

DIRECTIVE ON COLLECTIVE AGREEMENT XIX: ALLOWANCES FOR PERSONNEL SERVING EXECUTING AUTHORITIES

COLLECTIVE AGREEMENTS PER RESOLUTION 3 OF 1999 ON REMUNERATION, ALLOWANCES AND BENEFITS AS CONCLUDED IN THE PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL (PSCBC) IN FEBRUARY 1999.

GENERAL ISSUES

1. This Directive has to be read with the above collective agreement and the relevant paragraph in the Financial Manual (paragraph 10), that is effective from 1 July 2000.

PREVIOUS PRACTICE

2. The above agreement accommodates personnel who, in the past, were appointed in accordance with the following former PAS's/Special PAS's:
 - 2.1 Role Playing Posts: As posts in this former Special PAS could not be linked to existing occupational classes, they were grouped in the said PAS. Holding of a post as indicated in item 3.0 of this PAS, amounted to the interpretation of a role and offered no career opportunities. Incumbents were originally supposed to occupy the posts only for a limited period and then to return to the occupational class/es of origin. This constituted that any occupational class, such as personnel officer, engineer, etc., could be applied.
 - 2.2 Registry Clerk
 - 2.3 Ministerial Typist
 - 2.4 Household Manager
 - 2.5 Household Worker
 - 2.6 Manager: Guest House.

3. Executing Authorities' offices had to be adequately staffed to provide them with the support needed to carry out their functions. The following norms and restrictions dictated the filling of posts in the former Special PAS for Role Playing Posts:
 - 3.1 Creation of role playing posts had to be effected on the basis of a full-scale work study investigation;
 - 3.2 The filling of role playing posts were restricted to the rank/grading not **higher** than that of –
 - 3.2.1 Director (or equivalent gradings) in the case of Private Secretary, Administrative Secretary, Parliamentary Officer, Special Programmes Officer and Public Relations Officer (PRO). The PRO had to, on a full-time and continuous basis, form part of the personnel core of a Minister/Premier as recommended by the PSC and approved by Cabinet.
 - 3.2.2 Deputy Director (or equivalent grading) in any other administrative or line function including Assistant Private Secretary, except in the case of a Medical Attaché where only members of the occupational class Medical Officer were to be utilized.
 - 3.3 The provision of Private Secretaries, Assistant Private Secretaries, Administrative Secretaries, Public Relations Officers, Ministerial Typists, Registration Clerks and Drivers were further limited to the following numbers as, *inter alia*, determined in Chapter 14 of the Ministerial Handbook :- (The prescripts on the personnel in the table below were effective from 4 December 1996.)

Provisioning for -	Private Secretary	Assistant Private Secretary	Administrative Secretary	Public Relations Officer	Driver	Ministerial Typist	Registration Clerk	Messenger
Minister/Premier	1	1	1*	1	1	2	1	1
Deputy Minister/ MEC	1	-	-	-	1	1	1	1

* An additional post could be provided for those ministries, deputy ministries, Premiers and Members of the Executive Council where the portfolio included more than one executive institution.

NEW STRUCTURE FOR CORE STAFF FOR POLITICAL OFFICE BEARERS

4. With regard to the Presidency's letter dated 8 August 2000, the most recent Cabinet decision on the core staff for political office bearers has been made known and the personnel structure in political office bearers' offices is indicated below: (The current maximum provision of a core staff for Ministers/Premiers/Deputy Ministers/MEC's as reflected in Chapter 14 of the Ministerial Handbook, are in the tables at paragraphs 4.1.1 and 4.1.2 below.)

4.1 The new approved core staff for political office bearers implies new posts as well as name changes. To shed some light on the changes that took place in respect of Chapter 14 of the Ministerial Handbook, the personnel of the core staff are divided in columns I, II and III in the table at 4.1.1 below. Column I (announced in the said minute in paragraph 14.1 above), refers to the most recently approved core staff and columns II and III (announced in this department's minutes 4/5/P, dated 25 March 1997 and 3/2/4/26, dated 15 June 1999 and the previous directive) refer to the former core staff provision.

NOTE:

(i) The most important prescripts on the core staff in columns I and II are:

Circular 3 of 2000 E1/6/4/1, dated 23 November 2000;

Circular no 1 of 2000 E1/6/7/1, dated 6 October 2000;

The Presidency's letter dated 8 August 2000 to all Private Secretaries of Directors-General of National Departments;

DPSA's Minute 3/2/4/26, dated 15 June 1999;

The new Public Service Regulations (PSR);

Collective agreement Part XIX of Resolution No. 3/1999;

Financial Manual approved on 14 October 1999 and 19 February 2001; and

This Directive.

(ii) The most important prescripts on the core staff in columns II and III were:

DPSA's minute 4/5/P, dated 25 March 1997;

The former PSSC and PSR; and

The former Special PAS/PAS's indicated in paragraph 2 above.

4.1.1 The following core staff indicated in column I may be utilised by executing authorities as a guideline in Offices of Political Office Bearers with effect from 26 July 2000:

I	II	III
NEWLY APPROVED CORE STAFF PROVISION FROM 1 JULY 2000	NEWLY APPROVED CORE STAFF PROVISION FROM 1 JULY 1999	FORMER CORE STAFF PROVISION PREVIOUS PRACTICE UP TO 30 JUNE 1999
CHIEF OF STAFF OF THE MINISTRY: MINISTER/PREMIER (CHIEF DIRECTOR/DIRECTOR) (13-14)	DIRECTOR (NEW POST AT MINISTER/PREMIER)	NONE
HEAD: DEPUTY MINISTER/MEC (DIRECTOR/DEPUTY-DIRECTOR) (12-13)	DEPUTY DIRECTOR(NEW POST AT DEPUTY MINISTER/MEC)	NONE
ADMINISTRATIVE SECRETARY: MINISTER/PREMIER (9-13)	ADMINISTRATIVE SECRETARY (DEPUTY DIRECTOR): FUNCTIONS AMENDED	ADMINISTRATIVE SECRETARY
MEDIA LIAISON OFFICER:MINISTER/PREMIER (9-13)	MEDIA LIAISON OFFICER :FUNCTIONS AMENDED	PUBLIC RELATIONS OFFICER
PARLIAMENTARY OFFICER: MINISTER/PREMIER (9-13)	PARLIAMENTARY OFFICER (NEW POST)	PARLIAMENTARY OFFICER: ONLY IN DG's OFFICE
MEDIA LIAISON OFFICER/PARLIAMENTARY OFFICER: DEPUTY MINISTER/MEC (9-12)		
APPOINTMENTS SECRETARY/PRIVATE SECRETARY: MINISTER/PREMIER (9-12)	APPOINTMENTS SECRETARY (ASSISTANT DIRECTOR): FUNCTIONS AMENDED	PRIVATE SECRETARY
APPOINTMENTS SECRETARY: DEPUTY MINISTER/MEC (9-12)		
ASSISTANT APPOINTMENTS AND ADMINISTRATIVE SECRETARY: MINISTER/PREMIER (7-10)	ASSISTANT APPOINTMENT AND ADMINISTRATIVE SECRETARY: FUNCTIONS AMENDED	ASSISTANT PRIVATE SECRETARY
SECRETARY/RECEPTIONIST: MINISTER/PREMIER - 2 POSTS: DEPUTY MINISTER/MEC - 1 POST (3-7)	SECRETARY/RECEPTIONIST	MINISTERIAL TYPIST: FUNCTIONS AMENDED
REGISTRY CLERK: MINISTER/PREMIER AND DEPUTY MINISTER/MEC - 1 POST (2-7)	REGISTRY CLERK	REGISTRATION CLERK
DRIVER/MESSENGER: MINISTER/PREMIER AND DEPUTY MINISTER/MEC - 1 POST (1-5)	DRIVER/MESSENGER: NOW COMBINED IN ONE POST	DRIVER AND MESSENGER: Each in a different post

NOTE:

The new posts were approved by Cabinet memorandum 35A dated 26 July 2000.

4.1.2

Provisioning for the core staff and post levels in brackets on the right -	<i>f</i> Chief of Staff of the Ministry (Chief Director/ Director) (13-14)	<i>f</i> Head (Director/ Deputy Director) (12-13)	Administrative Secretary (9-13)	Media Liaison Officer (9-13)	<i>f</i> Parliamentary Officer (9-13)	<i>f</i> Media Liaison Officer/Parliamentary Officer (9-12)	Appointments Secretary/ <i>f</i> Private Secretary (9-12)	Appointments Secretary (9-12)	Assistant Appointments and Administrative Secretary (7-10)	Secretary/ Receptionist (3-7)	Registry Clerk (2-7)	Driver/ Messenger (1-5)	TOTAL
Minister/ Premier	1	-	1*	1	1	-	1	-	1	2	1	1	10
Deputy Minister/ MEC	-	1	-	-	-	1	-	1	-	1	1	1	6

* An additional post of Administrative Secretary may be provided for Ministers/Premiers whose portfolios relate to the activities of more than one executing institution.

f New posts. The new posts were approved by Cabinet memorandum 35A dated 26 July 2000.

4.2 Executing authorities may utilise the above-mentioned guideline for the Offices of Political Office Bearers provided that staff members be appointed -

4.2.1 on a **contract** linked to the political term of Office of the executing authority concerned. The rationale is that should the term of Office of the executing authority end or be terminated for whatever reason the contract of the appointee is automatically also terminated and will not represent a burden to the public service; or

4.2.2 as **full-time** public servants, provided that they utilise the job evaluation system and ensure that there are sufficient funds available on the approved budget of the respective department for the creation of post(s). The executing authority may **second** personnel from components within the department to the Office of the Political Office Bearer. The advantage of secondment is that staff members could return to their original component on the approved establishment without any burden to the department.

- 4.3 The core staff will therefore be determined by the executing authorities who may decide on the creation and grading of posts as identified in their structure based on proven needs and provided that sufficient funds are available in terms of the medium-term expenditure framework (MTEF). Regulations B.2 and F.1 of Part III, Chapter 1 of the Public Service Regulations is applicable.
- 4.4 **Special Advisers** may be employed in terms of the conditions as laid down by the Cabinet.

General

- 4.5 The Chief of Staff of the Ministry is in charge of the overall management of the Ministers' and Deputy Ministers' offices. The "Head" in a MEC's Office will be in charge of that office.
- 4.6 Executing Authorities may decide to collapse the posts of Appointments Secretary and Private Secretary into one post as identified in their structure based on proven needs. It is advisable that the incumbent of the post Private Secretary should not be the Chief of Staff of the Ministry.
- 4.7 The Department should formulate job descriptions for each member of staff in the Ministry within the framework of the functions of the respective officers approved by the Cabinet.
- 4.8 Clear procedures should be compiled for recording Ministers' meetings, handling of correspondence, answering parliamentary questions and ministerial speeches and briefings.
- 4.9 Departments should develop an effective automated system for the management of ministerial correspondence.
- 4.10 The approved post of Chief Director (Communications) should be located within the structure of the department though answerable to the Minister and under his/her direction in respect of policy matters of the department. The incumbent should be responsible for the media relations of a Minister and his/her department.

NOTES:

- * The messenger that was responsible for messenger duties can now also perform driving duties. The National Protection Unit (SAPS) will still be responsible for protection and security service to political office-bearers. **Please take cognisance of the Note at paragraph 10.1.3 of the Financial Manual regarding the payment of allowances as well as the allowance payable to Driver/messenger in paragraph 10.2.**

4.11 Payment of allowances: (Paragraph 10 of the Financial Manual for the purposes of the calculation of benefits and allowances has to be taken cognisance of and read with this Directive. **Note:** Employees appointed in terms of the said Collective Agreement should be notified at appointment that these allowances are only payable during the period of this appointment.)

4.11.1 The payment of existing allowances are dealt with in paragraph 2 of the collective agreement on allowances for personnel serving executing authorities and should serve as a guideline.

4.11.2 The continued payment/initiation of payment to new incumbents, of allowances, has to be tested against the following criteria: (The following components are provided for.)

- * Inconvenience of working environment (e.g. interaction with persons with high standing);
- * Recruitment (longer working hours- overtime)
- * Undertaking duties that lie outside the employee's primary career or profession;
- * Clothing maintenance; and/or
- * Travelling.

NOTE:

Driver/Messenger

- * Provision was made for 107 hours of converted overtime in the calculation of the monthly allowance payable to drivers at paragraph 10.1.3(a) of the Financial Manual. In other words, overtime can only be claimed after more than 107 hours of overtime has been worked during the course of a month.

Household Manager

- * Provision was made for 50 hours of converted overtime in the calculation of the monthly allowance payable to household managers at paragraph 10.5.1 of the Financial Manual. The same principle applies here as with the drivers indicated above. **This principle should be implemented not later than 1 September 1999.**

4.11.3 Levels of payment of allowances should be continued on the basis of the previous considerations. Although only one agreement applies to various occupational dispensations, only maximum allowances payable are indicated in the agreement. Amounts should be paid to the categories as indicated in paragraph 10 of the Financial Manual.

4.11.4 **Clothing grant:**

(a) **Clothing grant as a single once-off payment:**

This amount is a once-off grant to the incumbent of the post to whom such a grant is payable. It is not paid again when the incumbent serves a new political office bearer, without any interruption in the service. Provision is made in the monthly personal non-pensionable allowance for the maintenance of clothing, once the clothing grant is paid. This component is adjusted annually with the CPI on Footwear and Clothing by the Minister for the DPSA. This single clothing grant to the relevant personnel is for the purchase of (formal) clothing outfits on the provision that they -

- (i) furnish proof of their clothing purchases; and
- (ii) be contractually bound for a period of 24 months, after making use of the relevant concession, to repay the full amount made available, or a **pro rata** portion thereof, to the State should they resign or should their services be terminated as a result of misconduct before expiry of the 24 months.

NOTE:

The only time that the same person is thus eligible for the payment of this clothing grant again, is when he/she had an interruption in service.

(b) **Clothing grant as an annual payment in the case of driver/messenger in paragraph 10.1.3(b) of the Financial Manual**

- (i) Where personnel are expected predominantly to wear their service uniforms, or predominantly to wear their service uniforms that are usually provided by the department, only the difference between the various uniform provisions and clothing grant in this subparagraph is paid.
- (ii) If it is expected of personnel to predominantly wear private clothing, they are entitled to the full clothing grant in this subparagraph.

- (iii) Payable on submission of either receipts or statements from firms (duly certified by the driver concerned and the Appointments Secretary/Private Secretary of the political office bearer concerned).
- (iv) Payable to either the driver/messenger (in case of receipts) or the supplier (in case of statements) concerned.

NEED FOR POLICIES TO BE DEFINED WITH REGARD TO THE NEW STRUCTURE

- 5. Departments/provincial administrations have to consider the development of policies with regard to the following aspects:
 - 5.1 The filling of these posts will be determined by the fact whether a person is already taken up in such a post, is a serving official in another post or somebody from outside the Public Service. (Departments will have to determine policy in this regard.)
 - 5.2 Departments/provincial administrations will have to, with the norms and restrictions in paragraph 4 in mind, determine their specific needs with regard to posts to be filled:
 - 5.2.1 strategies and goals will have to be determined;
 - 5.2.2 re-organising if necessary.
 - 5.3 As CORE's are not so narrowly defined as was the case with the previous Personnel Administration Standard (PAS) system, departments/provincial administrations will have to determine which CORE will be most suitable to accommodate these personnel. It is, however, suggested that the following CORE's, *inter alia*, be considered:
 - 5.3.1 Management and General Support Personnel
 - 5.3.2 Communication and Information Related Personnel.

NOTE:

Care should be exercised to take the person up in the most suitable CORE in each relevant department/provincial administration. It might be necessary to evaluate the job in terms of the job evaluation system to determine the level/grading of the job.

- 5.4 Although the personnel referred to in paragraph 4 above were previously appointed in (a) post/posts on the fixed establishment of departments/provincial administrations on the basis of a work study investigation, the incumbents of such posts are still responsible to the relevant executing authority (Minister, MEC etc.). In other words support is given to the individual. Therefore each executing

authority has the prerogative of who supports him/her. The implication is that each executing authority will/can appoint the personnel of his/her choice.

5.5 In the above regard, departments/provincial administrations will have to determine the appointment capacity, which can be one of the three alternatives (having regard to the measures in Part VII A – H of the new Public Service Regulations):

5.5.1 Appointment on the fixed establishment – taken up in the most suitable CORE;

5.5.2 Contractual appointment.

5.5.3 Secondment.

NOTES:

* The person to be appointed should be given the opportunity of making a choice in this regard.

* The risk of being appointed on a contractual basis stands to reason in the case where the executing authority's term comes to an end and the appointee and employer should carefully consider this aspect and the appointee's position after the expiry of the executing authority's term.

5.6 The grading of a post, with paragraph 4 in mind, should be determined in a job evaluation investigation.

5.7 Although it was the original intention that incumbents in role playing posts return to the occupational class/es of origin, in many cases for many reasons such as scarcity of trained and experienced personnel, personnel never returned to the occupational class/es of origin.

ALLOWANCES

6. Calculations of the allowances are dealt with in the Financial Manual.

CONSULTATION AND NEGOTIATION

7. A bargaining council may negotiate as indicated in the agreement.