

## RESOLUTION NO ---- OF 2020

### **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 union party to this agreement, but who fall within the registered scope of the Council.

#### **2. PURPOSE**

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

#### **3. NOTING:**

- 3.1. The Presidential Proclamation 25 of 2019 published in Government Gazette on 26 January 2019 amending schedule 1 of the Public Service Act of 1994;
- 3.2. Clause 2.4 of Annexure A of the General Public Service Sector Bargaining Council Resolution 3 of 2004, requiring Council to disestablish Chambers by resolution; and
- 3.3. The provisions of clause 13.9 of the Constitution of Council allowing for the establishment of Chambers.

#### **4. PARTIES AGREE**

To allow for:

- 4.1. A process of disestablishment of the following Chambers:
  - 4.1.1 Department of Agriculture, Forestry and Fisheries
  - 4.1.2 Department of Rural Development and Land Reform

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- 4.1.3 Department of Environmental Affairs
- 4.1.4 Department of Mineral Resources
- 4.1.5 Department of Energy
- 4.1.6 Department of Trade and Industry
- 4.1.7 Economic Development Department
- 4.1.8 Department of Communications
- 4.1.9 Department of Telecommunications and Postal Services
- 4.1.10 Department of Arts and Culture
- 4.1.11 Sport and Recreation South Africa
- 4.1.12 Department of Women
- 4.1.13 Department of Public Works
- 4.1.14 Department of Labour
- 4.1.15 Department of Science and Technology
- 4.2. Establishment of the following Chambers:
  - 4.2.1 Department of Agriculture, Land Reform and Rural Development (DALRRD)
  - 4.2.2 Department of Environment, Forestry and Fisheries (DEFF)
  - 4.2.3 Department of Mineral Resources and Energy (DMRE)
  - 4.2.4 Department of Trade, Industry and Competition (DTIC)
  - 4.2.5 Department of Communications and Digital Technologies (DCDT)
  - 4.2.6 Department of Sports, Arts and Culture (DSAC)
  - 4.2.7 Department of Women, Youth and Persons with Disabilities (DWYPD)
  - 4.2.8 Department of Public Works and Infrastructure (DPWI)
  - 4.2.9 Department of Employment and Labour (DEL)
  - 4.2.10 Department of Science and Innovation (DSI)

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## 5. GOVERNANCE RULES

The Governance rules for Chambers as contained in GPSSBC Resolution 1 of 2012 will be applicable and binding on the newly established national Departmental Chamber unless otherwise indicated in this agreement.

## 6. TRANSITIONAL ARRANGEMENTS

### 6.1. VOTE WEIGHTS:

- 6.1.1 The vote weights for the newly established departmental Chambers will be determined as per the provisions of clause 15.1 of GPSSBC Resolution 1 of 2012. (Governance Rules for Chambers).
- 6.1.2 The vote weights determination for the newly established departmental Chamber will be based on the PERSAL information of Union Membership for the pre- reconfigured Department.
- 6.1.3 The determination per clause 6.1.2 will continue until such time as PERSAL provides information Union Membership per the re-configured departments.

### 6.2. RESOLUTIONS

- 6.2.1 Resolutions entered into by the disestablished Chambers 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, and 1 of 2012 will be applicable on the newly established Chamber.
- 6.2.2 Resolutions as referred to in clause 6.2.1 will be reviewed by EXCO as to assess necessity and/or applicability within the reconfigured Chamber.
- 6.2.3 The Chamber will be informed of the outcome of the assessment by EXCO.

### 6.3. POLICIES:

- 6.3.1 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.
- 6.3.2 Chambers must engage in a process of identifying and reviewing the policy as per clause 6.3.1 as to align and/or establish new Policies for re-configured Departments.

All correspondence must be addressed to the General Secretary

Public Services Bargaining Centre  
260 Easden Avenue, Lyttelton, 0176  
PO Box 16663, Lyttelton, 0140

Tel: +27 12 644 8132, Fax: +27 12 664 8749  
Web: www.gpsbc.org.za

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6.3.3 The process of review as per clause 6.3.2 must be completed within a twelve month period from date of the establishment of the new Departmental Chamber.

**7. 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.


**8. IMPLEMENTATION OF THE AGREEMENT**

This agreement shall come into effect on the date of signing and the Council will monitor the implementation of this agreement.

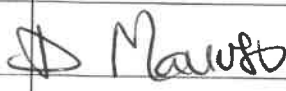

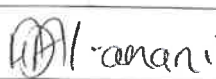
**9. SIGNATORIES TO THIS AGREEMENT**

This was done and signed at Centurion on this the..... day of.....2020.

**ON BEHALF OF THE EMPLOYMENT PARTY**

	Name	Signature	Date
State as Employer	Modise Letsatsi		26/06/2020

**ON BEHALF OF TRADE UNION PARTIES**

Trade Union	Name	Signature	Date
NEHAWU			09/07/2020
POPCRU			
PSA	Astrid Al-anani		3/04/2020

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