



the dpsa

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TO HEADS OF NATIONAL DEPARTMENTS AND PROVINCIAL ADMINISTRATIONS

CIRCULAR NR 32 OF 2018

INTERPRETATION OF SESSIONAL ASSISTANCE

- 1.1. The DPSA has been inundated with enquiries relating to the interpretation and application on the implementation of Part XX of the PSCBC Resolution 3 of 1999, read with the Policy Directive on Sessional Assistance.
- 1.2. The aim of the Sessional Assistance as contemplated in clause 1 of Part XX of the PSCBC Resolution 3 of 1999, read with the Policy Directive on Sessional Assistance, issued under circular 1/7/1/8/4 dated 21 December 2004 is that -
 - 1.2.1. If an employee must reside temporarily in Cape Town in order to undertake Parliamentary work, the employer shall assist her or him to meet the costs of maintaining two households.
 - 1.2.2. Sessional assistance shall consist of a sessional allowance, assistance with the cost of children, and support for travel and subsistence.
 - 1.2.3. Sessional assistance shall assist only with the costs of an employee and/or her or his dependents and/or spouse. For these purposes, dependents include an employee's (a) dependent child, and/or (b) relative who (i) who lives with the employee except when attending an educational institution, and (ii) who relies on the employee for the bulk of her or his subsistence.
- 1.3. The afore-mentioned collective agreement then continues to set out the eligibility criteria in clause 2 of the said Resolution. In terms hereof -
 - 1.3.1. The employer shall provide sessional assistance to an employee-
 - (a) whom the head of department designates as a sessional official, and
 - (b) who must stay in Cape Town temporarily to perform sessional duties.

1.3.2. The employer shall not provide sessional assistance to a sessional employee who is stationed permanently in Cape Town.

1.3.3. One employee shall receive sessional assistance if an employee and her/his spouse are both sessional employees.

1.4. Clauses 3 to 7 of Part XX of PSCBC Resolution 3 of 1999 set out the form, nature and terms of the sessional assistance that will be rendered by the employer, i.e. the sessional allowance, assistance with resettlement for sessional reasons, travel at the start and end of sessional duties and special travel allowance, sessional assistance for children, i.e. a child allowance and/or child boarding allowance and sessional accommodation allowance.

1.5. To support the implementation of Part XX of PSCBC Resolution 3 of 1999, the Minister issued the *Policy Directive on Sessional Assistance* and the *Financial Manual For Purposes Of The Calculation And Application Of Allowances And Benefits (Financial Manual)*. The Financial Manual in this instance sets the monetary values of the applicable allowances.

1.6. For an employee to be eligible for sessional assistance s/he must have been designated by the Head of Department as a sessional official. In this regards specific attention is invited to paragraph 7.5 of the *Policy Directive on Sessional Assistance* which directs that the following categories be considered:

1.6.1. GROUP 1 (not office-bound)

(a) Officials in this group are not office-bound and are required to accompany the Executive Authority at all times. The Head of Department may only designate those officials who spend 50% or more of their time away from their headquarters while performing sessional duties in Cape Town.

(b) Officials who do not spend 50% or more of their time in Cape Town while performing sessional duties, may not be designated as sessional officials.

1.6.2. GROUP 2 (locally recruited officials)

(a) Officials in this group are locally recruited in Cape Town and are preliminary office-bound. These officials may not be designated as sessional officials.

1.6.3. GROUP 3 (designated sessional official)

Officials in this group will temporarily relocate to Cape Town for the duration of the Parliamentary Programme to perform sessional duties and typically will temporarily reside in the official accommodation provided by the Department of Public Works. It would be expected of these sessional officials to meet the costs of maintaining two households.

1.7. Therefore employees who-

1.7.1. who do not spend 50% or more of their time in Cape Town while performing sessional duties; and

1.7.2. employees recruited in Cape Town and are preliminary office-bound (i.e. office-based in Cape Town),

may not be designated as sessional officials and hence do not qualify for sessional assistance. The employees referred to in paragraph 1.7.1 will, for purposes of official duties to be performed in Cape Town or elsewhere, be reimbursed for travel and subsistence expenditure as provided for in Parts XI

and XII of PSCBC Resolution 3 of 1999. Similarly, the employee recruited and based in Cape Town will be compensated for travel and subsistence expenditure as provided for in Parts XI and XII of PSCBC Resolution 3 of 1999 if expected to perform official duties at the Head Office in Pretoria or elsewhere.

1.8. On the other hand, employees –

1.8.1. Who are not office bound and are required to accompany the Executive Authority at all times and in doing so spend 50% or more of their time away from their headquarters while performing sessional duties in Cape Town; and

1.8.2. Who are expected to temporarily relocate to Cape Town for the duration of the Parliamentary Programme to perform sessional duties and typically will temporarily reside in the official accommodation provided by the Department of Public Works,

may be designated as sessional officials and will hence be eligible to sessional assistance as provided for in Part XX of PSCBC Resolution 3 of 1999, read with the Policy Directive on Sessional Assistance as they will be expected to maintain two households.

1.9. Sessional assistance is rendered for the duration of the Parliamentary Programme (i.e. the period from the time Parliament is officially opened until the time it adjourns).

1.10. The sessional allowance typically compensate the employee for expenses related to e.g. rent, meals, domestic help related expenses, etc. Hence the sessional allowance is payable when the employee is issued with official accommodation for the duration of the Parliamentary programme, whether or not they have to travel elsewhere for official business. The mere fact that the employee is called away for official business elsewhere does not mean that his/her sessional duties stopped or that s/he is recalled from sessional duties.

1.11. Clause 7 of Part XX of PSCBC Resolution 3 of 1999 provides for the payment of a sessional accommodation allowance. In this regard-

1.11.1. Sessional accommodation allowance equal to the home owner allowance (housing allowance) is payable when the sessional official occupies his/her own private accommodation in Cape Town and is at the level of a Deputy Director-General or higher.

1.11.2. A sessional official who cannot obtain official accommodation during all or part of her or his sessional duties may be paid a sessional accommodation allowance as provided for in table 1 of Part XX of PSCBC Resolution 3 of 1999. The collective agreement does not provide for the payment of a sessional allowance (or portion thereof) in these circumstances.

1.11.3. A sessional official who could not secure official housing at one of the Parliamentary Villages may be compensated for his/her hotel expenses according to table 1 of Part XX of PSCBC Resolution 3 of 1999 and as annually reviewed and published in the Financial Manual. (However, these amounts are not in keeping with the prevailing hotel rates in which case it is recommended that the sessional official's actual expenses be paid within the confine of the limitations determined by the National Treasury.) Since these employees' full hotel expenses are paid they are not eligible to the sessional allowance.

1.12. The payment of the sessional allowance -

1.12.1. Commences and stops in keeping with the Parliamentary Programme, i.e. the sessional allowance is not payable during recess and constituency periods (refer to clause 3.2 of Part XX

of PSCBC Resolution 3 of 1999, read with paragraph 7.1 of the Policy Directive on Sessional Assistance);

- 1.12.2. Commences when the employee leaves his/her normal place of work to travel to Cape Town to commence his/her sessional duties. However, in the case of an employee who is having school going children attending school in Cape Town, the payment of the sessional allowance may commence up to two days before commencing with sessional duties. (See also clause 3.2 of Part XX of PSCBC Resolution 3 of 1999.)
- 1.12.3. Cost of meals, includes a maximum of one vacation day per month. (see clause 3.3 of Part XX of PSCBC Resolution 3 of 1999).
- 1.12.4. Although expressed as a daily amount, is ordinarily paid monthly to the employee, taking into account that the employee is compensated for maintaining two households during sessional duties and the fact that employees incur cost of living expenses on a monthly basis, whether or not the employee had to return to Pretoria or travel elsewhere for official duties. The policy framework does not prescribe whether the sessional allowance may be paid in advance or retrospectively. The recommended best practice is to make payments at the end of the month on a claims basis. Further, the legal framework, referred to above, does not determine the nature of evidence to be submitted with claims. However, it would be good practice to have a copy of the letter designating the employee as a sessional official, the Parliamentary Programme and, if applicable, the school calendar included as supporting evidence.
- 1.12.5. Stops -
 - (a) From the date the employee stops having sessional duties, if s/he then returns to her/his normal place of work, or remains in Cape Town but does not take up other official duties. In other words, the recess and constituency periods of Parliament or where the Head of Department terminates the employee's designation as sessional official and terminates performing sessional duties, etc.; or
 - (b) If the employee undertakes official duties in Cape Town after the end of the Parliamentary Programme, from the date the employee finally returns to her or his normal place of work; or
 - (c) If the employee has children in primary or secondary school in Cape Town, the sooner of
 - (i) the date the children leave Cape Town, and
 - (ii) the Saturday after the day the employee stops doing sessional or subsequent official duties in Cape Town.
- 1.12.6. Does not stop in the event where s/he is required to perform official duties in Pretoria or elsewhere during the Parliamentary Programme.


DIRECTOR-GENERAL
DATE: 21/12/2018