



the dpsa

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TO HEADS OF NATIONAL AND PROVINCIAL DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

Circular No 13 of 2021


IMPLEMENTATION OF THE RECOMMENDATIONS ON THE REVIEW OF THE POLICY AND PROCEDURE ON INCAPACITY LEAVE AND ILL-HEALTH RETIREMENT (PILIR) MODALITY

1. The PILIR modality was subjected to an independent review in 2016. The DPSA considered the recommendations from the review and have prioritised the **recommendations** for further development work, consultation and implementation in a phased approach, where applicable. The independent review also took into account the recommendations made by the Public Service Commission in its reports on PILIR and that of the review workshop of the Portfolio Committee held on 22 March 2017.
2. With due consideration to the **recommendations** and further development work, the Minister for the Public Service and Administration (MPSA) has approved, in terms of sections 3(5)(a) and 5(6)(b), respectively, of the Public Service Act, 1994, as amended:
 - 2.1. an amendment to the Determination and Directive on Leave of Absence in the Public Service (henceforth referred to as the Determination);
 - 2.2. amendments to the Policy and Procedure on Incapacity Leave and Ill-health Retirement (PILIR); and
 - 2.3. the continued use of the current Health Risk Manager model.

3. The amendment to the *Determination* entails inserting an enabler for the use of annual leave from available annual leave from a current leave cycle and/or capped leave in respect of incapacity leave that was declined, which originated in a previous leave cycle.
4. The salient features of the amendments to the *PILIR* are, among others, the following:
 - 4.1. Redefining the objective of *PILIR* in keeping with the original intent and design of the policy, i.e. to set up structures and processes which will ensure-
 - 4.1.1. interventions and management of incapacity leave in the workplace to accommodate temporarily or permanently incapacitated employees; and
 - 4.1.2. that opportunities for workplace adaptation and retirement be identified for the employer's attention.
 - 4.2. The redesign of the following application forms:
 - 4.2.1. Annexure A -Application Form for Temporary Incapacity Leave Short Periods. The redesign of this form also includes the insertion and implementation of an appendix, *Appendix 1 to Annexure A - Medical Information Form in Support of Mandatory Medical Certificate*. The purpose of this Appendix would be to gather sufficient information from the employee's treating doctor for the assessment of the employee's application;
 - 4.2.2. Annexure B - Application Form for Temporary Incapacity Leave Long Periods; and
 - 4.2.3. Annexure E – Head of Department's Report to Health Risk Manager for Ill-health Retirement.
 - 4.3. In keeping with the amendment referred to in paragraph 3, above, an enabler that declined incapacity leave originating in a previous leave cycle can be covered by available annual leave of a current leave cycle.
5. Since the above-mentioned changes will take effect from the date of signature of this letter, it is accepted that the processing of some applications for incapacity leave and/or ill-health retirement may have commenced from this date until the date that the letter is received and implemented. Hence, in the context of good governance, Departments are advised to commence phasing out the old application forms and commence accepting applications on the new application forms, referred to above, with effect from 1 October 2021.
6. Departments are encouraged to, within the limitations of COVID-19 protocols,

communicate the above-mentioned changes to all employees within the Department to note and familiarise themselves with the amended Determination and PILIR.

7. With regard to the approval of the continued use of the current Health Risk Manager model, the DPSA commenced with the process for the procurement and appointment of the Panel of Accredited Health Risk Managers for implementation with effect from 1 January 2022. Departments will, when necessary, be kept abreast of developments in this regard.
8. The amended Determination and PILIR are available on the DPSA website at www.dpsa.gov.za.


Ms Yoliswa Makhasi
Director-General
Date: 16/08/2021