

LABOUR RELATIONS POLICY FRAMEWORK

FOR THE PUBLIC SERVICE

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LABOUR RELATIONS POLICY FRAMEWORK FOR THE PUBLIC SERVICE

1. INTRODUCTION

The impact and effect of globalisation on South Africa, requires the public service, like other sectors of the economy, to rapidly adapt to the changing environment.

The public service is composed of approximately 1.1 million workers and accounts for about a fifth of all formal employment and about a tenth of the labour force as a whole. This makes it the largest single employer in the country.

In view of the strategic role that the public service has to play in shaping the economic destiny of the country, it needs to change its mindset and transcend past practices of iniquitous labour relations based on race discrimination and strive for labour peace and equality in the work place. To this end the Minister for the Public Service and Administration is empowered by the *Public Service Act*, 1994, to develop a labour relations policy for the public service.

2. PURPOSE

Recognising the legislative mandate conferred on the Minister to develop a policy relating to labour relations in the public service, it is the intention of the policy to –

- clarify the position of the public service in respect of the various areas of labour relations;
- give guidance on the application of various pieces of legislation that govern employment relations in the public service;
- provide a framework within which departmental policies on labour relations can be developed.
- promote consistency in management decisions and continuity despite changes in management.

3. PRINCIPLES

Underpinning the policy are *inter alia* the following principles:

- The public service must play a key role in shaping the direction of the economy of the country.
- Human potential in the public service must be maximised through sound human resource management and career development.

- The relationship between the employer and the employee is regulated by the contract of employment concluded between the parties and the conditions of employment recorded in various collective agreements.
- Organised labour and the employer are social partners and have an equal stake in the labour relations of the public service.
- Labour relations should, as far as possible, be conducted in a non-adversarial climate.
- Employees and the employer have constitutional and other legal labour rights.
- Labour relations in the public service are conducted at various levels, namely national, sectoral and departmental and provincial levels.
- The public service must provide an efficient service to the community in the most cost effective manner.
- Labour relations in the public service must support the principles of Batho Pele.

4. **LEGISLATIVE FRAMEWORK**

Labour relations in the public service are governed by a myriad of acts of which the following are the most important:

- *Constitution of the Republic of South Africa, 1996*
- *Public Service Act, 1994*
- *The Employment of Educators Act, 1994*
- *South African Police Service Act, 1998*
- *Correctional Service Act 111, 1998*
- *National Prosecuting Authority Act 32, 1998*
- *Labour Relations Act, 1995*
- *Basic Conditions of Employment Act, 1997*
- *Skills Development Act, 1998*
- *Employment Equity Act, 1999*
- *Public Finance Management Act, 1999*
- *Promotion of Administrative Justice Act, 2000*
- *Promotion of Access to Information Act, 2000*

The legislative framework is further enhanced through a number of collective agreements reached in the Public Service Co-ordinating Bargaining Council (PSCBC) and the various sectoral bargaining councils.

5. **SCOPE**

The policy is applicable to all public servants excluding members of the –

- National Intelligence Agency;
- South African Secret Service; and
- South African National Defence Force

Members of the above-mentioned institutions are not covered by the *Labour Relations Act, 1995*. The above institutions need to establish their own labour relation policies.

In respect of sectors in the public service that have their own labour relations policies, this policy will only apply insofar as it is not contrary to such policies.

6. **LABOUR RELATIONS POLICY FRAMEWORK:- AREAS COVERED**

Unless the context indicates otherwise, reference in this section of the policy to –

- (a) “department” must be construed as a reference to a provincial administration, provincial department and/or national department and
- (b) “departmental level” must also be construed as a reference to the provincial level

6.1 **Unionisation**

- The principle of freedom of association and the right of all employees to form and join trade unions of their choice is acknowledged.
- Employees are free to elect not to join a trade union. Those who do, as well as those who join trade unions not represented in the PSCBC are liable to pay an agency shop fee agreed to in the PSCBC.
- Members of the SMS are exempted from the payment of the agency shop fee as per agreement. However, these employees are free to join, or not to join, any trade union. They are excluded from the bargaining unit as they act as representatives of the employer.
- The spirit of the Labour Relations Act on the non-proliferation of trade unions is supported. Engagement with fewer, bigger unions that are well organised is therefore supported.

6.2 Organisational Rights of Trade Unions

- The granting of organisational rights to trade unions should occur at departmental level.
- Departments should determine the number of employees to be represented by a specific union for it to qualify for organisational rights. i.e. the threshold of representativeness.
- Provisions regarding organisational rights should be contained in an organisational rights agreement. Such agreements should be concluded taking into account any framework developed on this aspect at the PSCBC, sectoral, or provincial level.
- A trade union could qualify for *inter alia* the following organisational rights –
 - Trade union access to the workplace
 - Deduction of trade union subscriptions
 - Election of shop stewards
 - Leave for trade union activities
 - Disclosure of information
- Admission of a trade union to the PSCBC or a sectoral bargaining council does not mean that all the above-mentioned rights are automatically conferred on such a union. In terms of section 19 of the Labour Relations Act, such a union only obtains the rights of access to the workplace and the deduction of subscriptions of its members. To obtain other organisational rights, a union should act in terms of section 21 and 22 of the LRA.
- Unless a collective agreement on recognition/organisational rights determines otherwise, a union qualifies for the right to elect representatives and for the right to disclosure of information, only if it represents the majority (50% + 1) of the employees in the workplace, i.e. if it is regarded as a representative trade union.
- The number of trade union representatives depends on the size of the workforce in terms of section 14(2) of the LRA or a collective agreement in this regard.
- Granting of organisational rights to trade unions should be based on audited membership figures or as may be agreed between the parties.
- If a trade union is a party to a collective agreement at PSCBC or sectoral level it qualifies to exercise any right established by such an agreement in a department, unless otherwise determined.

- The principle of full-time shop stewards for the public service is supported, provided that it is arranged in terms of a collective agreement.
- Leave for elected shop stewards, other than full-time shop stewards, must be granted according to a collective agreement on the matter.
- Any action by a trade union (excluding action protected in terms of the Labour Relations Act) that disrupts the service delivery of a department may result in the suspension of organisational rights, provided the union is granted the opportunity to rectify the situation. Before organisational rights are withdrawn, a process of conciliation and arbitration need to be entered into.

6.3 **Collective Bargaining**

- Collective bargaining as a mechanism to address matters of mutual interest between the employer and employees (as represented by representative trade unions) is acknowledged and supported.
- Collective bargaining in the public service occurs at various levels where engagement between employer and employees takes place.
- Matters that concern all public servants or employees of more than one demarcated sector are negotiated at national (PSCBC) level.
- Collective bargaining at sectoral level should deal with matters that are specific to the relevant sector.
- Collective bargaining at departmental level should only deal with matters with regard to which the executing authority has the requisite power.
- Although collective bargaining at departmental level is supported, such bargaining should take place in chambers of the sectoral bargaining councils. Implementation of such collective agreements should be subject to the sectoral bargaining council noting the agreement and satisfying itself that the agreement falls within the jurisdiction of the departmental level and is not contrary to any sectoral or national agreement.
- The establishment of a co-ordinating bargaining structure at provincial level to co-ordinate matters between the various sectors within a provincial administration is supported.

- Members of the Senior Management Service are excluded from the bargaining units of all bargaining councils, except in as far as the employer concurs to their specific inclusion in a collective agreement.
- Employers at the various levels should only bargain on issues that fall within the power of the employer at that specific level. Should there be any uncertainty as to whether the employer at a specific level has the requisite authority to enter into an agreement, the lead department in the specific sector or the chief negotiator of the employer at national level should be engaged to give a decision on the matter.
- Representatives of the employer in collective bargaining must ensure –
 - that they have proper mandates whenever they enter into collective bargaining;
 - that the matters which they entertain fall within the power of the employer at that level;
 - that funds are available should the matter to be negotiated have financial implications for the employer;
- For a union to participate in collective bargaining it must be admitted to the relevant bargaining council/chamber, i.e. it must represent the number of employees determined in the constitution of the relevant council, or in the case of a chamber, determined by the relevant council.
- Negotiations should be conducted in good faith and parties should actively seek consensus on matters. If no agreement can be reached, the parties should utilise the agreed dispute resolution mechanisms.
- Collective agreements should be concluded in the shortest possible time.
- The collective bargaining process must be linked to the budgetary system of the country and particularly the MTEF cycle.
- The assistance of third parties to facilitate the unlocking of problem areas in negotiations should be utilised.
- A guideline on the various levels of collective bargaining is contained in Annexure A. Items indicated in the annexure can be dealt with as items for negotiation or consultation. The employer at the relevant bargaining level should determine how to deal with a specific matter. A broad guideline would be that items with remuneration implications should be negotiated whilst policy issues should be consulted.

- Departments are responsible for the implementation of national and sectoral collective agreements.
- The employer and trade unions in the national and sectoral bargaining structures will monitor the implementation of collective agreements.

6.4 **Demarcation/Variation of Sectors**

- The demarcation of further sectors in the public service to enhance collective bargaining is supported, provided –
 - the departments that fall within such demarcated sector have a natural link to one another
 - the sector will be sustainable
- All employees of a department should as far as possible belong to the same sector.
- Any decision in respect of the demarcation or variation of a sector will, from the employer side, be taken by the employer at national level in consultation with the departments to be affected by such a demarcation.
- Where a sector covers more than one department, the departments should among themselves determine –
 - which department should act as lead department;
 - who its representative in the bargaining council would be;
 - how its mandating structure would be constituted.

6.5 **Workplace Forums**

- In view of the highly unionised nature of the public service work force, the establishment of workplace forums in terms of the Labour Relations Act is not supported.
- The absence of workplace forums does not deny departments the right to establish forums in which they can consult their employees on any matter.
- Consultation forums established by departments must not undermine the collective bargaining structures in the public service.
- A review of the need to formally establish workplace forums in the public service will be undertaken by the DPSA every two years taking into account *inter alia* –
 - the level of unionisation in the public service

- ❑ the views of departments
- ❑ the views of the trade unions in the public service
- ❑ trends in respect of the establishment of workplace forums in the private sector
- ❑ the success, or the lack thereof, of workplace forums in the private sector

6.6 **Designation of Essential Services**

- The decision to approach the Essential Services Committee to designate a service of a department an essential service lies with the relevant department.
- Before a decision is taken, the relevant department should consult with the DPSA to determine what the impact of the designation of the service could be on the public service as a whole.
- Before approaching the Essential Services Committee, a department must ensure (through legal opinion if necessary) that the service that it wishes to have designated an essential service complies with paragraph (a) of the definition of an essential service in section 213 of the Labour Relations Act.
- Departments individually, or the employer in sectors, in which services have been designated essential services, may consider entering into collective agreements with the relevant trade unions on the maintenance of minimum services within such essential services.
- Where a trade union approaches the Essential Services Committee for the designation of a service of a department as an essential service, the department should approach the DPSA to determine the position to be taken by the department in this regard.

6.7 **Dispute Resolution**

Dispute resolution deals with two areas, namely disputes of interest and disputes of right.

6.7.1 **Disputes of interest**

- If in the process of collective bargaining, a matter cannot be resolved by concluding a collective agreement, the right of parties to invoke the dispute resolution mechanisms of the Labour Relations Act, i.e.

conciliation and arbitration and/or industrial action, i.e. strikes and lockouts, is acknowledged.

- Whether a strike is protected or not, or whether it is for a full day or part of a day, the principle of “no work, no pay” should be applied regardless.
- Under no circumstances may leave be granted for strike purposes.
- Employees engaged in essential services may not participate in strike action, unless a Maintenance of Minimum Standards agreement is in place. If they strike in the absences of a Maintenance of Minimum Standards agreement, such action will be unprotected.
- A dispute of employees engaged in essential services are to be resolved through conciliation and arbitration in the appropriate Council, provided the dispute is referred by any of the parties to the dispute.
- If the award has financial implications for the State, it must be submitted to Parliament for a decision. If Parliament decides not to accept the award, it must be referred back to the CCMA for further conciliation and arbitration.
- Employees who participate in unprotected strike action, must be disciplined in terms of the relevant Disciplinary Code and Procedure.
- Employees who participate in protected strike action may not be dismissed unless they misconduct themselves during the strike or for operational reasons and after following the prescribed procedure.
- To minimise conflict during strike action, trade union leaders of the action should, where possible, be engaged in talks to try to resolve the dispute.
- In order to deal with industrial action, the responsibilities and authority of designated persons must be clearly specified within each department.
- Mechanisms should be put in place to ensure that information on strike action is obtained at departmental level and submitted to the DPSA to enable the Minister for the Public Service and Administration to inform Cabinet on the extent of any strike action. For this purpose -
 - a broad assessment should be made on the day of the strike and be submitted to the DPSA by 15:00;
 - accurate information should be submitted to the DPSA within three days of the strike action

- Information regarding the number of employees affected by a lockout must be submitted to the DPSA on the day of the lockout.
- Deductions from the salaries of employees who participated in strike action or are locked-out, must be effected in the month that the strike action or lockout takes place or in the subsequent month should it not be possible to effect it in the month of the strike/lock-out.
- Information on any strike action or lockout must be captured on the PERSAL system within 30 days of such action.

6.7.2 **Disputes of right**

- Disputes of right should be minimised by the timeous and correct implementation of council resolutions and adherence to legislation, regulations, directives, etc. that grants rights to employees.
- Every attempt should be made to resolve a dispute of an employee. The conciliation stage of the dispute procedure should therefore be actively utilised to achieve this.
- If a department is not prepared to conciliate a matter, it should inform the relevant bargaining council as such, five (5) working days before the conciliation date.
- If a dispute reaches the arbitration stage or is lodged with the Labour Court, the employer must ensure that the matter is properly defended.
- A person/position should be designated, preferably in the labour relations or human resource section of a department to which all dispute referral forms should be submitted. All supervisors should be sensitised that dispute referral forms that might be forwarded to them should be submitted to the designated officer.
- Mechanism should be put in place to prevent “no shows” of a department in arbitration proceedings.
- A dispute concerning any matter that could negatively impact on a national policy or a national collective agreement must be referred to the DPSA for advice and assistance. With regard to sectoral policies/agreements, the lead department should be approached for advice and assistance.

6.8 **Protest Action**

- The right of employees to participate in protest action to support their socio-economic interests is acknowledged.
- When a department becomes aware of envisaged protest action by a trade union, it must approach the DPSA for clarification as to whether or not such protest action will be protected in terms of section 77 of the *Labour Relations Act, 1995*.
- The DPSA will, as far as possible, inform departments at least two (2) working days ahead of any intended protest action, of the status of such action.
- The principle of “no work, no pay” must be applied in all instances where an employee participates in protest action, be it for a full day or part of a day.
- No leave may be granted for purposes of participating in protest action.
- Employees engaged in essential services may not participate in protest action. If they do, such action will be unprotected.
- Employees who participate in unprotected protest action, must be disciplined in terms of the relevant disciplinary code and procedure.
- Employees who participate in protected protest action may not be dismissed, unless they misconduct themselves during the protest action (after following the prescribed procedure).
- The policy in respect of the submission of information and the deduction from salaries indicated under “Disputes of Interest” also apply to protest action.

6.9 **Picketing**

- The right of a registered trade union to authorize a picket by its members or supporters for purposes of peacefully demonstrating in support of a protected strike or in opposition to a lockout is acknowledged.
- Picketing should be conducted in terms of picketing rules.
- Picketing rules should be developed between the employer and trade unions at departmental level taking into account –
 - the code of good practice on picketing issued in terms of the Labour Relations Act
 - any framework negotiated at national or sectoral council level.
- the principle of “no work, no pay” must be applied where employees participate in picketing during official working hours

6.10 Discipline

- The employer should ensure that –
 - Discipline is consistent and fair,
 - Disciplinary action is corrective; and
 - That accountability for discipline is vested in line management.
- Discipline should be dealt with in terms of the relevant collective agreement of the PSCBC or sectoral council or as contained in relevant legislation (whichever is applicable).
- All disciplinary action, whether formal or informal (progressive) discipline, must be captured on the appropriate PERSAL database.
- Discipline should be meted out as soon as possible after the transgression occurred.
- Precautionary suspensions must –
 - be limited to exceptional cases where the presence of the employee at the workplace might jeopardize an investigation or endanger the well-being or safety of any person or property;
 - be limited to the minimum period;
 - must be preceded by the application of the principle of natural justice.
- Appeals, where applicable, should be dealt with as speedily as possible by the appeal authority.
- The public service has a policy of zero tolerance in respect of misconduct related to fraud, theft, corruption and sexual harassment.
- Item 4(2) of Schedule 8 to the Labour Relations Act must be adhered to when a department contemplates disciplining a shop steward of a trade union.

6.11 Incapacity

- Incapacity can take two forms, namely –
 - incapacity due to poor performance
 - incapacity due to ill-health or injury
- Both forms of incapacity should be dealt with in terms of the relevant collective agreements of the PSCBC or sectoral council or as contained in relevant legislature (whichever is applicable).

- Incapacity due to poor performance should –
 - ❑ be identified as soon as possible
 - ❑ be substantiated by the employee's performance assessment
 - ❑ be dealt with through a process of counselling and monitoring that could ultimately lead to termination of service
 - ❑ fully involve the employee concerned (and his/her representative if applicable)
- Incapacity due to ill-health –
 - ❑ requires that the employer, based on medical evidence, determines whether the ill-health is of a permanent or temporary nature
 - ❑ should only lead to medical boarding in cases where the ill-health or injury is of a permanent nature and where alternative employment, or adaption of the employee's work circumstances to his/her situation, is not possible
 - ❑ requires the involvement/co-operation of the employee and his/her representative if applicable
 - ❑ may, in cases of alcohol or drug abuse, lead to termination of service if the behaviour remains repetitive after rehabilitation or if the employee fails to follow any formal or rehabilitation program.

6.12 Grievances

- The right of an employee to lodge a grievance against an official act or omission on the part of the employer, is acknowledged.
- Grievances should, within a department, be dealt with at the lowest possible level and as speedily as possible, but not later than 30 days from the date on which the grievance was lodged.
- A grievance must be dealt with in terms of the grievance rules issued by the Public Service Commission following a collective agreement on the matter or in terms of relevant legislation or any other directives.
- An employee should in cases of an alleged unfair labour practice, have the option to submit his/her grievance as a dispute in accordance with the dispute resolution procedure of the relevant bargaining council as an alternative to having the Public Service Commission investigate the matter (i.e. if the grievance remains unresolved after the departmental stage).

6.13 Abscondments

- Strong action should be taken by the employer against any employee who absents him/herself from his/her official duties without permission. In this regard the employer should –
 - adhere to section 17(5)(a) of the Public Service Act or other relevant legislation when the employee's absence exceeds a period of one calendar month; or
 - take disciplinary action against the employee if he/she returns to work before the expiry of the period of one calendar month, provided the employee does not have a legitimate reason for his/her absence.
- When an employee absents him/herself from official duties (without submitting a valid reason), the employer should –
 - attempt to determine the whereabouts of the employee
 - if the whereabouts of the employee is known, call the employee to a meeting or allow him/her to respond in writing before the expiry of the one calendar month period to give reasons why his/her services should not be terminated in terms of the relevant legislation when the above-mentioned period lapses.

6.14 Retrenchments/Redundancy

- It is the policy of the employer to, as far as possible, provide continuous employment for all its employees. It must nevertheless be accepted that changes in the national economy, organizational and operational structures of departments and demands in terms of service delivery might result in certain employees being in excess of the establishment.
- All possible steps should be taken to limit the number of employees to be affected by a retrenchment exercise. These include -
 - the redeployment of employees within a department;
 - the redeployment of employees within the public service;
 - the redeployment of employees to other sectors of the economy;
 - the training/retraining of affected employees; and

- allowing employees to opt for early retirement or an employee initiated severance package (if available).
- The provisions of sections 189 and 189 A of the Labour Relations Act, the “Code of Good Practice on Dismissals based on Operational Requirements” and/or any national/sectoral collective agreement on the matter must be adhered to.
- The selection criteria to be used to determine which employees are to be retrenched must be agreed upon and be fair and objective.
- Retrenchments should not target a specific group or groups of personnel, but should be applied vertically throughout a department, unless a specific service is terminated where only certain occupations and/or grade levels become redundant.
- Benefits payable to employees affected by retrenchments will be determined by means of a national collective agreement, but should not be less than the amount prescribed by statute (see section 31 of the Basic Conditions of Employment Act, 1997).
- Any retrenchment exercise should be linked to a social plan (to assist affected employees) determined by a national or sectoral collective agreement, in the absence of which the guidelines, as developed by the Department of Labour, should be followed.
- Employees retrenched should be given preference when a department rehires employees in those categories in future. If there is no national or sectoral collective agreement governing this matter, a department should (as part of the retrenchment process) consult with the relevant trade unions on the period during which preferential rehiring would be applicable, which period should be reasonable (maximum 18 months).

6.15 **Service benefits**

- Service benefits should be of such a nature as to enable the public service to attract and retain staff of a calibre that will support effective service delivery to the population.
- Pay progression should ensure the salary movement over a determined period of time of employees who perform satisfactorily and reward those employees who perform above average.
- Service benefits should be –

- ❑ Not unfairly discriminatory
- ❑ Accessible
- ❑ Cost-effective
- ❑ Competitive
- ❑ Affordable
- ❑ Corrective (in respect of past imbalances).

6.16 **Communication**

- The employer has the right to communicate directly with its employees. Formal channels of downward communication between management and employees may be established for this purpose, e.g. briefing groups, information sessions, circulars, etc.
- Lines of communication with trade unions involved in a department, or at the sectoral or national levels, must be maintained at all times (e.g. during strike action).
- A trade union should, after complying with the terms of organisational rights agreements, be allowed to communicate with their membership in a department (e.g. feedback meetings).
- The employer should refrain from communicating with trade unions through the media.
- Organisational rights agreements between the employer and trade unions should address the issue of individual and joint press releases on labour relations matters.

6.17 **Labour Relations Training**

- It is the responsibility of departments to ensure that employees are trained in the area of labour relations.
- Training should be structured to capacitate different groups of employees, e.g. employees in general, labour relations officers, senior and line managers, negotiators, representatives and chairpersons in disciplinary hearings.
- The DPSA is responsible for providing advocacy training to departments on collective agreements concluded at the PSCBC level.

- Lead departments in the various sectors are responsible for providing advocacy training to the departments falling within their jurisdiction, in respect of collective agreements reached at the sectoral level.
- The employer should afford trade union representatives the opportunity to attend training programs conducted by the union within the leave provisions for union representatives determined in terms of a collective agreement.

6.18 **Monitoring and Evaluation**

- The Public Service Commission, in terms of its mandate, is responsible for the monitoring and evaluation of *inter alia* labour relations in the public service.
- Departments must continuously monitor the practical application of labour relations prescripts and collective agreements to identify problem areas. These include labour relations structures, procedures, climate and practices and should be submitted to the DPSA or the relevant lead department in the sector (whichever is applicable) to consider the possible amendment of the prescripts or collective agreements.

7. **Guidelines**

This policy will be enhanced by way of a set of guides to give practical effect to the various aspects of the policy.

LEVELS OF COLLECTIVE BARGAINING

NOTES:

- 1) The levels of collective bargaining indicated below are merely guidelines and cannot be regarded as fixed.
- 2) Where an item in the table below is only indicated under one column, the matter is limited to that level
- 3) Where an item is indicated under both the national and sectoral levels, it could have one of the following meanings:
 - (a) The framework on the matter will be concluded at the national level, whilst the sectors will have the power to determine the details within the boundaries of the framework; **OR**
 - (b) The matter will be dealt with at the national level in cases where it affects two or more sectors, whilst sectors not so affected will be able to deal with it at sectoral level.
- 4) Where an item is indicated under the national and departmental levels, or the sectoral and departmental levels, it means that the framework is determined at the higher level and the details at the departmental level.
- 5) Where an item is indicated under the departmental level, the department will only be able to deal with the matter if a chamber of the relevant sectoral council has been established and the matter –
 - (a) has been identified by the sectoral bargaining council as a matter than can be dealt with by the chamber; **OR**
 - (b) falls within the competency of the executing authority or head of department.
- 6) Issues indicated as management could also become issues for consultation with the unions.

Item	National	Sectoral	Department/ Provincial Department	Management
1. STRATEGIC PLAN				
Determination of departmental strategic plan				X
Determination of functions to be performed				X
2. ORGANISATION OF DEPARTMENT				
Determination of organisational structure				X
Determination of number of posts				X
Transfer of functions between departments				X
Outsourcing of functions				X
3. GRADING				
Grading system				X
Number of grades				X
Salary levels attached to grades				X
System of job descriptions				X
Job descriptions for new occupations				X
Amendments to job descriptions (group)				X
Departmental policy on job evaluation and grading				X
Grading of new jobs (of occupations/groups of personnel)				X
Regrading of jobs(of occupations/groups of personnel)				X
Grading of individual posts				X
4. REMUNERATION MATTERS				
Determination of key salary scale for public service (excl SMS)	X			
Determination of salary levels	X			
Annual salary increases for public service	X			
Remuneration of contract workers	X			
Determination of a pay progression system	X	X		
5. CONDITIONS OF SERVICE				
Pension benefits	X			
Medical assistance benefits	X			
Home owner allowance	X			
Service bonus	X			
Overtime:				
▪ Determination of framework	X			
▪ Determination of rate	X			
▪ Determination of categories	X	X	X	
▪ Approval to work overtime				X
Leave:				
▪ Annual leave	X	X		
▪ Leave payouts	X	X		
▪ Sick leave	X	X		
▪ Leave for substance abuse	X	X		
▪ Maternity leave	X	X		
▪ Shop steward leave	X	X		
▪ Unpaid leave	X	X		
▪ Special leave, eg study leave, exam leave, etc	X	X	X	

Item	National	Sectoral	Department/ Provincial Department	Management
Allowances/compensation/assistance (in kind):				
▪ Rest, meal and travel breaks	X	X	X	
▪ Commuted overtime allowance	X	X		
▪ Sunday work	X	X		
▪ Normal overtime	X	X		
▪ Night overtime	X	X		
▪ Overtime allowance	X	X		
▪ Standby allowance	X	X		
▪ Danger allowance	X	X		
▪ Transport between residence	X			
▪ Official journeys	X			
▪ Accommodation while on official journeys	X			
▪ Subsistence allowance	X			
▪ Camping allowance	X			
▪ Separation allowance	X			
▪ Resettlement costs	X			
▪ Assistance with boarding school and lodging fees	X			
▪ Executing authority staff allowance	X			
▪ Sessional assistance	X			
▪ State and other housing assistance	X			
▪ Provisioning for clothing for work	X	X		
▪ Special recruitment allowance or selected health personnel		X		
▪ Rural Allowance	X	X		
▪ Scarce Skills allowance	X	X		
▪ HOD secretaries allowance	X			
▪ Full time secretaries to selected judges allowance	X			
▪ Compensation for supervision of school hostels	X			
▪ Cryptographic allowances	X			
▪ First aid box allowance	X			
▪ Antarctic/Gough/Marion Island allowance/assistance	X			
▪ Personal shift allowance	X			
▪ Night shift allowance	X			
▪ Robben Island allowance (Correctional Service)	X			
Long Service Recognition:	X			
6. HUMAN RESOURCE ISSUES				
Human resource planning:				
▪ Number of personnel				X
▪ Competencies required				X
▪ Employment status of employees				X
▪ Representivity targets				X
▪ Training targets				X
Requirements for employment in posts				X
Advertising of posts				X
Selection for posts				X
Probation				X
Promotions				X
Determination of notice period				X
Secondments				X
Acting in higher positions (compensation)	X	X		
Termination of service				X
Performance management:				
▪ System/instruments				X
▪ Incentives	X	X		
▪ Incentives for suggestions/improvements/innovations	X			
Training				X
7. LABOUR RELATIONS ISSUES				
Disciplinary procedure	X	X		
Grievance procedure	X	X		
Dispute resolution mechanisms	X	X		
Strike rules		X	X	
Picketing rules		X	X	
Full-time Shop Stewards	X	X		
Exit Packages (benefits)	X			
Code of conduct (general)				X
Organisational rights agreement			X	

Item	National	Sectoral	Department/ Provincial Department	Management
8. OTHER				
Work week and daily hours				X
Opening and closing time of offices				X
Health and safety measures/policy				X
Payment for additional qualifications	X	X		
IT plan				X
Service delivery plan				X
Determination of departmental budgets				X
Inputs into national budget				X
Parking tariffs			X	