



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

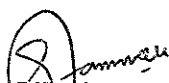
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TO HEADS OF NATIONAL AND PROVINCIAL DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

THE AMENDED DETERMINATION AND DIRECTIVE ON WORKING TIME: IMPLEMENTATION OF PSCBC RES 1 OF 2012 AND OTHER POLICY ASPECTS

1. Following the conclusion of PSCBC Resolution 1 of 2012 and the need to address specific policy aspects, the Minister for Public Service and Administration has determined and directed in terms of section 3(5)(a) and 5(6) of the Public Service Act, 1994, as amended, the amendment of the Determination and Directive on Working Time (hereafter referred to as the Determination) to give effect to clause 6 of PSCBC Res 1 of 2012.
2. The Minister further directed in terms of sec 5(6) of the Public Service Act, 1994, as amended, that pro rata additional pay for ordinary work on a Sunday or Public Holiday be paid to an eligible employee commensurate with the hours the employee has worked, provided the period of absence has been approved by the supervisor/ manager. The Determination was amplified accordingly.
3. The DPSA has been inundated with enquiries regarding discrepancies that transpired from the interpretation and application of clause 9.2 of PSCBC Resolution 1 of 2007, read with paragraph 1.1 of Part IV of the Determination on Working Time and clause 8 of PSCBC Res 4 of 2010. It is deemed opportune to provide Departments with clarity on this matter at this point. Following legal advice obtained, Departments are advised that the provisions contained in clause 8 of PSCBC Res 4 of 2010 do not have any bearing on clause 9.2 of PSCBC Res 1 of 2007, read with Part IV. Paragraph 1.1 of the Determination and Directive on Working Time. Clause 9.2 of PSCBC Res 1 of 2007 should be interpreted and applied that the increase in all overtime rates is to be implemented with effect from 1 July of a particular year. In other words the increase in overtime rates is not linked to the adjustment rates of general salary increases. Possible overpayments that occur should be dealt with through the applicable provisions.
4. The additional expenditure emanating from the above-mentioned determination is to be met from current departmental allocations.


DIRECTOR-GENERAL
DATE: 2012/10/18