



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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Circular Number: 45 of 2022

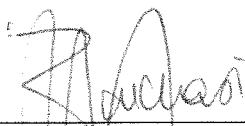
TO: ALL HEADS OF DEPARTMENTS

SECTION 77 PROTEST ACTION: A NATIONAL STAY-AWAY OR SOCIO-ECONOMIC STRIKE FROM 18:00 ON 23 AUGUST 2022 TO 24 AUGUST 2022

1. The South African Federation of Trade Unions (SAFTU) and the Congress of South African Trade Unions (COSATU), have served NEDLAC with notices to embark on socio-economic protest actions in terms of Section 77 of the Labour Relations Act 66 of 1995 (the LRA) as follows:
 - 1.1. SAFTU commencing from 23 August 2022 at 18:00 until 23:59 on 24 August 2022.
 - 1.2. COSATU commencing from 24 August 2022 at 00:00 until 23:59 on 24 August 2022.
2. The protest actions are protected in terms of Section 77 of the Labour Relations Act, 66 of 1995, as amended.
3. Since these are Section 77 protest actions from the mentioned federations, workers in all sectors of the economy, including the public service are allowed to participate in the strikes/protest actions. Essential Service workers are, however not allowed to participate in the strikes/ protest actions during their working hours. If they do participate, their participation will constitute misconduct.

4. The principle of "No Work, No Pay" must be applied by Departments. The principle should apply for absence of a full day as well as part of a working day.
5. Departments who do not effect the deductions will be in violation of the Public Finance Management Act, 1999. The "No Work, No Pay" must be effected in the Month of the protest if possible, but not later than the next month after the protest action.
6. No leave should be granted for purposes of participation in strikes/protest actions. Leave should only be granted under the leave regulations, i.e. for leave purposes in terms of the regulations and not for protest action.
7. In relation to reporting on the strike action, Departments are requested to provide the DPSA with the following information:
 - (a) The number of employees participating in the protest action for the duration of the protest, and the impact thereof on the activities of the Department, by 10:00 on the day of the protest action;
 - (b) An update of the above information by 15:00 on the same day; and
 - (c) A comprehensive report within three (3) days of the strike action.
8. Please use the following e-mail address to forward the requested information to the DPSA: Ananias.mokebe@dpsa.gov.za. For information requested in paragraphs 7(a-b) above, please use **Annexure A** and **Annexure B** for information requested in paragraph 7 (c)
9. Departments are hereby requested to put in place the necessary contingency measures to effectively deal with the planned strikes/protest actions and report, as requested.

Kind regards



MS YOLISWA MAKHASI
DIRECTOR-GENERAL

DATE: 18/08/2022

INFORMATION ON STRIKE ACTION

NB: PLEASE COMPLETE THIS FORM FOR EACH DAY OF THE STRIKE ACTION / PICKET

- (a) Department: _____
- (b) Date of strike action: _____
- (c) Number of employees involved in strike action (those with regard to whom "no work, no pay" is being applied): _____
- (d) Total number of person days lost on day of strike action/picket (every eight hours to count as full day):
_____ (e.g. 300 persons x 1 day = 300 days)
- (e) Amount deducted in terms of the "no work, no pay" principle for day of the strike action (i.e. in respect of all employees involved in the strike action collectively):

I hereby certify that to my knowledge the information provided above is accurate.

HEAD OF DEPARTMENT

DATE

**PLEASE RETURN TO DIRECTORATE: LABOUR RELATIONS,
DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION**

ANNEXURE B

INFORMATION ON THE APPLICATION OF LEAVE PROVISIONS IN THE PUBLIC SERVICE DURING THE STRIKE ACTION

Department:Date of Strike Action:

NUMBER OF EMPLOYEES ON STRIKE	NUMBER OF EMPLOYEES ON ANNUAL LEAVE	NUMBER OF EMPLOYEES ON SICK LEAVE

If you are unable to furnish the above information, please provide a written explanation:

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.....

I certify that the information supplied, is to the best of my knowledge, correct.

.....
DESIGNATED OFFICER

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