



the dpsa

**Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA**

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File : 17/6/R

TO ALL HEADS OF NATIONAL AND PROVINCIAL DEPARTMENTS

ADVISORY CIRCULAR: APPLICATION OF THE 'NO WORK NO PAY' PRINCIPLE: 2010 PUBLIC SERVICE STRIKE

1. As you are aware-
 - 1.1. The public service unions announced on 6 September 2010 the suspension of the strike (a copy of the press statement is attached for ease of reference); and
 - 1.2. Parties to the PSCBC are currently negotiating on an amicable settlement.
2. Following the DPSA's circular dated 26 July 2010, I wish to inform you that the draft collective agreement *inter alia* deals with the return to work procedures as well as the application of the 'no work no pay' principle.
3. As far as the application of the 'no work no pay' principle is concerned the draft agreement provides that deductions be made for employees in essential services and non-essential services-
 - 3.1. By staggering the deductions over a period of three months; and
 - 3.2. The formula to determine a day's work shall be annual basic salary divided by 365. The deduction will be based on working hours lost.
4. To practically deal with the deductions of the 'no work no pay', departments are advised to deal with these matters in the spirit of the proposed draft agreement, as indicated in paragraph 3 above. In this regard departments are advised -
 - 4.1. For the month of September 2010, to only deduct 1/3 of the total number of days the employee participated in the strike action. In the event of the departments having deducted 'no work no pay' in respect of the strike days in the month of August, only 1/3 of the remaining number of strike days should be deducted in the month of September; and

Staatsdiens en Administrasie . Ditirelo tsa Puso le Tsamaiso . Ditshebeltso tsa Mmuso le Tsamaiso . uMnyango wemiSebenzi kaHulumeni nokuPhata

Muhasho wa Tshumelo ya Muvuso na Vhulanguli . Kgorō ya Ditirelo tša Mmušo . Ndzawulo ya Vutirela-Mfumo na Valawuri

LiTiko le Tebasebenti baHulumende nekuPhatsa . ISebe leNkonzo kaRhulumente noLawulo . UmNyango wemiSebenzi kaRhumende nokuPhata

- 4.2. To calculate the deductions according to the rates provided for in paragraph 3 of this Department's circular dated 26 July 2010. A copy is attached for ease of reference.
5. In respect of the balance of the outstanding strike days departments will be advised on the way forward based on the outcome of the current draft agreement.



ACTING DIRECTOR-GENERAL
DATE: 10/09/2010