

**Commission for Conciliation, Mediation  
and Arbitration**

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**ESSENTIAL SERVICES COMMITTEE**



09 November 2022

To: PSCBC, PSA, PHSDSBC, DPSA, DOH, DSD & DOH

Good Day,

**ESSENTIAL SERVICES IN THE PUBLIC SERVICE**

It has come to the ESC's attention that there is industrial action planned by the Public Servants Association (PSA) on Thursday, 10 November 2022. The ESC would like to remind parties that in terms of Section 65(1)(d) of the Labour Relations Act (LRA) employees rendering essential services are prohibited from striking.

In the event that there is a dispute or clarity is sought on whether any employees in the state render the below mentioned essential services, a dispute may be referred to the ESC in terms of Section 73 of the LRA and the ESC will determine the dispute on an urgent basis so as to clarify and/or clearly spell out if such employees should participate in the said strike or not.

For completion herewith is the list of services designated as essential:

1. Emergency health services and the provision of emergency health facilities to the community or part thereof;
2. Nursing; and
3. Medical and paramedical services.
4. The following support services:
  - 4.1. Catering;
  - 4.2. Medical records;
  - 4.3. Security;
  - 4.4. Porter and reception;

- 4.5. Pharmaceutical and dispensary;
  - 4.6. Medicine quality control laboratory;
  - 4.7. Forensics;
  - 4.8. Laundry;
  - 4.9. Clinical engineering;
  - 4.10. Hospital engineering;
  - 4.11. Waste removal;
  - 4.12. Mortuary; and
  - 4.13. Pest control;
  - 4.14. Radiology
  - 4.15. Cleaning
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5. Fire Fighting;
  6. Payment of social pensions one month after they fall due;
  7. Blood transfusion services.
  8. Emergency health services and the provision of emergency health facilities to the community or part thereof;
  9. Nursing; and
  10. Medical and paramedical services;
  11. The following services in support of the services referred to paragraph 8-10):
    - 11.1.1. Catering;
    - 11.1.2. Medical records;
    - 11.1.3. Security;
    - 11.1.4. Porter and reception;
    - 11.1.5. Pharmaceutical and dispensary;
    - 11.1.6. Medicine quality control laboratory;
    - 11.1.7. Forensics;
    - 11.1.8. Laundry;
    - 11.1.9. Clinical engineering;
    - 11.1.10. Hospital engineering;
    - 11.1.11. Waste removal;
    - 11.1.12. Mortuary; and
    - 11.1.13. Pest control.

12. Services provided by nursing homes that are registered as welfare (Social Development) organisations, to patients in need of moderate (level 2) and maximum (level 3) care:

12.1. Emergency health services and the provision of emergency health facilities;

12.2. Nursing; and

12.3. Medical and paramedical services.

12.4. Services in support of the services referred to in paragraph (h) above

12.4.1. Physiotherapy;

12.4.2. Dispensary;

12.4.3. Catering;

12.4.4. Laundry;

12.4.5. Boiler;

12.4.6. Transport; and

12.4.7. Security.

13. Computer services provided or supported by the Government Communications and Information Systems of National Treasury:

13.1. The Persal system;

13.2. The social pension system;

13.3. The hospital system; and

13.4. The flood control system.

14. The whole of the service provided by the South African National Blood Service.

15. The Whole of the services provided by old Age Homes registered in terms of the National Welfare Act, 1978 (Act No 100 of 19978, Children's Homes and places of care in terms of section 30 of the Child Care Act, 1983 that are state owned, state funded or state subsidised.

16. The services required for the functioning of the courts including the Thuthuzela Care Centre are designated as essential services. This designation excludes the following services: -

16.1. Human Resources at courts, regional and provincial offices of the Department of Justice and the National Prosecuting Authority.

16.2. Administrative services at the Regional and Provincial Offices of the Department of Justice and National Prosecuting Authority.

- 16.3. Services rendered by groundsmen, Cleaners, ushers and library assistants at courts.
  
17. Correctional Services, excluding the following service in Correctional services:
  - 17.1. Human Resources (Human Resources Administration and Human Resources Management);
  - 17.2. Education;
  - 17.3. Religious care;
  - 17.4. Supply chain;
  - 17.5. Finance;
  - 17.6. Employee Relations
  - 17.7. Employee Assistance; and
  - 17.8. Agriculture and span duty
  
18. General health screening, testing and control of infectious and communicable diseases; as well as port health.
  
19. The services of manufacture, supply and distribution of vaccines and or biologicals; anaesthetics; antiretrovirals to treat HIV virus; Immunosuppressants; covid 19 related products; and antibiotics; and the manufacture and supply of chronic medicines as essential services.
  
20. The following parts of sanitation services:
  - 20.1. the maintenance and operation of water-borne sewerage systems, including pumping stations and the control of discharge of industrial effluent into the system;
  - 20.2. the maintenance and operation of sewage purification works;
  - 20.3. the collection of refuse of an organic nature;
  - 20.4. the collection of infectious refuse from medical and veterinary hospitals or practices;
  - 20.5. the collection and disposal of refuse at a disposal site; and
  - 20.6. the collection of refuse left uncollected for 14 (fourteen) days or longer, including domestic refuse and refuse on public roads and open spaces.
  - 20.7. Security services for the purposes of securing the infrastructure, access control, property and information at water utilities and pump stations.
  
21. The following services rendered by mental and related institutions:
  - 21.1. Mental health care;

- 21.2. Diagnostic assessments of new referrals in respect of people with intellectual and psychiatric disabilities;
  - 21.3. Psychological assessment;
  - 21.4. Therapeutic Counselling services and any other form of counselling;
  - 21.5. Mental health crisis management;
  - 21.6. Court preparation and assistance for victims who are users;
  - 21.7. Rehabilitation services;
  - 21.8. Treatment (including assistance with adherence to medication);
  - 21.9. Training (only to the extent that it is offered to the mental health users.
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22. The services rendered by medical Officers;
  23. Radiology services rendered in and for the public services;
  24. Security Services in Education Institutions;
  25. The services provided b. By House Parents at boarding schools;
  26. Sanatorium services / dispensing of medicine to learners at boarding schools;
  27. Security at boarding schools
  28. The service of Road Traffic incident management
  29. Weather services in support of marine and disaster management services.

Kind regards



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**Ms. Zamangwevu Moshani**  
**Essential Services Manager**