



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

Private Bag X916, PRETORIA, 0001. Tel: (012) 336 1000, Fax: (012) 326 7802
Private Bag X9148, CAPE TOWN, 8000. Tel: (021) 467 5120, Fax: (021) 467 5484

Enquiries: T. Senona
Tel: (012) 336 1434
Email: Thulares@dpsa.gov.za

Circular No.: HRD 3 of 2015

TO: ALL HEADS OF DEPARTMENT AND PROVINCIAL ADMINISTRATIONS

RE: IMPLEMENTATION OF CLAUSE 7 OF PUBLIC SERVICE COORDINATING BARGAINING COUNCIL 1 OF 2012: RECOGNITION OF IMPROVED QUALIFICATIONS

1. INTRODUCTION

1.1 The purpose of this Circular is to inform departments regarding the implementation of Clause 7 of the Public Service Coordination Bargaining Council (PSCBC) Resolution 1 of 2012, and to provide implementation mechanisms as stipulated in the General Public Service Sector Bargaining Council (GPSSBC) Resolution No.5 of 2014. Therefore this Circular must be read in conjunction with the PSCBC Resolution 1 of 2012 and the GPSSBC Resolution No. 5 of 2014.

1.2 On 31 July 2012 the Minister for Public Service and Administration and Organised Labour concluded a collective agreement referred to PSCBC Resolution 1 of 2012. In terms of this Resolution, the employer undertakes to award a once-off cash bonus in recognition of an employee's attainment of an improved qualification relating to the employee's scope of work and such attainment enhances the employee's performance and therefore, improved service delivery.

2. AUTHORISATION

In terms of section 3(5)(6) of the Public Service Act, 1994 (Proclamation 103 of 1994), herein referred to as "the PSA", both the above-mentioned Collective Agreements are deemed to be determinations by the Minister for Public Service and Administration.

3. COMMENCEMENT DATE

In terms of PSCBC Resolution 1 of 2012 the implementation date of Clause 7 is 01 January 2013, therefore the implementation of the provisions of this Circular is effective from 01 January 2013, subject to Paragraph 5 hereof.

This means that an employee seeking to be recognised for having improved his/her qualification, must have obtained permission from his/her supervisor to undertake that particular qualification either on or after 01 January 2013.

4. SCOPE

- 4.1. The Recognition of Improved Qualifications is applicable to all employees employed in terms of the PSA including those covered by an Occupation Specific Dispensation.
- 4.2. Members of the Senior Management Service are excluded.

5. IMPLEMENTATION OF THE RECOGNITION OF IMPROVED QUALIFICATIONS

- 5.1 Each Sector/Department must determine the conditions and criteria applicable for recognition of improved qualifications. In this regard the following may be considered:
 - 5.1.1. Is the qualification related to the employee's scope of work?
 - 5.1.2. Does the qualification have the potential to enhance the employee's performance and service delivery?
 - 5.1.3. Does the qualification offer career progression opportunities for lower level employees whose jobs do not require any qualifications? and
 - 5.1.4. Is the qualification linked with occupations within the organisation?
- 5.2 Sectors and/or Departments must define the qualifications which are relevant to their respective areas of work and which they intend to recognise (par 6.1, GPSSBC Resolution No. 5 of 2014).
- 5.3 The conditions and criteria applicable to the recognition of qualifications as set by each sector/department must be consulted with Labour in the respective Chambers (par 6.2, GPSSBC Resolution No. 5 of 2014).
- 5.4 In defining those qualifications departments shall obtain concurrence with the Department of Public Service and Administration (DPSA) on the definition of those qualifications before they are published (par 6.3, GPSSBC Resolution No. 5 of 2014).
- 5.5 An employee who intends to register for a qualification upon completion of which he/she wishes to be considered for the cash bonus shall first request approval from the Head of Department to register for that qualification.
- 5.6 An Employee in the department who enrolled for the improvement of his/her qualification after the implementation date in the Resolution, and before the department had established its criteria, would be eligible to receive a recognition award provided the achieved qualification falls within the departments'

approved criteria once it becomes available. However, the conditions described in Clause No. 5 of the GPSCBC Resolution No. 5 of 2014 will apply.

- 5.7 Heads of Department are urged not to delay the finalisation of the departmental criteria for recognition of improved qualifications after the date of implementation in order to avoid accumulation of liability in the form of funds accrued to qualifying employees.
- 5.8 The Head of Department or delegate shall then consider the employee's request for approval and provide written feedback within one month from the date of submission of the request as to whether the request is approved or not. Should the request not be approved, reasons for non-approval must be provided.
- 5.9 An employee must, upon attainment of an improved qualification submit to the employer on a prescribed form an application for a cash bonus. The application form for a cash bonus for an improved qualification must be accompanied by:
 - 5.9.1. An original certified copy of the improved qualification;
 - 5.9.2. An original certified copy of the academic record relevant to the improved qualification; and
 - 5.9.3. A copy of a fully completed and signed job description of the employee.
- 5.10. The cash bonus referred to in Clause 7 of the PSCBC Resolution 1 of 2012 will only be payable to employees with effect from 1 January 2013.
- 5.11. An employee who receives a state-funded bursary, either partly or in full, for the attainment of an improved qualification shall not be eligible for the once-off cash bonus referred to in paragraph 7.6 above.

6. PAYMENT OF THE ONCE-OFF CASH BONUS

- 6.1. The once-off cash bonus shall amount to 10% of the employee's annual salary notch provided that it does not exceed the minimum notch of salary level 8.
- 6.2. The cash bonus can only be paid for one completed qualification (see par 6.7, GPSSBC Resolution No 5 of 2014).
- 6.3. The payments to qualifying employees are to be effected after the successful attainment of the qualification for which approval was granted.
- 6.4. Qualifications for which no prior approval was granted shall not be eligible for the payment of the cash bonus.
- 6.5. No cash bonus award shall be paid to an employee who leaves and joins another department in the middle of studies towards a qualification for which a recognition cash award is expected, unless the Head of the Department receiving the new employee determines otherwise.

7. Date of Implementation

- 7.1. The implementation of this Circular takes effect on 01 January 2013.
- 7.2. Payment shall be for qualifications for which approval was granted on or after 01 January 2013.

8. Funding

- 8.1. Heads of Department shall ensure that sufficient funds are set aside for the payment of recognition of improved qualifications to qualifying employees.

9. Roles and Responsibilities

- 9.1. Each Sector/Department must determine and publish any additional criteria to be met for employees to qualify for the recognition of improved qualifications. (Inherently qualifications only have a 3-year life span and therefore bound to be reviewed and sometimes as a result, replaced with new ones. Furthermore as new knowledge is discovered new qualifications will be introduced. Therefore it is to be expected and encouraged that the departments continually review the criteria in line with the latest developments);

9.2. Departments must ensure that:

- 9.2.1. Criteria and conditions applicable to the recognition of improved qualifications (e.g. list of Departmental or Sectoral approved qualifications) are determined and communicated to all employees;
- 9.2.2. Decisions on the recognition of improved qualifications are made timeously and communicated to all staff members;
- 9.2.3. A system of delegation of authority and functions is in place to maximise administrative and operational efficiency in the implementation of this Circular;
- 9.2.4. Written feedback is given to an employee who requests to be considered for recognition of improved qualifications within one month from the date of submission of the request;
- 9.2.5. All employees who meet the requirements and make formal requests to be considered for the cash bonus are paid within 60 days of receipt of submission of their request to be paid;
- 9.2.6. Adequate funds are available to fund employees whose requests to study for approved qualifications that will enhance their performance and improve service delivery have been granted;
- 9.2.7. Authentic records in terms of the implementation of this Circular are maintained and protected for as long as these records are required as evidence of operations; and
- 9.2.8. Reports on the implementation of this Circular are submitted to the DPSA as per paragraph 10.3 hereunder.

10. Monitoring, Evaluation and Reporting

- 10.1. DPSA shall monitor the implementation of this Circular through the annual reporting process.
- 10.2. Reporting on the implementation of this Circular must be done as part of the Annual HRD Monitoring and Evaluation Reporting Tool established as part of the Public Service HRD Strategic Framework.
- 10.3. Departments will be required to capture all payments on PERSAL and report on the implementation of this Circular on 30 June of every year.

11. Compliance

- 11.1. This Circular is issued in terms of the Public Service Act and as such an Executive Authority shall immediately take appropriate disciplinary steps against a Head of Department who does not comply with the provisions of this Circular and report to the Minister for Public Service and Administration the particulars of the disciplinary steps taken.
- 11.2. A Head of Department shall:
 - 11.2.1. Immediately take appropriate disciplinary steps against and employee of the department who does not comply with the provisions of this Circular;
 - 11.2.2. Immediately report to the Director General: Department of Public Service and Administration the particulars of such non-compliance; and
 - 11.2.3. As soon as possible report to the Director General: Department of Public Service and Administration the particulars of the disciplinary steps taken.


DIRECTOR-GENERAL

DATE: 14/08/2015