



## basic education

Department:  
Basic Education  
REPUBLIC OF SOUTH AFRICA

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### **HR CIRCULAR: 01 of 2024**

#### **TO: ALL HEADS OF PROVINCIAL EDUCATION DEPARTMENTS**

#### **SUBJECT: INVOLVEMENT OF EDUCATORS AND PUBLIC SERVICE STAFF (PS) EMPLOYED IN TERMS OF THE EMPLOYMENT OF EDUCATORS ACT AND PUBLIC SERVICE ACT IN THE 2024 NATIONAL AND PROVINCIAL ELECTIONS**

1. The 2024 General Elections will be taking place on 29 May 2024.
2. The Independent Electoral Commission (IEC) often makes use of assistance from public service employees, which includes educators, as voting or counting officers or to assist the IEC in managing and administering the elections processes.
3. Some employees may also pursue careers in politics and stand for elections in terms of the Electoral Act, 1998 (Act 73 of 1998), as amended.
4. Participation of public service employees, including educators, as candidates for elections is regulated by section 36 of the Public Service Act, 1994, and regulation 15 of the Public Service Regulations, 2016, coupled with DPSA Circular Number 19 of 2024 (Copy attached).
5. It is essential to ensure that employees (educators and PS staff employed in terms of the Employment of Educators and Public Service Act) who want to participate in the 2024 General Elections do not contravene the Public Service Code of Conduct (Part 1, Chapter 2, of the Public Service Regulations, 2016) – published in *Government Gazette* No. 40167 of 29 July 2016.
6. In terms of Regulation 15 of the Public Service Regulations, 2016, an employee who is standing as a candidate for the election and issued with a certificate in terms of section 31(3) of the Electoral Act, 1998, stating that he or she is a candidate in an election, must:
  - 6.1 inform the Head of Department in writing, the next working day after the IEC issues him/her with a candidacy certificate;
  - 6.2 submit the leave form and a copy of the certificate to the Head of Department on the same day (following departmental processes);
  - 6.3 will be on leave until a day after the elections; and

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- 6.4 if the employee does not have sufficient annual leave days, he/she will take unpaid leave for the period in question.
7. Based on the outcomes of the elections:
- 7.1 an employee who is elected and accepts election shall resign from the public service immediately before the date he or she assumes office;
- 7.2 the leave of an employee who is elected but declines election shall lapse on the date that the employee declines election. Such an employee should go back to work a day after declining election; and
- 7.3 should an employee's bid to be elected not be successful, his or her leave shall lapse on the date after the election.
8. An employee who would like to assist the IEC in any remunerated capacity, should apply for permission to perform other remunerated work outside his/her employment in the department.
9. The Directive on Conducting Business with an Organ of the State exempts work for the Commission from the definition of conducting business with an organ of the state. The employee who has permission to perform other remunerated work with the IEC should apply for annual leave to attend any activity relating to this other remunerated work including, training by the IEC.
10. An employee who has permission to perform other remunerative work cannot perform such work during official working hours. Such an employee can neither use official equipment nor state resources for such work. An employee is also required to take annual leave for all the days that he or she requires to assist the IEC, including training conducted by the IEC. After elections, an employee will not be permitted to perform other remunerative work with the IEC.
11. The contents of this circular must be brought to the attention of all educators and public service staff employed by your department.



MR HM MWELI

DIRECTOR-GENERAL

DATE: 02/05/2024