

NUPSAW

NATIONAL UNION OF PUBLIC SERVICE & ALLIED WORKERS

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Report!!

Settlement Agreement reached between DIS-CHEM & NUPSAW

On 16 November 2018 Dis-Chem Pharmacies' members had gone on strike, demanding a minimum wage of R12,500 across the board; an increase of 12,5% for those above R12,500; a guaranteed annual bonus that is equal to a one month's basic salary, and a review of the bonus policy which stipulated that if one is on a final written warning they were not entitled to an annual bonus.

On 10 April 2019, close to five months of selfless sacrifices, hardship and endless endurance the strike came to an end with a settlement agreement reached and signed by NUPSAW and Dis-Chem Pharmacies on 27 March 2019.

THE PARTIES AGREED AS FOLLOWS:

Date to Return to Work

The employees will return to work on 10 April 2019, which is called the *End Date* of the strike, or on the first working day after the End Date.

Employees who do not return to work within three working days of the End Date, will by way of agreement between the parties, be deemed to have permanently abandoned their employment. The purpose of the *End Date* is to allow Dis-Chem to arrange its op-

erational requirements accordingly.

Bonuses

- Dis-Chem agreed to pay pro-rata bonuses to all employees who qualified and who were not paid their bonus for the year ending 2018.

- An employee who had already received any erroneous and/or interim payments while on strike, will only receive the balance of the bonus after those payments have been deducted.

- The payment of the bonus will be done with the ordinary salary run at the end of April. The dispute in relation to this aspect is withdrawn.

- Bonus Policy

From 2019 onwards, the bonus policy will be amended to no longer apply a forfeiture of the bonus payment in relation to those employees who still have valid final written warnings on file, and at the time that any future bonuses are declared and paid. The remaining terms of the bonus policy will however continue to apply.

Misconduct during strike

Dis-Chem retains and reserves its rights to take disciplinary action for misconduct during the strike. However, as much as they have the right to discipline our members, we as NUPSAW also have the right to protect our members - it

can be through campaigns, or through legal action.

We will do anything in our power to protect our members.

Organisational Rights

Should there ever be a dispute between the parties as to NUPSAW's membership within the workplace, the parties agree to an open and transparent verification exercise being conducted through the CCMA.

Collective Bargaining

NUPSAW will be entitled to engage in collective bargaining with the employer once we meet the threshold of 50% + 1 members in the workplace. NUPSAW is embarking on a recruitment drive to ensure we will meet the threshold in no time.

