

Feedback: Virtual meeting with MEC - 19 March 2021

Circulars 43 of 2020 and 4 of 2021

Members will recall that the implementation of the above Circulars was suspended to allow for proper engagement with labour where labour was provided an opportunity to consolidate their inputs and submit these on 12 March 2021. Upon submission of inputs and engagement with management, parties met with the MEC on 19 March 2021 during which it was resolved as follows:

- Both Circulars will be amended to incorporate labour's inputs;
- The responsibility to formulate and develop duty rosters will reside with supervisors at institutional level and cannot be 'one size fits all' and will depend on the employee's contract of employment;
- Paragraphs 2.3 and 2.7 - 2.10 will be incorporated into a new Circular as it outline various factors to be considered when line managers are designing shift rosters;
- No manager/supervisor will force affected employees to work in line with the old circulars;
- The employer must as a matter of agency draft both an overtime policy and collective agreement for consultation at MANLAB and Chamber meeting to address issues of unpaid hours during lunch period to conform with the *BCEA section 11*;
- It was agreed that employees shall work a maximum of 40 hours per week as required by the *Act*, excluding meal intervals; and
- The employer will issue the amended circulars in line with the agreement reached with labour and implementation will take effect from 22 March 2021 and the Executive Authority had directed management to immediately communicate these resolutions to all responsible managers to avoid confusion on 22 March 2021.

Subsequently, the employer issued *Circular No 17 of 2021* regarding implementation of standardised shift rosters. However, it is the view of the PSA that there is misrepresentation of what was presented and agreed during the meeting. The PSA is considering the available options to deal with the matter. Members will be informed of developments and can contact Mike Mkhize on 082 880 2937 or mike.mkhize@psa.co.za for more information.

GENERAL MANAGER