



**RESOLUTION 1 OF 2008 OF THE PUBLIC HEALTH
AND SOCIAL DEVELOPMENT SECTORAL
BARGAINING COUNCIL**

Dr. Imm.

1. Objective

The objective of this agreement is to amend the fee structure applicable to the administration of pre-dismissal arbitration hearings in terms of the PHWSBC's Resolution 2 of 2005, by increasing the daily fee payable to panelists.

2. Scope

This agreement binds:

- (a) the Employer;
- (b) the employees of the Employer who are members of the trade union parties to this agreement; and
- (c) the employees of the Employer who are not members of any trade union party to this agreement, but who fall within the registered scope of Council.

3. Noting

Parties to this agreement note that:

- (a) in terms of section 188A (3)(a) of the Labour Relations Act, 1995 (66 of 1995), as amended, the Employer is obliged to pay the prescribed fee for the administration of pre-dismissal arbitrations;
- (b) clause 4 of Resolution 2 of 2005 of the PHWSBC provides for the payment of an administration fee of R350.00;
- (c) clause 5 of Resolution 2 of 2005 of the PHWSBC provides for the payment of a daily panelist fee of R1500.00 and R650.00 for an arbitration award;
- (d) clause 6 of Resolution 2 of 2005 of the PHWSBC stipulates that the invoicing of the Employer by the Council will be effected before commencement of the pre-dismissal arbitration hearing, and
- (e) employees earning in excess of the earnings threshold as determined by the Minister of Labour from time to time in terms of section 6(3) of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997), will be covered by this agreement. (Refer to annexure "A" of this agreement).

L.J.M.M.
[Signature]

4. Agreement

Parties therefore agree that:


- (a) panelists' costs for the pre-dismissal arbitration hearing will comprise the following:
 - (i) R3000.00 daily fee, inclusive of R350.00 administration fee; and
 - (ii) R650.00 for an arbitration award fee.

5. Dispute Procedure

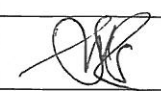
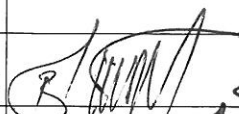
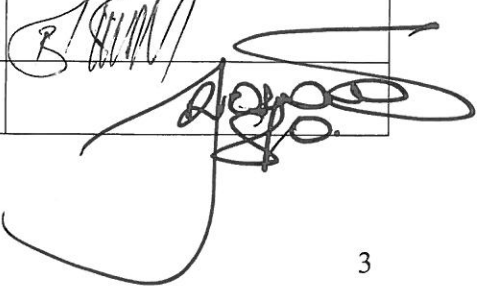
If there is a dispute about the interpretation and/or application of this agreement any party may refer the matter for resolution in terms of the PHSDSBC's dispute procedure.

DONE AND SIGNED AT CENTURION ON THIS 2ND DAY OF
JUNE 2008

ON BEHALF OF THE STATE AS EMPLOYER

	Name	Signature
State as Employer	JAMES T. CORNWALL	

ON BEHALF OF TRADE UNION PARTIES

TRADE UNION PARTY	NAME	SIGNATURE
NEHAWU	SHEREEN SAMUEL	
DENOSA		
PSA		
HOSPERSA	RIFOS MAHLAKE	
NUPSAW	MOSADI MATHENO R. J.	

GOVERNMENT NOTICE

DEPARTMENT OF LABOUR

No. R. 300

14 March 2008

CORRECTION NOTICE

BASIC CONDITIONS OF EMPLOYMENT ACT, 1997
DETERMINATION: EARNINGS THRESHOLD


I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, in terms of Section 6(3) of the Basic Conditions of Employment Act, No. 75 of 1997, (the Act), determine that all employees earning in excess of R149 736 (one hundred and forty nine thousand seven hundred and thirty six rand) per annum be excluded from sections 9, 10, 11, 12, 14, 15, 16, 17(2), 18(3) of the Act with effect from 1 March 2008.

For the purposes of this notice:

Earnings" means the regular annual remuneration before deductions, i.e. income tax, pension, medical and similar payments but excluding similar payments (contributions) made by the employer in respect of the employee: Provided that subsistence and transport allowance received or achievement awards, intermittent payments for occasional overtime shall not be regarded as remuneration for the purpose of this notice.

Government Notice No. R 356 published in Government Gazette 25012 shall be withdrawn with effect from 1 March 2008.

This determination replaces the determination published under Government Notice R 100 in Government Gazette No 30720 on 1 February 2008.


M M S MDLADLANA, MP
MINISTER OF LABOUR

R.J.M.M. 