

2013/2014

DEPARTMENT OF
SPORT ARTS AND
CULTURE



[POLICY ON REMUNERATIVE WORK OUTSIDE THE PUBLIC SERVICE-“PROWPS”]

Purpose of the Policy: “This policy serves to regulate the private work of public servants who through initiative and entrepreneurship seek to undertake remunerative work outside of the Public Service”

1. INTRODUCTION

The Department recognises the importance of encouraging initiative and entrepreneurship and therefore permits staff members to undertake private work outside of the Public Service (whether remunerative or not). To this effect, the department shall manage applications for remunerative work by employees in a consultative and non-discriminatory manner, in order to meet the specific and distinct needs of different employees.

This policy notifies employees of the standards that are required from them in relation to their conduct in terms of performing remunerative work outside of the public service, and compliance with the policy is expected to enhance uniformity, professionalism and confidence in the public service.

2. SCOPE OF APPLICABILITY

The provisions of this policy shall be applicable to all employees of the department (both contract and permanent) who are employed in terms of the Public Service Act, Act 103 of 1994 as amended.

3. LEGAL FRAMEWORK

- i.* Public Service Financial Disclosure Framework;
- ii.* Section 30(b) of The Public Service Act, 1994;
- iii.* Section C.5.5 of the Public Service Regulations, 2001;
- iv.* Chapter 2, the Code of Conduct for the Public Service;
- v.* SMS Handbook 2008 as amended;
- vi.* Basic Conditions of Employment Act 197 of 1997.

4. DEFINITION OF TERMS / ACRONYMS

- i.* **PRWOPS:** refers to Policy on Remunerative Work Outside of the Public Service;
- ii.* **RWOPS:** refers to Remunerative Work Outside of the Public Service;
- iii.* **MEC:** refers to the Executive Authority or Member of the Executive Council Responsible for Sport Arts and Culture;
- iv.* **HOD:** refers to the Accounting Authority or Head of Department;
- v.* **DSAC:** refers to the Department Sport Arts and Culture;
- vi.* **Resolution 1 of 2003 as amended:** refers to the Disciplinary Code and Procedure of the Public Service.
- vii.* **Private Work:** Refers to either remunerative or non remunerative that the official undertakes as a result of initiative or entrepreneurship;



- viii. **Remuneration** means the receipt of benefits in cash or kind.
- ix. **Work** means rendering a service for which the person receives remuneration.

5. OBJECTIVES

The objectives of this policy are to:

- i. Provide a regulatory framework for employees who wish to undertake remunerative work outside the public service;
- ii. Enhance uniformity and transparency in the processing of applications for remunerative or non remunerative work outside the public service; and
- iii. Ensure conformity to the norms and standards prescribed by the Public Service Act, the Regulations promulgated in terms thereof and the Code of Conduct.

6. DELEGATIONS

- 6.1 Application for RWOPS for Senior Management Service will be vested with the MEC;
- 6.2 Whereas applications for RWOPS for salaries level 1-12 shall delegable to the HOD.

7. GUIDELINES ON RWOPS

Prior approval of the appropriate authority is required to undertake private work when:

- i. The nature of the private work may amount to a conflict of interest in the employment relationship between the staff member (as employee) and the Department (as employer);
- ii. Such private work will impinge, in any way, on the staff member's normal working hours and/or the efficient discharge of his/her duties;

Prior approval for private work to be undertaken is not necessary where:

- i. The staff member undertakes private work outside of normal working hours and does not offer a conflict of interest with the employer;
- ii. Such work is undertaken off the Department's premises.



8. CONDITIONS FOR PERFORMANCE OF WORK OUTSIDE THE PUBLIC SERVICE

The following conditions must be adhered to prior the granting of authority to perform remunerative work outside the public service:

- i. The employee may in no way be hampered in the performance of his or her official duties;
- iii. The work must be performed entirely outside of prescribed hours of work attendance; and
- iv. The work may not be of such a nature that the public service or government might be embarrassed in any way;
- v. Consideration must also be given to the nature and extent of the work and the relation thereof to the normal duties which the employee performs in the public service.

9. NON-COMPLIANCE

Should an employee not declare his/her remunerative work outside of the public service to the appropriate authority and subsequently no approval has been granted by the appropriate authority, such employee will be subject to discipline in line with the Departmental Policy on Disciplinary Code and Procedure and or the Resolution 1 Of 2003 Disciplinary Code of the Public Service.

10. APPLICATION PROCESS

The following process must be followed by employees applying for authority to perform remunerative work outside the public service:

- i. Employees must obtain the application form, attached hereto as **Annexure A**, from the *Assistant Manager HR Planning and Compliance*,
- ii. After completing the form, the employees must obtain the signatures of his or her supervisor, Manager and Senior Manager and forward it to the Executive Authority, or the Accounting Authority.
- iii. Once sanctioned, the form must be submitted to the Human Resource Management Directorate for safe keeping on the employee's personnel file.

8. STATUTE OF LIMITATION

The granting of permission for RWOPS shall be subject to the employee's annual performance assessment and authority to perform remunerative work outside the public service may be revoked, if it is evident that the additional



work outside of prescribed official hours has a negative effect on the employee's health and work performance.

9. RE-APPLICATION

Any employee who has been granted authority to perform such remunerative work must re-apply for approval annually, utilizing the form Annexure A.

11. MONITORING

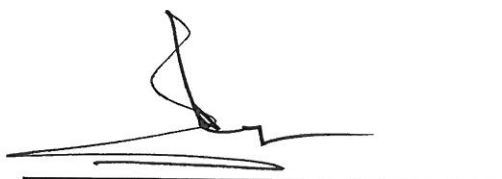
The policy will be reviewed annually to ensure compliance with the applicable changes in legislation or other socio-economic factors

12. DATE OF EFFECT

This Policy **is / will be** effective from the date of approval and replaces any existing policy on remunerative work outside the public service.

13. SUBMISSION FOR ADOPTION

APPROVED:



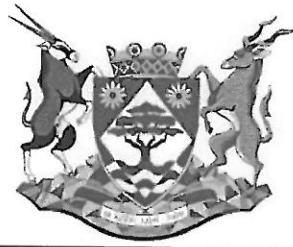
**Mr. F. AYSEN
HEAD OF DEPARTMENT
DEPARTMENT OF SPORT, ARTS AND CULTURE**

01/04/2013
DATE



Annexure A”

**NORTHERN CAPE PROVINCE
POROFENSE YA KAPA BOKONE
Dept. Sport, Arts and Culture
Lefapha La Metshameko,
Botaki Le Setso**



**NOORD-KAAP PROVINSIE
IPHONDO LA SEMNTLA-KOLONI
Dept. Sport, Kuns en Kultuur
Isebe Lezemidlalo, Ubigcisa,
Nenkcubeko**

**APPLICATION FOR APPROVAL TO PERFORM
REMUNERATIVE WORK OUTSIDE EMPLOYMENT
IN THE PUBLIC SERVICE**

**TO: MS. P.J. WILLIAMS
MEMBER OF THE EXECUTIVE COUNCIL
MINISTRY: SPORT, ARTS and CULTURE**

TO BE COMPLETED BY THE APPLICANT

FULL NAMES AND SURNAME	
IDENTITY NUMBER	
PERSAL NUMBER	
DIRECTORATE	
DESIGNATION	
NATURE OF EMPLOYMENT	
PERIOD OF ABSENCE (if applicable)	
NUMBER OF HOURS SPEND AFTER HOURS (time from time to)	



RECOMMENDATIONS BY DESIGNATED SUPERVISOR AND SENIOR MANAGER OF THE DIRECTORATE

It is hereby recommended that approval be granted that Mr/Ms

.....

may perform remunerative work outside his/her prescribed working hours and it is hereby declared that this recommendations is based on the fact the application was considered with regard to:

- a. the staff position and the state of work in the office or section in which the employee is employed;
- b. the general availability of persons outside the public service to undertake the work to be performed except in the case of work of an educational, cultural or physical recreational nature or work which is in the interest of the state or of a specific community or where the employee concerned possesses special qualification, talents or abilities which will make it either difficult or impossible to replace her/him by a person outside the Public Service; and
- c. the nature and extent of the work and its relation to the normal duties which the employee performs in the Public Service will have no negative impact of the services rendered by the Department;
- d. the prerogative to grant/withdraw approval at any time lies with the executive authority.

DESIGNATED SUPERVISOR / LINE FUNCTION MANAGER	
SUPPORTED	NOT SUPPORTED
COMMENTS	
<hr/> <hr/> <hr/> <hr/>	
<p>.....</p> <p>SIGNATURE: _____</p> <p>INITIALS & SURNAME: _____</p> <p>DESIGNATION: _____</p> <p>DATE: _____</p>	



SENIOR MANAGER OF DIRECTORATE	
RECOMMENDED	NOT RECOMMENDED
COMMENTS	
<p>.....</p> <p>SIGNATURE:</p> <p>INITIALS & SURNAME: _____</p> <p>DESIGNATION: _____</p> <p>DATE: _____</p>	

HR – MANAGER
SUPPORTED / NOT SUPPORTED
COMMENTS
<p>.....</p> <p>SIGNATURE:</p> <p>INITIALS & SURNAME: _____</p> <p>DESIGNATION: _____</p> <p>DATE: _____</p>



**SENIOR MANAGER
DIRECTORATE: HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT**

SUPPORTED / NOT SUPPORTED

COMMENTS

.....
SIGNATURE:
INITIALS & SURNAME: _____
DESIGNATION: _____
DATE: _____

RECOMMENDATION BY HEAD OF DEPARTMENT

RECOMMENDED / NOT RECOMMENDED

COMMENTS

.....
SIGNATURE:
INITIALS & SURNAME: _____
DESIGNATION: _____
DATE: _____



The prerogative to grant approval that an employee may perform remunerative work outside his/her prescribed working hours is vested within the Executive Authority

In my capacity as
Executive Authority : Department of Sport, Arts and Culture

I hereby grand approval / reject

Mr/Ms

Application to perform remunerative work outside his/her prescribed working hours.

.....
SIGNATURE
MS. P.J. WILLIAMS
MEMBER OF THE EXECUTIVE COUNCIL
MINISTRY: SPORT, ARTS & CULTURE

DATE.....

COMMENTS(if any)

