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Enquiries: Call Centre

Strategic People Management Minute: 0002/2019

To: Deputy Directors-General, Chief Directors, Directors, Deputy Directors, Circuit Managers, Heads: Management and Governance, Heads: District Curriculum Support, Heads: District Learner Support, Principals and all Public Service Staff

Subject: The importance of educators and public servants applying for permission to perform remunerative work outside the public service (RWOPS) and conducting business with an organ of state

1. Section 33 of the Employment of Educators Act, 1998 (Act 76 of 1998), section 30(1) of the Public Service Act, 1994 (Act 103 of 1994), and section 13(c) of the Public Service Regulations (PSR), 2016, published in *Government Gazette* No. 40167 of 29 July 2016, inform all employees of their obligation to apply for permission from the Head of Department (HoD) if they wish to perform remunerative work outside the public service.
2. Employees who have not yet sought approval to perform remunerative work outside the public service, as well as those who intend to perform remunerative work outside the public service, must immediately submit their applications to perform such work. Approvals are granted per financial year (01 April to 31 March of the following year) and therefore employees must apply annually in advance.
3. To obtain permission, the attached (revised) application form must be completed and submitted to the following address:
Head: Education
For attention: Director: Strategic People Management
Western Cape Education Department
Private Bag X9114
Cape Town
8000

OR

Email to: RWOPS.Applications@westerncape.gov.za

4. Paragraph 13(c) of Part 1, Chapter 2 of the *Public Service Regulations, 2016*, which came into effect on 01 August 2016 states that an employee shall:
“not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the *Public Finance Management Act*”. This provision is *mutatis mutandis* applicable to employees appointed in terms of the *Employment of Educators Act, 1998 (Act 76 of 1998)*.
5. The consequence for employees who are directors of a public or private company and who are conducting business with an organ of state was explained in the Strategic People Management Minute 0001 of 2018 dated 30 January 2018.
6. Employees who are directors of a public or private company and who are still conducting business with an organ of state will be requested to resign immediately from the company or terminate their services from the department.
7. Employees whose personal particulars are attached to a private company on the Companies and Intellectual Property Commission's Register and who are no longer involved in remunerative work outside the public service are kindly requested to ensure that they are duly deregistered.
8. Employees who are compelled to declare their financial interest and who have applied for permission to conduct remunerative work outside the public service must ensure that they keep a record of the letter that grants them permission to perform remuneration work outside the public service in order to upload the letter onto the eDisclosure System.
9. Employees for whom additional remuneration is provided by the Western Cape Education Department (WCED) relating to, among other things, matric exam markers, trainers/facilitators and teachers performing supervisory duties at hostels, do not need to comply with the directive in paragraph 5 as additional payments are warranted in terms of existing legislative provisions.
10. Failure to adhere to the conditions stipulated in this minute may result in disciplinary action.
11. Please bring the contents of this minute to the attention of all staff under your supervision.

SIGNED: LJ ELY

DEPUTY DIRECTOR-GENERAL: CORPORATE SERVICES

DATE: 2019-02-15

SECTION B: WORKING HOURS (TO BE COMPLETED BY THE APPLICANT)

1. Current working hours of the applicant (per week)

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2. Call/standby duties hours (per week)

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3. Current overtime hours worked (per month)

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SECTION C: APPLICATION FOR OTHER REMUNERATIVE WORK (TO BE COMPLETED BY THE APPLICANT)

1. Please select the category of other remunerative work applying for (tick only one option)

Category of Work (please tick appropriate box)		
Architecture Planning and Surveying		
Building Construction		
Consultancy Work		
Design (Textiles; Graphics)		
Engineering and Mechanical Repairs		
Farming and Breeding		
Fashion Design/Sewing		
Financial Markets		
Fitness Industry (including Gym, Yoga, Pilates, and Karate instructor)		
Health Professionals		
Sub Categories of Health Professionals:	Medical Doctors	
	Nursing and Midwifery Professionals	
	Traditional and Complementary Professionals	
	Paramedical Practitioners	
	Sport Scientists (Physiotherapist, etc.)	
	Veterinarians	
	Other Health Professionals (Psychologists, etc.)	
Hospitality Industry (Including Catering, Baking)		
Import and Export Business		
Information and Communication (including Call Centre/Contact Centers)		
Logistics and Transport (including Shuttle Services, Travel Agency)		

Manufacturing Mining Construction	
Retail and Wholesale Trade	
Sales and Marketing (including Advertising, Public Relations and Promotion, as well as direct marketing of Cosmetics, Jewellery, Health Products))	
Security Industry	
Sports Recreation and Cultural (including Dancer, Musician, Singer)	
Training Research and Development (including Lecturing and Tutor)	
Tavern Owner and Restaurants	
Pastoral Services (Religious Leader, Reverend, Priest, etc.)	
Funeral Parlor	

2. Describe in detail the nature of the work that will be performed

3. Dates for performing the remunerative work

3.1. Planned start date of other remunerative work (Note that permission is only granted for a maximum period of 12 calendar months)

y	y	y	y	m	m	d	d
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3.2. Planned end date of the remunerative work

y	y	y	y	m	m	d	d
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SECTION D: DECLARATION (TO BE COMPLETED BY THE APPLICANT)

I, _____ (full name), hereby confirm that the information supplied in this application form is correct and undertake to assist my department in meeting its service delivery demands, including overtime commitments (if applicable), which includes being on call/standby (when applicable) as scheduled. I acknowledge that my first commitment is to meet the operational objectives of my department.

I confirm that my performance of other remunerative work will in no way interfere with my commitments to my department.

I confirm that my performance of other remunerative work will not take place during the hours I am required for duties as agreed in my employment contract.

I confirm that I will not use any state resources for the purpose of performing other remunerative work.

I accept that I shall not conduct business with any organ of the state, either in person or as part of an entity (including non-profit organisations).

I accept that permission to perform other remunerative work is only granted for the time agreed upon (and reflected on the certificate of approval), and that it only applies to the services/types of remunerative work as indicated in this application form.

I accept that, should I wish to continue with such remunerative work, I must submit a new application at least 30 days before expiry.

I accept that non-compliance with any of the conditions, monitoring or control measures pertaining to other remunerative work may lead to disciplinary action and that the sanction imposed includes forfeiture of remuneration and/or benefits gained.

I accept that the normal policies and measures governing discipline also apply in terms of non-compliance with the other remunerative work policy and measures.

I agree to abide by any control measures applicable to the other remunerative work system, including that it may be required of me to sign in and out each time I enter or exit the institution where I perform my basic or overtime duties. I agree to attach the certificate of approval when disclosing my financial interests, if applicable.

I acknowledge that the Executive Authority or delegated authority can, at any time, terminate my authorisation to perform other remunerative work, based on a change in operational requirements and/or poor performance on my part.

Signature of Applicant: _____

Designation: _____

Date:

y	y	y	y	m	m	d	d
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After completing the form and signing the above (sections A-D), please present it to the Ethics Officer for further administrative processing and submission to the Executive Authority/Delegated Official.

SECTION E: RECOMMENDATIONS (TO BE COMPLETED BY THE IMMEDIATE SUPERVISOR)

1. Recommendation by Supervisor

1.1. Application is Supported/Not supported

1.2. Motivation for recommendation/reasons for not supporting

Signature of Supervisor: _____

Designation: _____

Date:

y	y	y	y	m	m	d	d
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SECTION F: RECOMMENDATIONS (TO BE COMPLETED BY THE ETHICS OFFICER)

1. Application is supported/not supported

2. Motivation for recommendation

If not supported please state reason(s):

Reason(s)	Tick
Conflict of interest	
Organisational requirements (work load)	
Impacting negatively on the employee's performance	
Contravening provisions in the Code of Conduct	
Involving the use of State resources to perform other remunerative work (including telephone, fax, email, etc.)	
Prevents the employee from placing their time at the disposal of the State	

Signature of Ethics Officer: _____

Designation: _____

Date:

y	y	y	y	m	m	d	d
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SECTION G: APPROVAL (TO BE COMPLETED BY THE EXECUTIVE AUTHORITY OR DELEGATED AUTHORITY)

1. Application is Approved/Not approved
2. Comments

Signature of Executive Authority/Delegated Official: _____

Date:

y	y	y	y	m	m	d	d
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