MESSAGE BY CHIEF HUMAN RESOURCES TO SANDF MEMBERS

This communication serves to reflect on recent developments around the conditions of service for members of the South African Nation Defence Force (SANDF) and to share it with all stakeholders of the Department of Defence.

Salary Increments and Back Pay

On 16 December 2009, the Commander-in-Chief and President Jacob Zuma, announced salary increments ranging from 2% to 65% for all members of the SANDF on salary levels 2 – 12 with effect 1 December 2009. The interim Service Commission recommended that the salary adjustments, which were paid in December 2009, be backdated to 1 July 2009.

The back pay of the 1 December 2009 salary increases to Military Practitioners to 1 July 2009 impacts on service benefits and deductions such as Salaries, Salary related allowances, Tax and Promotions.

In addition, salary history has to be amended for absence without approvals, post class changes and members who structured the cost-to-employer packages for the period 1 July 2009 to 30 November 2009, hence the delay in the back pay.

Since a full cycle of checks and balances needs to be performed to minimize risks and errors made with calculations, the back pay of the 1 July 2009 salary increases can only be affected on PERSOL in July 2010.

Housing Allowance

In terms of the official government’s policy on Housing Allowance, the Housing Allowance paid to officials occupying State Housing is limited to officials who occupy Compulsory State Housing and to officials who voluntary occupy Other Housing in terms of a departmental policy.

The payment of Housing Allowance to officials occupying State Housing was stopped with effect from 01 May 2010 following the findings of the Auditor General. This matter was timeously communicated to all members via the DOD command channels.

Officials who occupy State Housing, and who qualify in terms of the DOD Instruction (e.g. Compulsory State Housing occupation, owns or rent a home (provided that his/her family occupy the house)); were invited to reapply for the Housing Allowance before 31 August 2010.

Necessary steps are also put in place to address applications in respect of members who are currently deployed outside the borders of the Republic.

Officials who incorrectly received the Housing...
Allowance were not required to pay back the allowance.

**Unique SANDF dispensation**

The leadership of the SANDF would like to assure members that their conditions of service are a concern. The current dispensation has the authority and regulatory mandate of the Public Service Commission. Within this environment the SANDF has been able to deal with a number of issues that are uniquely Defence related and the leadership of the SANDF is confident that this environment can deal with problems and provide enhanced conditions of service to members in uniform.

The SANDF is pleased that the new dispensation has been able to restructure and enhance the grievance mechanism.

The establishment of the Permanent National Defence Force Service Commission will further enhance the SANDF dispensation. All matters pertaining to the SANDF conditions of service will in future be dealt with by the Service Commission.

Pertaining to uniqueness of the military, soldiers are not workers and therefore not allowed to strike. The SANDF’s relationship with the state is not that of a worker and is therefore not governed by employment agreement, but by a solemn oath. Soldiers are responsible for lethal instruments of ultimate force and therefore a soldier’s conduct has had to be stipulated in the Constitution.

**The Status of Military Trade Unions in the Department of Defence**

The status of Military Trade Unions in the Department of Defence and its relevance and impact on service conditions also require some clarification.

**Registered Military Trade Unions**

Currently there are two military unions registered as they meet the threshold of more than 5000 members in terms of the requirements of the provisions of Chapter 20 of the General Regulations and they are:

- South African Security Forces Union (SASFU), and

**Military Bargaining Council**

According to the records of the Department, neither SASFU nor SANDU meet the 15 000 threshold required to enable either one of them to fully participate in the Military Bargaining Council. SANDU has disputed the fact that they do not meet the threshold and the Department has since sought the services of KPMG to audit its membership. The results of the audit are still pending.

**Appointment of the Registrar of Military Trade Unions**

In complying with the requirement that the Registrar for Military Trade Unions be an independent person, in 2009 an independent registrar was appointed. The Registrar of Labour
Relations from the Department of Labour, Mr Crous, is the Registrar of all trade unions in the country.

On 3 May 2010 Mr Crous submitted letters to SASFU and SANDU respectively requesting the following information from them:

• A statement certified by the General Secretary of the union that is consistent with its records, showing the number of members as at 31 December 2008 and 2009,

• Certified copies of the union’s financial statements and audit reports for the 2008 and 2009 financial year,

• Names and work address of the office bearers and officials that were elected at the last election held by the union as well as the minutes of that meeting (congress or AGM), and

• A copy of the latest (amended) constitution in terms of which the union is operating.

The unions have 60 days to respond. If they do not respond the Registrar can deregister them in terms of the provisions of Chapter 20 of the General Regulations.

CHR wishes to express appreciation to the Minister of Defence and Military Veterans, assisted by the Interim Service Commission and the department’s senior management cadre, who went the extra mile to ensure that expectations of members of the DOD and other stakeholders were met in order to improve service conditions.

Despite the existing challenges the DOD is satisfied that significant progress has been made in order to ensure that the SANDF’s human resource component remains a motivated and disciplined force.

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