

Feedback: Departmental Bargaining Chamber – 1 November 2023

Allocation and utilisation of parking

The employer reported that during the period between August and September 2023, it assigned parking spaces to nine employees. However, as of 31 September 2023, there were still 60 employees on the waiting list. The employer has taken the necessary measures to address the issue of employees on the waiting list, and the Department is currently reviewing the parking policy. The employer is consulting with relevant stakeholders and a progress report will be shared with labour before the next DBC meeting.

OHS compliance

The employer reported that during September 2023, Security Management managed to train 48 occupational health and safety representatives as follows:

- First Aiders: 16
- Fire Wardens: 9
- Safety Health and Environmental Representatives: 16
- Safety Health and Environmental Supervisors: 7

The 48 OHS representatives were added to the current OHS Organisational Structure, which consisted of 37 OHS representatives previously. An unannounced emergency evacuation drill will be conducted before the year end. The PSA welcomed the report.

Contract employees

During the DBC meeting, it was decided that the Department should carry out an audit of all contract employees and submit a report to labour, which was resolved previously. The employer stated that there are 104 posts on the approved structure. The PSA raised concerns regarding how cost-containment measures would affect contract employees. The employer confirmed that they would not be affected unless a moratorium is implemented.

Restructuring of departmental structure

The employer reported that the departmental organisational structure was submitted to the DPSA for concurrence. The response from the DPSA was that the structure was rejected. The reason given by the

DPSA was that the departmental structure should separate the Human Resource component from the Finance component. The PSA questioned the employer on whether the reason given by the DPSA was to consider separating the Human Resource component from the Finance section. The employer responded that the Department wrote a letter to the DPSA, indicating that it would appreciate it if the current proposed structure would remain, as it would not be affordable to create separate DDG posts (that being the HR component). The PSA will monitor developments.

Overtime for examination Staff in excess of 30% of employee's monthly salary

The employer reported that it received a deviation from the DPSA, to allow officials involved in examination-related work to exceed the 30% threshold of an employee's monthly salary in terms of overtime pay. However, in the letter of authorisation, it was indicated that the provisions of section 10(1) and 12(2) of the *Basic Conditions of Employment Act, 1997*, must be adhered to. The provisions state that:

- An employer may not require or permit an employee to work overtime more than ten hours a week.
- An employer may not require or permit an employee to work more than twelve hours on any one day.
- The overtime of an employee may be averaged over a period of up to four months.

Given the long hours that officials are compelled to work during peak examination periods, it is impossible to limit overtime work to ten hours a week (even if utilising the concession of 15 hours per week) and twelve hours a day. An adherence to the two clauses will, in essence, imply that the National Senior Certificate examination cannot be implemented. The above matter is a threat to the current processes in examinations.

The Department was advised that the Minister of the Department of Employment and Labour was mandated to grant a deviation to exceed 15 hours per week and twelve hours per day, based on strong and clear motivation. The PSA noted the report and indicated that the bilateral meetings should continue so that the matter can be addressed accordingly.

Members will be informed of developments.

Employees who want to join the PSA can visit the PSA's website (www.psa.co.za), email ask@psa.co.za, or contact PSA Provincial Offices.

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