



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

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20 April 2023

**TO: ALL MUNICIPAL MANAGERS
ALL CHIEF FINANCIAL OFFICERS
ALL HUMAN RESOURCES DIRECTORS**

THE PARTIES:

SALGA
SAMWU
IMATU

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REGIONAL SECRETARIES:

Gauteng/Johannesburg/Tshwane Division
Eastern Cape Division
Western Cape/Cape Metro Division
Northern Cape/Free State Division
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KwaZulu-Natal/eThekweni Division

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Circular 02/2023

Final Request: Information Required by the parties for the Negotiations – Compensatory Framework for Essential Service Employees on duty during the Lockdown

1. We refer to our previous Circular 12/2022, dated 10 October 2022, Circular 06/2022 dated 24 June 2022 and circular 02/2021, dated 17 March 2021, in terms of which, Municipalities were requested to provide the Council with information on employees who were on duty during the COVID-19 State of Disaster. This information is necessary for negotiations on a Compensatory Framework.
2. The Council issued Circular 12/2022 and Circular 06/2022, the purpose of which were two-fold:

- a) Firstly, the parties to the Executive Committee considered the above matter at its meeting held on 14 March 2023. It was agreed that Circular 12 /2022, should be further updated and re-issued as many municipalities did not submit the information requested. While the parties were optimistic that the third circular, may result in a better return and more accurate information, this did not meet one of the party's expectations.
 - b) Secondly, the Council requested municipalities to submit information as per Annexure A to assist the parties at Central Council level so that they could commence the negotiations on the compensatory framework, as the Lockdown is now over.
3. The Council received 86 submissions in response to the first two circulars and 130 submissions to the third circular.

In the view of the Council the responses received are inadequate and may not assist parties to negotiate this outstanding matter, therefore the outstanding information is required for the negotiations and Annexure A has been accordingly amended.

4. This is the fourth circular that is issued, as agreed by the parties at the Executive Committee held on 14 March 2023. The Executive Committee reiterated that a final and ultimate appeal should be made to the defaulting municipalities to submit the required information, for the parties at national level to negotiate the compensatory framework.
5. The defaulting municipalities, estimated to be 127, are given one final opportunity to submit the required data, by not later than 25 May 2023, failing which the SALGBC's Legal and Compliance Department will have no alternative but to issue a compliance order, without further notice to the municipality. It must be noted that the Council will seek costs against the relevant officials of the municipality, as this is considered a simple administrative act that falls to the relevant municipal officials to give effect to and comply, with the Executive Committee decisions of the SALGBC.
6. The parties thank those compliant municipalities, estimated to be 130, who responded to first three circulars. The parties appeal to those 130 municipalities to resubmit the information as per Annexure A. The Council apologises for any inconvenience.
7. Information to be Submitted to the Council

The Municipality must complete the attached Annexure A, in respect of the data required for the negotiations of the **compensatory framework** and submit same by not later than 25 May 2023, to ronika@salgbc.org.za.

Annexure A has been amended to include the following additional information:

- a) Did the municipality pay any form of additional compensation, over and above the normal salary, to employees working in essential service, if and when they worked during any levels of the lockdown.

Yes / No

- b) If yes, please state the amount of compensation.

This additional information has been deemed critical to one of the bargaining partners.

All enquiries must be via email and can be submitted to: ronika@salgbc.org.za

Yours faithfully



SS GOVENDER
GENERAL SECRETARY



Information Required by the parties for the Negotiations - Compensatory Framework for Essential Service Employees on duty during the Lockdown

Part A: Details of Municipality

1. Name of Municipality: _____ Province: _____

2. Contact details of person completing this form.

NAME		POSITION	
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3.

EMAIL ADDRESS	MOBILE NUMBER	FACSIMILE NUMBER	LANDLINE NUMBER

Part B: Essential Service Employees on Duty during Lockdown

4. Total Number of employees in the municipality:

5. Total Number of employees who passed away due to COVID-19 related illness

6. Total Number of essential service employees

7. Did the municipality keep records or a register of essential service employees? YES NO

8. a) Did the municipality pay any form of additional compensation, over and above the normal salary, to employees working in essential service, if and when they worked during any levels of the lockdown.

YES NO

b) If yes , please state the amount of compensation

9. Does the municipality have a Minimum Service Agreement (MSA), ratified by the ESC? YES NO

Or

Does the municipality have a Minimum Service Determination (MSD), issued by the ESC? YES NO

Or

No MSA or MSD YES

ANNEXURE A

PART C: Details of Designated Essential (Municipal) Services

The following services provided by the Employer have been designated as essential by the Essential Services Committee (as Gazetted on the 12 September 1997 in Government Gazette 18276, Number 1216):

CATEGORY	NUMBER OF ESSENTIAL SERVICE EMPLOYEES REPORTED FOR DUTY	NUMBER OF ESSENTIAL SERVICE EMPLOYEES WITH COMORBIDITIES WHO DID NOT REPORT FOR DUTY	NUMBER OF ESSENTIAL SERVICE EMPLOYEES WHO WERE SUPPOSED TO REPORT FOR DUTY AND DID NOT REPORT FOR DUTY
Municipal Traffic Services and Policing			
Municipal Health			
Municipal Security			
The Supply and Distribution of Water			
The Generation, Transmission and Distribution of Power			
Fire-Fighting			
<p>The following parts of sanitation services:</p> <ul style="list-style-type: none"> (a) The maintenance and operation of water-borne sewerage systems, including pumping stations and the control of discharges of industrial effluent into the system; (b) The maintenance and operation of sewerage purification works; (c) The collection of refuse and organic nature; (d) The collection of infectious refuse from medial and veterinary hospitals or practices; (e) The collection and disposal site; and (f) The collection of refuse left uncollected for 14 (fourteen) days longer, including domestic refuse and refuse on public roads and open spaces. 			