

RESOLUTION NO 4 OF 2010

DISESTABLISHMENT AND ESTABLISHMENT OF NATIONAL DEPARTMENTAL CHAMBERS IN COMPLIANCE WITH THE RECONFIGURATION OF GOVERNMENT

1. SCOPE

this agreement binds –

- 1.1 the Employer;
- 1.2 the employees of the employer who are members of trade unions party to this agreement; and
- 1.3 the employees of the employer who are not members of trade unions party to this agreement, but who fall within the registered Scope of the Council.

2. PURPOSE

To disestablish Chambers for National Departments which have ceased to exist and establish Chambers for the reconfigured National Departments.

**Noting** the Presidential Proclamation (48 of 2009) issued on the 6<sup>th</sup> July 2009 and the subsequent proclamations in terms of the Public Service Act of 1994 (as amended) to establish new Departments.

**Further noting** the General Public Service Sector Bargaining Council Resolution 3/2004, Annexure A, clause 2.4 requiring Council to disestablish Chambers by resolution.

**And noting** the provisions of clause 13.9 of the Constitution of Council allowing for the establishment of Chambers.

3. Parties Agree

To allow for:

3.1 A process of disestablishment of the following Chambers:

- 3.1.1 National Departmental Chamber : Department of Agriculture
- 3.1.2 National Departmental Chamber : Department of Education
- 3.1.3 National Departmental Chamber : Department of Environmental Affairs and Tourism
- 3.1.4 National Departmental Chamber : Department of Minerals and Energy
- 3.1.5 National Departmental Chamber: Department of Provincial and Local Government
- 3.1.5 National Departmental Chamber: Department of Water Affairs and Forestry

3.2 Establishment of the following Chambers:

- 3.2.1 National Departmental Chamber: Department of Agriculture, Forestry and Fisheries
- 3.2.2 National Departmental Chamber: Department of Basic Education
- 3.2.3 National Departmental Chamber: Department of Cooperative Governance
- 3.2.4 National Departmental Chamber: Department of Economic Development
- 3.2.5 National Departmental Chamber: Department of Energy
- 3.2.6 National Departmental Chamber: Department of Environmental Affairs
- 3.2.7 National Departmental Chamber: Department of Higher Education and Training
- 3.2.8 National Departmental Chamber: Department of Military Veterans
- 3.2.9 National Departmental Chamber: Department of Mining
- 3.2.10 National Departmental Chamber: Department of Tourism
- 3.2.11 National Departmental Chamber: Department of Traditional Affairs
- 3.2.12 National Departmental Chamber: Department of Water Affairs
- 3.2.13 National Departmental Chamber: Department Women, Youth, Children and People with Disabilities

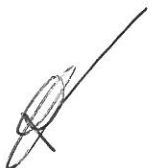
**4. GOVERNANCE RULES**

The Governance Rules for Chambers as contained in GPSSBC Resolution 2 of 2005 will be applicable and binding on the newly established National Departmental Chamber unless otherwise indicated in this agreement.

**5. TRANSITIONAL ARRANGEMENTS**

5.1 VOTE WEIGHTS:

- 5.1.1 The Vote Weights for the newly established Departmental Chamber will be determined as per the provisions of clause 15.1 of GPSSBC Resolution 2 of 2005 (Governance Rules for Chambers)
- 5.1.2 The vote weight determination for the newly established Departmental Chamber will be based on the PERSAL information of Union Membership for the pre- reconfigured Department.
- 5.1.3 the determination per clause 5.1.2 will continue until such time as PERSAL provides information of Union Membership per the re-configured Departments.



5.2 RESOLUTIONS:

- 5.2.1 Resolutions entered into by the disestablished Chamber before the date of this agreement and deemed to be ratified and/or ratified by Council in terms of GPSSBC Resolution 3 of 2004 and GPSSBC Resolution 2 of 2005 will be applicable on the newly established Chamber.
- 5.2.2 Resolutions as referred to in clause 5.2.1 will be reviewed by EXCO as to asses' necessity and/or applicability within the re-configured Chamber.
- 5.2.3 The Chamber will be informed of the outcome of the assessment by EXCO.

5.3 POLICIES:

- 5.3.1 Departmental Policies consulted in the pre- reconfigured Departmental Chamber that governs employment practices and/or regulates conditions of service will be deemed having been transferred with employees to the newly re-configured Departments.
- 5.3.2 Chambers must engage in a process of identifying and reviewing the Policies as per clause 5.3.1 as to align and/or establish new Policies for re-configured Departments.
- 5.3.3 The process of review as per clause 5.3.2 must be completed within a twelve month period from date of the establishment of the new Departmental Chamber.


6. **DISPUTE RESOLUTION**

Should there be a dispute about the interpretation or application of this agreement any party may refer the matter to the Council for resolution in terms of the dispute resolution procedure of the Council.


7. **SIGNATORIES TO THIS AGREEMENT**

This was done at CENTURION on this the 30 day of JUNE 2010

**ON BEHALF OF THE EMPLOYER PARTY**

	Name	Signature
State as employer	T. M. SIKO	

**ON BEHALF OF TRADE UNION PARTIES**

TRADE UNION	NAME	SIGNATURE
NEHAWU		
POPCRU	UNAIHI KA IHELEA	
PSA	TOTALA KA REUBEN	