



## **environmental affairs**

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

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**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**

**MR D A HANEKOM, MP  
MINISTER OF ENVIRONMENTAL AFFAIRS (ACTING)**

**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.

(b)

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

(c)

1 on upgrade from level 11 to level 12
1 on decision to disapprove 100% payment of overtime worked prior to the 30% threshold
3 on PMDS (x1 performance 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).

(d) (i)	1 upgrade -14 April 2015
	1 unfair decision to disapprove 100% overtime payment – 17 May 17
(ii)	3 on PMDS: performance 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
All dispu tes are pendi ng at the Gene ral Publi c Servi ce Coo rdinati ng Barg ainin g	4 Interpretation and application of DPSCA 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

Council

(GPSSBC) and Labour Court.

2. (a) (i) 14

(ii)

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)

(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)

<b>Dispute</b>	<b>Cause</b>
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)

<b>Dispute</b>	<b>Nature</b>
1.	Unfair Labour Practice
2.	Unfair Labour Practice
3	Unfair Labour Practice

(d) (i)

<b>Dispute</b>	<b>Date reported</b>
1.	10 January 2018
2.	18 December 2017
3'	30 April 2018

(ii)

<b>Dispute</b>	<b>Date resolved</b>
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)

<b>Dispute</b>	<b>Cause</b>
1.	Payment of Sundays and Public Holidays overtime
2.	Non-Payment of overtime and sleep out allowance while on camping
3.	Failure to comply and Implement Section 16.6.3.1 of the Condition of Service
4.	Payment of Sundays and Public holidays overtime

<b>Dispute</b>	<b>Cause</b>
5.	Failure to profile the Dog Handlers as per the signed agreement
6.	Unfair remuneration package after transfer
7.	Unfair remuneration package after transfer
8.	Non-Payment of Performance Bonus
9.	Working as Trade Workers daily without complain but remunerated as General Workers
10.	Refusal to sign employees' contract without valid reason by the General Manager: Marula
11.	Unfair treatment by Section Ranger
12.	Unfair Labour Practice: want permanent positions
13.	Proper PPE and relevant materials inside the ambulance
14.	Unfair treatment
15.	Unfair treatment by the Duty Manager
16.	Grossly rude or abusive behaviour towards subordinate
17.	Abuse of position and refused to be searched
18.	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
19.	Accusation of theft, causing unpleasant working conditions
20.	The aggrieved want housing allowance
21.	Preferential treatment and abuse of power
22.	Constant harassment while on duty and allegations of theft
23.	Failure to comply with both HR tariff document and BCEA
24.	Compliance with Human Capital Tariff document
25.	Unfair Labour Practice: Condition of employment
26.	Unfair treatment
27.	Grave Dishonesty
28.	Forgery/ Falsification of documentation
29.	Unfair Treatment in terms of: Allocation of shifts, Inappropriate conduct, refusal to approve leave applications, intruding my privacy & sexual harassment

<b>Dispute</b>	<b>Cause</b>
30.	Grievance against supervisor
31.	Grievance against supervisor
32.	Grievance
33.	Grievance against outcome of OD Phase 1 process
34.	Grievance against outcome of OD Phase 1 process
35.	Grievance : Unfair Labour Practice
36.	Grievance
37.	Grievance
38.	Grievance
39.	Grievance on allegation made
40.	Grievance against recruitment process
41.	Grievance

(c)

<b>Dispute</b>	<b>Nature</b>
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2.	Non-Payment of overtime and sleep out allowance while on camping
3.	Failure to comply and Implement Section 16.6.3.1 of the Condition of Service
4.	Payment of Sundays and Public holidays overtime
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8.	Non-Payment of Performance Bonus
9.	Working as Trade Workers daily without complain but remunerated as General Workers
10.	Refusal to sign employees' contract without valid reason by the General Manager: Marula
11.	Unfair treatment by Section Ranger
12.	Unfair Labour Practice: want permanent positions
13.	Proper PPE and relevant materials inside the ambulance
14.	Unfair treatment



<b>Dispute</b>	<b>Nature</b>
15.	Unfair treatment by the Duty Manager
16.	Grossly rude or abusive behaviour towards subordinate
17.	Abuse of position and refused to be searched
18.	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
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36.	Grievance
37.	Grievance
38.	Grievance
39.	Grievance on allegation made
40.	Grievance against recruitment process
41.	Grievance

(d) (i)

<b>Dispute</b>	<b>Date reported</b>
1.	09.03.2017
2.	13.06.2017
3.	08.12.2017
4.	11.12.2017
5.	16.01.2018
6.	30.11.2017
7.	01.12.2018
8.	31.01.2018
9.	09.02.2018
10.	22.02.2018
11.	27.02.2018
12.	05.03.2018
13.	09.03.2018
14.	09.03.2018
15.	12.03.2018
16.	19.03.2018
17.	27.03.2018
18.	27.03.2018
19.	27.03.2018
20.	04.04.2018
21.	11.04.2018
22.	11.04.2018
23.	16.04.2018
24.	17.04.2018
25.	04.05.2018
26.	04.05.2018
27.	07.05.2018
28.	14.05.2018
29.	04.06.2018
30.	15.01.2018

<b>Dispute</b>	<b>Date reported</b>
31.	10.04.2018
32.	26.03.2018
33.	19.01.2018
34.	02.02.2018
35.	07.05.2018
36.	19.07.2017
37.	11.06.2018
38.	14.06.2018
39.	15.06.2018
40.	20.06.2018
41.	27.06.2018

(ii)

<b>Dispute</b>	<b>Date resolved</b>
1.	Pending
2.	Pending
3.	27.03.2018
4.	11.12.2017
5.	Pending
6.	24.04.2018
7.	24.04.2018
8.	17.04.2018
9.	24.04.2018
10.	22.05.2018
11.	24.04.2018
12.	24.04.2018
13.	Pending
14.	12.04.2018
15.	Pending
16.	Pending
17.	Pending

<b>Dispute</b>	<b>Date resolved</b>
18.	Pending
19.	04.04.2018
20.	14.06.208
21.	Pending
22.	17.04.2018
23.	24.05.2018
24.	17.07.2018
25.	21.05.2018
26.	18.05.2018
27.	Pending
28.	Pending
29.	14.07.2018
30.	24.05.2018
31.	30.04.2018
32.	22.05.2018
33.	31.01.2018
34.	28.04.2018
35.	16.05.2018
36.	12.06.2018
37.	20.06.2018
38.	03.07.2018
39.	Pending
40.	16.07.2018
41.	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)

<b>Dispute</b>	<b>Cause</b>
1.	Intoxication & Under Influence of Alcohol or Substance in the workplace

(c)

<b>Dispute</b>	<b>Nature</b>
1.	Misconduct

(d) (i)

<b>Dispute</b>	<b>Date reported</b>
1.	April 2018

(ii)

<b>Dispute</b>	<b>Date resolved</b>
1.	Pending

- (2) (a) (i) None  
(ii) Not Applicable  
(b) (i) None  
(ii) Not Applicable

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