

RESOLUTION NO. 6 OF 1999

UPGRADES FOR PROSECUTORS

1. Aims

The employer will provide an upgrade for prosecutors, in return for improved service delivery and human-resource management.

2. Scope

This agreement applies to the employer and to employees employed as prosecutors or Deputy Directors of Public Prosecutions by the National Prosecuting Authority.

3. Salary improvements

- 3.1. Salary improvements should ensure:
 - (a) appropriate rewards for the job, and
 - (b) that the National Prosecution Authority can retain and/or recruit prosecutors with sufficient experience and expertise.
- 3.2. The parties approve the 6-per-cent increase in the salaries of employees with effect from July 1, 1998, that was provided in December 1998.
- 3.3. The employer shall increase to the minimum of the next salary level the salaries of employees on Levels 6 and 7 who have 18 months' service at the date of signature.
- 3.4. The employer shall reduce the waiting period for rank and leg promotions for employees on Levels 6 and 7 to 18 months. The employer and employee parties shall within two months review the existing assessment procedures for rank and leg promotion, and if necessary develop more appropriate procedures.
- 3.5. The employer shall increase the salaries of all other employees
 - (a) by 6 per cent over their salaries as at December 1, 1998, with effect from December 1, 1998, and
 - (b) on September 1, 1999, by a further 3 per cent, backdated to December 1, 1998, subject to achievement by the National Prosecuting Authority by September 1, 1999, of service delivery aims as described in paragraph 4, unless factors beyond the control of the employees intervene.
- 3.6. The upgrade provided under this agreement shall not affect a salary increase provided to employees as part of an annual increase for the public service.

4. Service delivery

- 4.1. The parties agree to the following goals for improved service delivery.
 - (a) *Indicator:* awaiting trial prisoners
 - (i) *Baseline data:* available from Correctional Services
 - (ii) *Objective:* reduce number of awaiting trial prisoners, who were granted bail of less than R1000
 - (iii) *Source:* Correctional Services
 - (iv) *Target:* 10 per cent

- (b) *Indicator:* utilisation of court time
 - (i) *Baseline data:* unavailable nationally (available only for greater Johannesburg)
 - (ii) *Objective:* Increase in time spent in court
 - (iii) *Source:* time-sheet agreed to
 - (iv) *Target:* 4,5 hours, subject to review after two months.
 - (c) *Indicator:* outstanding dockets and inquests
 - (i) *Baseline data:* unavailable
 - (ii) *Objective:* Reduction in the number of outstanding dockets and inquests
 - (iii) *Source:* registers
 - (iv) *Target:* reduction to be assessed monthly based on reports
 - (d) *Indicator:* number of cases on the court roll
 - (i) *Baseline data:* unavailable
 - (ii) *Objective:* Reduction in the number of cases on court roll
 - (iii) *Source:* court records
 - (iv) *Target:* reduction to be assessed monthly based on reports
 - (e) *Indicator:* total number of cases finalised with a verdict
 - (i) *Baseline data:* unavailable
 - (ii) *Objective:* Increase in the number of cases finalised with a verdict
 - (iii) *Source:* court records
 - (iv) *Target:* increase to be assessed monthly based on reports
 - (f) *Indicator:* time from first appearance to disposition for awaiting trial prisoners with bail of less than R1000
 - (i) *Baseline data:* available from Correctional Services
 - (ii) *Objective:* Reducing time from first appearance to disposition
 - (iii) *Source:* Correctional Services
 - (iv) *Target:* 3 months
- 4.2. The parties commit themselves to establishing a task team within two weeks of the implementation date of the agreement to establish:
- (a) a communication strategy, particularly on the objective around the awaiting trial prisoners
 - (b) implementation plan for aims described in paragraph 4.1
 - (c) designing of time-sheet forms
 - (d) a fair assessment approach
 - (e) consolidate data from registers
- 4.3. If a dispute arises over the assessment of progress toward goals or over the causes for a failure to achieve goals, the parties will request Business Against Crime to review the assessment. Parties may still resort to formal dispute mechanisms established by legislation or relevant collective agreements.
- 4.4. The prosecution service shall undertake a service and skills audit in the context of the PSCBC. The skills and service audit shall:
- (a) define more appropriate career paths, grading, work organisation and working conditions that take into account the independence and professionalism of prosecutors;
 - (b) develop a performance management system that includes evaluation of individual performance; and
 - (c) establish a plan for the optimal deployment of prosecutors.
- 4.5. Prosecutors shall relinquish overtime pay except in accordance with policies established in the Department of Justice.

5. Date of implementation

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