, whilst the financial year of the Department runs from April to March the following year. The employer indicated that this misalignment is causing audit queries and that employees will not be prejudiced because the employer will pay the bonuses that are due to employees on a *pro-rata* basis when the proposed new cycle is implemented. The PSA noted the employer's proposal and requested to consult its members before it can pronounce its position. Members who believe that the changing of the performance cycle will prejudice them in any way are requested to make written submissions to Johnny Nwaila by 28 November 2022 at NwailaJ@dws.gov.za.

Review: Sexual Harassment Policy

The PSA requested the policy on sexual harassment to be reviewed to align it to the Code of Good Practice on the Elimination and Prevention of Harassment in the Workplace, gazetted on 18 March 2022. The employer welcomed the request by the PSA and parties agreed to deal with this matter in a task team to be convened by the employer.

Concerns: Safety of Continental building

The PSA indicated that it has received concerns from its members regarding the safety of the Continental building because there were tremors that were felt last week by employees on two occasions. The PSA demanded that employees be allowed to work from home until the building is declared safe. The employer conceded that indeed there were tremors felt and that employees were allowed to work from home but returned to work on 10 November 2022 after structural engineers declared the building safe. The employer committed to providing a detailed response and report by the structural engineers to labour by 16 November 2022.

GENERAL MANAGER