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TO ALL HEADS OF DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

CIRCULAR NO 01 OF 2021

STATE OF DISASTER COVID-19: PUBLIC SERVICE ADJUSTMENTS TO RISK ADJUSTED LEVEL 3 REGULATIONS.

1. INTRODUCTION

- 1.1 On 11 January 2021, the President announced adjustments to the Cabinet Risk Adjusted Level 3 in response to the discovery of a new variant and an increase in COVID-19 infections across the Republic.
- 1.2 A key aspect of the response is that all places of work should continue to have safety protocols in place adhered to in line with the revised Regulations.
- 1.3 This Circular is a guide to Heads of Department in the Public Service on the decongestion of workspaces through limiting the numbers of employees physically on-site as part of measures to comply with the Regulations to mitigate the effect of the resurgence of COVID-19 during Level 3.
- 1.4 The Circular takes into consideration the service delivery obligations of Departments, the needs of service recipients and safety of public servants.

2. KEY PRINCIPLES

Accounting Officers are required to ensure that administrative measures and tools are availed and put in place in each Department, using relevant applicable legal instruments to hold all 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 **50%** at any given time for public servants using shift work and remote working arrangements amongst others.
- 2.1.2 Due to the nature of their role – providing leadership and direction, Members of the Senior Management Service (SMS) are to be in the office at least three days a week. 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.
- 2.1.3 Where employees are approved to work remotely, a Remote Working Contractual Agreement should be in place in order to manage accountability, performance and liabilities. There must be clear deliverables the Manager and employee agree to which can be tracked and accounted for.
- 2.1.4 Each Accounting Officer is responsible for determining eligible employees for Remote Work based on the nature of service mode and the availability of means/tools to work remotely including for office-based employees.
- 2.1.5 When determining the eligibility criteria, Accounting Officers should consider the nature of the work scheduling for office-based employees (i.e. security, administrators, cleaners, SCM etc.), as well as the availability of enabled 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.
- 2.1.6 Accounting officers may also consider shift work for business continuity and to ensure the Department meets its service delivery commitments, guided by the relevant prescripts.
- 2.1.7 Where employees are unable to function due to impact or effect of COVID-19 (e.g. quarantine or isolation), the Accounting Officer may consider job rotation to ensure business continuity and availability of services.
- 2.1.8 Accounting Officers should have a clear outline as to the consequences should employees fail to adhere to the content of the agreement or any other organisational rules while working remotely.

2.2 ADMINISTRATIVE CONTROLS

- 2.2.1 Each Department should ensure that:
 - 2.2.1.1 Both employees and employers benefit optimally from these practical and pragmatic arrangements, based on environmental contextual circumstances.

- 2.2.1.2 Provide a formal work scheduling arrangement between the employer and employee in order to ensure business continuity, non-interruption of products and services and allow an employee to self-manage and perform without focusing narrowly on processes.
- 2.2.1.3 Provide legal administrative control instruments, to manage accountability of employment obligations during remote working arrangements.
- 2.2.1.4 Provide protocols where employees are placed in safe bubble workspaces due to vulnerabilities, or who are either infected or affected (either quarantine or isolation) based on assessed risks to others, using occupational health protocols, where they are still able to work remotely.
- 2.2.1.5 Minimise human contact with the use of digital virtual communication platforms to conduct operational decision making and response planning via conference calls and virtual meetings.
- 2.2.1.6 Provide digital housekeeping rules and data management protocols that should be made known to all staff in advance.
- 2.2.1.7 Provide necessary physical distancing ergonomics and Personal Protective Equipment (PPE) protocols according to categories of employee needs, not classified as essential services.
- 2.2.1.8 Ensure that Occupational Health and Safety compliance and risks to employees are managed.

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 provisions in the Determination and Directive of Leave remain applicable for all categories of employee.

2.4 RESOURCES REQUIRED FOR REMOTE WORKING

- 2.4.1 Each Accounting Officer has responsibility to determine and ensure availability of identified and appropriate tools of trade for all employees approved for remote work, 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 unsecured Wi-Fi networks to do their work.

2.6 PERFORMANCE MANAGEMENT

- 2.6.1 Each Accounting Officer has responsibility to determine and ensure the adherence to Performance Management for all employees so as to ensure continued delivery of services and functioning of the Public Service.
- 2.6.2 All employees must adhere and attend to the necessary time-on-task, and delivery schedules as agreed upon contractually, with their immediate line manager or supervisor.
- 2.6.3 Each employee will have to have a formal Work Schedule based on his or her Key Performance Areas (KPA) and the expected delivery in his or her Key Result Areas (KRA) based on Key Performance indicators (KPI).
- 2.6.4 An employee must observe the work hours determined by the relevant Head of Department in terms of Regulation 51 of the Public Service Regulations. The employee and department must agree as to what working hour schedule/arrangement, works productively best for both parties. Contact with employees outside of working hours should be minimised and avoided unless where it is mission critical.
3. All Heads of Departments, in dealing with risk assessment and the categorisation of employee comorbidities and vulnerabilities with respect to work, 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.
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.



MS YOLISWA MAKHASI
DIRECTOR GENERAL

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