

**SUBMISSIONS FROM BULGSA  
TO A MEETING WITH  
THE OFFICE OF THE ESTABLISHMENT SECRETARY  
ON 23 SEPTEMBER 2004**

**1. INTRODUCTION**

- 1.1. The Establishment Secretary has proposed a meeting with the BULGSA Central Executive Committee.
- 1.2. The intended purpose of the meeting is for the Establishment Secretary to formally introduce himself to the leadership of BULGSA, and discuss issues of concern, so as to come up with solutions.
- 1.3. The Central Executive Committee found it imperative to cause a written submission on issues deemed fundamental for discussion during this meeting.

**2. SUBMISSIONS FROM BULGSA**

**2.1. RESPONSE TO MOTIONS OF THE 2003 CONFERENCE**

- 2.1.1. Since we are left with only two months to hold our next annual general conference, it is desirable for the response on the previous conference motions to be availed to enable us to prepare feedback for our members.
- 2.1.2. *We propose that the response on motions be availed for discussion during this meeting.*

**2.2. DISADVANTAGED CADRES**

**2.2.1. FAMILY WELFARE EDUCATORS**

- 2.2.1.1. We wish to remind the Establishment Secretary of the long outstanding matter of Family Welfare Educators. The area of concern here is that although the FWEs are employed under ULGS Act and governed by ULGS General Orders, they are denied benefits outlined under these instruments.
- 2.2.1.2. The areas of concern are:
  - Probation period
  - Line of progression

- Training
- Eligibility for accommodation
- Transfers

2.2.1.3. In addition to this, it is worth noting that under Local Government Service, FWEs offer services under conditions similar to those of nurses, whereas nurses are paid overtime allowance, FWEs are denied it.

2.2.1.4. We wish to note that Directive No. 4 of 2001 dated 29<sup>th</sup> March 2001 awarded a 30% overtime allowance for FWEs, which was later rescinded without justification.

2.2.1.5. *We therefore request the Establishment Secretary to clearly pronounce his position on this outstanding matter.*

## **2.2.2. SHIFT ALLOWANCE VERSUS OVERTIME - FIRE PERSONNEL**

2.2.2.1. We wish to remind the Establishment Secretary of the unresolved matter of the Fire Personnel. It is our contention that the nature of work qualifies them to earn both the shift allowance and overtime allowance.

2.2.2.2. It is our belief that personnel engaged on shifts qualify for shift allowance. The overtime should be paid to those officers who are engaged on overtime or abnormal working hours.

2.2.2.3. It is a fact that the nature of the work of Fire Personnel necessitates them:

- To be engaged on shifts
- To be engaged on abnormal hours or overtime

2.2.2.4. Despite this, the office of the Establishment Secretary has not seen it fit to pay these officers both the shift and overtime allowance arguing that these allowances are one and the same.

2.2.2.5. BULGSA has made a submission in the past to the effect that both allowances be paid to these officers.

2.2.2.6. *We request the Establishment Secretary to update us on this matter.*

### **2.2.3. PROGRESSION OF TYPISTS**

- 2.2.3.1. BULGSA is concerned with the progression and the future of the Typists, whom only few can progress to B1.
- 2.2.3.2. The concern is centred on:
- Retarded training
  - As a result, most Typists sponsor themselves
  - Certificate in Secretarial Studies is not recognised for progression purposes, whereas Certificate in admin causes progression up to C2.
  - The current schemes of service are outdated
- 2.2.3.3. It is worth noting that Typists were designated thus when the typewriters were still in use. In the era of computerisation, this designation is outdated as they are now Computer Operators.
- 2.2.3.4. It should be noted that responsibility, expertise, skill and educational background of the original Typists completely differs from that of the current Computer Operators.
- 2.2.3.5. *We request the Establishment Secretary to update us on the strategy he intends to put in place to address the shortcomings of the progression of the Typists.*

### **2.2.4. BYE LAW ENFORCEMENT OFFICERS**

- 2.2.4.1. BULGSA appreciates that at last the schemes of service of Byelaw Enforcement Officers have been developed and approved, but we do not appreciate its effective date as it has seriously disadvantaged these officers on the multiple grading.
- 2.2.4.2. We also appreciate the current amendment of the District Act and/or Township Act, which confers certain powers to the Bye Law Enforcement Officers, although we do not appreciate that Local Authorities (as stakeholders), as usual were not consulted.
- 2.2.4.3. Since this cadre is now recognised by the Act of parliament with conferred statutory powers, there is a need for the Establishment Secretary to consider revising its structural existence, such as making it a fully-fledged department.
- 2.2.4.4. Since regulations on this are still to be developed, we would appreciate if inputs could be solicited from all stakeholders including BULGSA.

- 2.2.4.5. *We request the Establishment Secretary to clarify how disadvantages that arose as a result of delayed schemes of service are going to be addressed.*

#### **2.2.5. LAND BOARD REGRADINGS**

- 2.2.5.1. We wish to remind the Establishment Secretary of this outstanding matter, where certain post at Land Boards were upgraded and given to junior officers disadvantaging senior deserving officers.
- 2.2.5.2. We wish to note that our members, (Ikgopoleng and other 25 applicants) took up this matter with the court of law, where judgement was passed in their favour.
- 2.2.5.3. *We would appreciate if the Establishment Secretary could update us on the progress made with the implementation of the court order.*

#### **2.2.6. MATIMELA PERSONNEL**

- 2.2.6.1. We wish to note with concern that although the nature of work of Matimela entails dealing with animals or livestock, they are recruited from an Administration cadre, which has got nothing to do with livestock.
- 2.2.6.2. We wish to point out that this makes work very difficult for these officers, whom we perceive to have been misplaced. We are of the opinion that if the employer is convinced that administration personnel are appropriately suitable for Matimela, there is a need to provide them with basic skills on animal health and production.
- 2.2.6.3. *We request the Establishment Secretary to clarify his position on this matter.*

#### **2.2.7. ADMINISTRATION CADRE**

- 2.2.7.1. We wish to remind the Establishment Secretary of the outstanding matter of importance of developing schemes of service for the administration cadre.
- 2.2.7.2. We note that this has unnecessarily taken too long without any justification.

2.2.7.3. We also request the Establishment Secretary to guide on how the case between DPSM and the Central government administrators is going to affect our administration cadre.

2.2.7.4. *We therefore call upon the Establishment Secretary to give an elaborate update on this matter.*

#### **2.2.8. POSTS OF CARETAKERS**

2.2.8.1. We have noted the newly created posts of Caretakers under the S&CD department; the nature of their work is more of Rationing Clerks.

2.2.8.2. Whilst we appreciate the creation of this posts, we equally do not appreciate that their line of progression is not clearly defined. We wonder whether they are going to progress in line with social workers or not.

2.2.8.3. *We therefore call upon the Establishment Secretary to clear their line of progression.*

#### **2.2.9. AMMENDMENTS OF TRIBAL LAND ACT**

2.2.9.1. We are aware of the amendments to the Tribal Land Act, which has incorporated conditions of service of Land Board employees. The implications are very clear in terms of the employment status of these employees and their membership to BULGSA.

2.2.9.2. We are expecting the Establishment Secretary as the former employer of these employees to provide guidance and clarity on what should be expected after these amendments.

2.2.9.3. *We therefore request the Establishment Secretary to provide clarity on the future of the Land Board employees*

#### **2.2.10. SOCIAL WORKERS IN ARV PROGRAMME**

2.2.10.1. We want to establish as to whether Social Workers in the ARV Programme are seconded to Health or permanently attached to Health.

2.2.10.2. This is so because there seem to be a structural confusion regarding these officers. Of late, they have not been catered for in training plans of either S&CD or Health departments.

2.2.10.3. *We request the Establishment Secretary to come up clear and give a very precise position on this matter.*

### **2.3. DECENTRALISATION**

2.3.1. We refer to section 6(2) of ULGS Act, which directs that *“the Establishment Secretary may, with the consent of the minister, by direction in writing, delegate any of his powers under this Act...”*

2.3.2. We are of the opinion that this proviso of the Act has not been complied with, as the minister has not consented to the on going decentralisation process, as there could have been a statutory instrument effecting and governing the process.

2.3.3. We are concerned that contrary to the requirement of the Act, the decentralisation process has been casually effected by administrative directives.

2.3.4. We are concerned that the decentralisation approach in the Local authorities completely differs from the one at central government as follows:

- Central government has decentralised up to D2, while for Local Authorities it has been restricted to C3.
- The training component and training vote have been decentralised at central government, whereas this is not the case at Local Authorities.
- The decentralisation at Local Authorities is effected and implemented in piecemeal, whereas at central government it is a full devolution.

2.3.5. We wish to note that at BULGSA, we are comfortable with the original concept of delegation or devolution of powers or decentralisation, but we do not appreciate the way it is currently administered.

2.3.6. We perceive decentralisation as transfer of power from the centre; as a consequence, we view this purported policy as an instruction rather than decentralisation. The purported policy leaves the Chief Executives of the Local Authorities with no room to exercise discretion where necessary.

2.3.7. On the other side of the coin, it should be appreciated that the decentralisation process has necessitated an increase in the scope of the personnel functions of the Local Authorities, which requires the following:

- Review of the operational structures
- Capacity building of Personnel Officers
- Assurance of consistency

2.3.8. We wish to remind the Establishment Secretary of the resolution reached at the previous Consultative Council to the effect that all officers appointed prior to decentralisation should be given opportunity to transfer to areas of their preference, and the Establishment Secretary to work on modalities of these transfers.

2.3.9. *We request the Establishment Secretary to clarify his position on this whole matter of decentralisation, and further update us on the progress made in terms of transferring these officers.*

## 2.4. TRAINING

2.4.1. We appreciate the current increased face value of the training slots offered by DLGSM, but we do not appreciate that BULGSA is not involved in the training selection process, for the purpose of transparency and participative democracy.

2.4.2. We wish to note the following as our concerns with regard to training:

- The actual number of officers who are admitted by the training institution end up being reduced as a result of competition.
- DLGSM has passed its responsibility of identifying external placements to be the burden of the officers as beneficiaries.
- Some officers who are already on training are normally repeated on the new training slots.
- Some officers who are no longer in service are given training slots
- Some officers who are new in the service have been trained twice; while there are old ones in the service who have not enjoyed a single piece of training.
- Some officers, who failed a certain programme locally in the previous year, are sponsored for another different programme abroad.

2.4.3. We have observed a disturbing practise to the effect that in case of training and promotion opportunities arise at the same time for an officer, the officer is instructed to opt for one opportunity and forego the other.

- 2.4.4. We wish to note that BULGSA is opposed to this practice and we are disturbed by the fact that it is not consistently applied, as some officers are allowed both opportunities whereas others are compelled to opt.
- 2.4.5. BULGSA is of a contention that it is not the fault of the officers for these opportunities to be delayed; therefore if they happen to arise at the same time, they should be availed at the same time without prejudice.
- 2.4.6. We wish to call an immediate attention of the Establishment Secretary to the situation where an officer at the second year of training is made to earn half salary.
- 2.4.7. It should be noted that officers who undergo training have already committed their salaries, and forfeiting half of their only source of income subjects them to financial embarrassment, as they cannot finance their liabilities.
- 2.4.8. We do not understand the rationale of this half salary punishment when at the same time officers are compelled to enter into a two-year bond.
- 2.4.9. We note with concern that officers have been denied unpaid study leaves when they have privately secured places in institutions of learning, thereby compelling them to resign. This runs contrary to Vision 2016 and the government policy on Human Resource Development. It should be appreciated that these officers relieve the government (as the employer) of the expenditure on enhancing service delivery, and their effort and sacrifices should be appreciated.
- 2.4.10. We are also concerned with the issue of off campus allowance, which is inherited from the Ministry of Education, which was even meant for students not accommodated in the premises of the training institutions.
- 2.4.11. Our concerns are:
- The allowance is currently set at P815.00 to cover the cost of accommodation, transport and other incidental expenses.
  - This allowance cannot sustain its intended purpose as a result of both the cost and standard of living.
  - Officers staying in areas where institutions are based are denied this allowance.

- Although off campus allowance is one of our conditions of service, the Establishment Secretary does not determine it, as the authorities under the Ministry of Education determine it, which is contrary to section 5(2) of ULGS Act.

2.4.12. We wish to note that we are in receipt of a copy of correspondence from officers training at BIAC, dated 14 September 2004, addressed to the Establishment Secretary on their grievances regarding training.

2.4.13. We request the Establishment Secretary to accord this correspondence the seriousness it deserves, and give us an update on the progress made on this matter during the proposed meeting.

*2.4.14. We also request the Establishment Secretary to clearly pronounce his position on all concerns outlined under training.*

## **2.5. PROMOTIONS**

2.5.1. It is apparent that the procedure of recommending officers has been annulled and substituted by advertising vacancies for officers to compete at interviews. We are told that this was purely meant to instil transparency.

2.5.2. We wish to note that this approach contravenes the ULGS Act, in particular section 7(2) of the ULGS regulations which directs that *“a vacant office shall not be advertised where the Establishment Secretary is satisfied that the office should be filled by promotion”*.

2.5.3. BULGSA interprets this to imply that unless and until the employer has exhausted promoting all officers serving under ULGS Act, he does not have the mandate to advertise any vacancy.

2.5.4. BULGSA is of a contention that if the intended purpose of this cause of action is to ensure transparency, measures should be put in place to determine the extent of the purported transparency. Notwithstanding the contravention of the statutory instrument, we are of the opinion that the system is unfair in the sense that it does not have an effective mechanism that ensures that the said adverts reach all qualifying officers.

2.5.5. We wonder how transparent is this intended transparency if the selection and screening criteria is not made transparent. We are of a contention that impressing the panellists during the interview does not necessarily construe that one is the best performer or the most skilful, and the opposite is also of a paramount importance.

- 2.5.6. We believe that interview is an HR tool used to assess the suitability of a potential employee for an employment opportunity and not for promotion purposes. It does not give any logical sense for the employer to interview employees who are already in employment with records to prove suitability or otherwise for eligibility for promotions, when he failed to interview them when joining the service.
- 2.5.7. We are also concerned that this interview system is not consistently applied, as some officers are just promoted without undergoing the interview process, whereas others are compelled to. We would like the Establishment Secretary to justify this.
- 2.5.8. *We request the Establishment Secretary to review the whole issue and give us a clear position.*

## **2.6. TRANSFERS - OFFICERS IN THE REMOTE AREAS**

- 2.6.1. BULGSA appreciates the concept of transfers as of placing officers in areas where their skills are required, but we do not appreciate the unfairness of transfers particular to officers in remote areas.
- 2.6.2. Our areas of concern are:
- ❖ Some officers in remote areas overstay in these areas, when some officers comfortably enjoy their life in townships and cities.
  - ❖ Officers in remote areas are required to remind the employer when the required maximum period elapses, which implies that these officers are always forgotten by the employer.
  - ❖ Sometimes when these officers are transferred they would be posted to sub districts, which are almost as remote as the place of previous stay.
  - ❖ This system appears as if there are officers who are meant to serve in remote areas.
- 2.6.3. We wish to call upon the Establishment Secretary to institute a necessary action that would ensure that officers do not overstay in remote areas.
- 2.6.4. *We therefore request the Establishment Secretary to clearly pronounce his position in terms of transfers of officers from remote areas to non-remote ones.*

## 2.7. GOVERNMENT REFORMS

- 2.7.1. We wish to express our deep concern on the manner in which matters affecting Local Authorities are being handled by the government. There are always unjustified delays when Local Authorities are to benefit from reforms, government policies and other issues of national interest.
- 2.7.2. We are completely uncomfortable with the unfair treatment that government is according to employees of Local Government Service, although we are equally employees of government, our treatment has elements of 'Stepchild Syndrome', whereby we are only remembered and fed with leftovers after other children (who happen to be central government employees) are fed and satisfied.
- 2.7.3. To mention few raw deals from government:
- Productivity reforms like WITS, PMS, PBRs, O&M have been and are still comfortably enjoyed by central government employees, while on our side they are said to be in a long coiling pipeline.
  - The system comfortably positions the Central Government employees to educate Local Government ones on these reforms, as if the former are of a higher class than the latter.
  - The financial benefits of parallel progression were and are still practically enjoyed at central government, whereas in Local government parallel progression is more of a theoretical if not utopian dream.
  - Scarce skill was fully enjoyed at central government, when it rolled down to the Local authorities it was terminated with unfulfilled promises of replacing it with "Scarcity Allowance".
- 2.7.4. We wish to note that at the Local Authorities we are at the fingertips of provision of basic social services to the entire community of this nation, we are the agents of development of this nation; as a result we meaningfully contribute to the blossoming economy and the political stability of this country.
- 2.7.5. We are disappointed and demoralised by the fact that the government is not perceiving us as co-partners in the economic developments, which is symbolised by failure to recognise us and accord us an appropriate appreciation.

2.7.6. *We request the Establishment Secretary to clearly appraise us on the progress made by the government to address these concerns.*

## **2.8. TOURS BY MINISTERS ADDRESSING WORKERS**

2.8.1. We wish to express our concern regarding tours undertaken by the Minister of Presidential Affairs and Public Administration, and both the Minister and the Assistant Minister of the Ministry Local Government.

2.8.2. The impression we got regarding the purpose of these tours was that these ministers were going around the country to get to know problems affecting workers so as to devise an effective remedial action.

2.8.3. At BULGSA, as stakeholders, we expected feedback on the findings of these tours by ministers, but up to now we have not been appraised on the findings of the tours and the intended remedies.

2.8.4. The major area of our concern is that the term of office of these ministers is almost nearing conclusion, and we wonder when should we expect feed back from who for that matter.

2.8.5. We are aware that the office of the Establishment Secretary was accompanying these ministers, and we believe that this was done for a deliberate purpose.

2.8.6. *We therefore call upon the Establishment Secretary to give us feedback on problems obtained from employees of the Local Authorities during this tour and further brief us on the strategies put in place by his office to eliminate these problems.*

## **3. CONCLUDING STATEMENT**

3.1. We at BULGSA, as an organisation legally established to represent the interests of workers, perceive ourselves as equal partners to the government in terms of socio-economic development of this nation, but it is disturbing to note that the government is giving us a raw deal as it is failing to accord us necessary appreciation and appropriate recognition we deserve. The government is biased in treatment of the Local Government Service employees as opposed to those of Central Government.

3.2. BULGSA, since its inception, has been calling upon the government to address the disparities between the employees of Central Government and Local Government, it is over 30 years now, but no body has deemed it fit to attend to the demands of this association. This has

created an impression in our minds that our own government is not valuing us or not taking us seriously.

- 3.3. We at BULGSA fully subscribe to the principle of participative democracy, whereby we strongly believe that all issues affecting us should not be done for us and imposed on us, but should be done with us.
- 3.4. We are certain that although the Establishment Secretary is new to the post, he is not new to the office; therefore he is conversant with the operations of DLGSM and challenges of his appointment.
- 3.5. It is on the basis of the foregoing that the Establishment Secretary takes it upon himself to undertake a complete overhaul of the operational system of DLGSM, to effect necessary changes for which we have been fighting for, which all his predecessors did not deem it fit to do so.

Compiled by:

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