

Feedback: Departmental Bargaining Chamber - 8 June 2023

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Strategy on the recruitment of persons living with disabilities

The employer tabled the strategy on the recruitment of persons living with disabilities (PLW). The strategy premised on the objective of the National Development Plan which proposes that people with disability must have improved access to employment. In addition, government increased representation of PLW in Public Service from 2% to 7%. Accordingly, the DSBD took a decision to embark on strategies to increase employment of persons with disability to 7% in a strategic time frame. Legislatively, at its formation, the department had to comply with government policies to employ 2% of persons with disabilities. Within its limited resources, the department managed to surpass the 2%, reaching more than

3%. This strategy aims to address areas where persons with disability are marginalised during recruitment and selection processes and encourage employment of persons with disability. The PSA welcomed the employer intention and invites members to submit their input. Inputs or comments must be sent to SMaloka@dsbd.gov.za or aubrey.mabotsa@psa.co.za on or before **19 June 2023**.

Members will be kept informed of the developments.

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GENERAL MANAGER



**small business
development**

Department:
Small Business Development
REPUBLIC OF SOUTH AFRICA

DRAFT STRATEGY ON THE RECRUITMENT OF PERSONS LIVING WITH DISABILITIES

APPROVED BY THE DIRECTOR-GENERAL

Signature: _____

Date: _____

JUNE 2023

DOCUMENT HISTORY AND APPROVALS

File Name	<i>Strategy on the Recruitment of Persons Living with Disabilities</i>
Original Author (s)	<i>Directorate: Human Resources Management</i>
Next Review Date	

Version	Date	Authors	Revision Notes
<i>Version 1</i>	<i>31 March 2023</i>	<i>Directorate: Human Resources Management</i>	<i>1st draft</i>

APPROVAL OF STRATEGY

Quality Assurance By:	<i>Director: Human Resources Management</i> <i>Mr Alfred Tau</i>
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Signature	
Date:	
Approved By:	<i>Director-General</i> <i>Mr Lindokuhle Mkhumane</i>
Signature	
Approved this Date:	

CONSULTATION

No.	Consultation
1.	<i>Human Resources</i>
2.	<i>Corporate Management</i>
3.	<i>DBC members</i>
4.	<i>Management Committee</i>
5.	<i>Executive Committee</i>

DISTRIBUTION

- a) Human Resources
- b) **DSBD** intranet
- c) **DSBD** employees

ABBREVIATIONS AND ACRONYMS

AAC	Augmentative and alternative Communication
APP	Annual Performance Plan
AT	Assistive Technologies
CoE	Cost of Employment
DBC	Departmental Bargaining Chamber
DG	Director-General
DPO	Disabled Person's Organisation
DPSA	Department of Public Service and Administration
DSBD	Department of Small Business Development
DSO	Disability Service Organisation
EXCO	Executive Committee (of the DSBD)
ICT	Information and Communications Technology
ILO	International Labour Organisation
INDS	Integrated National Disability Strategy
M&E	Monitoring and Evaluation
MTSF	Medium Term Strategic Framework
NDP	National Development Plan 2030
NDRM	National Disability Rights Machinery
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act 52 of 2002
UNCRPD	United National Convention on the Rights of Persons with Disabilities
WPRPD	White Paper on the Rights of Persons with Disabilities

DEFINITIONS AND INTERPRETATIONS

Affirmative Action	Any action taken to support or empower designated groups. In terms of disability equality this means removing barriers or providing enablers to create a situation where equal participation is possible.
Accessibility	The extent to which aspects of society can be equally, easily, safely and appropriately used or reached by persons with disabilities (special needs) or impairments; accessibility describes the extent to which an environment, service or product allows access to as many people as possible in particular to persons with disabilities. These aspects include buildings, facilities, constructed spaces, transport, information, equipment, services, activities, resources, utilities, language, communication and technology.
Assistive devices	Any device, product, equipment or tool that is designed or adapted to enable persons with disabilities to participate in activities, tasks or actions. Products may be specifically produced or generally available for persons with disabilities or according to specific needs of individual.
Assistive technology	An umbrella term that includes assistive, adaptive, and rehabilitative devices and services for persons with disabilities, which enable persons with disabilities to attain independence.
Augmentative and alternative communication	An umbrella term that encompasses the communication methods, aside from traditional speech, used to supplement or replace speech or writing for people who require an alternative means for producing or comprehending spoken or written language.
Barriers	Obstacles and impediments that prevent people from free movement, decision making, association, and participation. Barriers may be social (including high cost, lack of disability awareness, prejudice, cultural differences, communication difficulties), psychological (such as fear for personal safety) or structural (including infrastructure, operations and information).
Braille	A system of writing for individuals with visual disabilities (blindness) that uses letters, numbers, and punctuations made up of raised dots and patterns. Braille was the first digital form of writing for blind persons.
Communication	Verbal and nonverbal means of conveying information, inclusive of languages, display of texts, Braille, tactile communication, large print, accessible multi-media as well as written, audio, plain language, lip-speaking services, speech reading services, whisper interpretation, note-taking services and augmentative and - alternative modes, means and formats of communication, and communication technology human reader and augmentative and alternative modes, means and formats of communications as well as accessible information communication technologies.
Disability	An evolving concept, imposed by society when a person with a physical, psychosocial, intellectual, neurological and/or sensory impairment is denied access to full participation in all aspects of life, and when society fails to uphold the rights and specific needs of individuals with impairments.
Discrimination	Any act or omission, including a policy, law, rule, practice, condition or situation which directly or indirectly (a) imposes burdens, obligations or

	disadvantages on; and/or (b) withholds benefits, opportunities or advantages from, any person on one or more of the prohibited grounds, which include disability and any other ground that might disadvantage a person, undermines human dignity or adversely affects an individual's rights and freedoms.
Disability Discrimination	Any distinction, exclusion or restriction of persons on the basis of disability, which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It encompasses all forms of unfair discrimination, whether direct or indirect, including denial of reasonable accommodation.
Disability Mainstreaming	Requires a systematic integration of the priorities and requirements of persons with disabilities across all sectors of society. It requires effective planning, adequate human resources, and sufficient financial investment – accompanied by specific measures such as targeted programmes and services with the outcome of enabling persons with disabilities to participate in mainstream society and to continue to participate throughout their lives.
Disabled Peoples Organisations	Membership based organisations constituted to advocate for the protection of human rights of persons with disabilities and disability mainstreaming. They constitute the representative voice of persons with disabilities, inclusive of parents of children with disabilities, based on their membership demographics.
Disclosure of disability	A voluntary notification by persons with disabilities that the person has a disability, whether visible or invisible.
Empowerment	Processes, procedures and actions aimed at affording access, equal treatment, inclusion, participation, accountability and efficiencies.
Enabling environments	Interrelated physical and other infrastructures, built environments, culture, laws, policies, processes and procedures, information and communication technologies, capacity and knowledge of staff in organisations that must be in place to facilitate the socio-economic development of all persons, regardless of age, gender, disability, culture etc.
Equality	Full and equal enjoyment of rights and freedoms as contemplated in the Constitution, including de jure and de facto equality and equality in terms of outcomes. It ensures that individuals or groups of individuals are treated fairly and equally and no less favourably and with dignity; specific to their requirements. It includes the removal of discrimination that ensures all opportunities and life chances are available to persons with disabilities, and people who become disabled; on an equitable basis with others.
Equity	The system of justice and fairness, where there is an even-handed treatment of all the people. Under this system, the individual needs and requirements are considered and treated accordingly. Equity demands fairness in every situation, i.e. whether it is the distribution of benefits or burdens. Therefore, people are treated fairly but differently as their circumstances are given weight. It seeks to provide all the individuals an equal opportunity, to let them attain their maximum potential. In this way, equity ensures that all individuals are provided the resources they need to have access to the same opportunities, as the general population.
Exclusion	the act of socially isolating or marginalizing an individual or groups based on disability, gender, race, language, sexual orientation culture, religion or socioeconomic status, by not allowing them to participate or enabling them to benefit. Exclusion occurs when specific needs are not accommodated, by

	allowing or enabling someone to fully participate, or to be included in society and enjoy the same rights and privileges as others who are not discriminated against.
Full and equal participation	Equal participation occurs if equalisation of opportunities to participate is provided through universal design and reasonable accommodation measures. In adapting to social structures, social models focus more sharply on empowerment, participation and modifications to promote equalisation of opportunities for all.
Gender equality	Means equal recognition, enjoyment or exercise by a person irrespective of gender, disability or race; of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other aspects of life, through the recognition of their respective needs and their interests.
Impairment	Impairment is a perceived or actual feature in the person's body or functioning that may result in limitation or loss of activity or restricted participation of the person in society with a consequential difference of physiological and/or psychological experience of life. For example, the International Classification of Disease (ICD) could be utilised for purposes of defining physical, sensory, intellectual, psychosocial and neurological impairments.
Information and communications technology	An umbrella term which includes any kind of information and communication device or application and its content, and encompasses a wide range of access technologies, such as radio, television, satellites, GPS, mobile phones, fixed lines, computers, tablets and network hardware and software.
Independence	Whereby available and adequate support services, assistive devices and personal assistance to persons with all disabilities are provided and enables persons with disabilities to exercise choice, bear responsibility and participate fully in society.
Mobility	How a person, whether with a disability or without, moves in their current environment. It is the ease of human movement with or without the use of assistive devices, (such as devices that augment dexterity, communication, sight or hearing) and mobility aids, such as wheelchairs, crutches, guide dogs and mobility canes.
National disability rights coordinating mechanism	Function designated by the President during macro-organisation of the state in line with Article 33(1) of the UNCRPD. The function is primarily responsible for overall coordination of implementation and monitoring of the national disability rights agenda.
Person	A legal natural or juristic person.
Persons with disabilities	Persons with disabilities include those who have perceived and or actual physical, psychosocial, intellectual, neurological and/or sensory impairments which, because of various attitudinal, communication, physical and information barriers, are hindered in participating fully and effectively in society on an equal basis with others.
Reasonable accommodation	Reasonable accommodation refers to necessary and appropriate modification and adjustments, as well as assistive devices and technology, not imposing a situation, where needed in a particular case, to ensure persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.
Self-representation	The practice of people being able to articulate their own issues for themselves. It refers to people being enabled and allowed to have their own voice in issues that relate to their specific needs and circumstances.

Universal access	The removal of cultural, physical, social and other barriers that prevent people with disabilities from entering, using or benefiting from the various systems of society that are available to other citizens and residents. The absence of accessibility or the denial of access is the loss of opportunities to take part in the community or society on an equal basis with others.
Universal design	The design of products, environments, programmes and services to be usable by all persons to the greatest extent possible without the need for adaptation or specialised design.
Unjustifiable hardship (legal interpretation)	Unjustifiable hardship is an action that requires significant or considerable difficulty or expense; this involves considering, among other things, the effectiveness and efficiency of the accommodation and the extent to which it would seriously disrupt the operation of the business or create a disadvantage.

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PART A: INTRODUCTION & BACKGROUND

1.1 INTRODUCTION

¹Statistics South Africa estimated the population of South Africa at 60.6 million by the end of June 2022. Persons with Disability are estimated at more than 7% of the South African population and while the legislative environment advocates for equality and non-discrimination persons with disability remain marginalised. This Strategy aims to address areas where persons with disability are marginalised during recruitment and selection processes and encourage employment of persons with disability.

1.2 BACKGROUND

The National Development Plan, 2030 proposes that people with disability must, amongst others, have enhanced access to employment. Hence, the South African Government took a stance to increase representation of Persons with Disability in the Public Service from 2% to 7%. Accordingly, the DSBD took a decision to embark on strategies to increase employment of persons with disability to 7% in a strategic time frame. Legislatively, at its formation, the Department of Small Business Development had to comply with government policies to employ 2% of Persons with disabilities. Within its limited resources, the department managed to surpass the 2%, reaching more than 3%.

1.3 SITUATIONAL ANALYSIS

1.3.1 *South Africa*

South Africa's population were estimated at 60.6 million during 2022 with persons with disability contributing more than 7%. The 22nd Commission for Employment Equity Annual Report 2021/22 indicated that representation of persons with disability ranged between 1.1% - 1.6% across the occupational levels. In addition, year-on-year changes reflect limited change (0.1% - 0.2%) over the 3-year reporting period which raises the question whether Government is doing enough to prevent or limit marginalisation of persons with disability in South Africa.

¹ Statistics South Africa, Mid-year population estimates, 2022

1.3.2 *Public Service*

Government's response to the target of 2% employment of persons with disability has been lacklustre at best with only 35% achieving or exceeding the 2% target. The Department of Public Service and Administration's 2021/2022 Annual Report on Employment Equity in the Public Service reflects that 1.05% of public servants are persons with disability which requires a significant increase in effort to achieve the 7% target by 2030.

1.3.3 *National Departments*

The DPSA further reported that the Public Service was only able to achieve a 1.45% employment of persons with disability across the National Departments. Similar, to the Public Service trend only 33% achieved or exceeded the 2% target.

1.3.4 *Provincial Departments*

A more severe trend is reported in respect of Provincial Departments with only 1 Province, namely, Gauteng achieving and exceeding the 2% target. The remaining provinces struggled to achieve representation of 1%.

1.3.5 *Department of Small Business Development*

The DSBD did well in achieving the 2% target and entered the 2021/22 reporting period with representation at 3.3%. Employment of persons with disability, declined and while the Department was able to increase representation to 3.9% terminations and the decrease in appointments resulted in representation regressing to 3.3% by the end of the 2022/23 reporting period.

1.4 **GUIDING DOCUMENTS**

1.4.1 This Strategy is informed by the following documents:

- a) The Constitution, Act 108 of 1996
- b) National Development Plan (NDP) 2030
- c) Employment Equity Act. 55 of 1998
- d) National Strategic Framework on Reasonable Accommodation for Persons with Disabilities.

- e) National Strategic Framework on Universal Design and Access.
- f) White Paper on Transformation of the Public Service (Batho Pele) of 1997
- g) Policy on Reasonable Accommodation and Assistive Devices for Persons with Disabilities in the Public Service
- h) Technical Assistance Guidelines on the Employment of Persons with Disabilities
- i) Job Access Strategic Framework on the Recruitment, Employment and Retention of Persons with Disabilities in the Public Service
- j) Public Service Code of Conduct

PART B: PURPOSE OF THE STRATEGY

2.1 PURPOSE

The purpose of this strategy is to provide for affirmative action measures during recruitment and selection processes to increase representation of Persons with Disabilities in the Department of Small Business Development (DSBD).

2.2 SCOPE OF APPLICATION

This Strategy is intended to be used as a practical guide providing information and advice on recruitment of persons with disability for the DSBD, including persons with disability themselves, so that it can be understood and implemented.

2.3 OBJECTIVES

2.3.1 The below objectives are crucial to the Understanding, Implementation, Monitoring and Review of the strategy:

- a) Increase representation of Persons with Disabilities across all employment levels and categories in the Department through employment opportunities.
- b) Create a paradigm shift amongst DSBD employees through Awareness Campaigns and Information Sessions, and
- c) Introduce Graduates in the working environment through Internships and or other employment opportunities.

2.4 STRATEGIC DRIVERS

To achieve the objectives of this Strategy, the following four Pillars will be of central importance:

BUILDING PARTNERSHIPS	TARGETED RECRUITMENT	INCREASING AWARENESS	REASONABLE ACCOMMODATION
<ul style="list-style-type: none">• Institutions of higher Education• Organisations promoting employment of Persons with Disability• Recruitment Agencies	<ul style="list-style-type: none">• Developmental Programmes (e.g. Internships, etc)• Contracts• Permanent positions (full-time employment)	<ul style="list-style-type: none">• Awareness campaigns (e.g. sensitisation of disability)• Training and Development (e.g. Disability Management)	<ul style="list-style-type: none">• Recruitment methods,• Training & Development methods,• Assistive Devices• Assistive Technology• Workplace Accessibility

2.4.1 **Pillar 1: Building Partnerships**

The Department intends to establish strategic partnerships with institutions such as,

- Universities, Universities of Technology, and other tertiary institutions,
- Organisations promoting the employment of Persons with Disabilities and
- Recruitment Agencies

In the recruitment of suitably qualified newly graduates or candidates from the institutional database, for advertised posts in the DSBD.

2.4.2 **Pillar 2: Targeted Recruitment**

The Department intends to implement affirmative action measures such as earmarking positions during recruitment and selections processes for:

- Development Programmes (e.g. Internships).
- Contract positions (employment additional to the establishment, project specific and time limited).
- Permanent positions.

This recruitment strategy is intended to empower qualifying candidates with disabilities by creating job opportunities and increasing access entering the DSBD. However, Pillar 2 does not translate into guaranteed employment once the candidate has been invited to attend interviews. It only means that normal interview processes will unfold, though preferential treatment might be exercised.

Interventions

There are three (3) key interventions identified in the Strategy to recruit the services of persons with disabilities in the Department, namely:

- a) Internship: defined by DPSA as a person employed in the public service under an Internship Programme under the auspices of the Minister of Employment and Labour or MPSA for unemployed graduates who do not have any work experience in the area that they have studied for. Is a structured workplace experience program that is agreed to between the Intern and the supervisor/line-manager who is delegated this responsibility by a department. This work experience provides exposure in a field relevant to the qualification(s) of the Intern and relevant to the skills needs of the department over a specified period.

- b) Contract Employment: defined as a fixed term employment between an employee and employer that is project based and limited to a specific period.
- c) Permanent employment (full-time employment): defined as permanent employment until such time as the employee terminates service through mutual agreement or reasons relating to misconduct, incapacity or operational requirements.

2.4.3 **Pillar 3: Increasing Awareness.**

The Department intends to increase awareness amongst management and employees through:

- Awareness campaigns (e.g. workshops, information sharing campaigns, etc).
- Training and Development (e.g. Disability Management)

Interventions

There are several interventions that the Department will utilise to increase awareness, namely:

- a) Awareness campaigns to orientate the management and employees on the management of diversity, disability and general practices in the public service. Relevant experts will be sourced to assist during these campaigns.
- b) Workshops facilitated by colleagues from supporting departments such as the DPISA and Department of Women, Youth and Persons with Disability to aid widening administrative and managerial issues in the public service where persons with disability are concerned. These sessions may also focus on increasing awareness around reasonable accommodation (i.e. Braille and large printed materials where audience include blinds or persons with visual impairment, sign language interpreter where audience include deaf or persons with hearing impairment, and/or ramps where audience include persons with physical impairment.
- c) Formal Training by the National School of Government (NSG) to:
 - managers and employees on Disability Management, Diversity Management, etc
 - new and existing employees during Compulsory Induction Programme (CIP)..

2.4.4 **Pillar 4: Reasonable Accommodation**

The Department intends to provide reasonable accommodation to employees with disability during recruitment and selection processes and when recruited into the department, depending on the nature of the disability.

Interventions

The employer has the inherent obligation to provide reasonable accommodation to his/her employee(s) provided there was and is a declaration of disability by the affected employee(s). There are several interventions that the Department will utilise to assist with reasonable accommodation, namely:

- a) Reasonable accommodation during the interview process, in line with the candidate's nature of disability, to enable the candidate to compete fairly for the position with his/her peers.
- b) Formal assessment to determine suitable reasonable accommodation and/or assistive device needs to enable new employees with a disability to perform optimally in the work environment.
- c) Reasonable Accommodation and/or assistive device(s) to new employee(s) may include but is not limited to:
 - Provision of Wheel-chair (If motorised Wheel-chair is necessary)
 - Zoom text software (Screen font size increment),
 - JAWS for screen reading,
 - Ergonomic chair for back/spine support,
 - Earpiece for hearing impairment, and
 - Assistants / Aids.

PART C: IMPLEMENTATION

3.1 IMPLEMENTATION PLAN

3.1.1 The Strategy will be implemented over a 3-year term and positions will be earmarked in consultation with business unit managers.

TASK	RESPONSIBILITY	START	END
YEAR 1 (2023/24)			
Employment of 7 Interns with disability	Business Unit Owners / D: OD&HRM	1/06/2023	30/11/2023
Establishment of partnership with 4 Institutions of Higher Education	D: OD&HRM	1/08/2023	20/02/2024
Establishment of a database (pool to recruit from) of persons with disability	D: OD&HRM	1/06/2023	30/09/2023
1 Disability Awareness Campaign	D: OD&HRM / Outsourced	1/08/2023	20/02/2024
1 Disability Management Training	D: OD&HRM / NSG	1/08/2023	20/02/2024
Filling of earmarked positions in line with Recruitment Plan (Sharing of Adverts with strategic partners and	Business Unit Owners / D: OD&HRM	1/06/2023	15/03/2024
YEAR 2 (2024/25)			
Establishment of partnership with 4 Disabled Peoples Organisations	D: OD&HRM	1/06/2024	20/02/2025
Maintenance of a database (pool to recruit from) of persons with disability	D: OD&HRM	1/04/2024	31/03/2025
2 Disability Awareness Campaigns	D: OD&HRM / Outsourced	1/04/2024	15/02/2025
1 Disability / Diversity Management Training	D: OD&HRM / NSG	1/04/2024	15/02/2025
Filling of earmarked positions in line with Recruitment Plan (Sharing of Adverts with strategic partners and	Business Unit Owners / D: OD&HRM	1/04/2024	15/03/2025
YEAR 3 (2025/26)			
Establishment of additional identified Disabled Peoples Organisations / Tertiary Education institutions	D: OD&HRM	1/06/2025	20/02/2026
Maintenance of a database (pool to recruit from) of persons with disability	D: OD&HRM	1/04/2025	31/03/2026
2 Disability Awareness Campaigns	D: OD&HRM / Outsourced	1/04/2025	15/02/2026
Filling of earmarked positions in line with Recruitment Plan (Sharing of Adverts with strategic partners and	Business Unit Owners / D: OD&HRM	1/04/2025	15/03/2026

3.2 MONITORING AND EVALUATION

3.2.1 The Directorate: Organisational Development & Human Resources Management will monitor implementation of the strategy and evaluate, review and report on progress made.

3.2.2 The implementation plan may be adjusted in line with challenges or best practices identified.

PART D: CONCLUSION

4.1 SUMMARY

This Strategy will be implemented in line with the Bill of Rights in the Constitution of South Africa, Act No. 108 of 1996 with the emphasis non-discrimination and equal opportunities. The Strategy will be used as a guideline to recruit persons with Disabilities, through forming partnership with institutions of higher learning and other recruitment agencies, into the DSBD for either Internship programme or Full Time or Contract employment.

4.2 REVIEW

4.2.1 The Strategy will be reviewed after 3 years or based on the findings during monitoring and evaluation.

Feedback: Departmental Bargaining Chamber - 8 June 2023

OHS compliance

No complaints registered although the PSA raised concerns regarding the functionality of the Health and Safety Committee. The employer committed to arrange the meeting shortly.

List of Improved Qualifications

The employer reported that the cause for the delay to finalise the list of Improved Qualifications is because the department is still in the process of filling vacancies and as soon all positions are filled, it will be able to provide an updated report. The PSA noted the report.

Organisational structure implementation

The employer reported that there is a high vacancy rates as result of the new approved organisational structure. It reported that the structure has increased from 211 employees to 358 employees. It further reported that 63 posts are in different recruitment stages, and 45 appointments from 63 positions were finalised by the 8 June 2023. The parties resolved to hold a bilateral meeting shortly.

Move to a new building/office

The employer reported that occupancy is expected on 1 April 2024. The employer reported that the space acquisition documents were approved and submitted to Department of Public Works during April 2023. In addition, the space needs analysis was conducted based on approved organogram, hence, 100% return to work is anticipated. Procurement processes shall ensue in line with applicable legislation. The PSA urged the employer to ensure that the new building is conducive and without hazard to employees and to obtain a Certificate of occupancy before moving to the new building.

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3%. This strategy aims to address areas where persons with disability are marginalised during recruitment and selection processes and encourage employment of persons with disability. The PSA welcomed the employer intention and invites members to submit their input. Inputs or comments must be sent to SMaloka@dsbd.gov.za or aubrey.mabotsa@psa.co.za on or before **19 June 2023**.

Members will be kept informed of the developments.

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