

# PUBLIC HEALTH AND WELFARE SECTOR BARGAINING COUNCIL

## RESOLUTION NO. 1 OF 2000

### THE APPLICATION FOR TRANSFER AND UTILISATION OF THE R10 MILLION ALLOCATED TO THE PUBLIC HEALTH AND WELFARE SECTOR

#### 1. SCOPE OF THE AGREEMENT

This agreement applies to and binds:

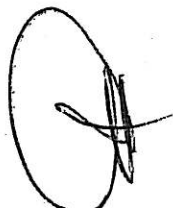
- 1.1 the State as Employer within the registered scope of the Public Health and Welfare Sector Bargaining Council (PHWSBC); and
- 1.2 all employees who fall within the scope of the PHWSBC.

#### 2. THE PARTIES TO THE COUNCIL NOTE:

- 2.1 That Resolution No.7 of 1998 of the Public Service Co-ordinating Bargaining Council (PSCBC) provides for a sum of R10 million to be allocated to the PHWSBC for transformatory measures, after concluding an agreement within the PHWSBC on how the funds are to be used.
- 2.2 That the funds are allocated from the 1998/99 budget and as such need to be utilised preferably before the end of the 2000/2001 financial year.

#### 3. THE PARTIES AGREE THAT:

- 3.1 The total amount of R10 million be transferred to the PHWSBC.
- 3.2 The funds to be kept in a separate account called the Special Projects Account of the PHWSBC, and used only to fund the projects as identified at paragraph 4 of this agreement.
- 3.3 The funds, once paid into the Special Projects Account of the PHWSBC, will be subjected to the same financial management and control as other funds of the PHWSBC and in keeping with the requirements as stipulated by the Department of Finance.
- 3.4 The employer shall apply for the transfer of the funds from Treasury to the PHWSBC.



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#### 4. UTILISATION OF THE FUNDS

The funds shall be utilized in accordance with the provisions of Resolution No. 7 of 1998 of the PSCBC for inter alia the following identified projects, as prioritised below, with regard to Skills and Human Resource Development:

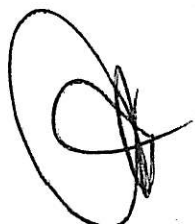
- 4.1 Adult Basic Education and Training (ABET) / Human Resource Development
- 4.2 Labour Relations
- 4.3 Health Education
- 4.4 First Aid
- 4.5 HIV / AIDS
- 4.6 Computer Literacy / Information Technology
- 4.7 Training for Effective Consultative Policy Development
- 4.8 Development of Specialised Professional Skills
- 4.9 Development of Managerial Skills

#### 5. ACCESS TO THE FUNDS

- 5.1 Criteria shall be developed by the PHWSBC upon which applications from Departments/Provinces for the funding of their transformation needs will be considered by the PHWSBC.
- 5.2 Criteria will be based on the Transformational objectives of the White Paper on the Transformation of the Public Service and will be approved by the PHWSBC.

#### 6. ALLOCATION PROCESS

- 6.1 The PHWSBC will establish a committee that will be responsible for:
  - development of the criteria for allocation of funds;
  - processing of applications; and



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- recommending the allocation to the PHWSBC for approval.

6.2 If the committee is not successful in distributing the R10 million within the 2000/2001 financial year, the PHWSBC will review the procedure.

**7. DATE OF IMPLEMENTATION**

This agreement shall, in respect of parties and non-parties, come into operation on the date it is signed in Council.

**8. DEFINITIONS**

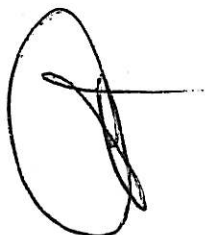
8.1 "Council" means the Public Health and Welfare Sector Bargaining Council.

8.2 "Employee" means employees of the Employer who falls within the registered scope of the Council as defined in the Constitution of the PHWSBC.

8.3 "Employer" means the employer as defined in the PHWSBC Constitution, Public Service Act, Correctional Service Act.

THUS DONE AND SIGNED AT PRETORIA ON THIS

28<sup>TH</sup> DAY OF MARCH 2000.



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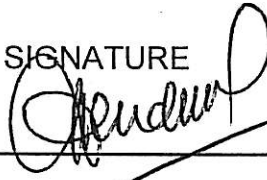


ON BEHALF OF THE EMPLOYER

NAME

SIGNATURE

DE S J H HENDRICKS



ON BEHALF OF THE EMPLOYEE PARTIES

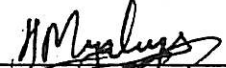
TRADE UNION

NAME

SIGNATURE

NEHAWU

SITHEMBISO MYALUZA



HOSPERSA

PRADESH PILLAY



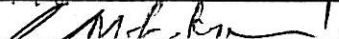
PSA

HAN DE CLERCK



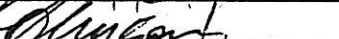
DENOSA

MICHAEL KIANG



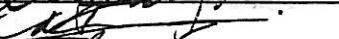
NPSWU

R. JOHNSON



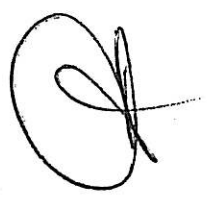
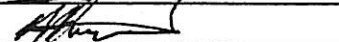
NUPSAW

MIKE TSHAPANE



PAWUSA

NEVILLE PETERSEN



PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL

RESOLUTION NO. 2 OF 2000

ALLOCATION OF FUNDS TO SECTORAL BARGAINING COUNCILS AND RELATED MATTERS

*Parties to the PSCBC notes that,*

1. PSCBC Resolution 9 of 1998 designated the Public Health and Welfare Sectoral Bargaining Council,
2. PSCBC Resolution 10 of 1998 designated the General Public Service Sectoral Bargaining Council.
3. PSCBC Resolution 12 of 1998 designated the Safety and Security Sectoral Bargaining Council
4. The designation of the ELRC in terms of Schedule 7 item 20 (c) read with Section 37 (3) (b)
5. PSCBC Resolution 2 of 1998 provides for the Levy Agreement in particular Schedule 1 Clause (1)<sup>1</sup> and Clause 2 (3)<sup>2</sup>

*The parties therefore agrees:*

1. The Sectoral Councils GPSSBC, SSSBC, PHWSBC and ELRC will be funded by the PSCBC in terms of the following:

1.1 *Salary Package of Personnel*

- (a) The total salary package of staff establishment not exceeding five personnel.
- (b) The approved staff establishment per sectoral bargaining council is

1 Personal Assistant at salary level 1  
1 Finance and Admin. Clerk at salary level 2  
1 Dispute Resolution Officer at salary level 2  
1 Dispute Resolution Manager at salary level 3  
1 Secretary of Council at salary level 4

- (c) The salary packages are in terms of the PSCBC Conditions of Service Policy.

1. Schedule (1) Clause (1) provides for a joint contribution by the employer and its employees to finance the expenditure of PSCBC and any Sectoral Council.
2. Clause (2)(3) provided for a Sectoral Council that has concluded a levy agreement prior to the conclusion of the levy agreement at PSCBC, to enter into an agreement with Council regarding the contributions that the Sectoral Council will make to finance the expenditure of the Council.

- (d) The sectoral bargaining councils shall be responsible for the filling of their posts and subsequently for all personnel employed by the sectoral council.
- (e) The PSCBC shall be responsible for the payment of salaries to personnel employed in the sectoral bargaining councils, unless otherwise requested.
- (f) The funding of sectoral councils for personnel will only commence on the date of appointment of the individual employee and thereafter increase as the other employees of the sectoral councils are appointed.

1.2 *15% of contribution*

- (a) An amount equal to 15% of contribution received from employees and the employer of the specific sector shall be paid by PSCBC to Sectoral Bargaining Councils.
- (b) The monies to be used by the Sectoral Bargaining Councils for the efficient functioning of their council subject to an approved budget. The budget to be approved by the sectoral bargaining council concerned.
- (c) PSCBC will transfer these monies directly into the bank account of the sectoral bargaining council by the 15<sup>th</sup> day of each month.
- (d) The transfer of the amount, as per paragraph (a) above, shall commence on the 1<sup>st</sup> day of the month in which the sectoral bargaining council was established or on 01 July 1998, which ever is the latest, and will be transferred once the bank accounts of the relevant sectoral councils are opened.

1.3 *Dispute Resolution*

- (a) The PSCBC is responsible for the development, implementation and maintenance of a uniform electronic case management system for dispute resolution at both PSCBC and sectoral levels.
- (b) The PSCBC is responsible for the payment of contracted dispute resolution panellists for all the sectors. These payments shall be made in terms of the PSCBC Panellist Fee Policy.
- (c) The PSCBC shall re-imburse the ELRC and SSSBC (formally NNF) for dispute resolution costs incurred, with effect from 01 July 1998. The determination of the amount owing shall be calculated on the basis of the provisions of the PSCBC Panellist Fee Policy.

A collection of handwritten signatures and initials in black ink, including a large stylized signature on the left, a signature with a checkmark, a signature with a large 'M', a signature with 'B.P.C.' above it, and several other initials and signatures on the right.

- (d) Sectoral Bargaining Councils shall be responsible for:
- (i) Receiving and processing disputes.
  - (ii) Appointment of conciliators and arbitrators.
  - (iii) Processing claims for payment by the PSCBC, in terms of the claims procedure of PSCBC Panellist Fee Policy.
  - (iv) Keeping record of all cases and shall submit on a quarterly basis statistics to PSCBC.

## 2. AGREEMENT BETWEEN ELRC AND PSCBC

This resolution shall form the basis of an agreement between ELRC and the PSCBC, as contemplated in Clause 2(3) of resolution 2 of 1998 of the PSCBC.

## 3. ACCREDITATION

Noting the provisions of S127 of the Labour Relations Act, No.66 of 1995 and paragraph 1.3 (a) above, both Sectoral Bargaining Councils and PSCBC undertake to apply for accreditation simultaneously.

## 4. IMPLEMENTATION

The agreement comes into effect on the date it is signed in the PSCBC. The agreement will be reviewed by PSCBC in consultation with sectoral bargaining councils as the need arises.

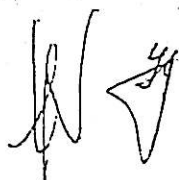
## 5. THIS AGREEMENT BINDS,

- (a) The parties to the PSCBC
- (b) The Sectoral Bargaining Councils

## 6. DISPUTE RESOLUTION

Any dispute arising from the provision of this resolution shall be referred to the EXCO of the PSCBC and the Exco of the relevant sectoral bargaining council for resolution.

In the event of the dispute being unresolved, the PSCBC shall settle the matter at a Council Meeting.



This done and signed at CENTURION on this the 25 day of FEBRUARY 2000

On behalf of the Employer

	NAME	SIGNATURE
STATE AS EMPLOYER	Mandlo Nchwe	Mandlo Nchwe

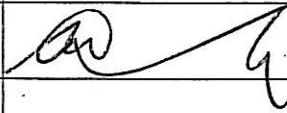
On behalf of trade union parties

TRADE UNION	NAME	SIGNATURE
DENOSA	T. MNGOMEZULU	T. Mngomezulu
HOSPERSA	A. Wöcke	A. Wöcke
NAPTOSA		
NEHAWU	Apulekalo Sibya	Apulekalo Sibya
NUPSAW	S. MATAITSIANE	S. MataitSIANE
NWU	<del>W. M. M. M. M.</del>	<del>W. M. M. M. M.</del>
PAWUSA	<del>N. P. P. P. P.</del>	<del>N. P. P. P. P.</del>
POPCRU	B. P. M. M. M.	B. P. M. M. M.
PSA	J. A. LOUWRENS	J. A. Louwrens
SADTU	W. M. MADISHA	W. M. Madisha
SAOU		
SAPU	T. PHETUKA	T. Phetuka

*(Handwritten signatures and initials)*



On behalf of the Sectors

SECTOR	NAME	SIGNATURE
ELRC		
GPSSBC		
PHWSBC	VICE - CHAIRPERSON MP MALWANDLA	
SSSBC		