

## Feedback: Departmental Bargaining Chamber facilitation meeting – 16 November 2021

### Participation of recognised trade Unions in recruitment and selection processes (salary levels 13 and 14)

The Department is in the process of finalising the National Macro-Organisation of Government (NMOG) configuration. Concomitant with other processes affected by this situation, the employer and labour are on an ongoing basis engaging in Policy Task Team meetings to merge and align policies. Various policies were tabled for consultation. Some were on the verge of being adopted. Though the Recruitment and Selection Policy is still to be aligned, the employer refused labour to participate in the recent shortlisting and interviews of these levels.

The bone of contention for this deadlock is the disinclination of the employer to accommodate labour to be part of the shortlisting and interviews processes of above-mentioned levels, as provided by the erstwhile Department of Arts and Culture (DAC) policy. The inclusion of this category of salary levels was basically granted by the Director-General by then. For the current configured Department (DSAC), the Director-General reconsidered his previous concession and discarded labour of having no *locus standi* to participate in MMS processes. Labour is of the view that the *status quo* must remain until alignment of the policy.

The employer emphasized that when the two Departments merged, to avoid dominance of one Department over another, all policies were inoperative and replaced by DPSA prescripts. Previous policies will only be applicable when a dispute arose from an impasse that was lodged prior to NMOG process. Such dispute must be resolved in terms of previous policies.

The employer accepted the proposal from the PSA that engagement must ensue in the interim to discuss how parties may accommodate one another. The Department is willing to acknowledge the previous practice in the former Department of Arts and Culture (DAC), but reluctant to reduce any possible concession into a policy statement.

The facilitator concluded that she cannot pronounce on this matter as these categories of affected employees do not reside within the jurisdiction of the Chamber. Thus, the employer cannot be bound, or an enforcement order be issued on Senior Management Services (SMS) terms and conditions of employment for the purposes of this Council's jurisdiction. The employer reiterated that DPSA prescripts

are applicable for these categories of employees. Furthermore, it will circulate a notice that informs all staff members of the cessation of erstwhile policies in this regard. The employer reiterated its willingness to engage on bilateral meetings to maintain and enhance a mutual relationship with labour .

*The PSA wishes all members who are/were infected and/or affected by the COVID-19 pandemic a speedy recovery and sincere condolences for those who lost loved ones.*

GENERAL MANAGER