



NUPSAW VOICE

Official Newsletter of the National Union of Public Service and Allied Workers

ISSUE 1/2014

Our leaders communicate vividly and persuasively

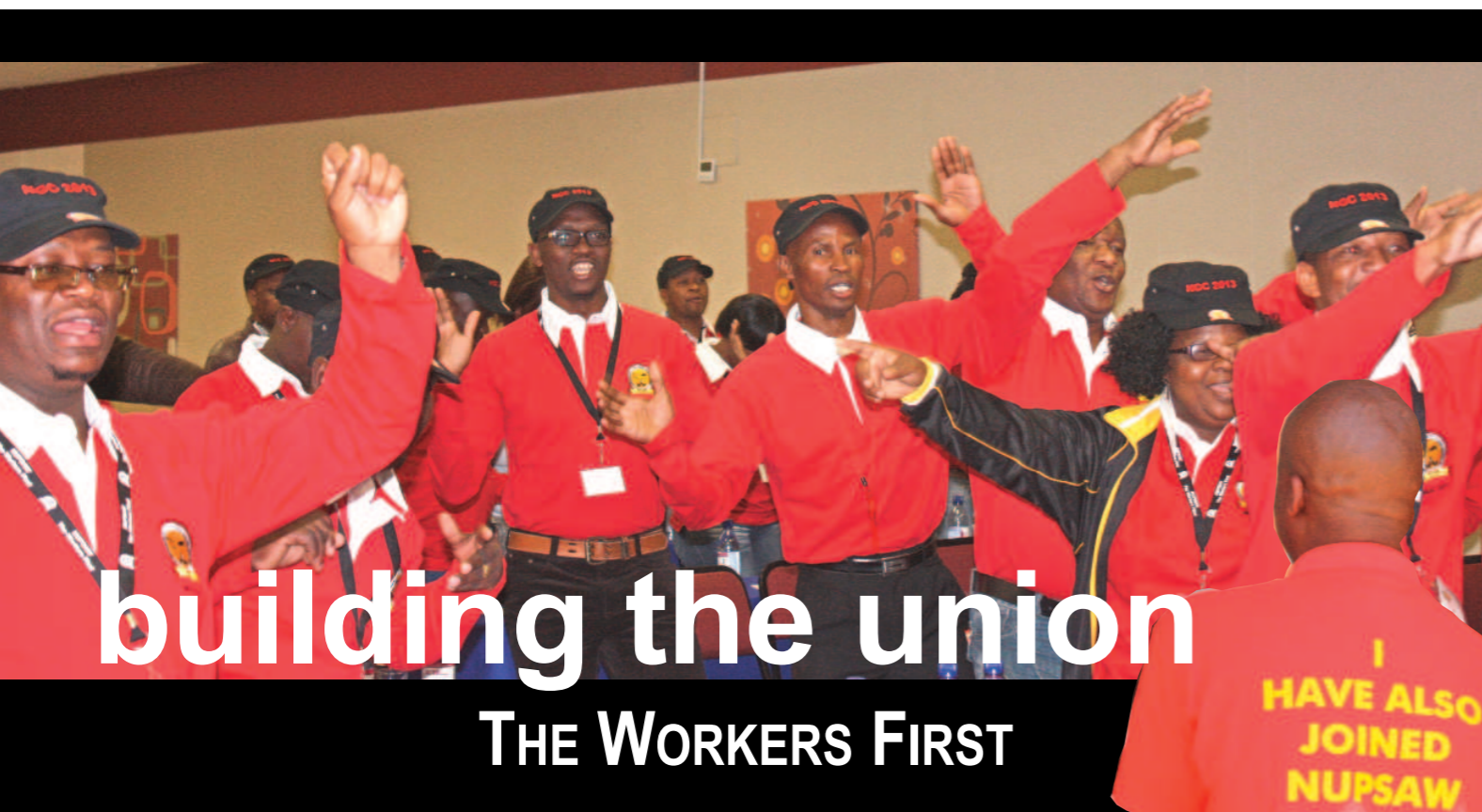
More ground-breaking awards, page 6

Employees Housing Scheme, page 10

General Secretary May Day Speech, 8

National General Council
PRESIDENT SPEECH, PAGE 3

Constitutional Court
rules in favour of
workers' rights, page 5



building the union

THE WORKERS FIRST

**I
HAVE ALSO
JOINED
NUPSAW**



WHERE TO FIND US

NUPSAW HEAD QUARTERS

NUPSAW House,
814 Stanza Bopape Str, Eastwood, Pretoria
Tel. 012-342 1674 Fax 086-672 4354
Website: www.nupsaw.co.za E-Mail: generalsecretary@nupsaw.co.za
Postal Address: General Secretary, PO Box 11459, The Tramshed, 0126

EASTERN CAPE PROVINCIAL OFFICE

E-mail: pe@nupsaw.co.za
2nd Floor Govco House North End,
522 Govan Mbeki Road, Port Elizabeth,
6230.
Tel. 041-487 2497, Fax. 041-487 2497.

EASTERN CAPE REGIONAL OFFICE

E-mail: el@nupsaw.co.za
Office no. 3, 3rd Floor,
Lucky's Building, Terminus Street,
East London, 5200.
Tel. 043-722 0372,
Fax 043-722 0389.

FREE STATE / NORTHERN CAPE

E-mail: freestate@nupsaw.co.za
Office no. 402, 4th Floor,
Penbel Building, 29 Elizabeth Street,
Bloemfontein, 9300.
Tel./Fax. 051-448 4125

GAUTENG PROVINCIAL OFFICE

E-mail: gp@nupsaw.co.za
152 Luttig Street, Pretoria West,
Pretoria, 0001
Tel. 012-327 8989, Fax. 012-327 8987.

KWAZULU NATAL PROVINCIAL OFFICE

E-mail: kzn@nupsaw.co.za
21/23 Cedar Road,
Glenwood,
Umbilo,
Durban, 4001.
Tel. 031-205 2114,
Fax. 031-205 0318.

NORTH WEST PROVINCIAL OFFICE

E-mail: northwest@nupsaw.co.za
26 Molopo Road
Mahikeng, 2745
Tel. 018 381 4669
Fax. 018 381 4669

WESTERN CAPE PROVINCIAL OFFICE

E-mail: ct@nupsaw.co.za
14 Boston Street, Bellville, 7530
Tel. 021-945 1121

MPUMALAGA PROVINCIAL OFFICE

E-mail: mpumalanga@nupsaw.co.za
Office no. 21, Boshielo House,
10 Hofmeyer Street,
Witbank, 1035.
Tel. 013-690 3166
Fax. 013-690 3166 / 086-626 5373

Limpopo Provincial Office

limpopo@nupsaw.co.za
House no. 835, Block P East,
Mphephu Drive,
Thohoyandou.
Tel. 015-962 1516, Fax. 015-962 1516 /
086 660 0204

LIMPOPO REGIONAL OFFICE

polokwane@nupsaw.co.za
C/o Hans van Rensburg & Rabi Street
2 Casamia,
Polokwane,
0700.
Tel./Fax. 015-291 3577

President
Thami Mtshali



Deputy President
Malebo Moswatsi



National Treasurer
Sibusiso Memela



General Secretary
Success Mataitsane



Deputy General Secretary
Aubrey Ramukumba



National General Council PRESIDENT SPEECH

Shaping our vision for the future

**“Vision defines the core values and philosophy of the union as well as the unspoken thoughts and dreams of the leader”
says Thami Mtshali, President of NUPSAW.**



Since inception 15 years ago, Nupsaw has transformed into an organisation that both embrace tradition and innovation. It managed to write its own chapter, to walk its own path, to find its own voice and to find its own destiny. With each mistake we made we have learned a lesson or two. We have grown in terms of leadership skills not because of the current leadership, but because of the previous leadership. Leaders who created and articulated a vision.

Vision is known as the end-product of a leader's dream and which is relentlessly targeted to become fulfilled – not only by the leader itself but also by staff and managers in order to implement it in full. That is why there is a relationship between managers, officials, politicians and leaders.

Vision is equally as important as the qualities of purpose, conviction, passion, inspiration and influence. Together these form the ingredients of leadership.

It is important for our leadership to know how to master these ingredients. Unless all these ingredients are present and integrated, leading the union will be impossible.

By formulating the vision, the leader indicates what it is that he desires and how it should be accomplished in a certain fashion. It also defines the core values and philosophy of the institution as well as including the unspoken thoughts and dreams of the leader.

That is why it is always important for leaders to communicate their vision clearly, vividly and persuasively so that stakeholders could understand it and be able to embrace it.

But, remember Comrades, it is the role of officials to implement it as constructed by their leaders.

As leaders we are able to communicate a sense of the past as well as a vision of the future. Knowledge of traditions and customs become a way of creating the future itself.

Leaders must see to it that the vision is proper and to the betterment of everyone.

Leaders must motivate and encourage employees and followers to self-motivation. In other words, to motivate a person, it is not like forcing a person – rather let them see the meaning and they will then get motivated. Napoleon Bonaparte once said “The only way to lead people is to show them the future. A leader is a dealer in hope.”

The institution that does not indulge in petty politics - It takes more than love to keep people in a relationship like this. There must be a moral obligation. We need leaders who will serve selflessly with integrity. The creation of a vision is only the beginning and the sharing with others is the next step. That is why the employees and the officials are involved so that they can implement the vision.

We are not here to convince you, but to share our vision with you so that you can buy-in. By saying that our leaders will be able to communicate a sense of the past as well as a vision of the future circumscribe ideas, traditions and customs methods and vision become a way of creating the future itself. Leaders must see that the vision is proper and good for everyone.

By saying all this, Comrades, I want to encourage all leaders to be risk-takers because risk-takers see the empowerment as something that they should actively modify and shape. The leader see change or challenges in the environment as an opportunity and not threads. Leaders learn to live with uncertainty and ambiguity. However, contrary to common thought successful risk-takers are not widely passionate about risk-taking as such – they are not gamblers. They investigate matters thoroughly before venturing out on a call for action.

CONNECT WITH US

[nupsaw.headquarters](https://www.facebook.com/nupsaw.headquarters)

[@nupsaw.hq](https://twitter.com/nupsaw.hq)

MISSION STATEMENT

When leaders craft a vision, they come up with a strategy to craft a vision. Remember, I said the vision is the end-product and the mission is the process to reach the end-product.

When the vision is crafted the leaders comes up with a strategy, to achieve and accomplish the very strategy. A vision is a dream. But the mission statement is just a vehicle to transport.

How do you realise a vision, how do you accomplish, how do you attain a vision? You attain a vision by making use of a mission statement – which specifies the things we need to do in order to accomplish our vision.

After it all, we come to the issue of core values. We have to make a clear distinction between the core values and the code of conduct. The code of conduct guides us, more particularly when it comes to the bread and butter issues and when we talk about core values we talk about the restoration of human dignity, the promotion of professional ethics in our organisation and that is why in most cases, for me, honesty and integrity plays an important role because you can't move an inch if there is not honesty in a relationship. Without it you cannot move forward Comrades. It is important that we show integrity in our dealings – in whatever we do and whatever action we take. May I be saying that... " if you go to a meeting you must be honest and when we call for reports you can't say that you are sorry and that there were not time for a report.

RESOURCING ADEQUACY

Both financial and human resources are never enough to met our demand. We are struggling with the spiralling workload that is not matched by resources, particularly when it comes to case management. In case management we are short staff. This makes it difficult to meet the expectations on complainants which undermines members' trust and put pressure on us to balance with promptness and accuracy. We cannot be prompt and accurate in case handling, just because we are short. Progress is being hamstrung by a lack of resources in the organisation. The next one is the number in increasing number cases, organisers and labour relations officers have more than enough to do and thus they cannot stretch themselves across the provinces and across the regions, across the branches and across the institutions. My own preference would be for a number of posts to be created at every corner to cater for the ever increasing disciplinary cases due to unfair practices by unsensitive employers. I'm sure there were many situations where employers have come to hearings in a confrontational frame of mind and run a race around our representatives. Our resources cannot match our demands.

LACK OF EMOTIONAL INTELLIGENCE (in general)

This is no insult comrades. I am also part of that. When I speak of emotional intelligence which is the key to personal excellence, we are lacking.

BETWEEN RIGHT AND WRONG

There is a big blur between right and wrong in the organi-

sation. I will clarify that if you want me to.

There is no peace and stability as aa result the organisation find it very difficult to operate in harmony and is therefore suffering in silence. There is no integration between provinces. Even if we want to. But how do we integrate the structure of Western Cape with KZN? How do I create c-operating structures between North West and Northern Cape? This is why we are suffering in silence. We are fragmented, we are suffering in silence. We are operating in segments and as departments. NUPSAW is an organisation and we must show unity. We need to share best practices as an organisation. Let us share those strategies with other provinces for them to go forward. There is no point for me to go alone because I do not represent NUPSAW as an individual. I must work within NUPSAW structure to promote decent unity.

It is a challenge that it is not clear whether we could maintain some standards of unity as Nupsaw is marching to congress in 2016. Are we going to go to congress united, as we are today?

Some of us get elected by deed of long service in the union, not because of our leadership skills. In the end of the day we find it very difficult to deliver according to the expectation of the followers.

We are now resorting to personality cult to elect leadership. Do you understand personality cult? We simply use a personality cult to elect, not just because you are convinced that this is will take us to a higher level. Some of us are not in touch with reality. In this organisation platitude substitute for analysis and blind folding takes the place of active engagement that lead to active amnesia as active leaders. This is the challenge of following blindly. I am talking about blind loyalty. Do not scrutinise what our leaders are saying.

The challenge of turning a blind eye when there are instances of racism and tribalism are raising its ugly head again. There are tribalism here. There is racism here. We need to take tribalism and racism head-on comrades, if we want to win.

We need to deal with racism. We do not speak our minds, we are beginning to guide ourselves by the language we speak, provinces who speak the same language. When coming to congress, provinces sits together. How are you going to network? You should sit next to somebody from a different province. Even when we are going to congresses or meetings you are not speaking your own mind, but somebody else's mind. We need to speak our minds, comrades. These does nog allow for free flow of ideas by independent members of the meeting. Lobbying is good during elections but we could not go on lobbying until the next elections. Let us show leadership by supporting motions because we believe it is the right thing to do not because you were told so by somebody else.

When are we going to allow free-flow of ideas. When are you going to allow to grow as independent person. It is wrong to tabulate the ideas of others who trying to influ-



Members of the National General Council participates actively during two days of deliberation in Pretoria.



National Office Bearers (NOB's) having a lighter moment at the National General Council, held in Pretoria. Left to right: National Treasurer, Sibusiso Memela; President Thami Mtshali; General Secretary Success Mataitsane, Deputy President Malebo Moswatsi and Deputy General Secretary Aubrey Ramukumba.



NUPSAW KZN Provincial Office handed over a memorandum to Department of Health (KwaZulu-Natal), addressing the exploitation of Community Care Givers. Left to right: NUPSAW General Secretary Success Mataitsane, NUPSAW Provincial Chairperson S.D. Dlomo and Provincial Deputy Secretary A.M. Nkosi.

More ground-breaking awards

A ground breaking advisory award by the CCMA, dated 11 February 2014, declared Community Caregivers (CCG's) as employees of the Department of Health (KwaZulu-Natal).

This follows a referral by the trade union NUPSAW to the CCMA on the issue that the Department of Health (KZN) did not regard Community Care Givers (CCGs) as employees of the Department. They regard them, instead, as "abnormal appointments". Despite the Commissioner's reluctance to issue an advisory award, our argument was over-

whelming and he ended up giving it to us and declared the CCGs as employees of the Department in terms of the Labour Relations Act and the Basic Conditions of Employment Act..

As argued by the union, he also accepted that the employees are paid a ridiculous low salary, called a stipend, to which he urged the Department to meet with the Union in order to resolve the issues regarding the remuneration of Caregivers.

"The Community Care Givers plays a pivotal role in bringing the Department of Health closer to sick people.

For example, they assist those people who cannot be reached by ambulances due to the unavailability of road infrastructure. CCG's are not only travelling a lot but are also exposed to all sorts of dangers whilst helping the destitute. The burden of care that they are carrying in the communities influence their levels of well-being as well as the quality of care they provide to the community," says Success Mataitsane, General Secretary of NUPSAW.

Constitutional Court rules in favour of workers' rights

The Constitutional Court gave judgement on an application for leave to appeal against the dismissal of 10 National Lotteries Board employees.

NUPSAW, on behalf of the employees, claimed the dismissals were unfair, and were prompted by legitimate union activities.

The ruling of the Constitutional Court concluded today that the dismissal of the employees was indeed unfair and that there union activities fell within the ambit of the law. Therefore the 10 employees are to be re-instated by the Employer in the same positions that they were in on the date that they were dismissed. "Through previous judgments The CCMA and the Labour Court have vindicated the union and its members in that they were taking away the rights of trade union activities The Constitutional Court has now enforced and reiterated the right of trade unions and of its members to participate in lawful activities", says Success Mataitsane, General Secretary of NUPSAW.

The Lottery Board argued the employees were dismissed because of insubordination.

In 2008 the employees sent a letter to the board through their shop stewards raising concerns about the chief executive officer's leadership.

Unsatisfied with the board's response, they referred the matter to the Commission for Conciliation, Mediation and Arbitration, but it was not resolved.

The employees then sent a petition to the board, making various allegations against the CEO.

They passed a vote of no confidence in the CEO and said unless they were included in the hiring process of the chief operating officer (COO), they



NUPSAW wins ground-breaking ruling by the Constitutional Court on 10 May 2014.

would not co-operate with the COO appointed.

The board warned if the petition were not withdrawn, it would institute disciplinary proceedings.

Some employees refused to withdraw the petition. The 10 who did not withdraw their names were fired.

The employees challenged their dismissals in the Labour Court. The court found the right to freedom of expression did not allow the union and its members to commit acts that were

grossly disrespectful and amounted to insubordination. It upheld. The dismissals.

The employees were also unsuccessful in their appeal to the Supreme Court of Appeal.

However, the Constitutional Court rule concluded that the dismissals of the employees was unfair and that their activities were lawful.

Therefore the 10 employees were to be re-instated by the Employer in the same positions that they were in on the date that

they were dismissed.

"This is the biggest victory NUPSAW ever had since its inception 15 years ago", says Mataitsane.

Pursuing this case was a matter of perseverance and of believe in the rights of our members - especially since the CCMA, Labour Court, Labour Court of Appeal and the Supreme Court of Appeal have rejected our claims of members being lawfully involved in trade union activities.

Jubilating employees thanking General Secretary Success Mataitsane for believing in the merits of their case. This is the biggest victory NUPSAW ever has.



MAY DAY SPEECH DELIVERED BY NUPSAW LEADERSHIP



Since Nupshaw emerged as a trade union in 1998 it continues to promote and protect the interest of not only those humble beginnings of 18 000 members, but also protect and promote the interests of today's 30 000 members from the ever exploitative, oppressive and discriminatory employers

Through groundbreaking victories NUPSAW has demonstrated the strength that is vested in us as a union. For example:

NUPSAW secured an advisory award by the CCMA that declared Community Caregivers (CCG's) as employees of the Department of Health (KwaZulu-Natal). Comrades, with this action NUPSAW restored the dignity of three thousand employees.

On 10 April 2014 another ground-breaking ruling was made by the Constitutional Court in favour of NUPSAW. The Constitutional Court gave judgment on an application for leave to appeal against the dismissal of 10 National Lotteries Board employees. The court ruled that the employees have to be re-instated by the Employer in the same positions that they were in on the date that they were dismissed. This despite unsuccessful applications in the Labour Court and in the Supreme Court of Appeal.

DELAY OF GOVERNMENT IN IMPLEMENTING RESOLUTIONS

One of the main challenges we are facing is the delay of the government in implementing the resolutions or agreements signed in its various bargaining chambers.

ANC aligned unions are losing their autonomous capacity to intervene and to represent the interests of their rank and file members. NUPSAW is currently the only union in the Public Service who is truly not politically aligned.

It also becomes clear that it is to the detriment of the working class that the ruling party continues to stay in power despite evidence of not making progress on any of the above mentioned issues, despite evidence of corruption and despite the shooting and killing of workers and demonstrators by police in, for example, Mothulung, North West and at Marikana. However, it is the vote of

these very same people that the Government is counting on during elections.

ELECTIONS

We are also the only union who has voiced our disgust with those unions who are handing over a levy from each of their members to the ANC.

Trade unions can't sacrifice the well-being of its members for politics. This is a sure way to lose focus. It will only increase the chances of corruption because of undue influence and will lead to conflict of interest.

NUPSAW has also taken a decision during its National General Council, held on 22 September 2013, that it would encourage its members not to vote for the current ruling party.

We have also spread the word that the only way to make it clear that we are not happy with the way the country is governed, is to vote for an alternative party and not by staying away from the elections.

By voting for another party you show the ruling party that you are not happy with how they govern the country. You show them that you are unhappy with the poor services they are delivering, you show them that you are tired of corruption, you show them that you won't be intimidated by the fear they induce among the poor electorate.

Where do we start? Let's go back to basics and value the good of the community above self-interest. Let us strive to help people in the spirit of service, to show respect to others and to be honest and trustworthy.



Nurses from Charlotte Maxeke Hospital attend Gauteng May Day Rally.



National Treasurer Cde S Memela delivers the keynote speech in Limpopo.



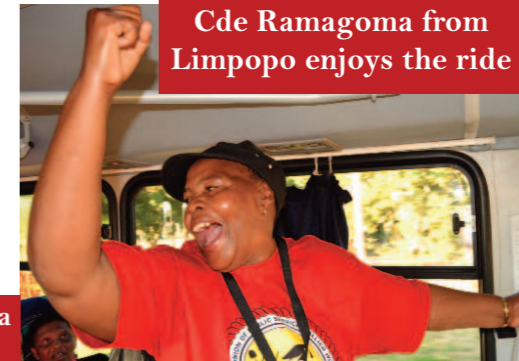
The PEC of North West. Nupshaw Deputy President, Malebo Moswatsi, sitting in the middle row, third on the left, delivered the keynote address in North West.

NUPSAW NATIONAL OFFICE BEARERS DELIVERED KEYNOTE SPEECHES AT WORKERS DAY RALLIES AS FOLLOWS:

- North West – Deputy President, Cde M Moswatsi
- Limpopo – National Treasurer, Cde S Memela
- Gauteng – General Secretary, Cde S Mataitsane
- Eastern Cape – Deputy Secretary, Cde A Ramukumba
- Western Cape - Manco Member, Cde Kagiso Mokaila



Manco Member Kagiso Mokaila (left) delivered the keynote speech in Western Cape.



Cde Ramagoma from Limpopo enjoys the ride

Having a meal with our comrades instills a spirit of unity and oneness.



Full house during Gauteng MayDay Rally



Tshivhula Tendani (standing) on gender issues during Limpopo May Day Rally.

Government Employees Housing Scheme (GEHS)

NUPSAW's biggest fear is the withdrawal of the housing allowance of **R900** which remains a threat to our members. We do not believe that the GEHS will alleviate the housing conditions as experienced by our members. It strongly reminds of the re-introduction of the old apartheid scheme which existed prior to 1996 where the subsidies due to qualified owners were transferred directly to the developer or financial institution and where the limited amount of the subsidy still left people at the lower income levels unable to purchase property. The real impact of the agreement that was signed in **2012** (PSCBC Resolution **1 of 2012**) will only be experienced by **a few** employees when the GEHS becomes established. It should be noted that NUPSAW refrain from signing this agreement.

Below is the Progress Report on the GEHS as tabled by the DPSA on 31 March 2014.

PSCBC Resolution 2 of 2011 enjoins parties to proceed to establish a Government Employees Housing Scheme with the objective of assisting employees to own homes and improve the housing conditions of employees

PSCBC Resolution 1 of 2012 on the Improvement in Salaries and other conditions of service for 2012/13 - 2014/15

The GEHS rationale is based on the following concerns :

- The current housing allowance poses a significant fiscal sustainability risk to the government as the employer
- Allowance is not translating into home ownership and improved access
- The housing allowance is ineffective and unsustainable

HOUSING ASSISTANCE FOR EMPLOYEES

Most public servants find it difficult to access housing finance for a variety of reasons and so do not own homes

There is a failure of the residential property market due to serious structural and systematic dys-functionalities:

- Manifest in GAP housing
- Undersupply of affordable housing units
- Access barriers to affordable finance - rigidity of user finance
- Multiple bottlenecks in the development value-chain (supply side)

It is common course for employers to support employees

in accessing affordable homes and ownership by intervening in the supply of housing through defined schemes (examples include Mining companies, General Motors, Eskom, Pick n Pay, Transnet)

OBJECTIVES OF THE GEHS

- Objectives of the GEHS
- Provide employees with a benefit of sustainable:
- Support & advice in accessing housing
- Home ownership;
- Access to affordable housing finance; and
- Assistance to rent homes

RECOMMENDATIONS OF THE TASK TEAM

Establish a Government Component to administer and operate the GEHS with effect from 01 July 2015

Resource the PMO to undertake the preparatory and interim work of the GEHS through

- secondment of senior officials to the GEHS PMO
- R60m allocation over the MTEF

Customise the Finance-Linked Individual Subsidy Programme and reserve annual funding of R1,6bn to facilitate increased uptake by public servants in line with the GEHS objectives

Transfer the administration and management of government residential properties and land from DPW to the GEHS.



Adjustment of Medical Assistance in the Public Service

The medical subsidy for employees and former employees belonging to Government Employees Medical Scheme (GEMS) shall be adjusted annually, with effect from 1 January in line with the Consumer Price Index (CPI) of November of the preceding year.

The post-retirement medical assistance shall be adjusted and aligned with the pre-retirement medical assistance for all former employees who are members of GEMS:

- The adjustment and alignment shall be applicable to the Principal Member plus one (1) dependant (M+1).
- All employees on Salary Levels 1 – 5 and who retire on the Sapphire option on GEMS shall continue to enjoy free medical assistance of R1 014 M+1.
- All employees on Salary Levels 1 – 5 and without dependents, who retire on the Sapphire option on GEMS, shall continue to enjoy free medical assistance

of R780 (Principal Member only).

- The medical subsidy for former employees on other benefit options on GEMS shall be 75% limited to M+1.
- All former employees without dependents on other benefit options on GEMS shall receive medical assistance of R780 (Principal Member only).
- All other former employees on Sapphire option on GEMS who exited the service on Salary Levels 6 - 10 shall receive medical assistance of R1 560 M+1.
- All former employees without dependents on Sapphire option on GEMS who exited the service on Salary Levels 6 – 10 shall receive medical assistance of R780 (Principal Member only).

The first annual adjustment and alignment will come into effect on 1 January 2014.

Draft Resolution tabled in the PSCBC.

NUPSAW IS AFFILIATED TO CONSAWU

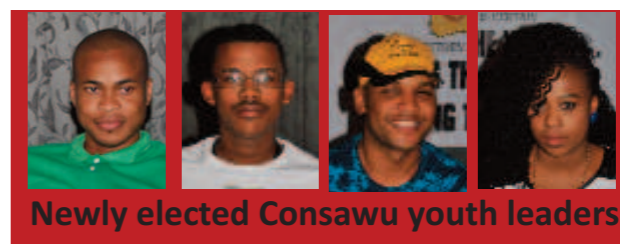
In solidarity and unity



Picture, top-left: The May Day rally attended by Consawu General Secretary, Piet Du Plooy and Nupsaw General Secretary, Success Mataitsane, was hosted by Nupsaw Gauteng Province in Refilwe, Cullinan. "Trade unions can't sacrifice the wellbeing of its members for politics. This is a sure way to lose focus," says Mataitsane.



Electing office bearers at Consawu's National Congress. *Picture top-middle:* Rene Govender CONSAWU Coordinator congratulates NUPSAW's Anna Maluleka for being elected as Natinal Equity Office Bearer. *Top-right:* Zamilé Hector Sinuka (standing) elected President and Rodney Damon as 1st vice-president and Theko Laurance, 2nd vice-president.



Newly elected Consawu youth leaders



Pension Fund Reforms

Background

Prior to 1994 or the dawn of democracy, one of the vehicles used to mobilise the masses was to discredit the pension funds and promote provident funds. This was just a ploy to mobilise as we saw millions of workers in the private sector engaging in strikes demanding that they be paid back their pension funds. The difference between the pension fund and the provident fund is that whilst your savings in the pension fund was not accessible before you reach retirement with the provident fund your savings is accessible upon termination of employment the table low illustrate the difference.

PAY-OUT	PENSION FUND	PROVIDENT FUND
On retirement	You are paid 1/3 i.e. one third and the rest is paid-out in monthly pension. <i>See page 13 for Government Pension Fund.</i>	Get all your saving including interest at once.
Upon Death of Member	Same as above and the spouse and or dependents receive monthly pension	Get all your saving including interest at once.
On termination of employment either than death or retirement	Will only be paid upon reaching the age of 65 years	Get all your saving including interest at once.

Today most private sector employees are on the provident fund as a result.

frequent question

Preservation fund

Government now wants to reverse the process from provident fund to pension funds in order to limit the number of people who are dependent on the old age pension grant (Mdende). To do so they have coined this term preservation fund. The intention is to have all funds converted to pension funds again. They are planning a number of legislations which they call pension transformation. There are negatives and positives in the above approach. As a union we will engage where ever our members would be adversely affected by any future legislation in this regard.

As a union we are represented in the Board, by none either than the General Secretary of this Union who will go to whatever length to defend his members. There is currently no threat. The fund ensures that it invests in projects with the highest returns as well as the more secured investment. We are proud to announce that almost all shopping malls are owned by the same GEPP through its investment wing called the PIC. It is also regrettable that in giving our mandate to PIC to invest they also invested in controversial projects like e-tolling in the name of infrastructure development However all in all your saving is in good hands and nothing has been paid to Nkandla.

The frequently asked question is what about the Government Employee Pension Fund?

SALARY INCREASE FOR GOVERNMENT EMPLOYEES

REPORT FROM SPECIAL PSCBC MEETING HELD ON THE 24 MARCH 2014

Parties to the PSCBC met yesterday to confirm the annual salary increase for Public Servants for the 2014/15 period.

The salary increase of 7,2% will be implemented with effect from the 1 April 2014. The increase will be implemented together with the salary run on the 15th May 2014 (backdated to April 2014).

A further 0,2% owed to public servants between the actual CPI and projected CPI for the 2013/14 salary increase will be paid on 1 May 2014.

Government Employee Pension Fund: **Benefits**

Follow-up on the Newsflash on Pension Fund Reforms, dated 27 March 2014

RETIREMENT BENEFITS

GEPP (Government Employee Pension Fund) provides for normal, early and late retirement, as well as retirement for medical (ill health) reasons. Members structuring or reorganisation are also able to receive retirement benefits.

NORMAL RETIREMENT: 60 years is the normal retirement age for GEPP members. The benefits paid depend on whether a member has less than 10 years' pensionable service, or 10 or more years of pensionable service. Members with less than 10 years' service receive a gratuity (a once-off cash lump sum) that is equal to their actuarial interest in the Fund. Members with 10 or more years' service receive a gratuity and a monthly pension (annuity).

EARLY RETIREMENT: Under certain circumstances, members may retire early, meaning before reaching the normal retirement age of 60. Again, the member's years of pensionable service determine the benefits. Members with 10 or more years of service receive annuities and gratuities. These are calculated in the same way as for normal retirement, but with a reduction of a third of one percent (0,33%) for each month between the dates of early retirement and normal retirement.

ILL HEALTH AND OTHER RETIREMENTS:

Enhanced benefits are paid when members retire for medical reasons, when injured on duty, or when their posts are abolished through organisational restructuring. In these circumstances, members receive both

annuities and gratuities. For members with less than 10 years' pensionable service, benefits are based on an increased period of service and calculated as a percentage of the member's final salary. Members with more than 10 years' service are also paid an annual supplementary amount.

DEATH BENEFITS

Death benefits are paid when a member dies while in service, or within five years of becoming a pensioner. GEPP also pays annuities to the surviving spouse(s) or orphan(s) of members who die while in service or after retiring.

DEATH WHILE IN SERVICE: The benefit paid is based on the member's period of pensionable service. It is payable to the surviving spouse or beneficiaries or, if there are no beneficiaries, to the member's estate.

DEATH AFTER BECOMING A PENSIONER:

Retirement or discharge annuities are guaranteed for five years after a member goes on pension. If the member dies within this period, his or her beneficiaries receive the balance of the five-year annuity payments (excluding the annual supplement) in a once-off cash lump sum.

SPOUSE'S ANNUITY: A spouse or eligible life partner is entitled to a percentage of the annuity paid to the member at date of death. The same applies if the member dies while in service and had a full potential service period of at least 10 years (meaning pensionable service years

plus unexpired years until normal retirement).

In the case of members who retired before 1 December 2002, the spouse's annuity is 50% of the annuity the pensioner was receiving at the date of death. Members who retired on or after 1 December 2002 have the option (a once-off, final decision) of increasing the spouse's annuity benefit from 50% to 75%.

ORPHAN'S ANNUITY: GEPP pays annuities to the orphans of members who became pensioners on or after 1 December 2002. Orphan's annuities are also payable when a member dies in service with a potential service period of 10 years or more. These annuities are only paid when a member's spouse dies, leaving eligible orphans

RESIGNATION BENEFITS

These benefits apply to members who resign or are discharged due to misconduct or an illness or injury caused by the member's own doing. These members have two options: either they can be paid a gratuity (a once-off cash lump sum) or have their benefits transferred to an approved retirement fund. If benefits are being transferred, GEPP pays the member's actuarial interest to the member's new fund. The amount that is transferred to an approved retirement fund is not taxed at this point, tax is only deducted when the member retires or withdraws cash from the new fund.

DANGER ALLOWANCE FOR IDENTIFIED EMERGENCY MEDICAL (EMS) CATEGORIES

Implementation Report

The Office of the Chief Negotiator-Employer conducted a series of implementation workshops for the Employer in the provincial departments in relation to the PHSDSBC Resolution 1 of 2013: Payment of Danger Allowance to Identified Categories of Emergency Medical Services during the months of October and November 2013.

Identified Categories: Emergency Care Officers, Emergency Care Technicians, Paramedics and Shift Leaders.

The Western Cape Provincial Department has implemented the resolution and officials who qualify to benefit in terms of the agreement were paid in the month of November 2013.

The following provincial departments have completed the verifications and related calculations of the officials who qualify to benefit in terms of the agreement, and submitted that information to Treasury for centralised programmatic implementation, namely Eastern Cape, Free State, Gauteng, KwaZulu/Natal, Limpopo, Mpumalanga, North West and Northern Cape.

The targeted implementation date was the month of December 2013.

THE POSITION OF NUPSAW is that we have challenged this matter in the PSCBC namely that this agreement is in contravention of Resolution 1 of 2007 and that the implementation date was supposed to be 1 July 2007.

Despite our argument, the Commissioner ruled that the PSCBC has no jurisdiction over Resolution 1 of 2007 since it is an amendment of Resolution 3 of 1999 of the PSCBC.

According to the Commissioner the dispute should either be referred in terms of PSCBC Resolution 3 of 1999 or PHSDSBC Resolution 1 of 2013.

NUPSAW views the ruling as being absurd and want to challenge it by reviewing it in the Labour Court.

Please contact NUPSAW should you experience any challenge that may arise as a result of the implementation of this agreement.

Please refer to Resolution 1 of 2013 as summarised below:

Resolution 1 of 2013 of the Public Health and Social Development Sectoral Bargaining Council

1. The objective of this agreement is:

- 1.1 To give effect to Clause 1 (h) of Annexure A of PSCBC Resolution 1 of 2007.
- 1.2 To provide for payment of standard danger allowance to the following EMS categories who are involved in direct patient care, namely Emergency Care Officers, Emergency Care Technicians, Paramedics and Shift Leaders.

3. Parties noting that:

- 3.1 **Clause 7** of PSCBC Resolution 1 of 2007, read together with Annexure A of the same resolution, provides for the payment of standard danger allowance to employees employed in one of the occupational categories contained in Annexure A, who in the course of their employment experiences a genuine risks to their lives.
- 3.2 **Clause 1(h)** of Annexure A of the PSCBC Resolution 1 of 2007 makes provision for payment of danger allowance to identified Emergency Medical Service (EMS) categories (1.2).

4. Parties agree to the following:

- 4.1 EMS categories, listed above, which in their normal course of work are exposed to genuine danger to the lives, shall be paid a standard danger allowance as provided for in PSCBC Resolution 1 of 2007.
- 4.2 The adjustment to the allowance shall be effected on 1 July of each year on the basis of the CPI-X as at 1 April of that year.
- 4.3 The payment of a once-off non-pensionable gratuity of twelve (12) months.

Date of implementation

The implementation date shall be 1 April 2013.