



the dpsa

Department:
Public Service and Administration
REPUBLIC OF SOUTH AFRICA

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TO: ALL HEADS OF DEPARTMENTS

CIRCULAR NUMBER: 12 OF 2023

**SECTION 77 PROTEST ACTION: A NATIONAL STAY-AWAY OR SOCIO-ECONOMIC STRIKE FROM
00:05am ON 20 MARCH 2023 TO 07:00am ON 21 MARCH 2023**

1. The South African Federation of Trade Unions (SAFTU) has served NEDLAC with a notice to embark on a socio economic protest action. According to their notice, the protest action, amongst others, involve a **National Stay-Away or Socio-Economic Strike** from 00:05am on 20 March 2023 to 07h00am on 21 March 2023.
2. The protest action is protected in terms of Section 77 of the Labour Relations Act, 66 of 1995, as amended.
3. Since this is a Section 77 protest action from the mentioned federation, workers in all sectors of the economy, including the public service are allowed to participate in the strike/protest action. Essential Service workers are, however not allowed to participate in the strike/protest action during their working hours. If they do participate, their participation will constitute misconduct.
4. Departments must apply the principle of "No Work, No Pay". The principle should apply for absence of a full day as well as part of a working day.
5. Departments who do not effect the deductions will be in violation of the Public Finance Management Act, 1999. The "*No Work, No Pay*" must be effected in the Month of the protest action/strike if possible, but not later than the next month after the protest action.
6. No leave should be granted for purposes of participation in the strike/protest action. Leave should only be granted under the leave regulations, i.e. for leave purposes in terms of the regulations and not for protest action.

7. In relation to reporting on the strike action, Departments are requested to provide the DPSA with the following information:
- (a) The number of employees participating in the protest action for the duration of the protest, and the impact thereof on the activities of the Department, by 10:00 on the day of the protest action;
 - (b) An update of the above information by 15:00 on the same day; and
 - (c) A comprehensive report within three (3) days of the strike action.
8. Please use the following link to forward the requested information to the DPSA:
<https://forms.office.com/r/jGi2ZvbViT>.
10. Departments are requested to put in place the necessary contingency measures to effectively deal with the planned strike/protest action and report, as requested.



MS YOLISWA MAKHASI
DIRECTOR-GENERAL

DATE: 17/03/2023