

**PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL (PSCBC)****REPORT NO 6 OF 2019****16 MAY 2019**

WE can report that the Public Service Co-ordinating Bargaining Council (PSCBC) met on 14 May 2019 and the following matters were discussed:

Department of Public Service and Administration (DPSA) – Incorrect Taxation for 2018

In the previous meetings, the employer could not provide labour with information of incorrect taxation in the Department of Correctional Services so that labour can know how many employees were affected. In this meeting the employer reported that there were no employees affected as the cost of living adjustment (COLA) was implemented correctly.

Applicability of Section 198B – Fixed Term Contracts

It was previously reported that employees who qualify within the public service are those that are between salary levels 1 to 7, as per the Basic Conditions of Employment Act (BCEA) thresholds as determined by the Minister of the Department of Public Service and Administration (DPSA). Labour tabled a draft agreement on this matter and the employer will respond to it in the next Council meeting.

Labour: Provision on PERSAL to enable Implementation of Tax Act Provisions

The employer had previously indicated that it has consulted South African Revenue Service (SARS) on this matter. SARS indicated that it is the only institution that can issue directives on such a matter. Labour indicated that it is busy sourcing a mandate on the employer response and the matter was deferred to the next Council meeting.

Clause 8: Outstanding Matters – Previous Resolutions

Labour indicated that it will consolidate the additional categories for danger allowance submitted by Sector Bargaining Councils and will present it in the next Council meeting.

Resolution 1 of 2018 (Clause 8.2: Moratorium on the Filling of Funded Vacant Posts)

The employer indicated that it is not ready to table the report and the matter was deferred to the next Council meeting.

Resolution 1 of 2018 (Clause 5.2.1: Temporary Incapacity Leave)

In the previous meeting the employer was expected to respond to labour's demand which is to insert a default clause on the policy. However, the employer could not respond and indicated that it was still seeking a mandate. In this meeting the employer reported that its mandate committee has not sat since the last meeting. The matter is deferred to the next Council meeting.

Increase to the Child Pension Benefit Framework

Government Employee Pension Fund (GEPF) indicated that the proposal from labour on this issue is not feasible as it is costly.

Emergency Medical Services (EMS) 30% Overtime Payments

Labour previously informed the employer that there was inconsistency in the application of the 30% overtime payment. The employer asked labour to provide proof of the inconsistency application. In this meeting labour informed the employer that it was still busy gathering the

information and will present it in the next Council meeting.

DPSA Circular 1 of 2019: Reduction in the Percentage Allocation of Remuneration Budget for the Payment of Performance Bonuses for All Categories of Employees with effect from 1 April 2019

The employer provided labour with a report on the payment of Performance Management and Development System (PMDS) for the past six (6) years as requested by labour. Labour indicated that it does not agree with the reduction in the percentage allocation of remuneration budget for payment of performance bonuses.

The employer indicated that it could not get a mandate to withdraw the circular as it was demanded by labour.

Labour further indicated that it reserves its rights on this matter. The matter was removed from the Council agenda.

Early Retirement without Penalisation of Pension Benefits in the Terms of Section 16(6) of the Public Service Act (1994)

In the previous meeting labour demanded that the employer provides it with a comprehensive Human Resource plan that will inform how the early retirement will be implemented. The employer could not provide the plan and labour indicated that it reserves its rights on this matter. The matter was removed from the Council agenda.

We will keep members up to date on developments.

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