



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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Inquiry : Mr P Tshabane
Telephone : (012) 336 1491
File : 01/01/18

Circular No: 15 of 2018

TO: ALL HEADS OF DEPARTMENTS

PSA SECTION 64(d) OF THE LABOUR RELATIONS ACT AS AMENDEND NOTICE TO STRIKE: PSCBC WAGE NEGOTIATIONS

1. The DPSA received a notice to strike, dated 4 June 2018, in terms of Section 64(d) of the Labour Relations Act 66 of 1995 as amended, from the Public Servants Association of South Africa herein referred to as the PSA. The PSA declared a dispute with the employer which was conciliated on the 14 May 2018 and it remained unresolved and a certificate was issued to that effect. The strike action notice indicates the start as the 11 June 2018.
2. The principle of "no work, no pay" must strictly be applied by departments. The principle should apply for absence of a full day as well as part of a working day. The following calculation rates should be applied:
 - (a) Employees paid hourly.
 - Pay to be deducted for hours not worked.
 - (b) Permanent employees and employees paid on a 6/8 basis;
 - Daily rate: Annual notch (e.g. annual basic salary) divided by 365 and rounded off to the nearest cent.
 - Hourly rate: Daily rate divided by 8 and rounded off to the nearest cent.
3. All deductions made in lieu of the protest action must be captured on PERSAL Function 4.5.4 category 3 code 083 only.

4. Departments who do not affect the deductions will be in violation of the provisions of the Public Finance Management Act, 1999 in respect of fruitless and irregular expenditure. The "no work no pay" principle must be strictly and timeously enforced. In other words deductions must be effected in the month of the protest action (if possible) but not later than the next month.
5. Leave should strictly be managed during the strike action and no leave should be granted unless under extreme and compelling situations. Leave should only be granted under the leave regulations, i.e. for leave purposes in terms of the regulations and not for strike purposes.
6. It is important, not only for purposes of your department, but also from a national perspective, that information on the strike become available at the earliest opportunity and that a comprehensive assessment is made when more accurate information is available. In this regard it would be appreciated if you could submit to the DPSA-
 - (a) a broad assessment of the number of employees on strike on daily basis, and the impact thereof on the activities of the department, by 10:00 ;
 - (b) a reassessment of the above information by 15:00 on the same day; and
 - (c) accurate information within three (3) days after the end of the strike.
7. The following e-mail address or fax number should be used to forward the information to the DPSA:

percy.tshabane@dpsa.gov.za and Dorothy@dpsa.gov.za

Fax No. (012)3361816
8. For purposes of the information referred to in paragraph 6(c) above, please use the format as per the attached Annexure B.
 - (a) Annexure A provides for capturing of the number employees involved in the strike action, the number of person day lost and amount deducted in terms of the "no work no pay" principle.
 - (b) Annexure B provides for capturing of data on leave taken during this period
9. Departments are directed to put the necessary processes, procedures and contingency strike management plans to effectively deal with the strike action and to generate the required information.



DIRECTOR GENERAL

DATE: 06/06/2018

INFORMATION ON STRIKE ACTION

NB: PLEASE COMPLETE THIS FORM FOR EACH DAY OF THE STRIKE ACTION

- (a) Department: _____
- (b) Date of strike action: _____
- (c) Number of employees involved in strike action (those with regard to whom "no work, no pay" is being applied): _____
- (d) Total number of person days lost on day of strike action (every eight hours to count as full day):
_____ (e.g. 300 persons x 1 day = 300 days)
- (e) Amount deducted in terms of the "no work, no pay" principle for day of the strike action (i.e. in respect of all employees involved in the strike action collectively):

I hereby certify that to my knowledge the information provided above is accurate.

HEAD OF DEPARTMENT

DATE

**PLEASE RETURN TO DIRECTORATE: LABOUR RELATIONS,
DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION**

INFORMATION ON THE APPLICATION OF LEAVE PROVISIONS IN THE PUBLIC SERVICE DURING THE STRIKE ACTION

Department:**Date of Strike Action:**

NUMBER OF EMPLOYEES ON STRIKE	NUMBER OF EMPLOYEES ON ANNUAL LEAVE	NUMBER OF EMPLOYEES ON SICK LEAVE

If you are unable to furnish the above information, please provide a written explanation:

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I certify that the information supplied, is to the best of my knowledge, correct.

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DESIGNATED OFFICER