

**THE PUBLIC SERVICE JOB SUMMIT : 29 – 31 JANUARY 2001
UNIVERSITY OF THE NORTH - PIETERSBURG**

FRAMEWORK AGREEMENT

The parties to the Public Service Job Summit held at the University of the North, from 29 to 31 January 2001, hereby declare and commit themselves to the implementation of the principles and objectives as set out in the attached framework agreement.

PREAMBLE

The parties to the PUBLIC SERVICE JOB SUMMIT meet at a time in the history of our country when the challenge of managing a transformation process in the public service is upon each of us. It is a time when the parties face the twin challenge of transforming the public service to improve the reach, depth, efficiency and quality of social service delivery, whilst at the same time improving the conditions of service, quality and sustainability of jobs for employees of the public service.

The parties acknowledge that they share a common commitment to a broader interest of serving the South African nation. Accordingly the parties record their commitment to respect in words and deeds one another, and to live by the spirit and letter of this agreement which shall govern the objectives, principles and procedures for the management of the transformation process.

The parties share the view that the primary objective of economic policy is to promote growth and development in order to create jobs, sustainable employment, and alleviate poverty and reduce inequality. These basic objectives are set out in the RDP. Whilst the parties acknowledge that GEAR is matter of deep contention, in preparing for the Public Service Jobs Summit the focus has been on how to go forward to reach consensus on the transformation process, rather than seeking to persuade each other to endorse GEAR.

In so doing the parties are at one in understanding that the realisation of the strategic objectives of economic policy requires that the leadership is able to carry out a wide range of structural reforms in both the economic and social dimensions of our economy, which includes the Public Service. These reforms need to be guided by the following four pillars of a job creation programme in the Public Service as adopted by the Presidential Jobs Summit:-

1. Job creation in the sectors of the public service
2. Labour market and HRD for job creation
3. Special employment programmes
4. Job creation in the integrated provincial projects

A. FRAMEWORK AGREEMENT FOR THE TRANSFORMATION AND RESTRUCTURING OF THE PUBLIC SERVICE

OBJECTIVES OF THE TRANSFORMATION OF THE PUBLIC SERVICE

The parties to the PSCBC agree on the following objectives to guide the transformation and restructuring of the public service:

1. Forge a development orientation, ensuring that public services are delivered in support or development goals, including alleviating poverty, creating employment, and sustainable livelihoods by such measures as the provision of a social wage through expanding infrastructure, housing, social services and social security, especially in working class communities. Ensure that the restructuring and developmental process bring about greater

equality in wealth, skills, economic power, quality jobs and sustainable growth.

2. **Effective delivery of public service, ensuring that the necessary services are delivered to communities. Efficient public administration and maximum utilisation of resources. Accelerate the delivery of services in accordance with the principles of public administration espoused in the Constitution and the Batho Pele policy.**
3. **Advancing the establishment of participatory systems throughout the state and making public service more accountable to elected government and the public. Transparency, of the decision making process, administrative practice and reasonable disclosure of assets of public officials, including the right of recourse of citizens to protection against unfair administrative practices.**
4. **Create a patriotic public service culture committed to ethical public administration, adherence to the rule of law and code of conduct and promoting effective mechanisms to reserve and prevent corruption and maladministration.**
5. **Advance representativity of race and gender in the make up of the public service and the way in which decisions reflect the views and aspirations of women and PDI's as well as representative of all stakeholders.**
6. **A Public Service that is integrated, accessible and appropriate high quality administrative systems and delivered through effective utilisation of information technology.**
7. **Accountable, for the process, output and outcome of public administration, as well as the provision of information necessary for citizens to evaluate the efficiency and effectiveness of public services.**
8. **Building a united, national country through a multi-faceted program that eradicates racialism, tribalism and xenophobia and mobilises communities around common goals of social and economic transformation to eradicate poverty and inequality.**
9. **Intensify the reconstruction and development programs to promote urban renewal and integrated rural development, effective service delivery and access to social welfare, health, education and all other government services, conditions for the promotion of job creation and growth.**

PRINCIPLES UNDERPINNING THE TRANSFORMATION AND RESTRUCTURING PROCESS

The parties agree that the transformation and restructuring of the Public Service must seek to:

- a) Protect and create quality employment within the public service.
- b) Support the key objectives of transformation of the state.
- c) Improve delivery of services to the community, enhancing productivity and performance of the public service to meet the national objectives.
- d) Be conducted in a joint, open and consultative way amongst all stakeholders.
- e) Support all parties rights to have information to assess the impact of transformation.
- f) Ensure that the redeployment of personnel will take place in terms of the framework to be negotiated in the PSCBC.
- g) Ensure that the public service remains the provider of services that constitute the social wage, in order to meet the needs of the poor and provide a foundation for development.
- h) Promote good governance values amongst public servants and in this way build the morale of public service workers.
- i) Actively search for ways to enhance existing services and assets to increase the capacity of the state to provide these services.
- j) Lead in advancing representivity and equity in the public service in terms of race and gender.
- k) Improve the skills base of the public service and in this regard ensure that the public service remains a primary source for such training.
- l) Support less hierarchical, more skilled management and supervision in the public service.
- m) Enhance greater equity in distribution of incomes and wealth.

FRAMEWORK FOR IMPROVING PARTICIPATION IN THE BUDGETARY PROCESSES

To generate an informed understanding of budgetary possibilities and constraints; the employer undertakes to promote:

- a. The use of existing structures and processes , to engage on the budget, including Nedlac.
- b. Full and open discussion of proposals that will affect employees through a process to be agreed in the PSCBC.
- c. Reporting on actual expenditure through the agreed process in the PSCBC.

- d. A budgeting process that is more sensitive to employment, linked to a development strategy, and taking into reality the need to expand the public service in order to meet the social needs.
- e. Scheduling that PSCBC bargaining takes place at a time in the MTEF cycle where it can impact on the drafting of budget.
- f. Budgeting for restructuring costs itself.
- g. Allow departments to define the appropriate mix of personnel and other costs.

PROCEDURES AND PROCESSES TO GOVERN THE TRANSFORMATION AND RESTRUCTURING PROCESS AT DEPARTMENT, SECTORAL AND CENTRAL PSCBC LEVEL

In order to manage the transformation and restructuring process in a way that builds the trust relationship between the parties and ensures maximum co-operation and buy-in from employees and managers, the parties agree to the following procedures to govern the transformation and restructuring process at PSCBC level (see attached flowchart):

1. A collective agreement will be developed and concluded at the level of the PSCBC which shall provide a framework within which the process of transformation and restructuring takes place.
2. This framework agreement should provide for, amongst other issues:
 - a) The procedure to be followed;
 - b) The establishment of structures to facilitate the process;
 - c) The constructive participation of the both the employee and employer parties;
 - d) Dispute resolution mechanisms;
 - e) Monitoring, co-ordination and reporting.
3. Implementation of the framework agreement occurs at the level of departments. Each department must establish departmental task teams consisting of both employer and employee parties. These task teams will-
 - a) Receive strategic plans and comment thereon;
 - b) Monitor and facilitate the redeployment of employees within departments;
 - c) Deal with disputes emanating from the transformation / restructuring process in the department.
4. Departments will be responsible for the development of strategic plans, inclusive of human resource plans. Norms and standards

need to be taken into consideration in the development of strategic plans. There should be constructive engagement between parties on these plans and in the process of implementation.

- 5. Inter-department or sectoral committees be established consisting of both employer and employee parties at the provincial and national levels to-**
 - a) Monitor and facilitate the redeployment of employees between departments;**
 - b) Deal with disputes emanating from the transformation / restructuring process.**
- 6. The PSCBC, through its structures shall assist in the process of implementation; including:**
 - a) Monitoring and co-ordinating;**
 - b) Advise and guidance;**
 - c) Capacity development, if necessary;**
 - d) Dispute resolution.**

FLOWCHART: TRANSFORMATION AND RESTRUCTURING OF THE PUBLIC SERVICE

JOINT TASK TEAM		LEVEL
CENTRAL CO-ORDINATING COMMITTEE (CCC)	PSCBC: 1. Framework agreement 2. Monitoring, co-ordination and reporting	NATIONAL
INTER-DEPARTMENTAL TASK TEAM (IDTT)	SECTORS: 1. Facilitate redeployment 2. Dispute resolution INTER DEPARTMENTAL: 1. Facilitate redeployment between departments 2. Dispute resolution	NATIONAL AND PROVINCIAL
DEPARTMENTAL TASK TEAM (DTT)	DEPARTMENTS: 1. Departmental strategic plans 2. Movement of personnel within department 3. Dispute resolution 4. Development of profiles, employees, vacancies	NATIONAL AND PROVINCIAL

B. FRAMEWORK AGREEMENT ON LABOUR RELATIONS POLICY

1. AIMS

- 1.1 The transformation and development of the Public Service;**
- 1.2 An effective labour relations framework and collective bargaining system for the Public Service;**
- 1.3 Improving service delivery by improving performance and productivity;**

In order to achieve these aims the parties agree to a framework of principles in the following areas:

- 1.4 collective bargaining framework;**
- 1.5 a negotiations protocol;**
- 1.6 the improvement of performance and productivity in the Public Service.**

2. PRINCIPLES

- 2.1 Labour Relations Policy in the Public Service is premised on utilising the human resources so as to give effect to the common goal of quality service delivery to all spheres of the population.**
- 2.2 Labour relations policy should, inter-alia, be aimed at managing the creation and retention of jobs in the public service and throughout the economy.**

- 2.3 Labour relations policies should further be aimed at:**

Creating an environment that encourages and supports rising levels of productivity, good morale and a strong public service ethos.

Establishing systems and structures for negotiations that balance the need for decentralization where appropriate and the need for centralization to maintain national norms and standards.

encouraging consultations and negotiations through the establishment of appropriate structures particularly in relation to change management, service delivery improvements, career pathing and grading, skills development and assessment, working conditions and the work environment as well as labour relations.

Ensuring consistent and fair implementation of the disciplinary and incapacity codes.

3. NEGOTIATIONS PROTOCOL

- 3.1 Parties to the PSCBC agree to negotiate in good faith at all times and commit themselves to:**

Adhering to and implementing agreements reached;

Developing a set of guidelines for communications during the negotiations process

- 3.2. The provisions of the PSCBC's Constitution in respect of the manner in which parties are to interact and the manner in which collective agreements are dealt with and implemented must be strictly followed.**
- 3.3 The PSCBC is to establish a training program aimed at assisting parties to engage in effective and efficient bargaining.**
- 3.4 The parties to the PSCBC shall ensure the free flow of information to enable parties to make informed inputs and decisions.**
- 3.5 The parties reiterate their commitment to completing negotiations timeously and to adhere to the negotiation timeframes agreed to at the PSCBC.**
- 3.6 The sectoral councils shall determine areas requiring joint research and make funding available for this purpose.**
- 3.7 The parties agree to discuss, at PSCBC level, the desirability or otherwise of entering into multi-term agreements.**

4. COLLECTIVE BARGAINING FRAMEWORK

- 4.1. It is acknowledged that bargaining currently takes place at central and sectoral level. Transverse issues including salaries and conditions of service are bargained at central level, while sector specific issues are negotiated at sector level.**
- 4.2. It is recorded that salary and general conditions of service shall continue to be bargained at central level. Conditions of service pertaining to a specific sector shall be dealt with at sectoral level.**
- 4.3. A joint task team shall be established to determine the exact jurisdiction and scope of the current central and sectoral councils in order to clarify whether it is necessary to expand or reduce a council's scope in respect of personnel and issues falling within its jurisdiction.**
- 4.4. It is acknowledged that minimum service agreements for designated essential services must be tabled in the relevant sectors as soon as possible.**

5. PERFORMANCE AND PRODUCTIVITY

- 5.1. It is acknowledged that a programme is needed to develop and enhance performance and productivity in the public service. The aim should be to create a workforce that is able to deliver quality service.**
- 5.2 It is recognized that various factors impact on performance and productivity. This includes systems of work organization, the capacity of management as well as the use of appropriate technology.**
- 5.3 The key measures to improve productivity are included in the Batho Pele programme, the main components of which are:**

adequate measures to evaluate whether an institution is meeting its objectives and that those objectives accord with national norms and standards;

well defined mechanisms to ensure feedback on performance and productivity within an institution, this includes engaging with employees;

an evaluation of job requirements.

5.4. Current mechanisms that are aimed at measuring performance and productivity should be re-evaluated.

5.5 It is recognized that performance and productivity can be improved through the:

skilling and reskilling of personnel;

the establishment of training centres;

career pathing that takes account of performance and competency;

effective work organisation.

5.6. Poor performance of individual employees based on incapacity shall be dealt with in accordance with the provisions of the Public Service incapacity code or any other code that may be applicable to employees in a particular sector.

5.7. A joint task team is to be established to investigate the suggested means and processes for achieving improved performance and productivity.

C. FRAMEWORK AGREEMENT IN RESPECT OF SOCIO-ECONOMIC POLICIES FOR THE PUBLIC SERVICE

INTRODUCTION

At the broadest level the Public Service Job Summit process should give realisation to the strategic objectives of a socio-economic policy.

OBJECTIVES

The objectives of the exercise should be guide by:-

- a. To protect jobs;**
- b. To improve the quality and efficiency of service delivery;**
- c. To create jobs in the short and medium term;**
- d. To improve the quality of employment; and**
- e. To initiate the process of developing a socio-economic policy for the Public Service.**

PRINCIPLES

Should be based on the following principles:-

- a. Access to all relevant information in all sectors within the Public Service.**
- b. Accountability and transparency.**
- c. Commitment to elimination of unemployment and poverty.**
- d. An assessment of necessary skills and social needs for effective service delivery in each sector in the Public Service.**
- e. Commitment from government to support sectors which can support and expand employment.**

PARTIES TO THE PUBLIC SERVICE JOB SUMMIT NOTE:

1. TRANSFORMATION

The Constitutional obligation to transform the Public Service to ensure the delivery of quality service in accordance with the mandate of a better life for all.

The process to be guided by the following values:

- a. A high standard of professional ethics;**
- b. Efficient, economic and effective use of resources;**
- c. A development orientation to public administration and management;**
- d. Provision of services which are fair, equitable, accessible and without bias;**
- e. Accountability and transparency; and**
- f. Good human resource management practices to maximise human potential.**

2. JOB CREATION, UNEMPLOYMENT AND POVERTY

Job creation is a high priority of government and labour. One of the primary objectives of government's economic policy is to promote growth and development in order to create jobs, sustain employment, alleviate poverty and reduce inequality.

Unemployment and poverty is at an unacceptable level in South Africa. The hardship, pain and suffering of those unemployed and in poverty are an indictment on our society.

Government and the Public Service in particular, is the single largest employer in the country. Any transformation exercise that negatively impacts on job security will have a ripple effect on a number of communities, especially small rural communities.

Some communities and many families depend solely on persons employed within the Public Service or directly linked to the activities of the Public Service.

3. LABOUR PRACTICES

The parties further note:

In terms of existing research, there is an uneven distribution of human resources to effectively and efficiently meet service delivery objectives.

The lack of appropriately skilled and competent workers and the uneven distribution of skills and competencies between communities.

The legislative framework with regard to skills development, affirmative action, employment equity and representivity is in place.

4. HOUSING AND MEDICAL AID

Less than 40% of public servants participate in home owners allowance and medical aid assistance as a benefit.

The agreement of the PSCBC to establish task teams to investigate these employment conditions.

5. HIV/AIDS

The HIV/AIDS pandemic will have an extensive impact on the delivery of quality services by the Public Service. This will have a ripple effect on the community at large.

The agreement of the PSCBC to establish a task team to investigate and develop proposals for consideration.

PARTIES TO THE PUBLIC SERVICE JOB SUMMIT THEREFORE RESOLVE:

1. TRANSFORMATION

The transformation process, as a constitutional obligation, seeks to create a unitary democratic state geared towards the delivery of quality service. The following principles should guide the process:

- a. Improving and extending services to all people in the most effective manner;**
- b. Utilising resources, both human and material, at the optimal level;**
- c. Ensuring that public servants are appropriately deployed and employed in accordance with appropriate skills and competencies;**
- d. Providing appropriate training and development in keeping with the needs of the country in order to meet optimum service delivery levels;**
- e. The creation of opportunities and resourcing of individuals to meet the challenge of economic empowerment;**
- f. Ensuring that all avenues are explored for quality employment within the Public Service and other spheres of government;**
- g. Developing and implementing a viable social plan to meet short term as well as long term needs;**
- h. Best practices on staffing arrangements;**
- i. Affirmative Action and representivity; and**
- j. Fair and just treatment of employees affected by the process of restructuring.**

2. JOB CREATION, UNEMPLOYMENT AND POVERTY

The Public Service plays two roles in maintaining and expanding employment:

- a. Ultimately it gives effect to government policy. By extension, public servants largely determine the role of the state in restructuring South African society and the economy.**
- b. The Public Service in South Africa contributes about a quarter of all formal employment, so decisions on its size and composition influence national employment levels.**

Public Service employment should reflect the national development strategy.

While national policies determine the basic structure of the Public Service, choices on technology, work organisation and skills also affect the size of these sectors / departments. Extreme care and caution should be taken in making these choices in order to minimise the negative impact on individual employees, their families and the community at large.

The transformation of sectors should encompass redeployment and employment opportunities. Development requires that the basic services both meet the needs of historically underserved areas and ensure more suitable services. Serving communities equally, may lead to less employment in some institutions and more in others thus the need to redeploy between regions and functions.

In implementing restructuring strategies, including redeployment and job creation, local implications must be taken into account through a local consultative process in order to assist in sustaining and maintaining the well being of affected communities.

The transformation process must be undertaken in a manner that promotes a reduction in unemployment levels and contribute to the eradication of poverty.

3. LABOUR PRACTICES

Public Service labour practices should be constructed in a manner to promote skills aimed at enhancing and extending service delivery to previously underserved areas. A clear strategy should be adopted, in line with current legislation, to develop skills, provide in-service training and meet representivity targets in order to develop the public service in its pursuance of its Constitutional obligation to create a unitary State, delivering quality services to all its citizens which reflects the composition of the South African community as a whole.

4. HOUSING AND MEDICAL AID

The task teams established by the PSCBC need to continue with investigating what mechanisms need to be put in place to broaden participation by public servants in all benefits with specific reference to home owners allowance and medical aid assistance. This should be done with the view to improving the living standards of employees and dependents.

5. HIV/AIDS

The task team established by the PSCBC needs to continue developing an appropriate plan to deal with the impact of the HIV/AIDS pandemic on the public service.

6. PROCESSES

Parties to the Job Summit further agree to the following processes:-

- a. Conclude discussions on the Public Service socio-economic policy in 2001.**
- b. Develop sector strategies within sectoral councils for job creation within the Public Service.**
- c. To make use of all available research of the Employer and Employee parties in the implementation of the objectives of the Public Service Job Summit.**

PARTIES TO THIS SUMMIT

PARTY

SIGNATURE

DATE : _____

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