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TO ALL HEADS OF DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

CIRCULAR NO 05 OF 2021

STATE OF DISASTER COVID-19: PUBLIC SERVICE ADJUSTMENTS TO RISK ADJUSTED LEVEL 4 REGULATIONS.

1. INTRODUCTION

- 1.1 South Africa is on the surge of the third wave of COVID-19 infections. To mitigate the ongoing spread of COVID-19, the President has announced that the country will be placed on adjusted level four with effect from Monday 28 June 2021.
- 1.2 A key aspect of the response is that all workplaces should continue to have safety protocols in place and adhere to the revised regulations.
- 1.3 This circular is a guide to Heads of Departments in the public service to continue with the decongestion of workplaces by limiting the number of employees physically present on-site as part of measures to curb the spread of corona virus and mitigate the effects of the third wave.
- 1.4 The circular takes into consideration the service delivery obligations of Departments, the needs of service recipients and the safety of Public Servants.

2. KEY PRINCIPLES

Accounting Officers have an obligation to ensure that the following necessary administrative measures and tools are availed and put in place in each Department, using relevant existing legal instruments to hold government officials accountable for service delivery and lawful administrative practices whilst ensuring that they adhere to health protocols.

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2.1 REMOTE WORKING ARRANGEMENTS

- 2.1.1 The Accounting Officer should ensure reduction of the occupancy rate to not more than 30% at any given time, using shift work, rotation and remote working arrangements amongst others.
- 2.1.2 All employees not physically on site should be on standby, and be ready to be called into office at any day for the purpose of business continuity and operational requirements.
- 2.1.3 In line with decongesting the workplace, Members of Senior Management Service (SMS) are expected to continue providing strategic leadership and ensure the achievement of the department's plan and government's overarching plans. SMS members are to be in the office at least twice a week due to the nature of their role. The enforcement of this clause should be applied on a case-by-case basis informed by the Department of Health's Guidelines on the management of risks and comorbidities.
- 2.1.4 Employees should be encouraged to work remotely, and a Remote Working Contractual Agreement should be in place in order to manage accountability, performance and liabilities. There must be clear deliverables that the manager and employee agree to, which can be tracked and accounted for.
- 2.1.5 Each Accounting Officer is responsible for determining eligible employees for remote work based on the nature of service mode and the means/tools to work remotely including for office-based employees.
- 2.1.6 When determining the eligibility criteria, Accounting Officers should consider the nature of the work scheduling for office-based employees (e.g. security, administrators, cleaners, SCM etc.) as well as the availability of enabling systems. This must be done on a case-by-case basis after assessment of eligibility and the needs of mission critical functions, which support essential services.
- 2.1.7 Accounting Officers may also consider shift work for business continuity to ensure that the Department meets its service delivery commitments, guided by relevant prescripts.
- 2.1.8 Where employees are unable to function due to the impact or effects of COVID-19 (e.g. quarantine or isolation), the Accounting Officer may consider job rotation and/or staggered approach to ensure business continuity and availability of services.
- 2.1.9 Accounting Officers should have a clear outline as to the consequences should the employee fail to adhere to the content of the agreement or any other organizational rules while working remotely.
- 2.1.10 Disciplinary hearings should be conducted following a strict adherence to all health protocols and social distancing measures. Departments may not cancel scheduled hearings due to level 4, they should consider conducting virtual disciplinary hearings whilst upholding the principles that govern this process, in particular that of fairness.
- 2.1.11 Accounting Officers should ensure that where possible all gatherings including governance meetings, workshops and conferences are held virtually.
- 2.1.12 Job interviews already scheduled should continue virtually. Where possible all job interviews should be migrated to a virtual platform. Technical exercises which must be completed as part of the interview process must also be done virtually.

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- 2.1.13 National Treasury working with relevant stakeholders such as the Department of Communications and Digital Technologies, SITA and the DPSA is working on reviving IFMS with priority being e-recruitment amongst others. In the meantime, departments must ensure where possible, the creation of an email facility for the submission of applications and uphold the integrity of the applications received electronically.
- 2.1.14 The Z83 form must be signed when submitted, however for purposes of certification of documents HODs are referred to circular 35 of 2019 and circular 10 of 2020. To streamline the recruitment process to be more responsive to the public, as well as to create more protective measures during the pandemic by avoiding over-crowding and to curb costs incurred by applicants such measures should include the following regarding certification:
- 2.1.14.1 Advertisements and accompanying notes must clearly capture the requirements for certification to reflect that applicants must submit copies of qualifications, Identity document and drivers licence (where appropriate) and any other relevant documents. Such copies **need not** be certified when applying for a post. The communication from the HR of the department regarding the requirements for certified documents will be limited to shortlisted candidates. Therefore only shortlisted candidates for a post will be required to submit certified documents on or before the day of the interview following communication from HR.
- 2.1.14.2 The application for employment form (Z83) provides under the section "additional information" that candidates who are selected for interviews will be requested to furnish additional **certified** information that may be required to make a final decision.
- 2.1.14.3 It must be borne in mind that when a document is certified as a true copy of an original, the certifier only confirms it being a true copy of the original presented. Therefore, the certification process does not provide any validation to the authenticity of the original document. The validation occurs when the document is verified for authenticity. Regulation 67 (9) requires the executive authority to ensure that he or she is fully satisfied of the claims being made and this is read with Regulation 57 (1) (c) which requires the finalisation of Personnel Suitability Checks in order to verify claims and check the candidate for purpose of being fit and proper for employment.
- 2.1.15 Departments are requested to note that the DPSA will publish the vacancies circular on a fortnight basis.

2.2 ADMINISTRATIVE CONTROLS

- 2.2.1 Each Department should ensure that administrative controls are managed in line with Circular 4 of 2021.

2.3 LEAVE MANAGEMENT:

- 2.3.1 The application of the leave policy as previously covered in Circular 7 of 2020 and Circular 11 of 2020, read with the provision in the Determination and Directive of leave remain applicable for all categories of employees.

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2.4 RESOURCES REQUIRED FOR REMOTE WORKING

Each Accounting Office has a responsibility to determine and ensure the availability of identified and appropriate tools of trade for all employees approved to work from home, including measures to keep the team connected and employees informed of new developments regarding their work, Department and the Public Service in general

2.5 SECURITY AND CONFIDENTIALITY

- 2.5.1 For the integrity of the state and government information, security considerations should be kept at the forefront when approving remote working arrangements.
- 2.5.2 Protocols should be put in place for all employees to understand the requirements of the Minimum Information and Security Standards (MISS) and other relevant legal prescripts especially when working through unsafe Wi-Fi network to do their work.

2.6 PERFORMANCE MANAGEMENT

- 2.6.1 Performance management for all employees should be managed in line with Circular 4 of 2021.
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- 3. All Heads of Departments, should use their discretion in dealing with matters which may not be specifically covered in this circular but which may be workplace, occupational or sector specific and in line with the delegated authority, especially when dealing with risk assessments and the categorizing of employee comorbidities and vulnerabilities.
 - 4. Accounting Officers retain the legal responsibility to determine workplace requirements and for ensuring the delivery of the full public service array. Taking into account the dynamic and fluid contextual circumstances arising from the declared National Disaster, Departments who are unable to implement the above provisions must provide reasons for such failure to the Minister for Public Service and Administration within two weeks of such matter arising.



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