



the dpsa

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TO ALL HEADS OF THE –

**NATIONAL DEPARTMENT OF HEALTH
PROVINCIAL DEPARTMENTS OF HEALTH
DEPARTMENT OF CORRECTIONAL SERVICES
DEPARTMENT OF DEFENCE AND MILITARY VETERANS**

CIRCULAR NO. 4 OF 2009

**IMPLEMENTATION OF THE OCCUPATION SPECIFIC
DISPENSATIONS (OSDs) FOR MEDICAL OFFICERS, DENTISTS,
MEDICAL/DENTAL SPECIALISTS, PHARMACISTS,
PHARMACIST'S ASSISTANTS AND EMERGENCY SERVICES
PERSONNEL: 1 JULY 2008**

INTRODUCTION

1. In giving effect to PSCBC Resolution 1 of 2007 on the implementation of OSDs, Resolution 3 of 2009 was concluded in the PHSDSBC on an OSD for Medical, Pharmaceutical and EMS personnel for implementation with effect from 1 July 2009. The following occupations/categories are included in the OSD:
 - 1.1. Medical Officer
 - 1.2. Dentist
 - 1.3. Medical Specialist
 - 1.4. Dental Specialist
 - 1.5. Clinical Pharmacologist
 - 1.6. Stomatologist
 - 1.7. Pharmacist
 - 1.8. Pharmacist Assistant
 - 1.9. Emergency Care personnel

Staatsdiens en Administrasie . Ditirelo tsa Puso le Tsamaiso . Ditshebeltso tsa Mmuso le Tsamaiso . uMnyango wemiSebenzi kaHulumeni nokuPhata

Muhasho wa Tshumelo ya Muvuso na Vhulanguli . Kgoro ya Ditirelo tsa Mmušo . Ndzawulo ya Vutirela-Mfumo na Valawuri

LiTiko le Tebasebenti baHulumende nekuPhatsa . ISebe leNkonzo kaRhulumente noLawulo . UmNyango wemiSebenzi kaRhulumente nokuPhata

2. The Resolution (revised dispensations and translation keys) is voluminous and is therefore not attached to this Circular. Departments may access the Resolution from the national Department of Health's website.

PHSDSBC RESOLUTION 3 OF 2009

3. The Resolution is, in terms of scope, applicable to all employees on salary levels 1 to 14 in the identified professions/occupations who –
 - 3.1. work in the –
 - 3.1.1. National Department of Health; and
 - 3.1.2. provincial Departments of Health;
 - 3.2. are employed in health facilities (in other departments) in terms of the Public Service Act, 1994, and the Correctional Services Act.
4. Therefore, the Resolution is also applicable to employees in the Department of Correctional Services (Public Service Act and Correctional Services Act appointees), and employees the Departments of Defence and Military Veterans, Education and the Police who are appointed in terms of Public Service Act, 1994.
5. Other departments may, in respect of identified employees who are appointed in terms of the respective services Acts, adopt these OSDs (Resolution), and may amend it to meet departmental specific circumstances. This will require the relevant Executive Authorities to make appropriate determinations.
6. In accordance with section 5(6)(a) of the Public Service Act, 1994 PHSDSBC Resolution 3 of 2009 is a **determination made by the Minister for the Public Service and Administration** in terms of section 3(5) of the Act. In accordance with section 5(6)(b) of the Act the Minister for the Public Service and Administration may for proper implementation of the collective agreement elucidate or supplement such determination by means of a directive, **provided that the directive is not in conflict or does not derogate from the terms of the agreement.**
7. This Circular therefore serves as Implementation Directive by the Minister for the Public Service and Administration.

DETAILS OF THE OSD

8. In short, the OSD can be summarized as follows:
 - 8.1. **Medical Officers, Dentists and Medical/Dental Specialists**
 - 8.1.1. The OSD provides for four occupations, with two career streams in the occupations Medical Officer and Dentist, namely a production/supervisory stream and a stream for non-

clinical managers who occupy posts where it is a requirement of the post to maintain registration with the respective professional councils.

- 8.1.2. All employees are remunerated by means of total cost to employer remuneration packages, which they may structure within certain parameters.

8.2. Pharmacists and Pharmacist's Assistants

- 8.2.1. The OSD provides for two occupations. The occupation of Pharmacists consist of three career streams, namely a production/supervisory stream, stream for clinical Pharmacists and policy developers.
- 8.2.2. All employees in the occupation Pharmacist are remunerated by means of total cost to employer remuneration packages, which they may structure within certain parameters.
- 8.2.3. Pharmacist Assistants are catered for in a number of grades, covering both Basic and Post-Basic registration categories.

8.3. Emergency Services (EMS) personnel

- 8.3.1. The OSD consist of two career streams, namely a production/supervisory stream and a stream for EMS lecturing staff.
- 8.3.2. An unique post structure that accommodates five tiers (levels) of registration at production and the supervisory levels through broad (remuneration) bands to facilitate adequate career progression.
- 8.3.3. Payment of a non-pensionable (monthly) EMS Lecturing allowance to enhance recruitment and retention of staff at EMS Training Colleges.

8.4. General characteristics of the OSD

- 8.4.1. Payment of a non-pensionable allowance (5% of pensionable salary) as a once-off gratuity to eligible employees who were in service on 30 June 2009. This gratuity is paid due to the non-implementation of the OSD and covers the period 1 July 2008 to 30 June 2009.
- 8.4.2. Increments between notches/packages vary between 1.5% and 3% between work levels/occupations – therefore pay progression varies between annually and two-yearly.

- 8.4.3. Unique salary structures that address the unique requirements of the relevant occupations.
- 8.4.4. The pensionable component of total packages is standardised at 70%.
- 8.4.5. Substantial overlap in salary scales between work levels. This will facilitate adequate salary progression for employees who choose to remain on production levels instead of applying for supervisory/management posts.
- 8.4.6. Scope/description of each occupation is defined.
- 8.4.7. Centrally determined grading structure (work levels and job descriptions) to ensure consistent application between departments. (No deviation is allowed unless it is agreed as part of the collective bargaining process.)
- 8.4.8. Career paths for the various categories through the introduction of a set of salary grades attached to posts to facilitate grade progression. The salary grades will provide longer career progression opportunities, as part of the defined career path.
- 8.4.9. Differentiated grade progression, after pre-determined periods, based on performance, to allow accelerated pay progression for employees, who have distinguished themselves from their peers through consistent above average performance. This is a forward-looking model to systematically increase salaries based on performance.
- 8.4.10. Standardised basis for salary recognition of appropriate experience. This will allow the appointment of employees from outside the Public Service on higher levels (grades) in production posts on the basis of appropriate experience.
- 8.4.11. Consolidation of the Scarce Skills allowances payable to eligible employees in terms of PHWSBC Resolution 1 of 2004 into salary.

DIRECTIVES BY THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION ON IMPLEMENTATION OF THE OSD

General

9. The following will apply:
 - 9.1. Employees will be translated from their current posts to the appropriate salary scales, grades and posts provided for in the OSD, taking into account their current duties and levels of service/experience (where applicable).
 - 9.2. No employee will, on translation, receive a salary (notch) or total remuneration (package) that is less than he/she received before the implementation of the OSD.
 - 9.3. Translation to the OSD will be done in accordance with the post that an employee occupied on 30 June 2009. This means that no employee will, upon translation, translate to a post other than the employee held on the said date.

Implementation of OSDs

10. To expedite and ensure the consistent implementation of the dispensations, the OSD will be implemented in the following distinct phases:
 - 10.1. **Phase A - Payment of 5% once-off non-pensionable gratuity to full-time and part-time employees (5/8th and 6/8th appointees)**
 - 10.1.1. It is the intention to conclude the payment of the gratuity as soon as possible.
 - 10.1.2. The national Department of Health has already liaised with the affected departments to finalise the lists of eligible employees.
 - 10.2. **Phase B – Alignment of the PERSAL system**
 - 10.2.1. Alignment of the PERSAL system with the organisational (post) structure and remuneration scales contained in the relevant OSDs.
 - 10.2.2. Amendment of the PERSAL system to enable departments to capture the structuring of packages of all those employees who are translated to Cost-to-Employer packages. (Currently the system only allows for structuring of a package with a value of at least the minimum of salary level 11.)
 - 10.2.3. The **dpsa** and the Department of Health are currently engaging PERSAL in this regard.

- 10.2.4. Departments will be provided with the appropriate codes and details on implementation once PERSAL has made it available.

10.3. Phase C - Alignment of departmental establishments

- 10.3.1. Alignment of the post (organisational) establishment of each affected Department by converting the current post establishment in line with the post structure contained in the relevant OSDs.
- 10.3.2. Departments were already requested through the National Department of Health's coordination mechanisms to commence with this process.
- 10.3.3. The primary objective with the re-alignment of departmental establishments should be to convert existing posts in line with the post structure contained in the respective OSDs, and not the outright expansion of establishments, unless it is dictated by the revised post structure or to meet service delivery imperatives within the normal budget allocations.
- 10.3.4. The National Department of Health, in conjunction with the National Treasury (PERSAL), will after final implementation of these dispensations de-activate old salary codes that were contained in the CORE, as well as vacant posts with these old salary codes, that have not been converted to OSD posts.
- 10.3.5. Implementation of the revised salary and post structure – see Phase D - cannot commence (i.e. translation of employees to the OSD and the capturing thereof on the PERSAL system) until the department's post (organisational) establishments have been aligned and implemented on the PERSAL system.
- 10.3.6. The appropriate post class and job title codes will be made available in due course.

10.4. Phase D – Translation of employees to the OSD

- 10.4.1. Departments, **at head office level**, will translate affected employees to their correct notch/package, based on instruction of the joint dpsa/national DoH Task Team that will oversee the implementation of the OSDs. This will entail the following (practical) processes:
 - 10.4.1.1. Departments must complete an **Individual Form** (template) for each employee to be translated. The following are mandatory fields to be completed:

- Personal details (including PERSAL number).
- Qualifications and/or registration details.
- Relevant (recognisable) experience.
- Position (post) on 30 June 2009.
- Salary notch/package on 30 June 2009.
- Pre-OSD** notch/package on 1 July 2009 – therefore notch/package after cost-of-living adjustment and pay progression.
- Scarce Skills allowance, Rural allowance and Commuted overtime (where applicable) based on 1 July 2009 **pre-OSD** notch/package.
- If employee is to be translated from a (basic) notch to an OSD total package – the macro benefits of the affected employees (or alternatively the value of payment of 37% in lieu of benefits), based on the 1 July 2009 **pre-OSD** notch/package.
- Proposed** OSD position (post and grade) (after translation).
- Proposed** OSD notch/package (after translation).
- Revised** Rural allowance and Commuted overtime based on the **proposed** OSD notch/package (where applicable).
- Signing-off by compiler/supervisor (at departmental level).

10.4.1.2. Departments **must** summarise each completed **Individual Form** into a **Departmental Summary**. The Summary will form the basis to implement the revised notches/packages for the identified employees and to conduct a proper costing (per individual). Please note that 5 different Departmental Summary templates are provided.

10.4.1.3. The joint dpsa/national DoH Task Team will conduct a sampling of at least 5% of the proposed translations by departments, as contained in individual forms, and as captured in the

Departmental Summary, before the summary is signed-off by all parties.

10.4.1.4. The final signed-off Departmental Summaries will serve as instruction to departments to commence with the translation of employees - this includes the advising of the structuring of the package on the PERSAL system of affected employees.

10.4.1.5. It is important that the translation to the OSD is based on the proper recording of the transaction. The completed **Individual Form** will serve as record for this purpose, and must be filed accordingly on the employee's personal file (record).

11. The Individual and Departmental Summary templates (active Excel spreadsheets) were already made available to departments.

Cost-of-living adjustment with effect from 1 July 2009

12. Due to the fact that the PERSAL system will at the earliest only be aligned accordingly in the latter part of October 2009, it has been decided to implement the annual cost-of-living adjustment for affected employees on salary levels 1 to 12 with effect from 1 July 2009 (on their existing grading system) in the mean time. This has the following implications:

12.1. The OSD scales contained in the Resolution have been adjusted accordingly to reflect (contain) the recent cost-of-living adjustment as on 1 July 2009 – see Annexure H to dpsa Circular 3 of 2009 in this regard.

12.2. The translation keys attached to the Resolution will be revisited to facilitate translation to a **post cost-of-living OSD notch/package**. The dpsa will make the revised translation keys available in due course.

DIRECTIVES BY THE MINISTER FOR THE PUBLIC SERVICE AND ADMINISTRATION ON MATTERS NOT INCLUDED IN RESOLUTION (DETERMINATION)

Pay progression

13. It should be noted that the 2008/09 pay progression cycle has concluded on 31 March 2009. Employees who meet the criteria for pay progression in terms of **the dpsa** Incentive Policy Framework **will** receive the pay progression for the said period on 1 July 2009 before translation to the OSD in terms of Phase D.

14. Departments will appreciate that the awarding of pay progression has a direct impact on the position (notches/packages) to which employees will translate on the OSD salary structure. Therefore, **departments are requested to finalise the awarding of pay progression as a matter of urgency.**
15. The pay progression cycle has been amended for certain categories of employees covered by the OSDs from annual pay progression (yearly basis) to biennial pay progression (every second year). The **MPSA has directed** that the two-year pay progression cycle for affected employees who are translated to the OSDs commenced on 1 April 2009 and runs until 31 March 2011, with the next pay progression for qualifying employees to be awarded on 1 July 2011. These employees will still be assessed on an annual basis, as per departmental performance management arrangements for this purpose.
16. Apart from the amendment to the cycle referred to above, no further amendments have been made to the Incentive Policy Framework that was issued by **the dpsa** in 2003. The change in employees' salaries on implementation of the OSDs during the course of the new pay progression cycle does not affect their eligibility for pay progression on 1 July 2010 (or 1 July 2011 in respect of those employees eligible for the two-yearly pay progression) in their OSD positions.

Appointment/progression to higher grades and posts

17. As indicated, departments shall convert all existing posts to the new dispensation as indicated in the OSD. In order to facilitate grade progression from a post establishment perspective, the **MPSA has directed** that –
 - 17.1. employees on the repetitive grades attached to the post in the occupational categories covered by these OSDs are kept in service against that post on the department's establishment, per the prescribed post class code; and
 - 17.2. progression to the next higher grade (salary scale) attached to the post is **not** dependent on a vacancy (on the higher grade) or subject to the principle of open competition.
18. Appointment (including promotion of an existing employee) to a higher post is dependent on the availability of a funded vacancy and such vacancy shall be advertised and filled through open competition.
19. If an employee is appointed (internal appointment (promotion)) to a higher post, the employee must commence on the minimum salary notch of the higher post. However, if the OSD provides for overlapping of salary

between work (post) levels, it may have the result that an employee may already be on a salary notch equal or higher than the minimum salary notch of the higher post.

20. To address this situation the **MPSA has directed** that an employee must, upon promotion to the higher post, gain one salary notch – see section on appointment (promotion) rule.

**Application of Public Service Regulations, 2001 (PSRs), Chapter I, Part V.
C.3 – awarding of a higher salary for recruitment and retention purposes**

19. Public Service Regulations (PSR), Chapter I, Part V. C.3, provides that an Executive Authority may award a higher salary to an employee for recruitment and retention purposes.
20. The OSD provides for a recognition basis in production posts (grades attached to the posts) for purposes of the awarding of a higher salary **based on relevant experience** on appointment from outside the Public Service. The objective with this recognition basis is to ensure that existing employees, once translated to the OSD salary structure and new employees who are appointed in these production posts from outside the Public Service, are positioned relative to each other based on their relevant experience.
21. The salary recognition basis provided for in the production levels of the OSD is therefore not compatible with the PSR provision. Therefore, if departments are allowed to continue the practice of awarding higher salaries in an arbitrary manner, other than that permissible in terms of the recognition basis for experience, it will defeat this objective.
22. Furthermore, it transpired during the development phase of the OSDs that certain health departments have applied the said PSR provisions to award entire categories of staff a higher salary (even at supervisory levels). As the said PSR provision may only be applied in respect of an individual, the “loose” application of the provision is not desirable as it would allow for further inequities amongst provinces.
23. Therefore, the **MPSA directed** that the relevant PSR provision is not applicable to employees covered by the OSD.
24. Practically this means that candidates who are to be appointed in -
 - 24.1. production posts (grades) may only be awarded a higher salary in terms of the prescribed salary recognition basis for appropriate experience, as contained in the respective OSDs; and
 - 24.2. supervisory posts (grades) where a salary recognition basis for appropriate experience does not exist, may only be awarded the

minimum notch/package attached to the minimum of the scale (scale attached to the 1st Grade where two or more Grades are attached to the post).

Impact of PSCBC and sectoral resolutions on conditions of service (benefits) on the OSD salary structures

25. The conditions of service (benefits) regulated by PSCBC and sectoral resolutions will be applicable to employees covered by these OSDs. The qualifying criteria for certain of these conditions of service are based on salary cut-off points on the standard 16-level salary grading system.
26. The best examples in this regard are the collective agreements on the employer subsidy to members of GEMS and the cap of calculating the maximum overtime. Employees on salary levels 1 to 5 are eligible for the so-called free medical cover and the maximum payment of overtime is capped at the commencing salary notch of salary level 8.
27. The **MPSA directed** where benefits are based on cut-off points, the monetary value of the cut-off points on the 16 level salary grading system prevail.

Application of the 70/30 split in the total salary package and structuring thereof

28. The Middle Management Service (MMS) and Senior Management Service (SMS) dispensation currently provides for the following pension structuring choices:

28.1. MMS

28.1.1. Salary level 11

Choice between either 70% or 75% of total package.

28.1.2. Salary level 12

Choice between either 70% or 76% of total package.

28.2. SMS

Fixed percentage of 60%.

29. These different percentages that constitute pensionable salary in members' respective packages are standardised to a uniform **70% (so-called 70%-30% split)** in the OSD. The 70% of the total salary package will constitute pensionable salary and the remaining 30% to be structured for service benefits (including the employee's contribution towards the GEPPF). This percentage will apply to MMS and SMS members who are currently being remunerated by means of total packages, as well as those

employees who, for the first time, are translated to total packages with implementation of the OSD.

30. Another major difference between the MMS and the SMS dispensation is that SMS members (e.g. Principal and Chief Medical/Dental Specialists) are excluded from participation in the Subsidised Motor Transport Scheme (SMTS), whereas MMS members (e.g. Medical/Dental Specialists and Medical/Dental Senior Specialists, Principal and Chief Medical Officers and Dentists), who meet the qualifying criteria, may participate in the SMTS, provided that affected members do not structure their packages for a Motor Vehicle Allowance.
31. In order to address the situation, the **MPSA directed** that the above classification be maintained in the OSD that eligible Medical/Dental Specialists and Medical/Dental Senior Specialists, Principal and Chief Medical Officers and Dentists (or equivalent levels) in the OSD should retain the provision to participate in the SMTS; whereas Principal and Chief Medical/Dental Specialists (or equivalent levels) are excluded from participation.
32. The **MPSA also directed** the Dispensation (measures/rules to structure total remuneration packages) attached as Annexure A. This Dispensation is applicable to all employees covered by the OSD who are remunerated by means of a total remuneration package.
33. The dpsa/National Department of Health requests departments to address the attached communiqué (Annexure B) to those employees below salary level 11 in the occupations Medical Officer, Dentist, Medical/Dental Specialist and Pharmacist who, for the first time, are translated to a total package. The concept of total remuneration packages and the associated benefits to affected employees are explained in the Communiqué. Departments have already been provided with an electronic version of the communiqué.

De-classification of Principal and Chief Specialists (and other posts on equivalent levels) from the SMS

34. The **MPSA has directed** that Principal and Chief Specialists, and employees covered by the OSD who occupy SMS posts which are to be translated to OSD posts of Senior Manager: Medical or Dental Services or General Manager: Medical or Dental Services, are de-linked from the SMS with effect from 1 July 2009 – therefore the SMS Handbook does not apply to them with effect from the said date.
35. This means that aspects such as the SMS performance management system, performance agreements and financial disclosure, to name a few, are not applicable to these categories of employees with effect from 1 July

2009. However, from a practical view, it would be necessary that affected employees must continue with the current 2009/10 performance management cycle, with all the (possible) awards for which they may be eligible in terms of the SMS provisions.

Appointment (so-called promotion) rule

36. The **MPSA has directed** that an **appointment (so-called promotion) rule**. This entails that an employee must gain 1 (one) notch on –

36.1. internal appointment (“promotion”) to a higher grade (grade progression); and

36.2. internal appointment (“promotion”) to a higher post (post promotion).

Appointment to and advertisement of posts in the period 1 July 2009 to date of this Implementation Directive (Circular)

37. The OSD is implemented with retrospective effect, and therefore has an impact on advertisements and appointments made during the period 1 July 2009 to date of this Implementation Directive. To address the position of employees appointed in the period, the **MPSA has directed** the following:

37.1. The position of all employees appointed after 1 July 2009 should be reviewed as if they were appointed under the OSD, provide that their salary positions are not negatively affected.

37.2. All advertisements already placed at the date of the Implementation Directive should be finalised and the employees must be appointed under the conditions of the OSD.

37.3. In the case of advertisements of which the closing date has not yet passed, departments should amend the advertisements to be inline with the OSD through the publishing of an erratum.

37.4. All advertisements placed after this date should be done in accordance with the OSD.

Employment capacity

38. In order to provide flexibility, departments may employ employees in the following capacities:

38.1. Permanent, either in a full-time or part-time (5/8th or 6/8th) capacity.

38.2. Fixed-term contract in a full-time or part-time (5/8th or 6/8th) capacity.

38.3. Sessional appointees (fixed number of hourly sessions per week) – appointments limited to the occupations Medical Officer, Dentist, Medical/Dental Specialist and Pharmacist

39. The provision to employ persons on a sessional basis is a special interim measure in order to accommodate an abnormal situation. The aim should therefore be to reduce the number of vacancies through full-time employment, where possible.
40. Sessional employees are to be accommodated (kept in service) against **production** posts on departments' establishments. The **MPSA has directed** that the combined numbers of hours of sessional employees to be accommodated against a single production post should, as far as possible, not exceed 40 hours per week – therefore equivalent to the work hours of a full-time employee.
41. As the Resolution (Determination) does not contain any rates for these sessional appointees, the MPSA has **directed** the following:

Calculation basis of the all-inclusive <u>hourly</u> rates payable to persons appointed on a sessional basis, based on experience profiles after complying with the relevant appointment requirements				
	Employment capacity	Less than 5 years relevant experience	At least 5 years, but less than 10 years, relevant experience	10 years and more relevant experience
1	Sessional Medical Officer	Minimum of scale attached to Grade I of the relevant production post, divided by 2080	Minimum of scale attached to Grade II of the relevant production post, divided by 2080	Minimum of scale attached to Grade III of the relevant production post, divided by 2080
2	Sessional Medical Specialist			
3	Sessional Dental Specialist			
4	Sessional Clinical Pharmacologist			
5	Sessional Stomatologist			
6	Sessional Medical Specialist (Sub-Specialty)			
7	Sessional Dental Specialist (Sub-Specialty)			

8	Sessional Pharmacist			
	Employment capacity	Less than 7 years relevant experience a	At least 7 years, but less than 12 years, relevant experience	12 years and more relevant experience
9	Sessional Dentist	Minimum of scale attached to Grade I of the post of Dentist, divided by 2080	Minimum of scale attached to Grade II of the post of Dentist, divided by 2080	Minimum of scale attached to Grade III of the post of Dentist, divided by 2080

The hourly rate must be rounded to the next higher full Rand amount

42. If departments currently pay higher rates to sessional employees, then these rates must be ring-fenced (capped at pre-1 July 2009 levels) until it is in line with the prescribed sessional rates.

Erroneous translation keys attached to Determination (Resolution)

43. After concluding the agreement, it transpires that the (package) scales attached to certain EMS posts in the OSD are incorrect due to typing errors. Hence, **the MPSA** has determined the following corrections, with effect from 1 July 2009:

	Post (and Grade where applicable)	Package scale, as contained in agreement	Revised package scale, as per the MPSA's Directive
1	<input type="checkbox"/> EMS District Manager (Grade 3)	387351	391,095
	<input type="checkbox"/> Deputy Principal: EMS Training College (Grade 3)	393162	396,960
		399060	402,915
		405045	408,960
		411120	415,095
		417288	421,320
2	<input type="checkbox"/> EMS Operational Manager	405045	408,960
	<input type="checkbox"/> Principal: EMS Training College	411120	415,095
		417288	421,320
		423546	427,641
		429900	434,055
		436350	440,565
		442896	447,174
		449538	453,882
		456282	460,689

		463125	467,598
3	EMS Provincial Manager	449538	453,882
		456282	460,689
		463125	467,598
		470,073	474,612
		477,123	481,731
		484,281	488,958
		491544	496,293
		498918	503,736
		506403	511,293
		513999	518,961

44. Hence, the following translation keys attached to the Resolution (Determination) are substituted with the revised translation keys attached as Annexure C to this Circular:

44.1. Part R – pages 94 to 96

44.2. Part S – pages 98 to 99

44.3. Part T – pages 101 to 102

44.4. Part AC – pages 153 to 155

44.5. Part AD – pages 157 to 158

Inclusion of an additional category in the OSD

45. After concluding the agreement, it transpired that no provision has been made in the Resolution (Determination) to accommodate Stomatologists.

46. Hence, the MPSA **directed** that Stomatologists be included in the OSD, and that the dispensation (scales and progression measures) applicable to Dental Specialists applies to this category.

47. Appropriate translation keys to facilitate translation of Stomatologists to the OSD are attached as Annexure D.

OTHER MATTERS CONTAINED IN RESOLUTION (DETERMINATION)

Translation of employees who are not in possession of the prescribed qualifications or registration

47.1. The appointment requirements (required level of registration with the HPCSA) have been standardised in the OSD for EMS staff (including supervisory levels/middle management levels). This has the implication that certain employees to be translated to the supervisory posts provided for in the OSD may not meet the necessary appointment requirements.

47.2. Provision is therefore made, as a **once-off measure**, for the translation of affected EMS employees who translate to any of the supervisory posts and who do not possess the newly determined qualifications/registration requirements for the post.

47.3. It must be noted that the progression opportunities of these employees in the OSD posts are limited in the defined career path, unless the affected employees register in a higher category with the HPCSA. This would encourage affected employees to obtain the higher qualifications.

47.4. It must also be noted that new appointees to these posts must comply with the appointment (registration) requirements laid down in the OSD for the particular supervisory/middle management post.

Differentiation in translation between employees in supervisory posts who perform production duties versus those who perform the stipulated supervisory duties

48. It transpired that certain departments have upgraded the posts of the following categories of employees, who perform production duties, to supervisory posts, **while departments continued to utilise them to perform production duties:**

48.1. Medical Officers, Senior and Principal Medical Officers have been upgraded to Chief Medical Officer.

48.2. Dentists, Senior and Principal Dentists have been upgraded to Chief Dentist.

48.3. Pharmacist and Senior and Principal Pharmacists have been upgraded to Chief Pharmacist.

49. In order to address this situation, provision is made in the translation keys for the occupations Medical Officer, Dentist and Pharmacist for translating employees who hold posts of Chief Medical Officer, Chief Dentist or Chief Pharmacist, and who did not perform the formal supervisory duties usually attached to these posts on 30 June 2009, to the posts Medical Officer (Grades 1, 2 and 3), Dentist (Grades 1, 2 and 3) and Pharmacist (Grades 1, 2 and 3) respectively.

Accelerated grade progression based on cumulative periods of above average performance

50. The OSD provides for accelerated grade progression, at identified Grades, for employees who perform above average. The accelerated grade progression for employees on the identified grades will be based on the stipulated number of **cumulative** above average performance

assessments. Therefore, it is not necessary that these assessments should be for successive assessment periods.

51. Certain departments have not assessed affected employees consistently the last couple of years, and therefore the provision for accelerated grade progression cannot be implemented at this stage. Therefore, the Resolution (Determination) contains a provision that employees will at the earliest qualify with effect from 1 April 2012 for grade progression based on above average performance.
52. The National Department of Health is currently investigating the possible introduction of a performance management and development system that could be utilised uniformly in the health sector. It is the intention that the said system would apply to all the provincial departments of Health to ensure consistent performance management in the Public Health sector. Departments must continue to apply their current performance management and development systems until further notice.

Advertising of positions at production level

53. The production posts in the OSD consist of various salary grades. Departments have the flexibility to advertise and fill posts at production levels in the following manner:
 - 53.1. Advertising of the appointment requirements (i.e. statutory and experience requirements) and salary of a specific grade attached to the post with the view to appointing the designated candidate on the specific grade if he/she complies with the stipulated criteria for the grade.
 - 53.2. Advertising of the requirements (i.e. statutory and experience requirements) and salaries of all the grades attached to the post with the view to appointing the designated candidate on the appropriate production grade based on his/her relevant experience.
54. The requirements for appointment should be clearly stated in the advertisement and no deviations are allowed from the requirements as contained in the OSD.

Post establishment matters

55. In converting current posts at production and supervisory levels, and for the creation of posts on these levels in future, departments **shall** only create posts on their establishments based on the post designation and post class/job title codes.
56. Where two or more Grades, with different scales, are attached to a post, then the post is created on the PERSAL system with the scale attached to

the 1st Grade by using the relevant post class code. Employees on the 2nd (and applicable higher grades) are kept in service against the post on the establishment.

57. Progression of employees to the next higher grade (salary scale) attached to the post is **not** dependent on a vacancy.

Recognition of relevant experience on appointment from outside the Public Health Sector

58. Relevant experience after compliance with the prescribed appointment requirements will be recognised for appointment and salary recognition purposes as indicated in the OSD. This includes relevant experience after registration in the particular discipline in a foreign country, and which registration is recognised by the HPCSA for registration in the particular discipline/occupation in South Africa.

Introduction for a Clinical Pharmacist career stream

59. Provision is made in the Resolution (Determination) for a post and salary structure for Clinical Pharmacist (as a career stream). This career stream (part of the Pharmacist dispensation) will be implemented once the required regulations has been promulgated to give effect to the envisaged clinical registration category with the SA Pharmacy Council. Therefore, no Pharmacists are translated to this career stream with implementation of the OSD.
60. Departments will be informed in due course on the implementation of the said career stream.

Introduction for other new posts (career streams)

61. Provision is made in the Resolution (Determination) for a post and salary structure for the following:
- 61.1. Medical and Dental Specialists (Sub-Specialties) - these are registered Medical and Dental Specialists who have specialised further in sub-specialties (i.e. a Specialist who specialises in Cardiology).
 - 61.2. Pharmacy Supervisors – in the occupation Pharmacist
 - 61.3. Emergency Care Technicians (ECTs) – in the occupation EMS personnel
62. Medical and Dental Specialists, Pharmacists and EMS employees are not translated to these positions respectively with implementation of the OSD. Departments must create these posts, per organisational need, and it must be filled through the prescribed recruitment and selection processes (i.e. open competition) within existing budgets.

Calculation of allowances (or any other payments derived from salary)

63. The allowances (or any other payments derived from salary) of –
- 63.1. employees on salary levels 1 to 10 were calculated on the employee's notch;
 - 63.2. MMS members were calculated on the basic salary component in terms of SET 1 of the MMS package (i.e. 75% for salary level 11 and 76% for salary level 12), irrespective whether the members has set the basic salary in his or her package in terms of SET 2; and
 - 63.3. SMS members were calculated on the basic salary component (60% of the package).
64. However, in terms of the OSD, all allowances (or any other payments derived from salary (including commuted overtime)) payable to employees who are remunerated by means of OSD packages are calculated on the basic salary component (70%) of the individual employee's OSD package.

Scarce Skills allowance payable in terms of PHWSBC Resolution 1 of 2004

65. The Scarce Skills allowance payable to eligible employees in terms of PHWSBC Resolution 1 of 2004 is discontinued with effect from effective from 1 July 2009 on translation to the OSD for Medical Officers, Dentists, Medical/Dental Specialists and Pharmacists. The Scarce Skills allowance payable to eligible employees prior to 1 July 2009 is consolidated into eligible employees' salaries on translation to the OSD.

Rural allowance payable in terms of PHWSBC Resolution 2 of 2004 to employees who work in identified areas

66. The payment of Rural allowances in terms of PHWSBC Resolution 2 of 2004 to employees working in identified areas is not affected by the OSD for Medical Officers, Dentists, Medical/Dental Specialists, Pharmacists, Pharmacist's Assistants and Emergency Services Staff. Departments must continue to pay these allowances in terms of the current dispensation.

Application of Public Service Regulations, 2001, Chapter I, Part IV and Part V, C.4 to C.8 – job evaluation and upgrade/down grade of jobs (posts)

67. The grading of jobs in the OSD is centrally determined through the Resolution (Determination). Therefore, the (re)grading of jobs covered by the OSD by means of the prescribed job evaluation system is not permissible.

Calculation of relevant experience

68. Provision is made in the OSD for salary recognition of existing employees on translation to certain posts, and appointment to these posts from outside the Public Service, based on **relevant** experience (full years' service). Departments' attention is drawn to the field of **relevant experience** that must be completed in the Individual Form in this regard.
69. It is appreciated that it is difficult to calculate relevant experience of **full-time employees** who, at some stage in their careers, worked on a part-time basis (i.e. sessional employees who worked for a couple of hours per week or on a 5/8th basis). The dpsa advises that 2 080 hours of relevant experience (52 weeks X 40 hours per week) constitutes a full year for this purpose.
70. In cases where employees had private practices – therefore as single practitioner in the practice - only relevant experience, as affirmed by means of an affidavit, may be considered. In order to could have practiced in the capacity, departments must ascertain that the affected employee have maintained registration with the appropriate Council and with the Board for Health Care Funders during the claimed period of relevant experience.

Position of employees who have left the service on 30 June 2009 (or a date thereafter)

71. As departments are aware, the OSD provides for the payment of a once-off non-pensionable gratuity to those employees who were in service on **30 June 2009**, as well as implementation of the OSD post and remuneration structure, with translation of eligible personnel, with effect from **1 July 2009**.
72. Therefore, employees whose last day of service was on 30 June 2009 are eligible for payment of the once-off non-pensionable gratuity only. However, those employees whose last day of service was 1 July 2009 (or a date thereafter) are, apart from payment to them of the once-off gratuity, also eligible for translation to the appropriate OSD post and remuneration structure.

Translation of employees whose cases cannot dealt with in terms of the translations keys attached to the Resolution

73. If the translation keys attached to the Resolution do not cater for the translation of an eligible employee to the OSD, the case must be submitted to **the dpsa** for an appropriate translation key.

Structuring of total remuneration packages on translation to the OSD

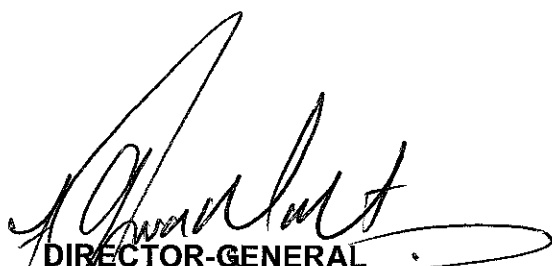
74. Apart from employees who have been remunerated already by means of total remuneration packages, all employees below salary level 11 in the occupations Medical Officer, Dentist, Medical and Dental Specialist and Pharmacist are translated to total remuneration packages. This means that a significant number of employees will have to structure their packages on translation to the OSD in terms of the Package Dispensation. The **dpsa** Structuring Model (active Excel spreadsheet) is available on the **dpsa** website for this purpose.
75. In order to facilitate the implementation process, **the dpsa** advises the following:
- 75.1. Departments have the choice whether to afford affected employees the opportunity to structure their packages on translation – therefore with effect from 1 July 2009.
- 75.2. If a Department affords affected employees the opportunity to structure (with effect from 1 July 2009), and they do not submit the structuring of their packages to the HR components on the dates determined by the Department, the following **default structuring of the flexible portion** of the package applies:
- 75.2.1. **Employees on salary levels 11 and higher who were remunerated by means of a total remuneration package on 30 June 2009:**
- Structuring for the same benefits (items), with the same amounts, which applied on 30 June 2009.
 - Any surplus amount must be allocated to the non-pensionable cash allowance.
- 75.2.2. **Employees below salary level 11 who were remunerated by means of a (basic) notch plus benefits on 30 June 2009:**
- 13th Cheque.
 - Employer contribution towards a registered medical aid scheme (if employee received an employer contribution on 30 June 2009). The same amount applies with effect from 1 July 2009.
 - Any surplus amount must be allocated to the non-pensionable cash allowance.

75.3. If a Department decide **not to afford** employees the opportunity to structure their packages on translation, the above default structuring applies.

75.4. All employees whose packages have been structured on translation in terms of the default structuring, must be afforded the opportunity to re-structure their packages with effect from a current date

GENERAL MATTERS

76. The employer and the labour unions concluded an agreement to review the Dispensation for certain categories of Medical Officers, Dentists, Medical and Dental Specialists, Pharmacists and registered Paramedics in the EMS dispensation. Details will be communicated to departments once the process has been concluded in the PHSDSBC.
77. The national Department of Health has already conducted a national workshop on implementation of the OSD, and is currently conducting provincial sessions to clarify and facilitate the implementation of the Resolution (Determination).
78. It is possible that the measures contained in this Directive may be erroneous or that errors may be made in the implementation of the Determination and/or measures contained in this Directive. All affected employees must be informed in writing that errors will be rectified and that any amounts that have been overpaid or underpaid because of errors will be rectified (either paid or recovered) in terms of applicable sections of the Public Service Act, 1994, as amended.
79. Departments are invited to approach the national Department of Health or the **dpsa** for assistance (if necessary).


DIRECTOR-GENERAL
DATE: 19 October 2009

