

## Feedback from Chamber – 24 May 2021

### Occupational health and safety (OHS) compliance: COVID-19 regulations

The employer confirmed that there is reporting on COVID-19 through the OHS Higher Committee on a bi-weekly basis and recommendations are made to the Steering Committee on reported positive cases per province, per building. The Facility Directorate's risk assessments report is being compiled on an ongoing basis. A monthly report is also submitted to the Department of Public Service and Administration (DPSA) and shared with all other relevant Ministers for compliance.

### Proposed structure

The employer presented the new macro-structure and reported that members in these categories have been consulted. The prominent feature to the new structure is the creation of a new International Relations Directorate and the collapsing into one of the Branches Coast and Oceans. A Departmental task team has been established wherein labour is co-opted. After the finalisation of the re-configuration of the Department, the micro-structure will be tabled for consultation at the Chamber.

### Improved qualifications

The employer is processing the consolidation of the two previous Departments' lists. An undertaking was made that a special Chamber meeting will be convened if the list is finalised before the next Chamber meeting. The PSA raised and alerted parties on previous delays since the conclusion of this Resolution in 2014. Parties shared the same sentiments. The employer emphasized that after its evaluation of the previous data, the lists needed to be consolidated and re-done. It is work in progress and any inputs are welcomed.

### Implementation: PSCBC Resolution 1/2019

Consultation processes with employees whose posts were transferred to DFFE were finalised. It was, however, noted that managers in DALLRD are reluctant to release officials. The employer requested to further consult its principals to address their internal differences on transfers of incumbents of the posts. Out of the remaining positions to be transferred, 15 positions were finalised and only 13 posts were still being contested. The process in the DALLRD is very slow, even though it was previously given seven days by the Departmental task team to decide on the transfer. The remaining posts are in Information, Communication and Technology (ICT) in Regions: Back-Up and Support, Monitoring and Evaluation

(M&E), Organisation Performance, Human Resources and in the Strategic Planning Directorate. The employer requested until 31 May 2021 to have a final decision. The PSA proposed and accordingly supported that a weekly report is to be shared through the Secretariat to monitor progress.

### **Policies**

A total of 14 policies were aligned from the two former departmental versions to conform with the DFFE strategic planning. It was reported that supply chain management intended to table six policies for consultation. The policies are of utmost importance for operational requirements, especially for the Bid Adjudication Committee. All aligned policies were submitted to the Executive Committee for concurrence. Thereafter, these will be tabled for consultation on substance.

### **Skills audit**

The pending audit is in relation to Branches: Forestry and Fisheries. The process on Branch: Environment has been finalised. The employer proposed that the item be deferred for bilateral meeting for consensus on an action plan for speedy finalisation. A date will be communicated by the employer through the Secretary.

### **Information pertaining to staffing levels, human resources costs, and other expenditure**

The employer requested time and will revert to parties during the next Chamber meeting as it is still seeking information from the configured Human Resource Directorate.

### **Issues at Branch: Fisheries Management**

The employer rectified the previous DAFF approach of subjecting only Branch: Fisheries to security clearance. All employees will now be subjected to security clearance as a requirement. Furthermore, the Organizational Design Directorate is investigating the reported salary disparity by the PSA in the Marine Research Assistance occupational class. Some are remunerated at salary level 4 and others on salary levels 6 and 7. Feedback will be provided as soon as the investigation is finalised.

### **Issues at Branch: Forestry Management**

The Restitution of Land Program in Limpopo and Mpumalanga resulted in the need to transfer employees to other departments or Sanparks. The employer is also considering using their services in schools as security officers. The DFFE is consulting with the respective Offices of the Premier. After this process, the matter will be tabled at the Chamber. The Facility Directorate has commenced with assessing buildings and assets in those workstations. Dilapidated houses will be reported to the Department of Public Works and Infrastructure and it is on the verge of consulting municipalities, especially on water scarcity. The pending transfer of employees in Kwazulu-Natal from Mbazwana to other departments and/or schools has been on the table for years. The matter has been brought to the attention of the current DFFE Director-General. Employees are still not fully utilised for the benefit of the Department, as the land has been restituted to respective chiefs. The utilisation of the Department's resources without any benefit by these chiefs, renders huge fruitless expenditure on compensation of employees' budget vote. The employer further reported that the DG and Minister would be briefed.

### **Facilities management issues**

Members in Qeberha offices reported that their health and safety are compromised owing to a lack of storage for chemicals for field workers who are administrating these to kill weeds and other undesired related species of plants along the border and to avoid inland spread of fire. Administrative staff members

are also sharing offices in the building dealing with chemicals and/or in the vicinity. The employer reported that Facility Management was made aware, and is attending to the reported circumstances by the PSA. A status report will be shared as soon as it is finalised.

### **Non-implementation of Resolution 1/2012**

Members reported that after the conclusion of this Resolution, some of Assistant Directors and Deputy Directors who qualified to be placed on salary level 10 and 12 respectively after meeting the assessment criteria, were erroneously omitted. The employer acceded to the PSA's demand on its allegation that it needs to verify the facts and implement. Should the employer fail to implement, members are advised to lodge grievances and PSA Offices will assist them. The matter was deferred for a bilateral on behest of the employer for speedy resolution.

### **Payment of performance: 2018/19**

The former Department of Agriculture, Forestry and Fisheries (DAFF) partly paid some members and undertook to finalise the process at a later stage. Hence, the delay overlapped with the process of re-configuration of the two Departments. Most employees who were not rewarded are now with the DFFE. The PSA emphasized that as the configured DFFE is in consultation with the Department of Agriculture, Land Reform and Rural Development (DALRRD) on numerous issues, this item must also form part of discussions.

### **Sea-going allowance**

The employer reported that the matter has been referred for arbitration by a labour party. Thus, it is reluctant to engage on any matter that is *sub judice*. The outcome of the arbitration will finally address the impasse. It proposed that the item should remain on the agenda for reporting.

### **Appointments of Contract Workers in terms of section 40 of *National Environment Marine Act (NEMA) of 1998 (Act 107 of 1998)***

The then Branch: Fisheries flouted the criteria upon which such contract workers were to be remunerated. Section 40 of the *Act* authorised the Director General to make such appointments. The proviso is that payment of these contract workers must emanate from the Parliamentary grant and not from the compensation of employees' budget vote. Existing appointments must not be terminated as it would amount to breach of contract. The Department must henceforth accede to the provisions of section 40 of the *NEMA*. Any subsequent appointments after this demand must be deemed to be null and void. The employer will respond to the demand at the next meeting.

### **Payment of performance assessment for 2019/20: Branches: Forestry and Fisheries**

The process was finalised through the former policy of the Department of Agriculture, Forestry and Fisheries (DAFF). Funds were transferred to DFFE accordingly. Pay progression was captured for payment, except minor technical system glitches. The majority of staff members has received payment. Performance bonuses have not been finalized yet. The DPSA instruction was that the amount to be used for such payment should not exceed 0.75%. An inter-Departmental letter, with reasons on manner and amounts proposed to be paid to all qualifying, was received by the DFFE, which ought to have been discussed on 14 May 2021, but the meeting was postponed. The employer undertook to speedily consult DALRRD to settle payment.

The PSA wishes all members affected by COVID-19 a speedy recovery. Members are reminded to heed prescripts in view of a looming third wave of infections.

Members will be informed of developments.

GENERAL MANAGER