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17/8/P

TO HEADS OF NATIONAL AND PROVINCIAL DEPARTMENTS

COMPENSATION RATES FOR EMPLOYEES ON LEVELS 1 TO 12 OR EQUIVALENT PROVIDING SUPPORT AT THE SADC AND AFRICAN DIASPORA SUMMITS AND OTHER INTERNATIONAL SUMMITS AND CONFERENCES, HOSTED LOCALLY

1. The Minister-

1.1. determined in terms of section 3(5)(a) of the Public Service Act, 1994, as amended, that-

1.1.1. with effect from 1 July 2008 employees on levels 1 to 12 or equivalent deployed to provide support at the SADC and African Diaspora Summits and other international summits and conferences hosted locally be paid the following non-pensionable daily allowances:

(a) **Non-pensionable daily subsistence allowance**

- (i.) A non-pensionable daily subsistence allowance of R 74.00 provided that it is required of the deployed employee to reside in accommodation at the summit or conference to render support for 24-hours to dignitaries.
- (ii.) The departments concerned adjust annually the allowance depicted in sub-paragraph (i) with effect from 1 April of each year in line with the revised subsistence allowance determined by the Minister.

(b) **Converted non-pensionable daily overtime allowance**

- (i.) A non-pensionable daily overtime allowance of R560 per day to compensate for overtime.
- (ii.) The calculation of this allowance is based upon the-

- A minimum notch (R 145 920 p.a) for salary level 8;
- B formula applicable to normal working time as contemplated in paragraph 1.3 /Part III of the Determination on Working Time; and
- C an average of 6 hours overtime worked per day, on the assumption the weekly number of hours of attendance prescribed for the employee is 45 hours.

(iii.) The departments concerned must adjust annually the allowance depicted in sub-paragraph (i) with effect from 1 July of each year, based upon the-

- A basic salary determined in paragraph 1.1/Part III of the Determination on Working Time with effect from 1 July of each year;
- B formula applicable to normal working time as contemplated in paragraph 1.3 /Part III of the said Determination; and
- C an average of 6 hours overtime worked per day, on the assumption that the weekly number of hours of attendance prescribed for the employee is 45 hours.

1.1.2. the departments concerned obtain the written consent from the employees involved in lieu of the collective bargaining process, since-

- (a) the payment of a converted non-pensionable overtime allowance will constitute a deviation from existing collective agreements,
- (b) depending on the hours overtime worked and the salary notches of the officials involved, the proposed overtime allowance may also be a deviation from the provisions of the Basic Conditions of Employment Act, 1997, and
- (c) the LRA does not allow an employer to deviate from collective agreements in individual contracts of employment if such deviation represents a reduction of benefits. However, striving for collective agreements on this issue is practically impossible.

2. If the deployed officials are required to travel and be accommodated at the Summit or conferences, such arrangements and related expenditure must be handled according to existing departmental policies of the affected departments.

3. In terms of section 3(5)(b) of the Public Service Act, 1994, as amended, a determination by the Minister involving expenditure shall not be implemented unless in consultation with the Minister of Finance. You are advised to obtain the necessary Treasury approval for the expenditure involved.



DIRECTOR-GENERAL

DATE: 29 August 2008