

**Ref:02/1/5/2**

**MINISTER**

**QUESTION NO. 2328 FOR WRITTEN REPLY: NATIONAL ASSEMBLY**

A draft reply to **Mr Z R Xalisa (EFF)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA**

**DIRECTOR-GENERAL**

**DATE:**

**DRAFT REPLY APPROVED/AMENDED**

**DR B E E MOLEWA, MP**

**MINISTER OF ENVIRONMENTAL AFFAIRS**

**DATE:**

**NATIONAL ASSEMBLY**

**(For written reply)**

**QUESTION NO. 2328 {NW2505E}**

**INTERNAL QUESTION PAPER NO. 23 of 2018**

**DATE OF PUBLICATION: 17 August 2018**

**Mr Z R Xalisa (EFF) to ask the Minister of Environmental Affairs:**

(1) (a) What number of labour disputes are currently being faced by (i) her department and (ii) the entities reporting to her, (b) what is the cause of each dispute, (c) what is the nature of each dispute and (d) on what date was each dispute (i) reported and (ii) resolved;

(2) (a)(i) what number of employees have been dismissed by her department in the past five years and (ii) for what reason was each employee dismissed and (b)(i) what number of the specified employees were paid severance packages and (ii) what was the monetary value of each severance package?

**NW2505E**

**2328. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES FOR THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI)**

**Department of Environmental Affairs**

1. (a) (i) 18 active disputes currently.

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| 1 on salary upgrade policies |
| 1 on overtime policies |
| 3 on perfomance management (PMDS) policies |
| 7 on misconduct policies |
| 4 on interpretation and application of policies |
| 2 on treatment by managers |

(b)

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| 1 on upgrade from level 11 to level 12 |
| 1 on decision to dissaprove 100% payment of overtime worked prior to the 30% threshold |
| 3 on PMDS (x1 perfomance incentives, x1 pay progression and x1 unfair reduction of scores) |
| 7 misconduct (x 2 dishonest misrepresentation, x2 irregular procurement procedures, x1 unlawful removal of state property, x2 unfair suspension) |
| 4 Interpretation of DPSA collective agreements on the Occupational Specific Dispensation (OSD) |
| 2 unfair treatment (x1 request for transfer, x1 unfair discrimination). |

(c)

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| 1 upgrade -14 April 2015 |
| 1 unfair decision to dissaprove 100% overtime payment – 17 May 17 |
| 3 on PMDS:  perfomance incentives – 30 Jun 16  pay progression – 11 Apr 18 and  unfair reduction of scores – 11 Jul 18 |
| 7 misconduct cases:  1 dishonest misrepresentation – 19 Jan 17  1 dishonest misrepresentation – 26 Jun 16  1 irregular procurement procedures- 22 Feb 18  1 irregular procurement procedures – 11 Apr 18  1 unlawful removal of state property- 8 May 18  1 unfair suspension – 21 Nov 17  1 unfair suspension – 20 Jun 18 |
| 4 Interpretation and application of DPSA collective agreements (OSD)  10 Aug 17  23 Mar 18  23 May 18  11 Jul 18 |
| 2 unfair treatment:  1 request for transfer – 17 Aug 18  1 unfair discrimination – 17 May 18 |

(d) (i)

(ii) All disputes are pending at the General Public Service Coordinating Bargaining Council

(GPSSBC) and Labour Court.

1. (a) (i) 14

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| 4 irregular procurement procedures. |
| 1 poor work performance |
| 1 irregular conduct |
| 5 dishonest misrepresentation |
| 1 abscondment |
| 1 excessive absenteeism |
| 1 unlawful removal of state property (theft) |

(ii)

(b) (i) None

(ii) Not Applicable

**iSimangaliso Wetland Park Authority**

(1) (a) (ii) None

(b) Not Applicable

(c) Not Applicable

(d) (i) Not Applicable

(ii) Not Applicable

(2) (a) (i) None

(ii) Not Applicable

(b) (i) None

(ii) Not Applicable

**South African National Biodiversity Institute (SANBI)**

(1) (a) (ii) 3

(b)

|  |  |
| --- | --- |
| **Dispute** | **Cause** |
| 1. | An alleged omission for Job Evaluation of a post |
| 2. | Candidate not shortlisted for an advertised position |
| 3. | Aggrieved with the outcome of the Job Evaluation results |

(c)

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| **Dispute** | **Nature** |
| 1. | Unfair Labour Practice |
| 2. | Unfair Labour Practice |
| 3 | Unfair Labour Practice |

(d) (i)

|  |  |
| --- | --- |
| **Dispute** | **Date reported** |
| 1. | 10 January 2018 |
| 2. | 18 December 2017 |
| 3’ | 30 April 2018 |

(ii)

|  |  |
| --- | --- |
| **Dispute** | **Date resolved** |
| 1. | Pending |
| 2. | Pending |
| 3 | Pending |

(2) (a) (i) None

(ii) Not Applicable

(b) (i) None

(ii) Not Applicable

**South African National Parks (SANParks)**

(1) (a) (ii) 41

(b)

| **Dispute** | **Cause** |
| --- | --- |
|  | Payment of Sundays and Public Holidays overtime |
|  | Non-Payment of overtime and sleep out allowance while on camping |
|  | Failure to comply and Implement Section 16.6.3.1 of the Condition of Service |
|  | Payment of Sundays and Public holidays overtime |
|  | Failure to profile the Dog Handlers as per the signed agreement |
|  | Unfair remuneration package after transfer |
|  | Unfair remuneration package after transfer |
|  | Non-Payment of Performance Bonus |
|  | Working as Trade Workers daily without complain but remunerated as General Workers |
|  | Refusal to sign employees’ contract without valid reason by the General Manager: Marula |
|  | Unfair treatment by Section Ranger |
|  | Unfair Labour Practice: want permanent positions |
|  | Proper PPE and relevant materials inside the ambulance |
|  | Unfair treatment |
|  | Unfair treatment by the Duty Manager |
|  | Grossly rude or abusive behaviour towards subordinate |
|  | Abuse of position and refused to be searched |
|  | Grave Dishonesty, Grossly rude behaviour towards subordinates, alternatively abuse of position, Failure to comply with existing orders/ standards or to obey rules and regulation, Inconsistence application of gate entering times |
|  | Accusation of theft, causing unpleasant working conditions |
|  | The aggrieved want housing allowance |
|  | Preferential treatment and abuse of power |
|  | Constant harassment while on duty and allegations of theft |
|  | Failure to comply with both HR tariff document and BCEA |
|  | Compliance with Human Capital Tariff document |
|  | Unfair Labour Practice: Condition of employment |
|  | Unfair treatment |
|  | Grave Dishonesty |
|  | Forgery/ Falsification of documentation |
|  | Unfair Treatment in terms of: Allocation of shifts, Inappropriate conduct, refusal to approve leave applications, intruding my privacy & sexual harassment |
|  | Grievance against supervisor |
|  | Grievance against supervisor |
|  | Grievance |
|  | Grievance against outcome of OD Phase 1 process |
|  | Grievance against outcome of OD Phase 1 process |
|  | Grievance : Unfair Labour Practice |
|  | Grievance |
|  | Grievance |
|  | Grievance |
|  | Grievance on allegation made |
|  | Grievance against recruitment process |
|  | Grievance |

(c)

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| --- | --- |
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|  | Grievance |
|  | Grievance |
|  | Grievance |
|  | Grievance on allegation made |
|  | Grievance against recruitment process |
|  | Grievance |

(d) (i)

| **Dispute** | **Date reported** |
| --- | --- |
|  | 09.03.2017 |
|  | 13.06.2017 |
|  | 08.12.2017 |
|  | 11.12.2017 |
|  | 16.01.2018 |
|  | 30.11.2017 |
|  | 01.12.2018 |
|  | 31.01.2018 |
|  | 09.02.2018 |
|  | 22.02.2018 |
|  | 27.02.2018 |
|  | 05.03.2018 |
|  | 09.03.2018 |
|  | 09.03.2018 |
|  | 12.03.2018 |
|  | 19.03.2018 |
|  | 27.03.2018 |
|  | 27.03.2018 |
|  | 27.03.2018 |
|  | 04.04.2018 |
|  | 11.04.2018 |
|  | 11.04.2018 |
|  | 16.04.2018 |
|  | 17.04.2018 |
|  | 04.05.2018 |
|  | 04.05.2018 |
|  | 07.05.2018 |
|  | 14.05.2018 |
|  | 04.06.2018 |
|  | 15.01.2018 |
|  | 10.04.2018 |
|  | 26.03.2018 |
|  | 19.01.2018 |
|  | 02.02.2018 |
|  | 07.05.2018 |
|  | 19.07.2017 |
|  | 11.06.2018 |
|  | 14.06.2018 |
|  | 15.06.2018 |
|  | 20.06.2018 |
|  | 27.06.2018 |

(ii)

| **Dispute** | **Date resolved** |
| --- | --- |
|  | Pending |
|  | Pending |
|  | 27.03.2018 |
|  | 11.12.2017 |
|  | Pending |
|  | 24.04.2018 |
|  | 24.04.2018 |
|  | 17.04.2018 |
|  | 24.04.2018 |
|  | 22.05.2018 |
|  | 24.04.2018 |
|  | 24.04.2018 |
|  | Pending |
|  | 12.04.2018 |
|  | Pending |
|  | Pending |
|  | Pending |
|  | Pending |
|  | 04.04.2018 |
|  | 14.06.208 |
|  | Pending |
|  | 17.04.2018 |
|  | 24.05.2018 |
|  | 17.07.2018 |
|  | 21.05.2018 |
|  | 18.05.2018 |
|  | Pending |
|  | Pending |
|  | 14.07.2018 |
|  | 24.05.2018 |
|  | 30.04.2018 |
|  | 22.05.2018 |
|  | 31.01.2018 |
|  | 28.04.2018 |
|  | 16.05.2018 |
|  | 12.06.2018 |
|  | 20.06.2018 |
|  | 03.07.2018 |
|  | Pending |
|  | 16.07.2018 |
|  | 27.07.2018 |

(2) (a) (i) None

(ii) Not Applicable

(b) (i) None

(ii) Not Applicable

**South African Weather Service (SAWS)**

(1) (a) (ii) 1

(b)

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| **Dispute** | **Cause** |
| 1. | Intoxication & Under Influence of Alcohol or Substance in the workplace |

(c)

|  |  |
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| **Dispute** | **Nature** |
| 1. | Misconduct |

(d) (i)

|  |  |
| --- | --- |
| **Dispute** | **Date reported** |
| 1. | April 2018 |

(ii)

|  |  |
| --- | --- |
| **Dispute** | **Date resolved** |
| 1. | Pending |

(2) (a) (i) None

(ii) Not Applicable

(b) (i) None

(ii) Not Applicable

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