

Feedback: PSCBC meeting - 9 December 2021

Consultation: Draft remote working policy framework

Members will recall that during the last wage negotiations, the PSA had tabled as part of its wage demand, a demand to work remotely, where possible. This is not only because of the challenges brought about by the COVID-19 pandemic, but also to adapt to the new way of work. This matter was referred to a secondary process of Council during negotiations. At the PSCBC meeting on 9 December 2021, the employer tabled the draft policy framework (*attached*) for consultation. The framework is designed to assist Departments to develop a decentralised Remote Working Policy to, amongst others, determine:

- Remote working arrangement and its benefits;
- Resources required for remote working;
- Categorisation of staff eligible to work remotely;
- Type of work that can be performed remotely;
- Administrative measures for remote working;
- How security and confidentiality will be maintained;
- Whether remote work will be full- or part-time and how to keep employees engaged;
- How performance is impacted by remote work and advise on mechanisms to manage performance, and create a conducive environment for remote work.

The PSA is aware that the introduction of such a policy may lead to various pitfalls and even contribute to job losses. The principle for the PSA to engage in such a policy will always be to argue against any changes that will result in job losses and obtaining guarantees against such will be at the center of any negotiation process. Negotiations and engagement on the draft policy were referred to the Summit planned for March 2022 on all outstanding matters in Council. However, inputs on the policy are required before the commencement of the summit to ensure proper mandating takes place. Members are therefore requested to peruse the *attached* policy and provide the PSA with input by latest **20 January 2022**. Inputs can be submitted to velucia.maluleke@psa.co.za

Outstanding matters: Previous resolutions (clause 8.1.2: Resolution 5/2015)

The above agreement makes provision for the introduction of danger insurance for public servants. Various discussions on the matter took place and a researcher was appointed by Council to develop the concept of such an insurance. The research document was tabled in Council for engagement and it

became clear that fundamental pronouncements on parties positions need to be made on the funding for the insurance. Labour is of the view that current danger allowances should not be converted for this purpose, whilst the employer is of a different view. Parties subsequently agreed to refer this matter for engagement at the Public Service Summit in March 2022 to finalise all outstanding matters that have been on the agenda of Council for an extended period without any way forward.

Consultation: Professionalisation of the Public Service

The employer previously tabled a framework document for engagement on how it intends to professionalise the Public Service. The framework was previously circulated to members. Previously, labour requested clarity from the employer on whether a skills audit was conducted that informed the need for the process. Labour enquired on the outcome of such a skills audit and deficiencies that need need to be addressed. This information will assist labour to provide meaningful input on the process. Unfortunately, the information has not been provided yet and the employer insisted that labour needs to make input. Parties agreed to refer the matter to the Summit in March 2022 for finalisation.

Retirement fund reform: Limited withdrawals from retirements funds

Members will recall that the Minister of Finance previously announced that legislation is being amended to allow members of private pension funds to withdraw a portion of their benefits for the purpose of mitigating the impact of the COVID-19 pandemic. This was not applicable to public servants as the Government Employees Pension Fund (GEPF) is a defined benefit fund. Labour, however, at a previous meeting requested the employer to provide the reasons for the conclusion and that it must be made applicable to public servants also as they were equally affected by the pandemic. The employer stated that Treasury is unfortunately not yet ready to release the document and that it will be able to respond to labour in January 2022 at the next meeting of Council.

Proposed amendment: Government Employees Pension Law 1996 - Spouses Pension

Prior to 2012, the *GEP Law (GEPL)* provision for a member who retires was to receive a gratuity (lump sum) and an annuity (monthly pension) until death. If and when that member died, the spouse would qualify to receive 50% of the late member's monthly annuity until he/she dies. This is the basis governed by the *GEPL* and is not an option, but rather a law (compulsory). This Law has not changed since or after 2012. However, from 2012, an amendment to the *GEPL* was made, whereby the member can choose to increase his/her spouse's annuity to 75% in the event of the member's death. To qualify for this option, (this is the only option as the previous 50% monthly annuity to spouse is a basis set in law and not an option), the member him-/herself must agree to a reduced gratuity (lump sum) and annuity (monthly pension) upon retirement. The increase to 75% for the spouse in the event of the members's death was therefore funded by the member through actuarial calculations. There was no additional expense to the GEPF.

The PSA tabled a demand that the increased pension annuity of 75% of the member's benefits for the spouse in the event of the member's death, must not be funded by the member upon retirement. In other words, the demand is that the member must be allowed to retire with full benefits as per the original basis, i.e., no reduction in gratuity and annuity. The original basis is that the spouse receives 50% monthly annuity upon death of the member. The demand is therefore that the spouse receives 75% of the monthly annuity in the event of the member's death, and that it be covered by the GEPF and not funded by the member upon retirement.

The employer noted the demand by labour and will respond at the next meeting of Council.

Consultation: Draft *Public Service Amendment Bill, 2021* and draft *Public Administration Management Amendment Bill, 2021*

The employer previously tabled the above-mentioned *Bills* for consultation in Council. Labour provided input and unfortunately did not get a clear response. At the same time, the employer approached Nedlac to commence with negotiations on the *Bills* before an adequate response could be obtained by labour in Council. After initial discussions at Nedlac, the employer reconsidered its approach and indicated that it intends to retable the *Bills* in the PSCBC for proper engagement. The General Secretary of Council was tasked to draft a schedule of meetings for the purposes of the consultation process.

Members will be informed of developments.

GENERAL MANAGER