



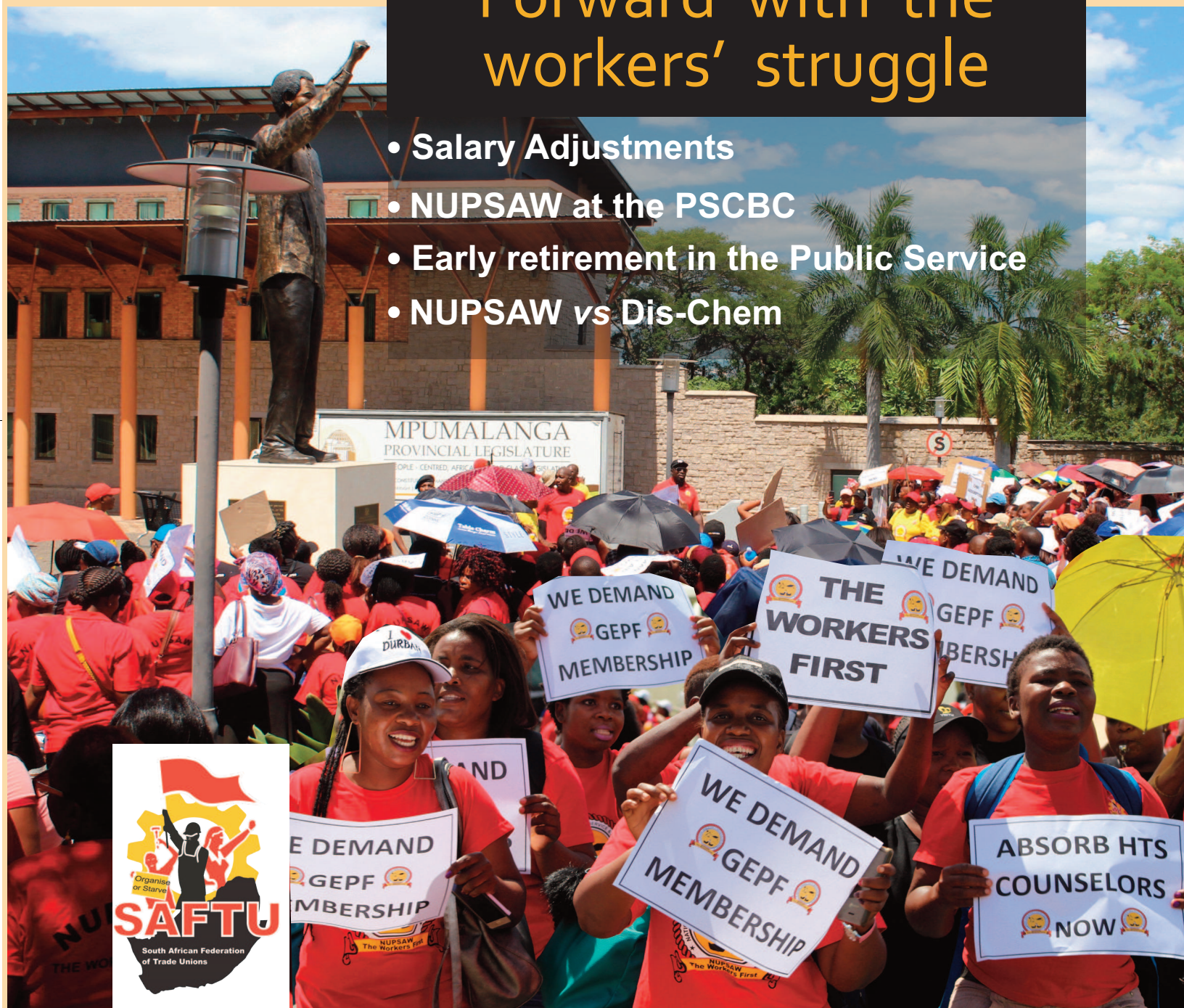
NUPSAW VOICE

OFFICIAL NEWSLETTER OF THE NATIONAL UNION
OF PUBLIC SERVICE AND ALLIED WORKERS

June 2019
Issue 13

Forward with the workers' struggle

- Salary Adjustments
- NUPSAW at the PSCBC
- Early retirement in the Public Service
- NUPSAW vs Dis-Chem



Affiliated to South African Federation of Trade Unions (SAFTU)



Public Services International
Internationale des Services Publics
Internationale de Servicios Públicos
Internationale der Öffentlichen Dienste
Internationell Facklig Organisation för Offentliga Tjänster
國際公務勞通

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CHILD'S PENSION



With effect from 1st June 2018 the GEPF introduced a new benefit called Child's Pension to replace the Orphan's Pension.

The Child's Pension benefit is available to a child whose parent or guardian was a GEPF member or pensioner.

The benefit only applies if the parent or guardian or pensioner is deceased from 1st June 2018.

Benefits:

- The Child's pension is payable to a child up to the age of 22 years.
- Disabled children are entitled to receive a Child's Pension beyond the age of 22 years, subject to approval by the GEPF.
- Recipients of the Orphan's Pension have been automatically converted to become recipients of the Child's Pension.

For More Information Contact **GEPF** At

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NUPSAW is the only union that consistently fight for CHWs to be employed permanently in the Public Service.

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K.I. MOKAILA



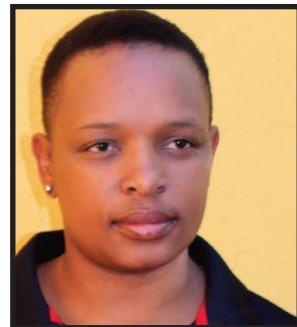
DEPUTY PRESIDENT
A.N. NDAMANE



NATIONAL TREASURER
A.L. MOKOANA



GENERAL SECRETARY
S. MATAITSANE



DEPUTY GENERAL SECRETARY
N. MLOMO

MESSAGE FROM THE PRESIDENT: **We will embark on a national program of rebuilding, revitalization and capacity building in the lower structures**



President Kagiso Mokaila

Revolutionary greetings,

It is a general practice that NUPSAW, like any other progressive organization and trade union requires new strategies in order to effectively respond to external and internal challenges.

Sectoral and occupational shifts in employment continue to erode traditional union stronghold, while social and ideological changes undermine workers' traditional orientation to collectivism.

What used to be taken for granted twenty five years ago – the ability of a young couple to buy a house, build a career after graduating and expect to live at least as well, if not better, than our parents – has evaporated. Anger and rage are rising. But we continue to be so marginalised, directionless and free of compelling reasons to attract new un-unionized members.

We are consistently reminded that only 30 % of the South African workforce belong to trade unions yet we have never formulated a strategy of targeting the 70 % and simply recycle what we have as unions. For us as NUPSAW the situation is so dire that we simply lack the organising philosophy and capacity of reaching out to our own members to a point that we even rely on the employer to easily and quickly disseminate information to them.

We cannot even counter the negative information our rival unions disseminate to NUPSAW members.

This message is about identifying one strategy, populating it in the form of a national program and implementing it. What do we mean by trade union strategy and how can it be modernised and made known to every member of our union?

The word strategy was first used by the military and is derived from the Greek word strategos. It refers to planning and conduct of campaigns, the movement and disposition of forces, and the deception of

the enemy in order to conquer.

A strategy differs from tactics

Tactic is the military science employed to secure objectives defined as part of the military strategy, especially the methods whereby men, equipment, aircraft, finance, ships and weapons are employed and directed against an enemy. This means the equipment to carry out your plan.

Our strategies as NUPSAW should be based on the Constitution, in particular our vision. In order to become the biggest and most progressive trade union in the public and private sectors, we need to create structures. If we can have all relevant structures in all the Provinces, our task would be much easier. But unfortunately that is where we are lacking.

Comrades, during the last two years our National Treasurer came up with a very brilliant idea called ideal membership budget allocation which became a resolution of the National Executive Council. Perhaps the failure of that resolution was the plan to ensure that all Provinces implement it, report regularly and based on the monitoring and evaluation, what was to be done at what intervals in case it did not yield the anticipated results.

Be that as it may, we all committed ourselves to its implementation and to ensure that at least we grow our Union to 60 000 members. That should have been NUPSAW's moment. There was minimum growth and some provinces instead of prioritizing growth regarded that as an increase in their allocation and spent it on travelling and accommodation with no tangible results.

We also failed to be the leading voice when the whole country became discontent with South Africa's socio - economic and political issues including the campaign that was driven by tertiary students for quality and free education and our deafening silence was therefore mistaken to be in agreement with the repressive legislation of the ruling party towards its people and the workers in particular. We had and continue to lack the machinery to advocate this as NUPSAW due to the failure of how we structured the Communication division.

This year we need to change all of that if we are to make inroads in all departments and big companies.

We will be embarking on a national program of rebuilding, revitalization and capacity building of the lower structures, in

particular the branches where campaigns should be happening.

As NUPSAW we need to be more appealing to new members. What is it that we are doing wrong that other unions are doing right? The simple and very basic reality is that we do not have structures in place. We only have the Provincial Executive Council and the National Executive Council. That is why as the NEC we think we represent ourselves, hence members on the ground are not provided with the information that is known to us.

Can we as NUPSAW afford to talk about vigorous recruitment campaigns when there are no formal structures in place to drive such massive projects? Do we have sufficient members in institutions and can we reach them? We resolved as the NEC to buy provinces machines to reproduce membership cards.

Can we be honest and say that when the National Office Bearers visit provinces we will no longer hear members complaining about membership cards. Do our Regions and Branches know the SAFTU national programs and how have we contributed to the success of these or are these only known by a few elite NEC members?

Do we have the same understanding of what constitutes a Region and a Branch? How are we going to ensure changes going forward from today? How are we going to ensure that NUPSAW participate maximally in the federation campaigns and programs? What makes other affiliates to be so visible in SAFTU activities and NUPSAW so conspicuous? Is it a matter of financial resources, lack of structures or both?

Can we all as Provinces give a comprehensive report on the Community Health Workers in terms of how many in Health and Social Development are our members?

Which Provinces have Dischem pharmacies and how many in those belong to us?

So, the remaining months are going to be a NUPSAW National Program of building, restructuring, electing shop stewards and shop-stewards committees, establishing strong and vibrant Branches and Regions which will lead to Provinces that we all can be proud of. ■



2019 Salary ADJUSTMENTS in the Public

The Public Service Co-ordinating Bargaining Council (PSCBC) Resolution 1 of 2018: Agreement on Salary Adjustments and improvements on conditions of service in the Public Service for period 2019/2020 provides among others for the following cost of living adjustments for employees on salary levels 1 to 12 and those employees covered by Occupation Specific Dispersations (OSDs), and those who are appointed in terms of the Public Service Act, 1994, the Correctional Service Act, 1998, the Police Act, 1995, and the Employment of Educators Act, 1998, for the period 1 April 2019 to 31 March 2020.

PAY PROGRESSION

Parties agreed to the equalization of pay progression across the public service at 1.5% on a yearly basis.

HOUSING

1. Parties agreed to the delinking of spouses on the payment of the housing allowances. Clause 7.1.4 (b) of PSCBC Resolution 2 of 2004 will no longer apply to those employees who are entitled to housing allowance.

2. The increase of the housing allowance on a yearly basis is guaranteed as per clause 4.6 of PSCBC Resolution 7 of 2015 with an increase by the average consumer price index (CPI) for predated financial year.

3. Parties agreed that it will be the employer's onus to develop a definition of a Permission to Occupy (PTO) and to

disseminate it to all departments for ease of implementation.

COMPREHENSIVE DANGER INSURANCE

The PSCBC will conduct a research to gauge the comprehensive danger insurance within 6 months from the date of the agreement.

OUTSTANDING MATTERS

Parties agreed that the following matters be referred back to Council for a secondary process of review that should be completed within 3 months from the date of agreement:

1. Resolution 3 of 2009: Agreement on Revised Salary Structure for employees on salary level 1 - 12 not covered by Occupation Specific Dispensation.

2. Resolution 4 of 2015 clause 4.1.4: Agreement on Review of Annexure A of PSCBC Resolution 1 of 2007: Danger Allowance.

Salary Adjustment 2019 - 2020

LEVELS	1 April 2019 - 31 March 2020
Salary Levels 1 - 7	CPI + 1%
Salary Levels 8 - 10	CPI + 0.5%
Salary Levels 11 - 12	CPI

3. Resolution 5 of 2015 clause 3: Review of the danger dispensation applicable to the Public Service and the modality for the payment of danger allowance.

4. Resolution 4 of 2017 clause 4.3: Agreement on Review of the Government Employees Medical Scheme (GEMS), by adding the following clause: *Review of the Government Employees Medical Scheme: Parties agreed to amend clause 4.3 of PSCBC Resolution 4 of 2017, Agreement on the Review of the Government Employees Medical Scheme (GEMS), by adding the following clause:*

Clause 4.3.8: To develop a benefit product particularly for members earning on salary levels 1 - 5 that will intensify medical cover on a continuous and accessible basis.



5

NUPSAW is party to the Public Service Co-ordinating Bargaining Council (PSCBC), major Sectoral Councils, Departmental and Provincial Chambers in the Public Service.

Early Retirement of Public Servants without Penalization of Pension Benefits

1. On 4 April 2018 the Employer presented a document during the negotiations in the PSCBC facilitation process, quoting President Ramaphosa statement during the State of the Nation Address as follows:

“Growth, development and transformation depend on a strong and capable state. It is critical that the structure and size of the state is optimally suited to meet the needs of the people and ensure the most efficient allocation of public resources. We will therefore initiate a process to review the configuration, number and size of national government departments. Both Cosatu and Fedusa also supported this approach.”

2. Therefore, both the two labour federations Cosatu and Fedusa sold-out when they supported this approach outside the PSCBC.

3. A follow-up Special Public Service Co-ordinating Bargaining Council (PSCBC) meeting was held on 26 March 2019 where the Employer gave the following feedback on several questions posed by Labour during the previous meeting in Centurion on 4 April 2018:

There is a plan in place for the unfolding of an early retiring process and the criteria it will follow. Early retirement should

not be confused with *Severance Package*. Composition of the Departmental Moderating Committees and its duties. Process of application for early retirement open on 1 April 2019 and close on 30 September 2019. The implementation process will be taking 2 years. Once an application has been approved an employee has 30 days in order to withdraw such application.

The number of civil servants in the category of 55 – 60 years is 126 000, but the target is 30 000. Upon approval of early retirement applications, the posts won't be abolished, and vacant positions will be filled following normal recruitment procedures, yet the employer also indicated that such filling of positions will happen within the budgetary constraints.

4. The early retirement of public servants without penalization of pension benefits in terms of section 16(6) of the Public Service Act 1994 were discussed.

5. According to Section 16(6) of the public Service ACT 1994, an executive authority may allow an employee to retire from the Public Service before reaching the age of 60 years.

6. The employer proposed that the employee initiated retirement package be established.

Labour demanded that the Employer place the following issues on record:

- a. That Labour is in no way part of any section 189 process.
- b. That the Employer provides a proper human resource plan for the entire public service on how the early retirement process will be implemented and the criteria that will be used.
- c. That the process should be put on hold and when it's tabled at Council, it does not mean that it's automatically open for negotiation.
- d. That the unions should issue media statements, informing their constituencies that there was no agreement and that Labour is still waiting on the comprehensive implementation plan from the Employer.
- e. That the Employer refrain from stipulating it as an employee initiated process.
- f. That Labour reserves its rights in respect of this process.
- g. That the Employer cannot indicate on how the process will affect the call for government wage bill reduction nor the re-configuration of the state departments.
- h. That the Employer is negotiating in bad faith to deceive as processes are unfolding while issues are still being discussed in Council.

As NUPSAW we reject any attempt of retrenchment in any format as it results in overworked staff unless each voluntary retrenchment results in the immediate filling of that position.

LABOUR POSITION: On 26 March 2019, following the presentation by the employer in the previous Council meeting, Labour stipulated that the Employer addresses to them the comprehensive human resource plan on the qualifying criteria, that the Employer is targeting to avoid loss of skills in the public service and the Employer must provide one department as an example to prove its comprehensive plan.

EMPLOYER RESPONSE: The Employer specified the DPSA as an example with 413 employees and stipulated that less than 8% falls within the category of 50-60 years and there is no assurance that all those individuals, if any, will apply for early retirement.

LABOUR POSITION: Labour remains convinced that the Employer don't have a comprehensive plan inclusive of necessary audit skills to implement the early retirement plan. Labour is of the view the Employer just wants to do away with the civil servants with the aim of reducing the public sector wage bill. We should not find ourselves being misled in section 189 in the name of negotiations.

EMPLOYER POSITION: The Employer acknowledged Labour's response and indicated they are in no way implementing any section 189 processes but early retirement. The Employer claimed there was no intention of breaking the relationship of trust between the Employer and Labour

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ANOTHER GOVERNMENT ATTEMPT TO SILENCE NUPSAW



Rumours that NUPSAW is not in the bargaining chambers any more is just another union bashing tactic.



NUPSAW is admitted in the Public Service Co-ordinating Bargaining Council (PSCBC), whose scope is the entire public service.

In terms of section 19, NUPSAW is entitled to represent its members irrespective, but including, in institutions like Baragwanath Hospital. In any event the matter of PHSDSBC will be arbitrated on 11 July 2019 where we are confident that the award will be in our favour. The award should be available within 14 days thereafter.

We want to emphasise that Baragwanath Hospital is not a chamber of the PHSDSBC. It is an employer in the Gauteng Department of Health and thus no union can circulate any documents or rumours claiming the opposite.

Many rival unions in the Chamber are jealous and threatened by the presence of NUPSAW because we are growing at a pace that they have not foreseen.

To them we have become a hindrance because NUPSAW is a union that will never sign an agreement that will be a sell-out of our members and will win favour from the Employer.

And so the General Secretary of the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC) who was in cahoots with NEHAWU, betrayed NUPSAW when he notified the Department of Labour Relations that NUPSAW has been terminated from Council, pending the outcome of a dispute declared by NUPSAW.

ADMISSION TO COUNCIL

This comes after the General Secretary of the Council made a determination on the strength of the preliminary audit Report by Sizwe Ntsaluba Gobodo Auditors (SNG) in May 2018 which confirmed that NUPSAW, with its acting together partners, retain their admission in Council as they met the threshold of 30 000 members.

The determination was set aside by the General Secretary based on the complaint by NEHAWU which alleged that the audited figures were not accurate.

Second audit report

As a result, a second audit report was issued by SNG which was substantially different from the preliminary audit, which prompted queries regarding variances in the figures presented by Unions, including NUPSAW and its acting together partners.

Third audit report

A third audit report was commissioned by the General Secretary which was issued by Kreston Auditors who confirmed the second SNG Report and left issues of variance highlighted.

NEHAWU DECLARED DISPUTE

The General Secretary attempted to make use of the Kreston Audit Report in order to make a new determination.

The Council disapproved of the Kreston Report and NEHAWU then declared a dispute with the Council seeking NUPSAW and its partners to be ousted from the council on account of allegedly not meeting the threshold.

VOTE WEIGHTS & MEMBERSHIP VERIFICATION BY GS,

The General Secretary of the PHSDSBC was tasked to conduct a membership verification and make a determination on the vote weights. The determination he made was to terminate the membership of NUPSAW and its partners in the council.

NUPSAW has since referred the matter for arbitration.

Pending arbitration the truth is NUPSAW cannot participate in the collective bargaining structure of the Sectoral Council of the PHSDSBC.

We as NUPSAW want our members to know that there is a sharp distinction between Collective Bargaining Rights and Organisational Rights.



NUPSAW has been suspended **only from the Collective Bargaining structures** of the Sectoral Council of the PHSDSBC.

Pending the outcome of the dispute on the interpretation and application of the collective agreement this should be dealt with as a temporary suspension of our membership from the PHSDSBC and therefore it does not affect our Organisational Rights.

NUPSAW SHOP STEWARDS CONTINUE WITH THEIR DUTIES

Our shop stewards should continue to

perform their duties and functions in accordance with the union's constitution and in terms of the Labour Relations Act 66 of 1995- section 14 (4)- "Duties of trade union representatives".

The Employer made it very clear that they are supporting the agenda of the sweetheart unions, in particular that of Nehawu by distributing the recent circular that was issued by Mr Joey Roman (Director of Human Resources- DOH WC-DA Government) wherein he seeks to emphasize the exclusion of NUPSAW from the Council.

MANY MEMBERS RESIGNED FROM SWEETHEART UNIONS

It is also important to note that there are a substantial number of members who resigned from the sweetheart unions to join NUPSAW, but the employer and employees belonging to those sweetheart unions simply continue to refuse effecting the cancellations. As a result, these members are also not counted in when the Council determine the membership threshold.

In addition, thousands of CHWs who were supposed to have been placed on the Persal System in December 2018 were also not considered.

NUPSAW CONSISTENT IN ITS FIGHT FOR WORKERS

NUPSAW is the only union that has consistently taken up the fight for the CHWs to be recognised as Public Servants. In terms of Resolution 1 of 2018 the Department had an obligation to integrate Community Health Workers on Persal, but failed to comply with the agreement that was signed on 12th June 2018 and came into effect on the date of signature.

By excluding NUPSAW from the Council is one of the ways in which the collaborators seek to roll-back the gains made in respect of the Community Health Workers.

NUPSAW A MAJOR THREAT TO EMPLOYER AND OTHER UNIONS

NUPSAW has become the major threat to the cozy and unholy relationship that exists between the employer (DOH) and the sweetheart unions.

Comrades, this travesty has not happened by accident, it was a calculated move on the part of our opposition. We are not just facing a hostile employer, but also unprincipled unions who are used to selling out the workers at a cheap price.



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*Are you a former government employee and
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Reduction of Cabinet Size Did Not Meet Expectations

Interests of our country have once again taken second position to ANC internal factional dynamics says SAFTU General Secretary Zwelinzima Vavi
(photo right with courtesy from Gallo)



The South African Federation of Trade Unions – SAFTU has noted the appointment of the new Executive by the new President of our country, Mr Cyril Ramaphosa.

We reiterate what our founding congress adopted, a position that it does not matter which faction of the ANC wins; it does not matter who is the President or in Cabinet. As long as the new cabinet implement the current pro-big business, and anti-poor economic policies, the crisis of worsening poverty, unemployment and inequalities will continue.

As long as the country remain trapped in a neo-colonial economic structure which is based on the extraction of our minerals, to be exported overseas, only to return to the country as finished products and thereby creating jobs elsewhere in the world, we will not break the backbone of poverty, unemployment and inequalities.

As long as we are still playing within the neo-liberal framework to please the class of multi-billionaires, IMF, World Bank and rating agencies, we can never place our country in a different developmental pedestal.

As long as we are still implementing austerity programmes, which means cutting expenditure across the board, we will continue worsening all of the challenges our country faces.

So to SAFTU, the individual brilliance does not matter if the framework being implemented is inappropriate and cannot address our developmental challenges.

Secondly, the hullabaloo about the reduction of cabinet size did not meet our expectations. The size of the Cabinet is back to where it was at the beginning of Jacob Zuma's presidency and is a significant ten members more than what Nelson Mandela had between 1994 and 1999. The interests of the country has once again taken a second position to ANC internal factionally dynamics.

SAFTU is hugely concerned about the message the President has communicated to the public that the office of the Public Protector is not as crucial as the Constitutional Court suggested it is.

No matter what anyone thinks about the incumbent Public Protector, but it is the office she occupies at the behest of the Constitution and Parliament that appointed her that matters.

We expected that the President would at least acknowledge that the Public Protector has made negative findings against Minister Pravin Gordhan and explain why he decided not to act in line with the directives of the office of the Public Protector. To just ignore her communicates a message to the country that her findings are immaterial and must be ignored in exactly the same way they were ignored by the ANC when a then powerful faction in charge ignored the previous Public Protector's directives. If the President shows such disdain to the office of the Public Protector, why should ordinary citizens take that office serious in the future

This, we believe as SAFTU, is hugely problematic. Next time there will be another Public Protector, the President and the choir of the people who support the move better remember the precedence they have set in the same way as the ANC who used to insult the previous Public Protector should never forget the insults they directed at Thuli Madonsela.

We are equally concerned that to the best of our knowledge, people like Fikile Mbalula who were condemned by the Public Protector threatened to challenge the findings and went dead silent as soon as the attention shifted to something else. Bathabile Dlamini, Nomvula Mokonyana and Malusi Gigaba should be asking questions as to what it is that they have done differently to others?

If Mbalula filed this and perhaps SAFTU missed his application to set

aside the findings, SAFTU will readily apologise to him and the President.

Lastly, we note that as part of pacifying the factions in the ANC, the people who broke the unity of workers that led to COSATU being the shameful shadow of its former self have been handsomely rewarded with Ministers and Deputy Minister's positions. Indeed they have served the capital's interest in weakening the labour voice very well.

SAFTU calls on the working class not to look at these cosmetic changes announced to change their situation, but to rely on their unity and strength of their organisations in each workplace and community.

We expect the attacks on the working class; in particular, the organised labour to intensify. More workers are going to be thrown to the streets from the power stations in Mpumalanga as the international conglomerates slowly take over the generators and distribution of energy, workers from Eskom, SAA, SABCO, Telkom, etc. must brace themselves for a difficult five years as they will be made to pay for sins not created by them.

The people of Xolobeni must brace themselves for even a bigger push down their throats as foreign mining companies try to destroy their beautiful land in exchange for their super exploitation. Farm workers who are still discriminated against on the bases of the colour of their skin, must expect little from the new cabinet. The outsourced workers in all government departments and state owned enterprises must expect no change.

Workers employed by labour brokers must have no expectations that they will be liberated from this semi slavery.

The people of Hamanskraal drinking dirty water, or the people who have no water must expect delays or no change. E-tolls will continue and so will privatisation of Eskom continue. ■

Public Service International **Worker's Day Message**

"...we remain inspired by workers who continue to struggle despite facing constant repression by undemocratic and coercive governments which place severe limitations on the civil and political rights of people and trade union activities."

PSI Sub Regional Office for Southern Africa commemorates International Worker's Day on 1 May 2019.

This day call for introspection and reflection, and it provides a moment for us to reinforce our commitment to continue our struggle against the exploitation by capitalist systems. This year, we mark Worker's Day with heaviness in our hearts. Our Sub-Region has been hit by natural disasters with devastating consequences in Mozambique, Zimbabwe, Malawi and South Africa. These disasters have caused untold damages. PSI mourns the loss of lives, the displacement of thousands of people, and the destruction of cities, towns and villages.

We stand with the public sector workers who will be at the forefront of the reconstruction, and we urge you to not lose hope, and to find strength in unity.

While this is a time of difficulty and need, it is also a time that demands of us vigilance against those who come with big promises to rebuild cities and towns in return for wealth, sovereignty and power. Capital has excelled at turning moments of crisis into profits through privatisation, PPPs, and secret business deals with politicians.

The natural disasters, coupled with ongoing fears of drought and water shortages, require us to take a strong stance on climate change. According to the UN, it is the first time in recorded history that two strong cyclones have hit Mozambique in the same season. Our sub-region for hundreds of years has been looted by mining companies that have destroyed ecosystems and environmental stability, affecting the very air we breathe and the water we drink. Deforestation continues at an alarming rate. Our governments are continuing to produce energy by coal despite alternative renewable energy sources. We need to push our governments to take seriously our demand for sustainable forms of energy production, and to enforce companies to comply with environmentally protective legislation and policy. This is the only way to mitigate against the effects of climate change, and to ensure a healthy population with access to safe drinking water and proper nutritional sources.

Unemployment is ever increasing in our sub-region with youth unemployment reaching crisis levels. This situation is worsened by our economic crisis. Many of our youth are desperate and exploited by casual and precarious forms of work in which there is no job security or wage security. Some are driven to taking part in dangerous forms of work such as illegal mining that has caused numerous deaths.

We need to fight to protect workers' rights, to ensure that workers earn living wages, and that as unions, we organise all workers, including informal workers.

In the time of neo-liberalism, we have a challenge of rising austerity measures coupled with increases in consumer taxation and decline in government spending on social welfare.

The impact of this is felt deeply as inflation increases have led to higher costs of living. Social welfare is an important social and economic right that we have won that seeks to assist the elderly, poor, disabled and vulnerable in our society. Many of the recipients are women and children. To take this away would worsen an already unsustainable situation, where poverty leaves too many of our workers and communities living from hand to mouth.

Rising austerity has been coupled with a greater attention and focus on Privatisation and Public-Private Partnership (PPPs), which are claimed to be cheaper.

Yet research shows that PPP often have hidden costs that are transferred onto the consumer who are ordinary people. These costs over time have doubled the costs of public services than what they would have been had they remained in control of municipalities. Our public sector is being depleted as we continue to outsource functions to for-profit companies who do not share the states responsibility to comply with the principles of justice, equality, equity, access and dignity.

Thousands of people still do not have access to proper running water, sanitation, electricity, nutrition and housing. Through the privatisation of electric, health care, waste management and transportation systems etc. we have lost jobs, institutional memory, technical ex-

pertise and income generation in local regional or provincial budgets.

Frustratingly, there is low levels of taxation of big businesses, yet companies have proven to constantly avoid tax despite generating millions in profits that should be going directly to the state budget for the provision of quality public services.

An area of concern that we strongly caution against is rising nationalism within our sub-region. This is expressed most destructively through violent expression of xenophobia, where the target is often migrants from fellow neighbouring countries. We call for greater care and attention to grow regional solidarity and bridge the borders that separate us.

We urge affiliates to work with their membership to root out all forms of discrimination, and to ensure that we fight for the right of migrants in the workplace and in broader society. The perceptions of migrants are often mis-informed and untrue myths that are used by politicians to polarise and divert from government failings.

Finally, as we reflect on how far our region has come, we remain inspired by workers who continue to struggle despite facing constant repression by undemocratic and coercive governments which place severe limitations on the civil and political rights of people and trade union activities.

In this regard, we have followed with concern the Zimbabwean government's ongoing aggression against public sector workers in the December 2018 Junior Doctors strike demanding their wages to be paid in USD, and better working conditions.

During the strike, the government suspended all striking doctors and were going to withhold their December salaries. This was a similar reaction to the April 2018 strike by nurses. We note that the civil servants' salary negotiations and the February 2019 teacher's strike took place in the context of mass protests by workers and communities against an increase of 150% in fuel prices in January 2019. The protests were met with brute force which left 17 dead and multiple reports of rape.

Adding insult to injury, 375 people were

convicted for taking part in the protest with sentences ranging from two to seven years imprisonment. We condemn the intimidation of leaders of our trade union movements. PSI welcomes the courts acquittal of seven of our comrades and ZCTU leaders from all charges of public violence, following their arrest in October 2018.

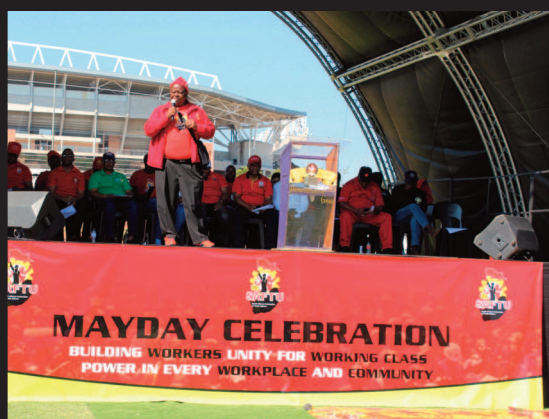
eSwatini remains a constitutional monarch that continues to repress political expression and will of its citizens. We are concerned with the ongoing silencing of trade union activities and the misuse of the law to do so. In September 2018, the industrial court of eSwatini stopped a planned national shut down by public sector unions demanding a 6.5% salary increase for workers whose salaries have not been adjusted since 2016.

The unions reconvened the strike for the 28th of January 2019, but the strike was successfully interdicted by the Labour Minister who argued that it was not in the national interest for workers to go on strike. Furthermore, public sector workers once again had a zero% increase in their wages. This political interference is unacceptable, and we are in solidarity with those who call for an end to the Tinkhundla system of governance. This year a number of countries will be having their general elections. We urge workers to use their vote, and to vote for parties who have shown a commitment to being pro-worker.

We want governments who respect democracy, and the fundamental right to freedom of movement, association and speech. Additionally, we require governments who respects workers' rights to organise, assemble and protest. Finally, we need to elect governments who are committed to the provision of quality public services.

Amandla! Aluta Continua. Shinga Mushandi!!

General Secretary Success Mataitsane address the comrades on May Day in Polokwane, 2019.



SAFTU GENERAL SECRETARY ZWELINZIMA VAVI'S MAY DAY 2019 MESSAGE



"Workers' Day is where we remember the past, and it is also a day of dedication and a day where we recommit ourselves to these new challenges, like 27% unemployment rate in our country which makes us the sixth country in the whole world with such high levels of unemployment."

He said even with these inequalities and injustices, people need to remember and commemorate this day while fighting against the destruction of quality jobs for precarious forms of employment.

Vavi added there was no doubt in his mind that this period was better for South Africans than the pre-1994 period.

"Any South African who makes a claim that it was better to have lived under apartheid, has no idea what apartheid was all about."



Pictures: NUPSAW celebrates MAYDAY in Durban, KwaZulu/Natal. Marching with SAFTU General Secretary Zwelinzima Vavi to the Durban City Hall to demand better working conditions for workers, demand the end of labour brokering and the insourcing of workers.



INTERNATIONAL TRADE UNION CONFEDERATION MESSAGE ON MAY DAY 2019: THE TIME HAS COME FOR A NEW SOCIAL CONTRACT

With inequality soaring and corporations capturing an ever-greater share of wealth and holding governments to ransom, the ITUC is calling for a new social contract, backed by a universal labour guarantee, in this Centenary year of the International Labour Organisation (ILO). "Workers everywhere are increasingly living on the edge as corporate profits skyrocket. Record inequality and economic insecurity are threatening democracy and eroding trust in politicians and institutions that should be serving people but are not. Today there are 300 million working poor in the world, 190 million officially unemployed and 60% of workers in informal jobs. Every 11 seconds, someone somewhere dies because of hazardous and dangerous work. These are not just statistics—they tell a story of desperation, deprivation and rising anger. We need to fix the rules of the global economy, and the

Declaration to be adopted at the ILO in June must be the starting point," said ITUC General Secretary Sharan Burrow. "The foundation of the ILO in 1919 created the social contract, to create the social and economic conditions which would guarantee prosperity and peace. Then in 1944 the Philadelphia Declaration was adopted with the same objective.

Today there are 300 million working poor in the world, 190 million officially unemployed and 60% of workers in informal jobs.

SAFTU May Day Celebrations in Eastern Cape, 2019.



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PRASA HIDES BEHIND CRIMINALITY FOR ITS INSUFFICIENCY

It has become the norm for large numbers of workers to arrive late at the workplace due to train delays which has become a cliché and employers who do not accept that as a valid excuse anymore. Many employees have received warning letters from their employers and others have lost their jobs.

An association in Cape Town, #UniteBehind, had ordered the Minister of Transport to declare PRASA a national disaster because of the chaotic actions that have erupted in the province. The Minister failed to do so. He practically denied Cape Town commuters an opportunity of having the government intervening in the matter. The breakdown of security on Cape Town's central railway line costs the Passenger Rail Agency of SA (PRASA) R100 million 'in a year', according to a damning letter from the regional security manager of PRASA, Ernest Hendricks, to the PRASA executive.

These trains are not safe, commuters are not safe inside the train, as some cabins have no doors or windows.

At times the trains just get stuck in the middle of nowhere with no communication whatsoever to the commuters, even though these trains are equipped with speakers to be used by the drivers to inform people of the cause of disturbance.

What has PRASA done to curb criminal activities?

We cannot shy away from the fact that criminals temper with operations of trains. But what has been done by PRASA to curb such activities? For the past few months Cape Town has been on the map because of the trains that have been constantly set alight. People are complaining about the cabin overloads and criminal activities taking place in the trains with no positive end results from PRASA regarding safety in its trains going forward.

In 2017 the following were already being reported by a Regional Security Manager in the Western Cape to Tiro

Over 1.7 million people per week rely on train transport to get to their destinations. Large numbers are workers who leave their homes as early as 04:00 in the morning, risking their safety, hoping to be on time only to find they would still be delayed.



Holele, an executive member of PRASA at head-office in Pretoria. He described in detail the problems with the security system which has led to vandalism, cable theft, train delays and unsafe conditions on trains.

Hendricks told Holele that two performance audits — one by PRASA head office — had shown that the department was not meeting its mandate, and managers had been given 90 days to “turn things around”.

“This deadline was not met, and a two-month extension was granted and yet again managers have not delivered on getting things implemented as part of the corrective action that needs to be taken,” Hendricks told Holele.

When the President was stuck on a train, PRASA shifted the blame to commuters who had attacked the driver. But what was the motive behind the attack? we should ask ourselves as trade unionists. “Is it not probably because the train was not there in the first place?”

What form of protection does PRASA provide for its workers like the drivers and guards, except suspending train operations in areas where commuters have protested against ill operations of trains?

Staff has not been issued with uniforms

since 2014. Train drivers and guards fear for their lives when they leave for work. The government has been mum despite the public outcry and the President duck out from his promises.

PRASA, just like all state-owned enterprises in South Africa, is slowly deteriorating at the expense of the poor and tax paying South Africans while Management continues to bag fat salaries and tenders.

It is a sad reality that labourers, whose only affordable means of transport to work is by train, are faced with atrocities everyday of their lives in the hands of PRASA who doesn't seem to be moved by this reality. They are only hiding behind criminal activities for the lack of running the agency sufficiently.

Death, sexual violence, delays, line shutdowns, mismanagement, train crashes, fear, anxiety and pain are the daily atrocities the working-class has to endure across our country.

They refuse to accept this injustice any longer.

A group #FixOurTrains, also under the banner of #UniteBehind has embarked on mass action to force Government to declare MetroRail as a national disaster.■

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SETTLEMENT AGREEMENT REACHED BETWEEN NUPSAW AND DIS-CHEM

But, the battle is not over yet!

On 16 November 2018 Dis-Chem Pharmacies' workers had gone on strike, demanding a minimum wage of R12,500 across the board; an increase of 12,5% for those above R12,500; a guaranteed annual bonus that is equal to a one month's basic salary, and a review of the bonus policy which stipulated that if one is on a final written warning they were not entitled to an annual bonus.

On 10 April 2019, close to five months of selfless sacrifices, hardship and endless endurance the strike came to an end with a settlement agreement reached and signed by NUPSAW and Dis-Chem Pharmacies.

The Parties agreed as follows:

Date to Return to Work

Employees returned to work on 10 April 2019, which is called the *End Date* of the strike, or on the first working day after the *End Date*.

Employees who did not return to work within three working days of the *End Date*, were by way of agreement between the parties, deemed to have permanently abandoned their employment.

The purpose of the *End Date* was to allow Dis-Chem to arrange its operational requirements accordingly.

Bonuses

- Dis-Chem agreed to pay pro-rata bonuses to all employees who qualified and who were not paid their bonus for the year ending 2018.

- An employee who had already received any erroneous and/or interim payments while on strike, would only receive the balance of the bonus after those payments have been deducted.

- The payment of the bonus was to be done with the ordinary salary run at the end of April. The dispute in relation to this aspect is withdrawn.

- Bonus Policy

From 2019 onwards, the bonus policy will be amended to no longer apply a forfeiture of the bonus payment in relation to those employees who still have valid final written warnings on file, and at the time that any future bonuses are declared and paid.

The remaining terms of the bonus policy will however continue to apply.

Misconduct during strike

Dis-Chem retains and reserves its rights to take disciplinary action for misconduct during the strike. However, as much as they have the right to discipline our members, we as NUPSAW also have the right to protect our members- it can be through campaigns, or through legal action. We will do anything in our power to protect our members.

Organisational Rights

Should there ever be a dispute between the parties as to NUPSAW's membership within the workplace, the parties agreed to an open and transparent verification exercise being conducted through the CCMA.

Collective Bargaining

NUPSAW will be entitled to engage in collective bargaining with the employer once we meet the threshold of 50% + 1 members in the workplace. NUPSAW is embarking on a recruitment drive to ensure we will meet the threshold in no time. ■

NUPSAW lodged complaint against CCMA Commissioner

NUPSAW has lodged an application to march to the CCMA to hand over a memorandum of grievances against Marleze Blignaut, who is presiding as commissioner over our Dis-Chem Pharmacies members' arbitration hearings.

One of NUPSAW grievances is that she uses her agency, Labour Elite agency, when she is handling the arbitration hearings on the charges that Dis-Chem hold against our members. The charges they have against us are about NUPSAW members breaking picketing rules during the strike that lasted for five months.

On 13th May 2019, in solidarity, NUPSAW members from across the board were out in full force as Dis-Chem workers were marching to the CCMA to

hand over a memorandum of grievances against Marleze.

Afterwards, the CHWs continued the march to the National Department of Health where they attended a case in demand for salary level 5.



NUPSAW members out in full force as Dis-Chem workers were marching to the CCMA to hand over a memorandum of grievances against presiding Commissioner Marleze Blignaut.

Free Funeral Benefit for Members

NUPSAW does not only care for you in your working life, but it cares for you and your family in the case of bereavement. In this regard, your NUPSAW membership fee also includes a funeral benefit scheme for all its members and their dependents provided they pay their membership subscription fee of R65 per month or 1% of their basic salary up to a maximum of R85 as determined from time to time by the NEC.

Pay-outs as from 1 July 2018 are as follows:

Member		R10 000
Spouse		R10 000
Child	14 - 21 years	R 8 500
Child	6 - 13 years	R 5 950
Child	1 - 5 years	R 4 250
Stillborn	- 11 months	R 2 125

Special Inclusions

- Family cover includes cover for the immediate family of the member (one spouse and six dependent children under the age of 21 years).
- Children that are unmarried and full-time students at approved institutions, will be covered up to the age of 25.
- Children who are permanently disabled will be covered for life.

In the event of death in the family, the following documents must be submitted to the Union Office together with the claim form:

1. Certified copy of the original death certificate of the deceased.
2. Certified copy of the identity document (ID) of the deceased – stamped “deceased” on the photo.
3. Certified copy of the claimant’s ID.
4. DHA 1663 notification/register of death.
5. Proof of relationship with the deceased, e.g. marriage certificate, affidavit or letter of appointment.
6. Latest payslip of the member.
7. In the case of a child who is still a student and is over 21, but less than 25 years old, a letter from the school, university or college confirming his attendance at the time of death.
8. Copy of claimant’s bank statements of the last three months.
9. Submission of B11663 form.
10. A police report (post mortem) in the case of death due to unnatural causes.

MEDICAL INDEMNITY COVER BENEFIT FOR NURSES

While the Union does not condone any form of negligence when a member is treating a patient, NUPSAW does recognise that human errors occur from time to time through the non-deliberate fault of a nurse and that this may lead to litigation which may run into millions of Rands.

It is against this background that NUPSAW has approved that the union should, from its resources, pay the premium to the insurance company at no cost to the members to cover the nurses against medical malpractice.

The cover is for R5-million per incident where a member is sued for negligence while performing his/her work in good faith. This policy is free to all our members who are nurses by profession.

Nurses can now join NUPSAW with a freedom of mind that they will remain covered for R5-million should any unforeseen incidents happen which may result in a member being sued and the Employer refusing liability.

Reimbursement of Professional Fees

NUPSAW pays up to 30% to a maximum of R150 re-imbursment of the registration fee paid by nurses and other professionals to their respective councils.

Insurance

NUPSAW negotiated with insurance companies like Assupol, Kunene Makopo, Risk Solutions and Old Mutual to assist our members with investment and insurance decisions.

ANNUAL ADJUSTMENT IN MEMBERS' SUBSCRIPTIONS

The Union is aware of the rising cost of living and its impact on our members. Unfortunately we cannot avoid raising the membership fees as the Union faces increases in office rentals, salary adjustments, equipment rental, motor vehicle fuel and maintenance, legal fees, audit fees and other costs incurred in running the affairs of members. Beyond the operating cost the NEC has resolved to heed the call by members to be provided with diaries at the end of the year. This on its own had a substantial increase on the running cost.

The new membership fee is 1% of salary with a minimum of R65 and a maximum of R85 with effect from 1 May 2019.

This was a tough decision which the NEC had to take because the choice was between lowering the standard of service or keeping the high standard that we have set ourselves.



NUPSAW Membership Application /April 2019



National Union of Public Service & Allied Workers
Success Mataitsane House, 814 Stanza Bopape Street, Eastwood,
Pretoria, 0001

Head Office: P.O. Box 11459, The Tramshed, 0126

Tel: 012 342 1674, Fax: 086 667 8362, Email: generalsecretary@nupsaw.co.za

PRIVATE SECTOR ☐ PUBLIC SECTOR ☐ (For Office Use Only) MEMBERSHIP NUMBER

TITLE (Dr, Mr, Mrs, Ms) Initial FIRST NAME (S).....DATE OF BIRTH.....

SURNAME MARITAL STATUSIDENTITY NO

GENDER: MALE ... FEMALE ... ADDRESS

CONTACT TEL. (WORK) HOME CELLPHONE

FAX (w) E-MAIL ADDRESS.....

EMPLOYER (Dept).....

EMPLOYER ADDRESS.....TOWN (CITY)..... POSTAL CODE

RANK/OCCUPATION..... PERSAL/SALARY NO..... PAYPOINT NO.....

SPOUSE: FIRST NAME..... SURNAME

Own children (Biological children): up to the age of 21 as well as children who are full-time students up to the age of 25

INITIALS	NAME(S)	SURNAME	DATE OF BIRTH	RELATIONSHIP

Recruiter Name.....Recruiter Identity Number

STOP ORDER

I,..... the undersigned, hereby authorize Department/Company to implement the following deduction on the Persal/Payroll system and to deduct my monthly membership fee of R65 or 1% of my basic salary, whichever is the greater, up to a maximum of R85. Salary/Persal number..... as from (date)
I understand that three (3) months for public sector and one (1) month for private sector written notice of revocation is required prior to terminating my membership and this stop order.

Where payment is made into NUPSAW banking account, proof of payment must be faxed to Head Office (fax 086 667 8362) reflecting the following information: name, surname, member number, contact details and period for which payment is made.

SIGNATURE OF APPLICANT..... DATE.....



2019

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