

ANNEXURE B

GUIDELINES ON THE ESTABLISHMENT OF CHAMBERS OF SECTORAL BARGAINING COUNCILS

1. It is recommended by Council that Sectoral Bargaining Councils follow the guidelines below in the establishment of chambers in their sectors:
 - (a) Institutions for the establishment of chambers:
 - (i) A provincial chamber should be established for the department (s) in a provincial administration that fall within the scope of a particular Sectoral bargaining council.
 - (ii) A departmental chamber should be established for a national department or organisational component as defined in the Public Service Act, 1994.
 - (b) Jurisdiction of a chambers
 - (i) A chamber's jurisdiction should be limited to issues upon which-
 - (aa) in the case of a provincial chamber, the premier or the relevant executing authorities at provincial level may make a decision that binds the employer , and
 - (bb) in the case of a national departmental chamber, the executing authority or head of the department may make a decision that binds the employer;

provided that the issue is not of a transverse nature, therefore affecting the relevant sector or two or more sectors as designated by the PSCBC.
 - (c) Powers and functions of a chamber.
 - (i) The powers and functions of a chamber should be to:
 - (aa) enhance labour peace and to prevent labour disputes;
 - (bb) negotiate collective agreements within its area of jurisdiction and conclude such agreements;
 - (cc) supervise and enforce collective agreements concluded in the chamber;
 - (dd) co-ordinate, facilitate and monitor the implementation of national and sectoral agreements;

(ee) exercise any other power or perform any other function that may be necessary or desirable to achieve the objectives of the Chamber, as agreed to by the Council;

(ff) deal with matters referred to or delegated to it by the Council.

(d) Structure and functioning of chamber

A sectoral bargaining council should determine how chambers within its ambit of jurisdiction should be structured and how it should function.