REDRESS FOR VICTIMS OF PENSION FUNDS DISCRIMINATION BY GOVERNMENT UNDER APTHERED (PUBLIC SERVICE ACT PERSONNEL ONLY)

The Public Service Coordinating Bargaining Council (PSCBC) concluded agreements in 1998 and 2002 in order to recognise years of non-contributory service as pensionable service in the Government Employees Pension Fund (GEPF) for employees disadvantaged by past racial and gender discrimination.

To give effect to Res.7/98 and 12/2002 parties at the PSCBC agreed to address the position of former Casual Workers (also referred to as General Assistants) as priority. All national and provincial departments were requested to register all possible beneficiaries and allow them the opportunity to apply for recognition of non-pensionable service under the GEPF. The PSCBC has resolved to recognise the service of all public servants who were in service on 2 September 1998 (date of signing the Resolution) and suffered any of the types of discrimination as indicated below.

CATEGORIES

Categories of possible beneficiaries were determined by the different Resolutions and are as follows:

- General Assistants, Casual Workers and all other employees who had to serve a waiting period based on race, gender, or status of employment before admission to the GEPF. Admission to the following funds was subjected to a waiting periods:
  - 1/10/1979: Temporary Employees Pension Fund (2 to 5 years)
  - 4/9/1992: Temporary Employees Pension Fund (2 years)
  - 24/1/1992: Black Authorities Superannuation Fund (2 to 5 years)
  - 1/4/1967: Non White Government Employees Pension Fund (5 years)

- Female teachers and other females who lost pensionable service due to change in marital status who were admitted to the Temporary Employees Pension Fund (TEPF) upon return to service;

- Female teachers and other females who had to resign to give birth who were admitted to the Temporary Employees Pension Fund (TEPF) upon return to service;

- All students such as nurses, radiographers, physiotherapists and all black students employed in full time capacity who upon completion of studies were further subjected to waiting periods based on race;

- RSA citizens who were employed in Bophuthatswana before 1996 and other former TBVC States;

- Kits constables – the period served as kits constables before permanent appointment to be recognised as pensionable service;

- Employees dismissed for participating in strikes:
  - Transvaal Provincial Administration (TPA) and Free State hospital strikes in 1987,
  - Natal Provincial Administration strike in 1988,
  - SAPS members dismissed in 1990: and
  - TPA strikes between 1991 and 1993)
• The case of Ciskei strikers has been duly rectified.

• Other categories of discriminatory practices:
  - Employees admitted to temporary funds due to their medical/physical status; and
  - Former Municipal Police employees incorporated in the SAPS during 1989, and still belong to the Municipal Pension Funds, in the GEPF with effect from 1 June 2003.

ELIGIBLE EMPLOYEES

In terms of the resolutions mentioned above, ONLY PUBLIC SERVICE ACT PERSONNEL qualify for recognition of non-contributory service as pensionable for service. For any employee to qualify for this recognition, he/she should have been in service on 2 September 1998. Closing date for submission of applications is 31 August 2010.

EXECUTION

The DOD as a national department is responsible to ensure that all employees who were in service on 2 September 1998, but have since left the service or are still in service, have the opportunity to submit applications for recognition by the target date of 31 August 2010. In order to comply with the strict target date, the departmental task team is embarking on a training session in order to assist possible eligible members to submit applications at the lowest level. Training is aimed at Human Resource practitioners from every unit in the DOD in order to equip them to assist any prospective applicant. This training is pre-emptive in nature as the project has not been officially launched by the DPSA and application forms are not available yet. Once the DPSA has officially launched the project and the application forms have been received, the DOD will commence with the assistance of formal applications.

TRAINING

Services and Divisions were requested to nominate middle management (Personnel Officers) to participate in the departmental task team and attend the training sessions at identified centres closes to their units in order to be able to assist with the marketing and execution of the project. Nominations have been received and training will take place at the following dates and venues as indicated:

- Pretoria. 12 April 2010, 11:00, Thaba Tshwane Town Hall
- Bloemfontein. 13 April 2010, 11:00, School of Armour GOC Conference Room,
- Langebaanweg. 13 April 2010, 11:00, AFB Langebaanweg Conference Room
- Kimberley. 14 April 2010, 11:00, 3 SAI BN, Auditorium Cape Town. 14 April 2010, 11:00, Log School, Conference Room
- Potchefstroom. 15 April 2010, 11:00, Constant Viljoen Combined Mess
- Port Elizabeth. 15 April 2010, 11:00, ASB PE Conference Room
- Nelspruit. 15 April 2010, 11:00, ASB Nelspruit Conference Room
- Durban. 16 April 2010, 11:00, ASB KZN Conference Room
- Polokwane. 16 April 2010, 11:00, ASB Limpopo Conference Room

During the final phase of the project verification of applications submitted by regional nodal points will be conducted, consolidation in the prescribed manner will be done on a weekly basis for submission to the PSCBC and submissions from employees of other national departments will be forwarded to the relevant department as prescribed. The final decision if a member qualifies for inclusion or not, rest with the GEPF and not the DOD.

All enquiries should be directed to the relevant HR sections at the Service or Divisions. In the event that further assistance is required, one of the following members can be contacted:


Mr E Swarts, Secretary of the DOD PTT – 012-355 5896.