

RESOLUTION NO 44 OF 2010

**AGREEMENT ON IMPROVEMENT IN SALARIES AND OTHER CONDITIONS
OF SERVICE FOR 2010/2011**

1. OBJECTIVES

The objectives of this Agreement are to-

- 1.1. provide for the annual salary adjustments for employees for 2010/2011;
- 1.2. provide for an increase in the housing allowance;
- 1.3. deal with other issues raised by parties to the Council during the salary negotiations; and
- 1.4. provide for an orderly return to work.

2. SCOPE

This Agreement binds-

- 2.1. the State as employer in the public service falling within the registered scope of the Council; and
- 2.2. the employees who fall within the registered scope of the Council.

THE PARTIES TO COUNCIL AGREE TO THE FOLLOWING:-

3. SALARY ADJUSTMENT

- 3.1. The annual salary adjustment on 1 July 2010 shall be 7.5% for the financial year 2010/2011.

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4. HOUSING ALLOWANCE

- 4.1 The housing allowance as provided for in clause 7.1 of PSCBC Resolution 2 of 2004 and clause 12.1 of PSCBC Resolution 1 of 2007, shall be increased to R800-00 per month with effect from 1 July 2010.
- 4.2 To develop and implement a sustainable home ownership scheme for Public Service employees. The new scheme to be developed in collaboration with the Department of Human Settlement, the Government Employees Pension Fund and Public Investment Corporation.
- 4.3 Research, investigation and development of models to be completed by December 2010 and agreed to by 31 March 2011.
- 4.4 The home ownership scheme to commence with implementation upon conclusion of investigations and negotiations, with effect from 1 April 2011.

5. MEDICAL AID SUBSIDY

- 5.1 To investigate all matters with regard to the equalisation of the provision of the medical aid subsidy granted to employees who belong to GEMS and to those that are members of other medical aid schemes and that the process to be completed by 31 December 2010, and the outcome will be implemented by 1 April 2011 after negotiations.
- 5.2 Align the provision of post retirement medical aid subsidy to GEMS members with that granted to in-service employees on GEMS, in keeping with the principle of "no worse-off" as provided for in clause 5.5 of PSCBC Resolution 1 of 2006; and
- 5.3 Implement the re-aligned post retirement medical aid subsidy with effect from 1 April 2011;

6. MINIMUM SERVICE AGREEMENT

- 6.1 To request the Essential Service Committee to investigate and provide recommendations on:
 - a. Minimum Service agreements for the Public Service applicable across the relevant sectors.
 - b. Review the current essential services designations/declarations within the Public Service and occupations within those designations/declarations to determine whether or not such services should be deemed essential services.

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- 6.2 A team consisting of two representatives from Labour and two representatives from the Employer to be established as a reference group to assist the Essential Service Committee.
- 6.3 In the event the Essential Service Committee is not in a position to assist the Council with the investigation and development of recommendations, the Council to appoint a panel of 3 experts to undertake the activities as per paragraph 6.1 above.
- 6.4 The recommendation to be submitted to the parties by no later than 31 December 2010.

7. NEXT ROUND OF NEGOTIATIONS ON SALARY AND OTHER CONDITIONS OF SERVICE

- 7.1 To the alignment of the negotiations process with the budget process.
- 7.2 The next round of negotiations shall be concluded by the end of October 2010, to commence from the beginning of October 2010. However, parties to Council reserve the right to extend the time frame by mutual agreement.
- 7.3 To conclude negotiations by 31 July of each year starting 2011; and
- 7.4 The negotiations mentioned in clause 7.2 shall include all the outstanding issues from PSCBC Resolution 1 of 2007 and all the outstanding issues of PSCBC Resolution 5 of 2009.

8. RETURN TO 1 APRIL FOR FUTURE SALARY ADJUSTMENTS

- 8.1 The implementation date of 1 April for general salary adjustments, to be phased in as follows:-
- a. the general salary adjustment for 2011 will be with effect from 1 May 2011; and
 - b. the general salary adjustment from 2012 will be with effect from 1 April.

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9. RETURN TO WORK

9.1 Parties agree to an orderly return to work and normalization of services. Further, that details thereto be provided for in an addendum to this main agreement.

10. DATE OF IMPLEMENTATION

This Agreement shall take effect on 1 July 2010.

11. INTERPRETATION AND APPLICATION

11.1 In the event of any conflict between the provisions of this Agreement and any other agreement of the Council, the provisions of this Agreement shall take precedence.

11.2 No amendments to this Agreement shall be of force unless reduced to writing and agreed upon at the Council as a resolution of the Council.

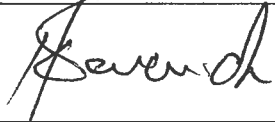
12. DISPUTE RESOLUTION

Disputes about the interpretation or application of this Agreement shall be dealt in accordance with the dispute resolution procedure of the Council.

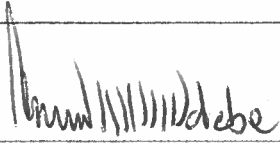
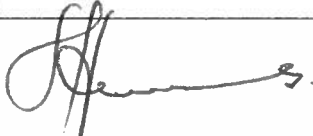

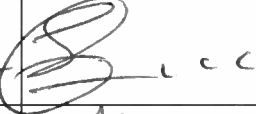
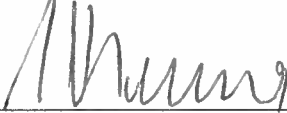

Handwritten signatures and initials:
Steen P. M...
ER
M...
M...

THIS DONE AND SIGNED AT CENTURION ON THE DATE INDICATED BELOW.

ON BEHALF OF THE EMPLOYER PARTY

	NAME	SIGNATURE	DATE
STATE AS EMPLOYER	K. GOVENBERG		13/09/2010

ON BEHALF OF THE TRADE UNION PARTIES

TRADE UNION	NAME	SIGNATURE	DATE
DENOSA	Ethel Radebe		13/10/2010
HOSPERSA/ NUPSAW/ NATU			
NAPTOSA	H. FENDEICKS		19.10.2010.
NEHAWU	M M Makwaga Mzwonpile		13/10/2010
POPCRU	Rafiq Khatib		18/10/2010
PSA	HN DE CERCO		19/10/2010
SADTU			
SAPU	SILVA PILAY		19 October 2010



ADDENDUM: AGREEMENT ON IMPROVEMENT IN SALARIES AND OTHER CONDITIONS OF SERVICE FOR 2010/2011**RETURN TO WORK**

1. The return to work of striking public service employees upon settlement of the dispute regarding 2010 wage negotiations to normalize the workplace shall be governed by the following:-

1.1 The Parties to the Council agree to cooperate to facilitate an orderly return to work within 24 hours of the settlement of the dispute. A striking employee who, having a reasonable explanation for failing to report to work within this period, shall not suffer prejudice and shall be allowed to return to work.

1.2 Employees who participated in the strike and committed any misconduct during the strike will be subjected to the applicable disciplinary procedure and any sanctions may apply excluding the sanction of dismissal. For purpose of this clause such misconduct shall exclude mere participation in the strike by essential services employees.

1.3 The Employee feeling aggrieved may pursue remedies available to them under the applicable prescripts.

APPLICATION OF NO WORK NO PAY

2. Deductions in respect of no work no pay shall be made for employees in essential and non-essential services as follows:-

2.1 Deductions shall be staggered over a period of three months.

2.2 The formula to determine a day's work shall be annual basic salary divided by 365. The deduction will be based on working hours lost.

