



**DIRECTIVE ON THE IMPLEMENTATION OF CONTROL
MEASURES AIMED AT ASSISTING EXECUTIVE
AUTHORITIES IN MANAGING FISCAL SUSTAINABILITY
DURING THE PROCESS OF CREATING AND FILLING
VACANT POSTS IN DEPARTMENTS**

(AS AMENDED)

ISSUED BY THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION

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Definitions

In this Directive, unless the context indicates otherwise, any word shall have the meaning assigned to it in the Public Service Act, 1994 (Proclamation 103 of 1994) and the Public Service Regulations, 2016-

“MMS” means employees appointed at salary levels 11 and 12;

“Vacant post” means an unoccupied post on the approved establishment of a department for which financial provision exists and which the department is actively seeking to fill with a suitable candidate, immediately or in the near future.

1. Introduction

1.1. On 30 March 2023, the employer and majority of organised Labour in the Public Sector Coordinated Bargaining Council (PSCBC) agreed upon a wage settlement for the 2023/24 and 2024/25 financial years. The two-year wage agreement is detailed as follows:

1.1.1. For the 2023/24 Financial year, the employer shall pay employees on salary levels 1 to 12, including those remunerated in terms of an Occupation Specific Dispensation (OSD) in the public service, an average increase of 7.5% encompassing a translation of the current non-pensionable cash allowance into a pensionable salary that is estimated at an average of 4.2%, as well as an additional 3.3% pensionable salary increase.

1.1.2. For the 2024/2025 financial year, the employer shall pay employees on salary levels 1 to 12, including those remunerated in terms of an OSD in the public service, a pensionable salary increase of the projected CPI (by National Treasury at the time of 2024 budget tabling) for the financial year 2024/2025.

1.2. The Minister of Finance stated in his 2023 budget speech that the cost of the wage agreement for the 2023/2024 financial year, will require significant trade-offs in government spending over the short and medium term as the wage bill is a significant cost driver.

1.3. Chapter 13 of the Constitution of the Republic of South Africa, 1996 requires amongst others, that, in dealing with the budgets and the budgetary processes, there should be effective financial management of the economy, debt and the public sector.

1.4. Financing of public services is governed by the government's fiscal policy and budget framework, aimed at maintaining a sound and sustainable balance between spending and borrowing; keeping consumption at an affordable level and ensuring that salary increases are fiscally sustainable.

1.5. Departments are therefore required to realign their human resource plans with service delivery imperatives and compensation allocations, where necessary, taking into consideration the Medium-Term Expenditure Framework (MTEF) and fiscal sustainability.

2. Purpose

This Directive outlines control measures to be implemented on PERSAL and PERSOL to support Executive Authorities to operate within the MTEF and financial ceilings for their departments, when creating and filling vacant posts. This must be done in line with the Departments' structures as concurred with the Minister for the Public Service and Administration.

3. Authorisation

This Directive is issued by the Minister for the Public Service and Administration in terms of section 41(3) of the Public Service Act, 1994 (Proclamation 103 of 1994), to elucidate regulations 25 (2)(a), (b) and 40 of the Public Service Regulations, 2016.

4. Scope

- 4.1. This Directive applies to all national departments, provincial departments, and government components.
- 4.2. The control measures specified in this Directive shall be:
 - 4.2.1. applicable to all vacant posts on PERSAL and PERSOL for salary dispensations linked to the salary scales listed in **Annexure A**;
 - 4.2.2. not applicable to vacant posts on PERSAL or PERSOL for salary dispensations linked to the salary scales listed in **Annexure B**.

5. Control measures effected on PERSAL and PERSOL

The following control measures shall be implemented on the PERSAL and PERSOL systems in relation to the creation and filling of posts in departments:

- 5.1. All vacant posts, linked to active salary scales listed in **Annexure A**, shall be blocked programmatically on PERSAL and PERSOL. This includes posts that become vacant after the implementation date of this Directive.
- 5.2. The creation of new posts or the upgrading of existing posts, linked to active salary scales listed in **Annexure A**, is prohibited. Grade progression for active Occupation Specific Dispensation salary scales and grade progression in terms of a collective agreement for posts is not affected by this control measure.
- 5.3. All vacant posts in salary dispensations linked to **inactive** salary scales listed in **Annexure A** of this Directive shall be abolished programmatically in order to remove outdated and unfunded posts from the systems as well as improve the integrity of the data.
- 5.4. Only funded vacant posts should be created on PERSAL and PERSOL. Departments shall identify unfunded vacant posts, linked to active salary scales, and abolish those on the PERSAL and PERSOL systems. Where more than 100 posts are identified, a Systems Change Control (SCC) can be registered for the programmatic abolishment of such posts, or else the department must abolish these posts manually by 31 October 2023.
- 5.5. No salary payments for appointed officials (permanent and on contract) shall be processed through the BAS financial system.

6. Commencement

This Directive takes effect on 1 October 2023 until 31 March 2025.

7. Procedure for creating a post or filling a vacancy in a department

- 7.1. An Executive Authority shall consult with the Minister for the Public Service and Administration on all changes to the organisational structure affecting all units or posts regarding the creation of units and posts and functional reorganisation within the key programmes.
- 7.2. Before creating a post for any newly defined job, or filling any vacancy, an Executive Authority shall confirm the need for the post to meet the department's objectives, in line with the following criteria:
 - 7.2.1. The impact on the compensation budget provided for in the MTEF budget and the financial ceilings set for the department;
 - 7.2.2. The impact on the service delivery mandate of the department and whether this would adversely interrupt efficiency in the workplace;
 - 7.2.3. The extent to which it could result in substantial financial losses for the State;
 - 7.2.4. The extent to which it could endanger the lives, personal safety or health of the whole or any part of the population;
 - 7.2.5. The extent to which it could prevent a serious humanitarian crisis or disaster; and
 - 7.2.6. The extent to which the functions of the post can be reorganised or rearranged without compromising the overall objective of the services delivered by the department.
- 7.3. In case of a newly defined job, the Executive Authority shall evaluate the job in terms of the job evaluation system, in line with the requirements of the Public Service Regulations.
- 7.4. An Executive Authority must submit a motivation, based on the assessment in paragraph 7.2 above, for creating or filling a post on PERSAL or PERSOL to:
 - 7.4.1. the Minister for the Public Service and Administration for concurrence in the case of a national department or national government component, and
 - 7.4.2. the relevant Premier for concurrence in the case of a provincial department or provincial government component.
- 7.5. The motivation for the establishment of a post on PERSAL or PERSOL must be accompanied by concurrence from the MPSA and the approved organisational structure by the EA, as concurred by MPSA.
- 7.6. The request for filling of posts in Programme 1, specifically pertaining to administrative functions/ support, should include a motivation that effectively demonstrates the significance of the position and its influence on the overall operations of the department.
- 7.7. Upon concurrence by the Minister for the Public Service and Administration or the Premier of the relevant province, the designated departmental Systems Controller may authorise and release

the relevant post for filling, referencing the authorisation code provided by the Department of Public Service and Administration.

7.8. All appointments not yet approved by the Executive Authority prior issuing of this Directive shall be dealt with in terms of this Directive.

8. Powers and responsibilities of the Executive Authority

8.1. In terms of section 3(7)(b) of the Public Service Act, the authority to fill or create a vacant post in a department vests with the relevant Executive Authority.

8.2. The control measures implemented on the PERSAL and PERSOL systems are implemented to support the Executive Authority and the National Treasury to manage the fiscal sustainability when creating and filling a vacant post in the department. These measures will also contribute towards improving the integrity of the data on PERSAL and PERSOL.

APPROVED BY THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION



MS NOXOLO KIVIET, MP
MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION

DATE: 28/03/24

ANNEXURE A: POSTS AFFECTED BY THIS DIRECTIVE

1. Posts linked to the following salary key scale tables on PERSAL and relevant equivalent tables on PERSOL, are affected by the control measures in this Directive:
 - 1.1 Government pay progression (Table 225);
 - 1.2 OSD: Legal Services (Table 249);
 - 1.3 OSD MMS: Legal Services (Table 250);
 - 1.4 Public Service Non-OSD (Table 264);
 - 1.5 MMS Public Service Non-OSD (Table 265);
 - 1.6 SMS Public Service (Table 281);
 - 1.7 SMS: Correctional Services (Table 282);
 - 1.8 Developmental Programmes (Table 283);
 - 1.9 OSD: Educationists DCS Pay Prog 1.5% (Table 293);
 - 1.10 OSD MMS: Educationists DCS Prog 1.5% (Table 294);
 - 1.11 MMS: Correctional Services (Table 310).

2. Posts linked to the following **inactive** salary key scale tables on PERSAL, are affected by the control measures in as far as it relates to the abolishment of a post:
 - 2.1 New administration (Table 203);
 - 2.2 SMS: Public service (Table 213);
 - 2.3 SMS: SAPS (table 223);
 - 2.4 CS Educators pay progression (Table 226);
 - 2.5 SAPS Pay progression (Table 227);
 - 2.6 MMS: Public Service (Table 232);
 - 2.7 MMS: Correctional Services (Table 233);
 - 2.8 MMS: SAPS (Table 235);
 - 2.9 SAPS broad banding (Table 243);
 - 2.10 MMS: SAPS broad banding (Table 245);
 - 2.11 SMS: Remuneration (Table 253);
 - 2.12 OSD: Correctional services (Table 262);
 - 2.13 OSD: Correctional services (Table 263);
 - 2.14 OSD Educationist DCS (Table 273);
 - 2.15 OSD: Education Pay Prog Equalisation 2018 (Table 287);
 - 2.16 OSD MMS: Education Pay Prog Equalisation 2018 (Table 288);
 - 2.17 OSD: Educationist DCS Pay Prog Equalisation 2018 (Table 289).

ANNEXURE B: POSTS NOT AFFECTED BY THIS DIRECTIVE

1. Posts linked to the following salary key scale tables on PERSAL and relevant equivalent tables on PERSOL, are not affected by the control measures in this Directive:

- 2.1 Parliament (non-members) (Table 210);
- 2.2 Magistrates (Table 215);
- 2.3 Judges (Tables 220);
- 2.4 SMS: Prosecutors (Table 221);
- 2.5 Prosecutors and Special investigators (Table 224);
- 2.6 MMS: Prosecutors (Table 246);
- 2.7 OSD: Nursing (Table 247);
- 2.8 OSD MMS: Nursing (Table 248);
- 2.9 OSD: Education (Table 251);
- 2.10 OSD MMS: Educations (Table 252);
- 2.11 Parliament (members) (Table 254);
- 2.12 Magistrates (Table 255);
- 2.13 Provincial Legislature (Table 256);
- 2.14 Judges (Tables 257);
- 2.15 SMS SAPS (Table 258);
- 2.16 OSD: Social services (Table 260);
- 2.17 OSD MMS: Social services (Table 261);
- 2.18 OSD MMS: Medical (Table 267);
- 2.19 OSD: Medical (Table 268);
- 2.20 OSD: Engineering related (Table 269);
- 2.21 OSD MMS: Engineering related (Table 270);
- 2.22 SMS: Prosecutors (Table 275);
- 2.23 OSD: Engineering 2nd phase (Table 276);
- 2.24 OSD MMS: Engineering 2nd phase (Table 277);
- 2.25 OSD: Allied Related Health (Table 278);
- 2.26 OSD MMS: Allied Related Health (Table 279);
- 2.27 Traditional Leaders (Table 280);
- 2.28 OSD: Education (Table 291);
- 2.29 OSD MMS: Education (Table 292);
- 2.30 SAPS (Table 295);
- 2.31 SAPS B2 (Table 296);
- 2.32 SAPS MMS (Table 297);
- 2.33 OSD: Nursing (Table 298);
- 2.34 OSD MMS: Nursing (Table 299);
- 2.35 OSD: Social Services (Table 300);
- 2.36 OSD MMS: Social Services (Table 301);
- 2.37 Correctional Services (Table 309).

2. Posts created in terms of:

- 1.1 The Defence Act, No. 42 of 2002 as amended;
- 1.2 The Intelligence Services Act, 2002.