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# Magazine

2/2021



Official magazine of the PSA (Public Servants Association of SA) NPC

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# Contents

## EDITORIAL

3

COVID-19: Occupational Health and Safety  
and dealing with vaccination *myths*

4

**Public Service** wage dispute  
heads to **Constitutional Court**

10

**RECRUIT\* AND THE PSA  
WILL PAY YOUR BILLS  
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13

## GEARED for SERVICE

24

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### VISION

Position the PSA as a leading brand that is globally recognised by its dominance in the Public Sector through its responsive, innovative and customer focus.

### MISSION



Continue to conduct the core business of the Union and maintain strategic partnerships to protect the rights and promote the interests of our members individually and collectively in the relevant social dialogue platforms. In addition to this, the marketing of the PSA will be done aggressively by utilising all communication platforms.

The following values guide the PSA's conduct aimed at achieving the Union's mission:

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## In service of workers

Public servants have borne the brunt of various challenges that have emerged since early 2020. Wage increases were not implemented by an employer that is oblivious of public servants' role in resuscitating the economy. Frontline workers continue their relentless efforts in managing the COVID-19 pandemic. Educators are back in classrooms, despite concerns about their health and safety. The list of sacrifices is extensive.

For many, Workers' Day 2021 will not be a day to celebrate as challenges cloud past gains for workers. COVID-19 exposed glaring Public Service infrastructure inadequacies and claimed the lives of thousands of workers and their loved ones.

In President Cyril Ramaphosa's February 2021 State of Nation Address, he prioritised defeating the pandemic, economic recovery, fighting corruption and strengthening State capacity. While these are priorities, it is not clear how public servants will be prioritised by their employer. A major issue, with potential to destabilise the country, is Government's stance on collective bargaining and its non-adherence to labour laws. The failure to implement the last leg of the three-year Public Service wage agreement is causing stress on collective bargaining and could destroy labour peace. In acknowledging the effect of the COVID-19 devastation on a struggling economy, it is crucial for Government to restore the integrity and trust in collective bargaining and labour rights.

The PSA further noted the Minister of Finance, Tito Mboweni's, cautious approach in the announcement of the Public Service wage bill or related allocations during the February 2021 Budget Vote. The PSA, whilst eagerly awaiting the engagement for a fair public-sector compensation budget, as indicated by the Minister, is extremely concerned about ongoing calls to impose further budget cuts on the Public Service wage bill to save the country from its economic woes. The Minister also already predetermined that upcoming wage negotiations will entail a multi-term wage agreement.

The PSA upfront states that such an agreement will not be considered when an employer cannot be trusted to honour long-term agreements. This conduct has resulted in the current unfortunate wage dispute that is now before the Constitutional Court.

Continuous unilateral decisions to reduce public servants' negotiated benefits and alter their conditions of service by introducing random budget cuts on the Public Service wage bill will not be accepted. Labour laws are in place in South Africa and the State as an employer is not exempted from compliance. The PSA has on numerous occasions indicated its willingness to engage the State as employer to find alternative means to ensure that the Public Service wage bill is guarded. The PSA has also repeatedly advised Government to take decisive action against corruption and wasteful expenditure. To date, Government cannot account to South Africans on how much money lost to corruption was recuperated and returned to the public purse. There is furthermore no information on how recuperated funds will be utilised.

COVID-19 has left a trail of devastation across South Africa. Whilst the PSA welcomes the funding allocated to obtain vaccines to combat the pandemic, the speed of vaccination roll out is of critical importance to ensure that all workers will be able to focus on their duties without a constant risk to their personal health and safety.

Whilst despair, low morale and even anger abound regarding the Government's attitude towards its employees, the PSA needs to caution public servants against joining "fly-by-night unions" that are capitalising on these circumstances with empty promises without being able to effectively protect their members' rights and interests.

Leon Gilbert  
**ACTING GENERAL MANAGER**

### WORKERS' DAY: 1 MAY 2021

The PSA, after a century of service, remains determined to honour the Union's service pledge to workers and will continue to protect their rights and interests.



# COVID-19: Occupational Health and Safety and dealing with vaccination *myths*

**I**t is the duty of an employer to provide a safe working environment. If employees refuse to comply with safety policies, including a vaccination policy, it could lead to the termination of employment either owing to misconduct, incapacity or failing to meet operational requirements.

According to the *Occupational Health and Safety Act*, an employee also has a duty not to endanger the life of another employee. The devastating impact of the COVID-19 pandemic forced governments worldwide to scramble to find a vaccine that would allow the world to return to relative normality. With the COVID-19 death toll globally surpassing two million people, a new strain of the virus being detected and economies struggling to survive, the discovery of an effective vaccine brought a collective sigh of relief.

Despite the hope provided with the introduction of the vaccine, many people are still skeptical on the safety and effectiveness of vaccinations.

Fake news and disinformation have also played a role in creating and spreading fears. Some unfounded myths include that:

- Vaccines are not safe as they were developed quickly.
- Vaccines can lead to long-term ill effects.
- You can get COVID-19 from the vaccines.
- The vaccine will be used to control the population through microchip tracking.
- I've already had COVID-19, so I don't need to get vaccinated.
- People with underlying conditions or suppressed immune systems should not get vaccinated.
- If I'm pregnant or breastfeeding, I should not get vaccinated.
- Once I get vaccinated, I don't have to wear a mask or practice social distancing.

The World Health Organisation defines vaccination as "a safe, and effective way of protecting people against harmful diseases before they come into contact with them. It uses your body's natural defences to build resistance to specific infections and makes your immune system stronger. Vaccines work by training and preparing the body's natural defences – the immune system – to recognise and fight off viruses and bacteria. If the body is exposed to those disease-causing pathogens later, it will be ready to destroy them quickly – which prevents illness."

South Africa received its first shipment of vaccines in February this year, which had been in use in various countries already. Unfortunately, it was later discovered that these vaccines would likely expire in April 2021.

This meant alternatives had to be sourced and the *Johnson & Johnson* vaccine was acquired, with a total of 300 000 to be received from Belgium. The first batch of 80 000 vaccines arrived in the country with the rest following shortly after. The first phase of the vaccination roll out was administered to healthcare professionals as frontline workers. This is expected to be followed by those deemed to be essential workers, the elderly and those with co-morbidities.

The Department of Health has indicated that 67 to 70% of the population will need to be immunised to break the cycle of transmission. The Department further emphasised that the vaccine is 85% effective against the variant that is detected in South Africa and 43 783 people across the world, including 6 576 people in South Africa, have undergone clinical trials with results of 100% against death/mortality. Disinformation and myths could impact on plans to reach the vaccination target. A survey conducted by *CompariSure*, a data fin-tech company, found that a staggering 52% of South Africans surveyed will not take the COVID-19 vaccine if it is made available to them. Side effects and mistrust of the government were given as the most prominent reasons for this. To counter this, Government launched several mass-communication campaigns, with the hope that this will lead to behavioural changes and acceptance of the vaccine. The danger of misinformation is, however, that once the truth is out, damage has already been done and changing beliefs and behaviours becomes harder.

In ensuring safety in the workplace, updates were made to the *Occupational Health and Safety Act* that must be adhered to during the COVID-19 pandemic.

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## Administrative measures

Every employer must establish the following administrative measures:

- Appoint a manager as a COVID-19 compliance officer.
- As much as possible, minimise the number of workers at the workplace at any given time through rotation, staggered working hours, shift system, remote working arrangements, or similar measures to achieve social distancing.

## Social distancing

Every employer must arrange the workplace to ensure minimal contact between workers and, as far as practicable, ensure that there is a minimum of one and a half metre between workers while they are working.

## Sanitisers, disinfectants and washing of hands

- Hand sanitiser must have at least 70% alcohol content.
- Every employee must, free of charge, ensure that there are sufficient hand sanitiser.
- Every employee must take measures to ensure that all work surfaces and equipment are disinfected before work begins, regularly during the working period and after work ends.
- The employer must ensure that there are adequate facilities for the washing of hands with soap and clean water.

## Cloth masks

Every employer must provide each of its employees, free of charge, with a minimum of two cloth masks for employees to wear while at work and while commuting to and from work and require any other worker to wear masks in the workplace.

## Measures in respect to workplaces to which public has access

- Every employer must ensure that there is social distancing between workers and members of the public.
- Place physical barriers at counters or provide workers with face shields or visors.
- Undertake symptom screening measures of persons and employees entering the workplace.
- Provide hand sanitiser for use by the public at the entrance to the workplace.

## Ventilation

- Every employer must keep the workplace well ventilated by natural or mechanical means to reduce the SARS-CoV-2 viral load.
- Ensure that ventilation filters are cleaned and replaced by a competent person.

## Worker obligations

- Every worker is obliged to comply with measures introduced by their employer, as required.

## No deduction from employee's remuneration

- No employer may make any deduction from an employee's remuneration; or require or permit an employee to make any payment to the employer or any other person, in respect of anything which the employer is obliged to provide or to do.
- In light of the vaccination being secured by Government, the employer finds itself in a position that requires it to consider mandatory workplace vaccination policies, bearing the following in mind:

- There is no legislation causing compulsory vaccination or mandatory vaccination policies for COVID-19.
- Mandatory policies or compulsory vaccination for employees is generally prohibited, except in exceptional circumstances
- Exceptional circumstances may be as a result of the nature of the job or industry of employment. For example, healthcare workers might be forced to vaccinate owing to their regular and obligatory interaction with the public and sick people.
- In such exceptional circumstances, dismissal on the grounds of incapacity might be permissible.
- In all exceptional circumstances, the test is whether the limitation to right to bodily integrity guaranteed by the Constitution is justifiably limited..
- An employer has a duty to do what is reasonably practicable to ensure that the working environment is safe for all employees and those who access the workplace.

The PSA calls on Government to restore public confidence by ensuring that the vaccine roll-out process is beyond reproach. There is a critical need to stop the spread of the virus and that frontline workers, including educators, are immunised, in an effort to bring about a return to work and much-needed economic recovery. The PSA, however, wants to reiterate that each person needs to take a personal decision on taking the vaccine.

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Photo: bygnels-rtstudio

## NURSES' DAY: 12 MAY 2021

The PSA pays tribute to Nurses, who in the midst of a global pandemic, have continued to be a source of help and comfort.

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# Major disasters, expectations and consequences

By Buks Jordaan - Secretary: PSA Branch for Associate Members: Public Service Pensioners

**T**here are events in history, the effect of which reaches areas of life far beyond the limited closets families. A world war, of which we have thankfully been saved for 76 years since the end of 1945, is one such event. However, the COVID-19 pandemic is speedily turning out to display equally strong impacting phenomena on humans. Various of these factors could be singled out as topics for long debates, analysis and resolutions, yet the phenomenon of death is a topic closely associated with events of war, climatic disasters and health-related pandemics. COVID-19 has harshly reintroduced the reality of death in the family and friendship circles across the world.

In the case of a war, your loved ones within a particular age and gender category and within a particular war and enemy zone are at highest risk and death is something to be expected and prepared for. The human race is currently at war with a totally different kind of enemy, an invisible enemy, a virus that changes strategy and targets and increases the stress, fear and death expectations of all humans. Perceptions on how death is viewed and experienced have changed within a period of one year. Suddenly, life expectations have changed drastically.

A father in grief stated: "My daughter, fit and healthy all her life and only 38 years of age. How could she pass away from COVID, and worst of all, I could not even say my goodbyes and attend the funeral".

This father is expressing the emotions of many spouses, parents and friends who have lost someone close to them so suddenly at this time. The inability to visit a loved one in hospital has exacerbated the problem. So much has been lost and suddenly changed. The normal expectations of life and experiences of death have undergone a transformation like the life cycle of a caterpillar. The emotional phases that we normally go through when a death occurs in a family or friendship cycle are hardly recognisable at this stage. Phases of grief and support have changed, condolences are expressed without close contact, physical presence and support. It is mere guesswork what the ultimate long-term affect and scars will be.

It is at times like these that we as fellow citizens are called upon to extend our efforts of a helping hand to far beyond the normal. Emotional support of those who lost a loved one should not be limited to the period of the events of the memorial service, (which is mostly done virtually) and burial. Spouses and family members are grieving in isolation and one can never begin to understand how much a regular phone call, even long after the death event, will lift the spirit of hope and feelings of love and support amongst those affected.

We need to lift our hats high for the heroes in this pandemic onslaught on human and social life. We think in particular about citizens serving in essential services, spiritual leaders holding the flame of hope and faith high amongst their followers under abnormal circumstances and volunteers who are identifying needs in communities and stepping forward to offer a helping hand.

Photos: pesels-skyilar-kang

**Let's take hands and put into practice  
love, hope and promise beyond every  
definable boundary of our existence.**



# Public Service wage dispute heads to Constitutional Court

**T**he 2020 Public Service wage dispute continues to make headlines as justice is pursued for public servants. The matter is of overwhelming national importance and significance and affects some 1.3 million public-sector employees and the payment of billions of Rand.

The matter involves the enforceability of a collective agreement between the State and various unions in 2018 (Public Service Coordinating Bargaining Council Resolution 1/2018). Clause 3 of the Resolution provided for salary increases for employees covered by this agreement. Clause 3.1 dealt with increases for 2018/19, Clause 3.2 for 2019/20 and Clause 3.3 for 2020/21. The State implemented the increases provided for in Clauses 3.1 and 3.2 but in April 2020 failed to implement Clause 3.3. The PSA and Fedusa-affiliated unions brought an application for the enforcement of the clause. The State resisted the application on the following grounds:


- Enforcement of Clause 3.3 would be unlawful for contravention of sections 213 and 215 of the *Constitution of the Republic of South Africa, 1996* and Regulations 78 and 79 of the Public Service Regulations, 2016.
- Enforcement of Clause 3.3 would be contrary to public policy.
- Enforcement of Clause 3.3 would be in breach of certain implied alternatively tacit terms; and
- Clause 3.3 is unenforceable because performance is objectively impossible.

After the closing of pleadings in the main application, the State brought a counter application seeking declaratory relief in relation to its defences. The counter application was opposed by the applicants and respondent unions. The matter was heard by the Labour Appeal Court (LAC), sitting as a Court of first instance, at the request of the State and supported by all other parties.

The LAC handed down judgement on 15 December 2020. It dismissed the main application and made a declaratory order to the effect that Clause 3.3 of Resolution 1/2018 "is unlawful for contravention of sections 213 and 215 of the Constitution of the Republic of South Africa, 1996 and Regulations 78 and 79 of the Public Service Regulations, 2016."

The dispute gives rise to a constitutional issue within the ambit of the provisions of section 167 of the *Constitution* and the Court having held so in many of its judgements. The issues also raise an arguable point of law of general public importance that ought to be considered by the Constitutional Court. The interests of justice dictate that leave to appeal should be granted.

Clause 3.3 of Resolution 1/2018 is a product of collective bargaining, a process sanctioned and guaranteed by the *Constitution*. The point of law pertains to the enforceability of Clause 3.3 of Resolution 1/2018 in the circumstances of the dispute and, in the event of the invalidity and unenforceability of the clause, a determination of what would constitute a just and equitable remedy is required.



**This finding has profound implications for the ability of parties, particularly unions, to enter into collective agreements with the State, and potentially the private sector as well. With a significant portion of the South African workforce belonging to various unions (both in the State and private sector), the controversy underlying this application has significant implications for the South African labour market, the continued role of unions and the rights of the hundreds of thousands of workers who are their members.**

Photo by South Africa History Online

The conclusion reached by the LAC was: “[33] *The argument that the Collective Agreement breached the applicable regulations, namely Regulation 78 and 79, must thus be upheld.*”

The essence of the controversy before the LAC was whether Clause 3.3 of Resolution 1/2018 is lawful and compliant with Regulations 78 and 79. Regulation 79 provides as follows:

**“Matters with fiscal implications - An executive authority shall enter into a Collective Agreement in the appropriate bargaining council on any matter that has financial implications only if -**

- a. *he or she has a realistic calculation of the costs involved in both the current and the subsequent fiscal year;*
- b. *the agreement does not conflict with the Treasury Regulations; and*
- c. *he or she can cover the cost (i) from his or her departmental budget; (ii) on the basis of a written commitment from the Treasury to provide additional funds; or (iii) from the budgets of other departments or agencies with their written agreement and Treasury approval.”*

It was common cause between parties that Parliament had approved R110 billion for Public Service salaries for the three-year period covered by Resolution 1/2018 (i.e. “compensation envelope”). According to the State, Clause 3 exceeded this by R30.2 billion divided as follows: Clause 3.1 - R6.2 billion, Clause 3.2 - R10.7 billion and Clause 3.3 - R13.2 billion. The State consistently maintained that these were the correct amounts by which Clause 3 exceeded the “compensation envelope”, even during engagements between the State and unions in March 2020. Clause 3.3 therefore exceeds the allocated “compensation envelope” by R13.2 billion.

However, the State’s papers also allege that the cost of implementation of Clause 3.3 would be R37.8 billion, a figure accepted by the LAC. The State made no attempt to explain how, between March and June 2020, the amount by which Clause 3.3 exceeded the allocated “compensation envelope” tripled from R13.2 billion to R37.8 billion. The only plausible explanation for this appears to be, as set out in the State’s papers, that the Minister of Finance in the 2020 budget sought to effect savings of R37.8 billion by paying no increases to public servants. Insofar as the LAC found that Clause 3.3 exceeded the allocated “compensation envelope” by R37.8 billion, this was wrong. The State’s papers make it clear that the amount by which Clause 3.3 exceeded the “compensation envelope” is R13.2 billion. The LAC’s reliance on the much higher figure clearly impacted on its decision that Clause 3.3 was unenforceable.

Central to this matter is whether Cabinet’s approval of Resolution 1/2018, including Clause 3.3, amounts to substantial compliance with Regulation 79. The LAC relied primarily on a letter from the Minister of Finance to the Department of Public Service and Administration, dated 14 February 2018. The LAC found that it showed the absence of any commitment by National Treasury (NT) of the kind required expressly by Regulation 79. Having found that there was no commitment by NT as required by Regulation 79, the LAC also found that there was lack of evidence of any written agreement by any other department. This letter was, however, written while the negotiation process was still unfolding. The LAC did not have any regard to a presentation made by NT to the Committee of Ministers (COM) on 2 May 2018, much later in the negotiation process but still prior to the signing of Resolution 1/2018. The presentation refers to the fact that the proposed agreement will exceed the “compensation envelope” by R30.2 billion but accepts that the agreement must be signed.

In its judgement, the LAC found Clause 3.3 of Resolution 1/2018 to be unlawful and in doing so, rejected the argument by the PSA and respondent unions that there was substantial compliance with the applicable Regulations in that Cabinet approved the Resolution. Further, the LAC found that “*it matters not whether Cabinet might have approved the agreement, in that, whatever the Minister of Finance may or may have not said in Cabinet cannot be read to equate to compliance with section 216 of the Constitution read together with Regulation 79.*” The LAC also found that the only argument against the submission that NT provided no written agreement to make good the shortfall from the budget to fund Clause 3.3 of Resolution 1/2018 (pursuant to Regulation 79 requirements), was that the COM, and later Cabinet, appeared to have agreed to enter into Resolution 1/2018. In this regard, the LAC found that this does not represent compliance with the express wording of Regulation 79, read together with section 216 of the Constitution, which provides that “National Treasury must enforce compliance with the measures established in terms of sub section (1) and may stop the transfer of funds to an organ of State if that organ of State commits a serious or persistent material breach of the measures prescribed”. However, there is no evidence at all that NT did this. On the contrary, it did nothing at all to prevent payment in terms of Clauses 3.1 and 3.2 which, according to the State’s papers, involved payments exceeding the “compensation envelope” by R16.9 billion. Indeed, National Treasury facilitated these payments.

**The PSA lodged an appeal application and filed this on 29 January 2021 at the Constitutional Court and is awaiting the Court’s decision on whether the appeal will be allowed. Government subsequently drafted a letter, indicating its intention to oppose the PSA’s application. All applicants and respondents have filed their respective answering affidavits and replying affidavits and a date is awaited from the Constitutional Court.**

### **PUBLIC SERVICE DAY: 23 JUNE 2021**

**The importance of a well-functioning Public Service, with dedicated workers in service of citizens, is underlined as the COVID-19 pandemic continues to impact communities. The PSA salutes public servants who despite severe challenges, dedicate their efforts towards improving the lives of South Africans.**

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to 087 234 7585 or email to [competition@psa.co.za](mailto:competition@psa.co.za) by 12:00 on 15 June 2021 to secure your entry.  
Only entries submitted as stipulated above, using the special application form on page 19  
and received by the PSA by the closing date, will be entered in the draw.

\*Competition open for PSA members only  
Entries subject to standard terms and conditions and verification of membership  
Winners will be contacted telephonically by 22 June 2021  
Prizes not claimed within 30 days will be forfeited  
Payments for outstanding account(s) to be made by the PSA directly to the relevant service provider



The PSA offers  
**financial assistance**

with funeral costs  
at the death  
of a member,  
provided that  
the application  
is received  
within six months  
of death

0861 452 452  
[www.psa.co.za](http://www.psa.co.za)



# Support local businesses in 2021

**L**ocal business is essential for the economy. During the COVID-19 pandemic, small businesses continue to be impacted heavily. The people who own these businesses are often our friends and neighbours. Their businesses bring growth and improvement to communities as they provide employment, create entrepreneurship opportunities, and support local economies.

Many businesses that rely on people visiting their premises or gathering in crowds, such as restaurants, theatres and sporting venues, the travel and tourism sector, the manufacturing sector, as well as orders and sales of non-essential products, amongst others, had to implement staff retrenchments, and had to dig deep into their capital or go into debt to keep going. When a business closes its doors for an extended period, there are still ongoing costs such as rent and salaries that must be settled despite the absence of income. For many small businesses, the recent months without income during meant the end of the road and adding thousands of workers to the country's soaring unemployment statistics.

If we want to ensure that local businesses will still here to see better days, we need to do our part to support them. Here are some ideas:

- **Tip extra for good service and offer a word of encouragement.**
- Find out if your preferred services are provided on-line - therapists, tutoring, yoga, personal trainers, coaches, financial planners, lawyers, music classes for kids, and even medical consultations - all of these can be continued through videos or virtually.
- Google "small local shop near me".
- Write Good Reviews.
- **Take advantage of discounts and make use of your PSA-Club benefits.**
- Be an advocate for the places you love. A great way to support local business is to spread the word about them. Think of some of your favourite local spots and start following them on social media.

- If a business posts about services it provides, share this with your network.
- Keep paying your membership fees and subscriptions, even if these have been temporarily suspended.
- If you have already paid for a service that was cancelled, instead of a refund, donate that money to the service provider.
- One way to put immediate cash into a local small business is by purchasing a gift card for future use as this gives businesses immediate cash to help tide them over during this crisis.
- Purchasing larger than normal quantities of sale items – it is a win-win situation.

With the COVID-19 pandemic destined to continue for a considerable time, the entire economy will inevitably be affected by its aftermath. Although we cannot single-handedly do anything to stop this, we can financially and physically support local businesses around us to help them survive and even prosper through this time and in future.

Sources  
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<https://www.twinstarcu.com/content/how-support-small-businesses-during-covid-19-pandemic>

Photo: Daniel Thomas-unsplashd

## YOUTH DAY: 16 JUNE 2021

The PSA continues to invest in the wellbeing of South African youths as the future drivers of the economy.



## South Africa Debt Clock

# R. 3,046,426,490,756

Convert to USD

Source: South African Government Data

### Don't let your debt review listings chain you down! BEWARE OF DEBT SHARKS!

**E**veryone knows about loan sharks, but do you know that debt counsellors (debt review) require no tertiary education and receive most of their fees in upfront payments. If you have fallen victim to unscrupulous debt counsellors or debt sharks, do not fear, Credit Gateway can help you get back on track with your finances!

#### Did you know:

- You will not be able to qualify for any new loan when undergoing debt review.
- Debt review will stay on your name until it is withdrawn and the restructured debt is paid in full.
- Every time a credit check is performed on you by a credit provider, it will show that you are under debt review and they will not grant you any credit.

**Credit Gateway** will assess your application to determine if you are no longer over-indebted. A clearance certificate or a court order will be issued depending on the outcome of the assessment.

The PSA has partnered with **Credit Gateway** to grant you access to a truly agnostic and consumer centric Financial Wellness Platform where you can obtain your credit report at any of the following three Credit Bureaus of South Africa, i.e., *TransUnion*, *Compuscan* or *Experian*.

Let **Credit Gateway** help you manage your debt in a more efficient way:

- Free credit report
- Debt review withdrawal

#### How does the debt review withdrawal process work?

Firstly, **Credit Gateway** needs to request for a transfer from your current debt Counsellor. An assessment must be done to establish whether you are over-indebted or not. If all restructured debt has been paid in full, a clearance certificate will be issued. In the event that the debt has not been paid in full, the file needs to be submitted to the Magistrate's Court with all supporting documents and the Magistrate has to declare that you are no longer over-indebted and provide the attorney on record with a Rescinded Court Order. This document will be generated to you and all credit bureaus and the NCR profile will be updated accordingly.

**Credit Gateway provides you with better options to Financial Rehabilitation. Contact us TODAY and let us help you with your finances!**

Call Centre 012 881 0600  
psa@creditgateway.co.za

www.psa.creditgateway.co.za  
WhatsApp 079 162 2438

Photo: pexels.com - stockphotohero

#### FREEDOM DAY: 27 APRIL 2021

“For to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others.” - Nelson Mandela

# 20 VERY GOOD REASONS



The PSA, a registered trade union, is the largest, politically non-affiliated, fully-representative Union in the Public Service and State-owned entities with a proud history of decades of service to members. **THE PSA...**

**1. Is a growing Union** with 230 000+ members served by Provincial Offices across the country.

**2. Attends to members'** individual disputes **FREE** of charge.

**3. Negotiates fair terms** of remuneration and represents members' interests in bargaining structures.

**4. Protects members'** service benefits (e.g. medical aid, pension schemes, and housing subsidies).

**5. Addresses issues** such as fair and reasonable working conditions, hours of work and leave.

**6. Is the only Union** in the Public Service that serves Public Service pensioners.

**7. Is financially stable** (complies with the Companies Act and Labour Relations Act).

**8. Assists beneficiaries** and communities throughout South Africa as part of the Union's corporate social investment programs.

**9. Protects members' rights** and defends them in unfair labour practices or infringements of constitutional rights and legislation (*Labour Relations Act, 1996, Basic Conditions of Employment Act, 1997, and Employment Equity Act, 1998*). Disputes are resolved at the CCMA, Labour Court, and Labour Appeal Court. In the Public Service, the Public Service Coordinating Bargaining Council (PSCBC), Education Labour Relations Council (ELRC), Safety and Security Sectoral Bargaining Council (SSSBC), Public Health and Social Development Sectoral Bargaining Council (PHSDSBC), and General Public Service Sectoral Bargaining Council (GPSA) provide dispute resolution functions. With the promotion of interests, rights are also established with collective agreements - non-compliance with such rights is being taken care of by these institutions.

**10. Employs professional,** dedicated and competent staff to support member structures in service of members.

**11. Promotes members'** interests during collective bargaining in bargaining forums with employers.

**12. Is admitted to the various bargaining councils,** which enables the Union to resolve workplace problems in these councils, saving cost and time.

**13. Acts only on members' mandate** (mandates on collective issues are obtained from member structures).

**14. Has country-wide, extensive member structures** (national and sectoral) that are the link between the Union and members. These structures mirror the structures for collective bargaining and ensure the protection and promotion of members' rights and interests. Structures are active in all provinces to promote the organisation of members, obtain mandates and improve communication. For information on your PSA representative and structure, contact your local PSA Provincial Office.

**15. Has an impressive success rate** in resolving cases by the Union's full-time staff and thousands of democratically elected, trained shop stewards.

**16. Offers fringe benefits to members, including FREE membership of PSA CLUB!** Other benefits include an exclusive PSA short-term insurance scheme, insurance benefits, funeral schemes, and assistance with debt and personal loans.

**17. Provides FREE financial assistance** with funeral costs at a member's death.

**18. Provides FREE professional indemnity insurance** cover for its identified groupings of members (R1 million, per member, per year with no limitation in the aggregate).

**19. Holiday Resort** offers holiday accommodation at discounted rates.

**20. Magazine and workplace-specific newsletters** are issued to members **FREE** of charge - Update your contact details with the PSA's Membership Section ([updatemyinfo@psa.co.za](mailto:updatemyinfo@psa.co.za)) to ensure that you receive all news.

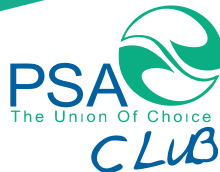


The PSA effectively represents the full spectrum of the South African population and lives by the values of **LOYALTY, TRANSPARENCY, RESPECT, INTEGRITY** and **SERVICE EXCELLENCE**

[www.psa.co.za](http://www.psa.co.za) | [ask@psa.co.za](mailto:ask@psa.co.za)

**0861 452 452**

# PSA CLUB LINE: 0860 021 067



www.psaclub.mobi | ask@psa.co.za | \*120\*960#

## UPDATE MY DETAILS:

PLEASE INDICATE YOUR CHOICE WITH A

POSTAL ADDRESS  CELL PHONE NUMBER  EMAIL ADDRESS  NEW PSA MEMBERSHIP CARD\*

PSA MEMBERSHIP NUMBER	<input type="text"/>	*Will be posted to address indicated by member on this form									
PERSAL / EMPLOYEE NUMBER	<input type="text"/>	DEPARTMENT	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
INITIALS	<input type="text"/>	SURNAME	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
CELL PHONE NUMBER	<input type="text"/>	EMAIL	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
POSTAL ADDRESS	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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## Understanding your PSA structure

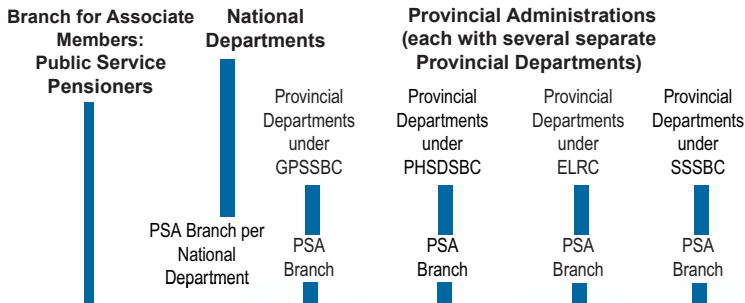
Country-wide member structures (on national and sectoral level) are the link between the PSA and its members. These structures mirror the current structures for collective bargaining and offer direction, thereby ensuring the protection and promotion of the rights and interests of members.

The PSA's Board of Directors on 29 March 2017 resolved that in terms of the *Labour Relations Act* or an Organisational Rights agreement, a group will be entitled to elect five shop stewards. The Board may on good cause shown, established such as a group as a branch.

These structures have been established in all provinces to promote the organisation of members, obtaining their mandates and improving communication with members.

Details of this extensive network of committees and branches are available from the PSA Head Office as well as any of the twelve PSA Provincial Offices.

It is important to understand PSA member structures. In addition, you should be involved in these structures as active members can provide timeous, informed mandates and ensure that skilled workplace representatives are elected.



Sub-structures for communication to grassroot level

join today

www.psa.co.za ask@psa.co.za 0861 452 452



# PSA membership application

Public Servants Association of South Africa (NPC)

Reg No 1942/015415/08



## \* COMPULSORY FIELDS

### PERSONAL INFORMATION

PLEASE INDICATE YOUR CHOICE WITH A

DEPARTMENT / EMPLOYER *			
TITLE (DR, MR, MRS, MS) *	PERSONAL / SALARY NUMBER *		
SURNAME *			INITIALS
FIRST NAMES *			GENDER <input type="checkbox"/> M <input type="checkbox"/> F
CORRESPONDENCE ADDRESS			
			POSTAL CODE
JOB TITLE			DATE OF BIRTH
			D D M M Y Y Y Y
IDENTITY NUMBER *			TAX NO
CELL PHONE *	TELEPHONE	FAX NO	
EMAIL ADDRESS			
METHOD OF PAYMENT *	<input type="checkbox"/> STOP ORDER (SALARY DEDUCTION) <input type="checkbox"/> DEBIT ORDER (BANK DEDUCTION)		
DATE OF MEMBERSHIP *	D D M M Y Y Y Y		

### MEMBER'S BANKING DETAILS

BANK NAME		BRANCH CODE	
ACCOUNT NO		ACCOUNT TYPE	
ACCOUNT HOLDER			

### CONSENT

I consent to PSA marketing products, services and special offers to me. PSA may share my personal information, within the PSA and the businesses that provide special advantages to PSA members, for marketing purposes. The PSA may also contact me for research purposes.  YES  NO

### SALARY STOP-ORDER COMMENCEMENT DATE:

I, the undersigned, hereby apply for membership of the PSA (Public Servants Association of South Africa) and authorise and request the Accounting Officer of my employer to deduct the applicable PSA Membership Fee (as approved by the PSA Board of Directors) from my salary as membership fee starting from the STOP-ORDER COMMENCEMENT DATE and thereafter to continue such monthly deductions until my further written notice. I UNDERSTAND THAT IN TERMS OF SECTION 13(3) OF THE LABOUR RELATIONS ACT, 1995 THIS STOP-ORDER MAY ONLY BE REVOKED BY THE GIVING OF THREE MONTHS' (ONE MONTH IN THE CASE OF NON-PUBLIC SERVANTS) WRITTEN NOTICE TO MY EMPLOYER AND THE PSA. I understand that membership fees are due to and collectable by the PSA while I am a member of the PSA.

### BANK DEBIT-ORDER COMMENCEMENT DATE:

I, the undersigned, hereby apply for membership of the PSA (Public Servants Association of South Africa) requesting and authorising you at the same time to deduct from my account at the above bank the applicable PSA Membership Fee (as approved by the PSA Board of Directors), which covers my membership fee to the PSA, starting from the DEBIT-ORDER COMMENCEMENT DATE and continue deducting said amount monthly on the ...th day of each month thereafter until further my written notice.

### SIGNATURE \*

### DATE \*

RECRUITER (NOT PSA STAFF MEMBER)	PSA MEMBERSHIP NO *		TAX NO *	
	IDENTITY NO *		CELL PHONE	
	INITIALS & SURNAME			
	POSTAL ADDRESS	POSTAL CODE		
	EMAIL ADDRESS			
	BANK NAME *		BRANCH CODE	
	ACCOUNT NO *		ACCOUNT TYPE	
ACCOUNT HOLDER				

PLEASE NOTE THAT NO HONORARIUM CAN BE PAID WITHOUT A VALID TAX NUMBER. THE HONORARIUM WILL BE PAID DIRECTLY INTO YOUR BANK ACCOUNT.

NOTE: THE PSA WILL ASSIST MEMBERS (REPRESENTATION, FINANCIALLY, OTHERWISE) ON CONDITION THAT THE CAUSE OF ACTION FOR WHICH ASSISTANCE IS SOUGHT AROSE AFTER THE PSA'S ACCEPTANCE OF APPLICATION FOR MEMBERSHIP.

### FOR OFFICE USE ONLY

OFFICE DATE STAMP

64

WEEK NO \*

WEEKLY REPORT ID

# Implications for public-sector workers

The National Treasury claims that the budget vote presented on 24 February 2021 is framed by two policy objectives set out in the Medium-Term Budget Policy Statement (MTBPS): (i) the promotion of economic recovery in the wake of the COVID-19 pandemic, and (ii) the need to return public finances to a sustainable position, primarily through fiscal consolidation and debt stabilisation. Key to the first policy objective is the mass COVID-19 vaccination rollout – provided free of charge and aimed at supporting the reopening of the economy. The second policy objective is anchored in stabilising the debt-to-GDP ratio through reductions to expenditure.

## Budget Vote Policy Objectives

The first policy imperative that framed the budget vote incorporates a clear element of social protection. This extends to workers in the public sector. The mass vaccination programme is designed to prioritise healthcare workers and essential workers – many of whom are public sector workers. If the rollout strategy is implemented efficiently, the country's economic conditions might improve, and with an uptick in revenue collection. Such positive conditions might augur well for confidence, including restoration of faith in three-year wage bargaining process, which at the moment is floundering under the weight of economic strain.

In terms of the second policy objective, the National Treasury has signaled its intentions to reign-in public expenditure. This is informed by the growth in the public expenditure coupled with the fall in revenue collection. Tax revenues have been in decline for the past few years despite the VAT increases and introduction of the of the sugar tax in 2018. The revenue collection shortfalls will also be exacerbated by the economic contraction caused by the economic contraction induced by the COVID-19 pandemic.

The suite of tax relief measures introduced in the 2020 *Draft Disaster Management Tax Relief Bill* and 2020 *Draft Disaster Management Tax Relief Administration Bill* – including the four-month deferral of employees' tax liability (which impacted the PIT collected between April and July 2020) and the broadening of eligibility criteria for deferral of provisional tax liabilities – also adversely impacted tax revenue for the current financial year.

These declines in revenue collection are also aggravated by the Special COVID-19 Grant of R350 introduced as a short-term measure to reduce the immediate impact on the livelihoods of poor South Africans and extended to April 2021. The introduction of this grant was also coupled with the topping up of existing grants – even though it was for a limited period.

The reprioritisation of existing budgets in the special appropriations budget presented in June 2021 has also meant resources that were initially earmarked for services had to be redirected towards efforts meant to combat the COVID-19 pandemic. The shortfall in revenue collection together with monies redirected towards COVID-19 relief efforts has left a gaping hole in resources meant for typical service provision. This is likely to intensify efforts to cut back on expenditure while providing services. The public wage bill has been one of the focal points in seeking to curtail the spiralling expenditure growth.

## Public-Sector Wage Bill

Currently, the National Treasury has – through the 2020 Budget - proposed compensation reductions totalling R160.2 billion for 2020/21 to 2022/23, relative to the pre-Budget baseline. The 2020 MTBPS proposed further downward adjustments to compensation, amounting to R143.2 billion for 2021/22 to 2023/24. The focus on the public wage bill is – in part – motivated by the public service compensation absorbing 41% of government revenues in 2019/20 and 47% of revenue in 2020/21. A phenomenon that is seen as untenable.

The bulk of the envisaged fiscal consolidation measures will come from the public service wage bill. Mechanisms under consideration to effect this include "doing away with annual cost-of-living adjustment in the public service up until 2023/24, together with measures to reduce headcounts – a combination of early retirement and natural attrition, as well as freezing or abolishing of non-critical posts".

If these measures pass through, they will place public servants under very difficult socio-economic strain. It is clear that in the current circumstances it makes little sense for public sector workers to bind themselves to three-year wage agreements. The political and economic environment is extremely fluid, and the employer has shown that it cannot be trusted to keep to agreements. In the coming round of wage negotiations, and to be limited to 12 months, public sector workers will need to insist on a reform package that includes steep cuts in the perks of political principals, the number of political appointees (for example a cap on the ministerial staff including advisors), moratorium in the use of consultants for non-critical assignments and ceilings on consultancy spend by government departments, deep cuts in South Africa's diplomatic missions abroad including consolidation of some into regional missions rather than stand-alone country missions, and a package of reforms to reduce wastage in state-owned enterprises.

## Tax hikes and the impact on workers

Despite the tax relief measures, the budget vote announced several tax hikes that are likely to adversely impact workers. Prominent amongst these are the general fuel levy and Road Accident Fund (RAF) levy – these increases will take effect from 7 April 2021. The 15c/litre general levy increase is inflation-related while the 11c/litre increase in the RAF levy is higher than inflation. The two levies combined already account for 38% (about R5.88 per litre) of the fuel price (for 93 octane petrol), and these increases will push the combination of these levies to constitute about R6.15 of the cost of a litre of 93 octane petrol.

South Africans are already spending too much on petrol. Currently, South Africans spend more money filling up their petrol tanks than they buy new cars. About 26.9% of the money South Africans spent in the motor trade sector goes towards purchasing fuel. In essence, for every R100 spent in the motor trade sector in South Africa, about R26.90 go towards fuel. According to data from the Bloomberg Petrol Price Rankings for 2020, South Africans spend 3% of their income on buying fuel - the third-highest amount of all countries.

In addition to direct expenditure on fuel, workers who are reliant on the public transport system will also feel the pinch as service providers are likely to hike prices – thereby increasing the cost of travel. This likely increase will be on top of the already high monetary costs of commuting in South African cities. The fuel levies hike is also likely to have a negative impact on food prices. This is because the increase in fuel levies' hike – coupled with the fuel price increases in the first quarter of the year - will have a direct impact on the price of logistics.

This increase will in all likelihood be absorbed by consumers, i.e. workers. The likely increase in food prices will be in the backdrop of an estimated 17% increase in food prices over the course of 2020. The increase in food prices outstrip inflation rate for the previous year by a considerable margin (inflation rate was 3.3% in 2020 ). Further, Eskom has also been granted a 9.4% tariff increase by Nersa, a decision that will hit workers hard and erode their disposable incomes.

The public wage bill forms the crux of government's efforts to curb public expenditure. Public sector workers are expected to shoulder the bulk of fiscal consolidation. They will be expected to do this while the cost-of-living increases as exemplified by fuel levy increases that are likely to have a domino effect on consumer goods prices – particularly food. Despite this reality, the National Treasury is unlikely to approve any wage increase demand that is not in line with the policy objective of fiscal consolidation and debt stabilisation. The expectation from National Treasury is that wage demands must take into account prevailing economic conditions. Workers will need to include a broader set of demands when negotiating. These include institutional reforms, reduction in the perks of politicians, limiting the use of consultants, and reform of state-owned enterprises.

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Photo: Brandon Morgan - Unsplash

# PSA concerned about high number of prolonged suspensions

The PSA was appalled by the response by the Minister of Public Service and Administration, Mr Senzo Mchunu, to a question in Parliament relating to the high number of suspensions in the Public Service.

Despite being equally concerned about the fruitless expenditure of R17 million incurred on some 280 suspensions across the broader Public Service, the PSA believes that these prolonged suspensions are a direct infringement on the labour rights of the officials involved. A collective agreement in the Public Service Coordinating Bargaining Council (PSCBC) that governs suspensions. The agreement provides for the suspension of officials for a month or 60 days, depending on the complexity of the matter, to allow the employer to investigate charges and to convene a disciplinary hearing, if required. Where the 60 days are not sufficient to finalise an investigation, the employer must request an appointed presiding officer for an extension. A similar provision can be found in the *Senior Management Services Handbook* that governs employment policies for senior managers in the Public Service.

The PSA has found that in most cases, investigations are not concluded owing to the inherent inability of departments to conduct proper investigations on their own, waiting on associated criminal investigations and trails to be concluded, which may take up to three years or even longer. Not only do these prolonged suspensions disrupt the effective functioning of a department, it also has an extremely negative effect on the wellbeing of employees involved and their families, whilst remaining officials are overburdened with additional duties.



**The PSA regards such prolonged suspensions as inherent unfair labour practises and will assist members who may be faced with such suspensions.**

The PSA also calls on Minister Mchunu to act decisively and rescind all these prolonged suspensions as well as the frivolous litigation processes in reviewing most awards issued against the employer. The PSA has further urgently placed the matter of prolonged suspensions at the PSC-BC for the employer to provide statistics on how many public servants are currently on suspensions.



Owing to the close proximity of employees in workplaces, it is imperative that employers consider the risks posed by COVID-19 and the legislative obligations as employers. On any day, they run the risk of their employees, business associates and even clients who are infected with the virus bringing it into the workplace.

### Occupational health and safety obligations of an employer

Section 8 of the *Occupational Health and Safety Act (OHS)* obliges every employer to take reasonable measures to provide and maintain a safe working environment that does not pose a risk to the health of employees. This obliges the employer to:

- take steps to eliminate or mitigate any hazard or potential hazard, before resorting to protective equipment;
- provide information, instructions, training and supervision that may be necessary to ensure the health and safety of employees at work; and
- enforce such measures as may be necessary in the interest of health and safety.

An employer is further prohibited from permitting a person to enter a workplace where the health and safety of such person is at risk, in terms of the *General Safety Regulations* published under the *OHS*.

The *Facilities Regulations* to the *OHS* oblige employers to provide sanitary facilities, soap or cleansing agents and water as well as cold and hot water. This further obliges employers to ensure that rooms and facilities are clean and hygienic.

The World Health Organisation (WHO) has advised measures aimed at minimising the spread of COVID-19 in the workplace, which include ensuring that the workplace is clean and hygienic and encouraging good hand hygiene, providing hand-sanitiser dispensers around the workplace and informing employees on how to minimise the spread of the virus in the workplace by means of circular letters/emails and/or notice boards.

It is also important to note that this obligation is a shared obligation between the employer and employee. Employees should also consider that it is part of their legal duty of good faith towards their employer, not to do anything that may expose co-workers or the workplace generally to the risk of infection or transmission.



PSA members enjoy access to legal cost insurance policies at a specially discounted rate. Benefits include cover for legal costs, telephonic legal advice and standard (non-personalised) legal documentation. Interested members can contact **Legalex** on 0861 10 20 92, [info@legalex.co.za](mailto:info@legalex.co.za) or text your name and "PSA" to 44386. More information is available at [www.legalex.co.za](http://www.legalex.co.za), which also caters for the answering of queries.

Photos: Pixels  
Legalex (Pty) Ltd, registration number 2003/003715/07, is an authorized Financial Services Provider (FSP 5277) and underwritten by Guardrisk Insurance Company Limited.

# GEARED FOR SERVICE

The PSA in 2020 commemorated a century of service to public-sector employees.

The PSA cemented its legacy as being 'MORE THAN A UNION', especially during the COVID-19 pandemic, by reaching out to members and communities and supporting workers who are the pillars of society.

The PSA stood the test of time whilst remaining committed to protecting and promoting members' workplace rights and interests.

In 2021, the PSA renews its commitment to the values that guide its conduct, aimed at achieving the Union's mission, namely **loyalty, transparency, respect, integrity, consistency and service excellence.**

*\* The PSA's Board of Directors and Sectoral Branches are presented in the accompanying posters.*

In service of workers

# PSA BOARD OF DIRECTORS



Dr Lufuno Mulaudzi  
President



Pierre Snyman  
Chairperson



Cebo Mtwini  
Vice-President



Mosala Seelamo  
Vice-Chairperson



Anadele Coetzee  
Director



Nondumiso Mvubu  
Director



Marcus Ramakgale  
Director



Tshekiso Sebati  
Director



Justice Shiburi  
Director



Nomabandla Siliinyana  
Director

# SECTORAL BRANCHES

ELRC

GPSSBC

PHSDSBC

Eastern  
Cape



Linge Pheko



Solly Siciko



David King

Free State



Sello Mokoena



Abram Moleko



Seiso Mohlale

Gauteng



Thulani Lebepe



Genevieve Simelane



Poni Rakgalakane

KwaZulu-  
Natal



Thulani Madlala



Nkosinathi Thwala



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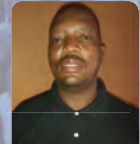
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Jonas Mononyane



Mduduzi Simelane



Noah Bodiba

Northern  
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Rodger Scholtz



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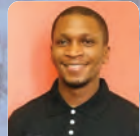
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West



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Western  
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Vivian Van Der Westhuizen



Liza Sampson



Craig Appels

More light on ...

# Moonlighting

Between 2009 and 2010, Government reportedly spent some R1.49 billion hiring nurses for the public-health sector for nursing agencies. In that period, provincial spending on agency nurses ranged from a low of just under R36.4 million in Mpumalanga to a high of R356.4 million in the Eastern Cape. Nursing agencies provide a vehicle for nurses to moonlight, as they could be employed concurrently in a public or private sector hospital as well as the agency.

"Moonlighting" refers to the practice of working a second job outside normal business hours. Therefore, an employee may work a normal nine-to-five job as a primary source of income but works at night for another employer to earn extra money.

Employees who work for private businesses may be subject to workplace policy, such as an "Outside Employment Policy" that the company has in place regarding moonlighting. Certain organisations may not want employees to work additional jobs whilst others will not care.

Employees working for public organisations must check on agency regulations or state laws concerning having two jobs.

## *What are the rules of moonlighting?*

An employee has a duty to make his or her service available to the employer during the hours that have been agreed upon. As a rule, the employee is free to pursue his or her own commercial interests outside working hours.

There is, however, an important consideration to bear in mind. One of the cornerstones of an employment relationship is the employee's implied duty to serve the employer in 'good faith'. Certain employee activities after working hours could interfere with this duty.

## *What you must know*

- Before undertaking other remunerative work, an employee must obtain written permission from the executive authority or delegate authority in terms of applicable pre-prescripts.



- Depending on the relevant Department, an employee might have to complete an application form to do outside work. This is to determine any potential conflict of interest.

- The employer may request to review your performance in the Department before granting permission – the employer has 15 days to decide.

- If granted, the request to perform other remunerative work should not exceed a period of 12 calendar months and a new application must be made, if the employee wishes to continue with outside work.

- In terms of the *Public Administration Management Act 11 of 2014*, also note:

#### 8. Conducting business with State

(1) In this section and in section 9, "employee" includes persons contemplated in section 12A of the *Public Service Act* and a person performing similar functions in a municipality.

(2) An employee may not - (a) conduct business with the State; or (b) be a director of a public or private company conducting business with the State. *12 5 10 15 20 25 30 35 40 45 50 14 No 38374 GOVERNMENT GAZETTE, 22 December 2014 Act No. 11 of 2014 Public Administration Management Act, 2014.*

(3) A contravention of subsection (2)-(a) is an offence, and any person found guilty of the offence is liable to a fine or imprisonment for a period not exceeding five years or both such fine and imprisonment; and (b) constitutes serious misconduct, which may result in the termination of employment by the employer.

#### 9. Disclosure of financial interest

An employee must, in the prescribed manner, disclose to the relevant head of the institution all his or her financial interests and the financial interests of his or her spouse and a person living with that person as if they were married to each other, including all (a) shares and other financial interests in an entity; (b) sponsorships; (c) gifts above the prescribed value, other than gifts received from a family member; (d) benefits; and (e) immovable property. (2) Failure by an employee to comply with the obligation referred to in subsection (1) constitutes misconduct.

- An employer is allowed to monitor the performance of anyone granted permission to moonlight, to ensure that the outside work does not impede on the relevant Department's performance.

- Any facts omitted in the application for permission to work outside can lead to disciplinary action from the primary employer, as this can be viewed as fraud.

### *More information*

For a more comprehensive information, read *Remunerative Work Outside the Public Service (RWOP)* ([http://www.fshealth.gov.za/portal/pls/portal/PORtal.wwsbr\\_int\\_services.GenericView?p\\_docname=3136378.DOC&p\\_type=DOC&p\\_viewservice=VAH&p\\_searchstring=](http://www.fshealth.gov.za/portal/pls/portal/PORtal.wwsbr_int_services.GenericView?p_docname=3136378.DOC&p_type=DOC&p_viewservice=VAH&p_searchstring=))

### *Employer's rights*

- If an employee has been granted permission to do outside paid work, he or she is not allowed to perform this work during official working hours.

- An employee may not use state resources or official equipment for outside work.

Sources  
<https://www.medicalbrief.co.za/archives/moonlighting-nurses-strain-sa-health-system/>  
<http://www.leader.co.za/article.aspx?i=284-1&a=6296>  
[http://www.fshealth.gov.za/portal/pls/portal/PORtal.wwsbr\\_int\\_services.GenericView?p\\_docname=3136378.DOC&p\\_type=DOC&p\\_viewservice=VAH&p\\_searchstring=](http://www.fshealth.gov.za/portal/pls/portal/PORtal.wwsbr_int_services.GenericView?p_docname=3136378.DOC&p_type=DOC&p_viewservice=VAH&p_searchstring=)  
Photos: Carolina Pimento - Unsplash; Swapnil Poddar - Unsplash

# PSA training offers empowerment

year, rotated around key ca  
be called by the Provincial

**B**etween March and April 2021, the PSA's Training Unit facilitated Branch Secretary training in all provinces. The workshops were aimed at orientating PSA Branch Secretaries about their roles and responsibilities and capacitate them with skills and competencies required to do their work in support of effective and efficient functioning of branches. In some provinces, some Branch Chairpersons also participated in the workshops. This proved to be useful as the complimentary relationship between Secretaries and Chairpersons is a crucial factor for effective branches. The Branch Secretaries Training also provided an important platform for sharing of experiences amongst Secretaries and for them to collectively deliberate on challenges and brainstorm proactive interventions.

## PSA Annual Labour Law Updates

**I**n 2018, the PSA initiated Annual Labour Law Update seminars across all provinces to empower the Union's shop stewards with insights into relevant case laws and their implications on the ever-changing environment of labour law and labour relations. The seminars further equipped shop stewards with competencies and skills required to navigate this environment in defence of members' rights. Between 2018 and 2019, 1 910 shop stewards attended these seminars, which elicited huge interest from PSA shop stewards across the country. The outbreak of the COVID-19 pandemic and resulting levels of lockdown in 2020 disrupted the roll out of the Third Annual Labour Update seminars. With the reduction of COVID-19 restrictions, the PSA started rolling out these seminars between March and April 2021, covering all provinces.





# GUIDELINES FOR EFFECTIVE COMMITTEES

By **Mphutlane Bofelo**  
PSA Training Unit

**M**ost literature on how organisations function indicate that dysfunctional committees are characterised by lack of long-term agenda, lack of a clear purpose, miscommunication and reliance on bad information, poor involvement of members and an inability to focus on the right issues. On the other hand, the characteristics of effective committees are that they have a clear, written description of the roles and responsibilities of each committee member and purpose of the committee, accountability to the central organisation and well-run meetings.

It is therefore imperative that committees should be guided by their roles and responsibilities and the culture of the organisation in how they do things. It is important that members of the committee work together and practice collective leadership and democratic decision-making. This implies that the committee must focus on the delivery of organisational purpose and exercise collective and democratic control in accordance with the principles of the organisation and its statute. The first step in ensuring that the meetings and other activities of a committee are effectively and efficiently conducted is to ensure proper orientation and re-orientation of all committee members with the foundational documents, statute, policies, structures and processes of the organisation.

According to *Brian and Company Insights* (2012) the best way of ensuring that meetings are properly run is to set and communicate the agenda on a handout well in advance before the meeting, clarify the decision-making process, start on time, ensure maximum participation of all members in a meeting, conclude the meeting with an action plan and conduct an audit of meetings every few months.

*Brian and Company Insights* also proposes the following steps for committees to be run effectively:

- An evaluation process and immediate feedback after meetings and other activities of the committee
- Annual calendars
- Orientation for new committee members
- Regular recognition to active committee members
- Checking up with lackluster members individually to find the causes and reasons for their lack of commitment, ineffectiveness, or under-performance
- Involving committee members in developing an annual committee plan

The ability to elect, recruit and produce skilled and dedicated leaders is central to the ability of an organisation to implement these suggestions on how to build and run effective committees. However, as *Sash Naseer* (2020) observes, a toxic organisational culture is the major barrier to recruiting committee members and leaders. Most people with adequate skills and ethics are discouraged from availing themselves for committee and leadership positions if they detect a toxic organisational culture such as misuse of power and negative internal politics and red tape. Furthermore, out-dated, rigid, and inflexible processes may deflate the confidence of younger members, leaving them feeling that they lack the necessary skills to participate in the committee or leadership positions. The solutions to these barriers are capacity-building, leadership development, mentoring and coaching, peer support, strong channels and mechanisms of communication, willingness to change and being specific about the roles and responsibilities of members.

Photos: Joe Taylor and Christina Wocintechachai \_unsplash

# Still working hard

**The PSA has an active Group Branch Associate Members: Public Service Pensioners. The structure recently held a General Members' Meeting.**

Despite COVID-19 restrictions, the meeting was well attended by close on 50 members. The Reverend Dr Petrus Moolman opened the meeting with scripture reading and prayer and encouraged the senior citizens to focus on an active and meaningful life. He pointed out that the Bible spends very little space on death but abundant space on life. Every day and opportunity needs to be treasured as an occasion on which a difference can be made in the life of fellow human beings.

Jannie Oosthuizen, PSA Chief Labour Relations Officer, elaborated on the PSA's representation and negotiating strengths, as well as various areas where the PSA has had an influential impact.

He applauded the important support rendered by the Branches' Regional Committees in assisting pensioners and their spouses in distressful times. The PSA aims to grow its membership and solve labour-related issues in a professional manner.

It was noted that the 3.2% increase in pensions as from 1 April 2021 is equal to 100% of the CPI index and that for the last 12 years the increase has not been less than 100% of the CPI whilst the statutory requirement is not less than 75% of the CPI index.

Some concerns were raised from the floor with regard to calculations underpinning CPI factors as pensioners are experiencing major increases on goods essential for their specific well-being, such as medical and household expenses, which quickly absorb increases in pension pay-outs.

The Management Committee for the next four years was elected during the meeting and new incumbents appointed. Gideon Serfontein was re-elected as Chairperson, the Deputy Chairperson is Gerrie Malan, the Secretary is Andries du Plessis and the Deputy Secretary Buks Jordaan.



Apply for membership as a PSA associate member before you go on pension to ensure that you retain essential PSA benefits and assistance.

See [www.psa.co.za](http://www.psa.co.za) for more information on the Group Branch Associate Members and application form



## FRINGE BENEFITS FOR MEMBERS

Show your PSA membership card to qualify for member-only fringe benefits.

Phone the PSA's Business Administration Section on ☎ (012) 303 6500 for more information on listed and new national benefits or refer to the PSA's website at [www.psa.co.za](http://www.psa.co.za).



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## PSA Group Scheme Partnership

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