

PUBLIC HEALTH AND WELFARE SECTOR BARGAINING COUNCIL

RESOLUTION NO. 1 OF 2001

AGREEMENT ON THE ESTABLISHMENT OF PUBLIC HEALTH AND WELFARE SECTOR BARGAINING COUNCIL COMMITTEES

1. PURPOSE

1.1 The purpose of this agreement is to:

- (i) establish committees of the Council in terms of section 55 of the Labour Relations Act (Act No. 66 of 1995) and clause 12 of the Constitution of the Council;
- (ii) provide committees established in terms of 1.1 (i) of this agreement with the framework terms of reference to perform their delegated functions; and
- (iii) provide for transitional arrangements to the established committees in terms of 1.1 (i) of this agreement.

2. APPLICATION

2.1 This agreement applies to the employer and all employees:

- (i) employed by the State; and
- (ii) who fall within the registered scope of the Council.

3. COMMITTEES

3.1 Parties to the Council agree that:

3.1.1 the following committees are established or hereby being established in terms of section 55 of the Labour Relations Act (Act No. 66 of 1995), clause 12 of the Constitution of the Council, Procedure/s of the Council, Resolutions concluded by the Council and Public Service Co-ordinating Bargaining Council (PSCBC) or , are consequential to the powers and functions of the Council:

- (i) Executive Committee, Financial Committee, Dispute Resolution Committee, Skills Development Committee, Transformation Committee, Employment Conditions Committee, Research Committee and the Technical Committee.



3.1.2 committees in no. 3.1.1 (i) above shall be the standing committees of the Council unless the Council decides otherwise.

3.2 terms of the reference for standing committees in no. 3.1.1 (i) above shall be but not limited to the following:

3.2.1 Skills Development Committee

- (i) Design a training plan for the sector; and
- (ii) Oversee the implementation of the sectoral training plan.

3.2.2 Transformation Committee

- (i) Develop proposals on how to utilise the funds that allocated for transformation in the sector;
- (ii) Ensure effective participation in the sector Provincial Transformation Committees;
- (iii) Recommend researched options for transformation in the sector to the Executive Committee;
- (iv) Represent the Council in the National Health Consultative Forum and its substructures; and
- (v) Represent the Council in the Provincial Health Transformation Committee.

3.2.3 Employment Conditions Committee

- (i) Terms of reference should be developed by EXCO and agreed upon by the PHWSBC

3.2.4 Dispute Resolution Core Team

- (i) Dispute Resolution Core Team: Established in terms of clause 13.1(d) of the Constitution of the PHWSBC. Purpose: Dispute resolution procedures: Schedule 2 of the Constitution of the PHWSBC.

3.2.5 Research Committee

- (i) Assist the Executive Committee of the Council in identifying research to be undertaken in terms of clause 13.1 (f) of the Constitution of the Council;

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- (ii) Direct research to issues that are pertinent to the functioning of the Council;
- (iii) Investigate specific issues referred to it by the Executive Committee and / or the Council; and
- (iv) Recommend researched options to the Executive Committee for resolving matters falling within the jurisdiction of the Council.

3.2.6 Financial Committee (FINCOM)

- (i) Established in terms of clause 13.1 (d) of the Constitution of the PHWSBC. FINCOM is a sub-committee of the Executive Committee of the PHWSBC. FINCOM will make recommendations to the Executive Committee on financial matters.

3.2.7 Technical Committee

- (i) Draft technical documents and resolutions to implement decisions of the Council, and
- (ii) Assist the Council to deliver on its powers and functions in terms of section 28 of the Labour Relations Act (Act No. 66 of 1995).

3.2.8 Executive Committee

- (i) As provided for in section 13 of the Constitution of the Council.

4. MEETINGS OF THE COMMITTEES

4.1 In order to ensure that the purpose of this agreement is achieved, parties commit themselves to consider the following principles each time the schedule of meetings is discussed:

- (i) The time allocated to each committee should be commensurate with the nature of functions delegated to it;
- (ii) The schedule of meetings should seek to create coherence in the functioning of the Council;
- (iii) Relevant provisions and decisions of the Council on working documents in the Council and Committees should be adhered to without fail;
- (iv) No more than two committee meetings shall be scheduled for the same day except on the basis of a recorded decision of the Council;

- (v) Provincial Health and Welfare Chamber meetings should all be held during the second week of each calendar month;
- (vi) To sustain efficiency in the functioning of the Council, the following standing committees shall, whenever possible, sit in the following order.

Skills Development Committee

Transformation Committee

Employment Conditions Committee

Dispute Resolution Committee

Research Committee

Financial Committee

Technical Committee

Executive Committee

- (vii) The Executive Committee meetings shall be scheduled to sit for the whole day;
- (viii) The Secretary of the Council and the Chairperson of the Council shall both attend the meetings of the standing committees and perform their functions respectively inter alia in terms of:
- clauses 11.2 (a), 11.2 (c), 11.8 and 12.5 of the Constitution of the Council;
 - clause 10.11 (a) of the Constitution of the Council;
- (ix) The Researcher and the Dispute Resolution Manager shall sit in all meetings of the standing committees as ex officio members;

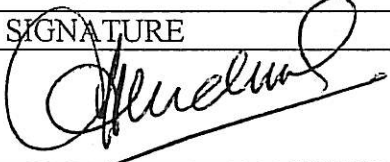
5. DEFINITIONS

- (i) “**Executive Committee**” means the Executive Committee of the Council appointed in terms of Section 13 of the Constitution of the Council;
- (ii) “**Council**” means the Public Health and Welfare Sector Bargaining Council”;

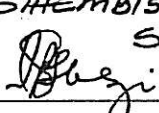



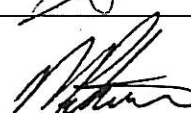


- (iii) "Provincial Health and Welfare Chamber" means a provincial chamber established by the Council in terms of clause 12 of the Constitution of the Council;
- (iv) "Standing Committee" means the committee of the Council established in terms of clause 12 of the Constitution of the Council.

This done and signed at Pretoria on 28 March 2001.

STATE AS THE EMPLOYER

NAME	SIGNATURE
S J HENDRICKS	

ON BEHALF OF THE TRADE UNIONS

TRADE UNION	NAME	SIGNATURE
NEHAWU	SHEMBISO SHEZI 	
DENOSA		
HOSPERSA	B. R. MAHLAKE	
PSA	P. J. v. Blommestein	
PAWUSA	NEVILLE PETERSON	
NPSWU	R. TAYNSWU	
NUPSAW	SILVESTRE	





SCHEDULE 1

TRANSITIONAL MEASURES TO THE STANDING COMMITTEES

1. The Research Committee shall within 30 days of signing this agreement:
 - 1.1 Investigate all unresolved issues submitted to the Council and compile a working document which should be submitted to the Council via the Executive Committee;
2. The unresolved issues shall inter alia include those issues that were delegated to the following committees and task teams which shall cease to exist on the day of signing this agreement;
 - (i) Access to workplace by business Task Team
 - (ii) Committee – NUPSAW
 - (iii) Dispensation for Medical Assistants Task Team
 - (iv) Workshop: Food Service Managers Dispensation
 - (v) Full Time Shop Stewards Committee
 - (vi) Medical Practitioners' Terms and Conditions of Service Task Team
 - (vii) Minimum Service Agreement Committee
 - (viii) Pharmacy Council Career Pathway Task Team
 - (ix) Post Promotions and Salary Scales Committee
3. The Council shall within 30 days of receiving the working document referred to in no. 1 above discuss it; and
 - (i) resolve the issues in the working document, and / or
 - (ii) refer some of the issues to the Technical Committee to draft resolutions which should be submitted to the Council via the Executive Committee within 30 days;
4. The Executive Committee shall from time to time consider appointing sub-committees and ad hoc sub-committees in terms of clause 13.1 (d) of the Constitution of the Council.