

FOR PSA MEMBERS: **PUBLIC HEALTH AND SOCIAL DEVELOPMENT SECTORAL BARGAINING COUNCIL (PHSDSBC)**

12-01-2022

Feedback: PHSDSBC

Token of appreciation

Labour registered frustration and disappointment with the employer for failing to provide a token of appreciation to frontline health workers. Labour felt that the employer did not take the plight of these workers seriously. The efforts of these workers deserved a token of appreciation such as tax relief or danger allowance, etc. The employer promised at the last Council meeting to finalise the matter and implement accordingly. The employer, at that stage, indicated that the consultation process with relevant stakeholders was at the final phase and that it would provide concrete feedback at the next Council meeting on 15 December 2021. Unfortunately, the employer again dismally failed to conclude on its mandate and labour proposed that the matter be subjected to a three-day negotiation session, which will be used to try and resolve the matter amicably and possibly conclude a collective agreement.

Amendment: Clause 4.1.1 and 4.2.2 of PHSDSBC Resolution 2/2017 (Framework agreement on payment of rural allowance and amendment of occupational-specific dispensation (OSD) for Social Service professionals and occupations)

During the last Council meeting, a presentation was made on the topic. It was agreed that Social Development will provide a response to the presentation and it has subsequently done so. Clause 4.1.1 of the agreement stipulates that, within ten days from the date of this agreement, the employer will table a proposed model on Rural Allowance at the Council for eligible Social Service professionals and occupations for negotiation. Clause 4.2.2: "*Parties agree in principle to amend the OSD for social service professionals and occupations*".

A task team meeting was held where the task team concluded that the primary focus should be on equalisation for employees who are covered by PHSDSBC Resolution 2/2004 and the inclusion of additional categories that were not covered by the Resolution. The task team report was adopted at Council and constructive engagements will commence to conclude a substantive agreement. This matter will also form part of the three-day session of negotiations, which date still needs to be communicated.

Review: Uniform Allowance - Nurses

Members will recall that a draft Agreement was circulated for mandating purposes to engage on a framework agreement that will regulate a process to review the Uniform Allowance Agreement for Nurses. The objective of the agreement is as follows:

- Abolish the provision of Uniform Allowance
- Bring uniformity in a true sense of the word UNIFORM
- Restore the dignity of Health Professionals
- Uniform provision to all Health Professionals instead of paying an allowance to some

The agreement was once again circulated for a mandate to ensure buy in from members although the majority of labour did indicate support for the agreement and will subsequently sign it. Members were requested to provide a mandate on the colour of the Uniform, the shoes and subsequently the emblem. The task team has concluded its work and a final report was tabled at Council. A final draft Agreement is *attached* for members to provide a mandate through Provincial Offices on or before **29 January 2022**.

PHSDSBC Resolution 4/2017: Agreement on payment of Special Allowance and Danger Allowance for Forensic Pathology Officers (FPO)

A collective agreement was entered into between parties at Council and enjoyed majority signature on 29 June 2017. The Agreement's Clause 4.5.2 provides for the following: "*Parties agree to negotiate and conclude a sustainable model to allow the FPO to register with a statutory body as professionals, to have career pathing and job evaluation within six months after this agreement attains the majority signature*".

Parties were supposed to conclude on this sustainable model on 29 January 2018, which unfortunately as per the evidence led by labour and the subsequent confirmation from the employer, did not materialise. After the conclusion and favourable outcome of an arbitration process, the employer tabled a draft Sustainable Model without prejudice. The PSA distributed the draft for inputs and subsequent inputs were discussed with the employer. As previously reported, the PSA together with all the other unions, declared another dispute. A certificate of non-resolution was issued and the arbitration was held on 15 November 2021. The Arbitration award indicated that the Commissioner lacks jurisdiction to preside over the matter as the employer has **tabled a sustainable model without prejudice** and therefore they have failed to comply with the previous arbitration award that was in favour of labour. The PSA is considering its options.

Averaging of working hours: EMRS

As previously reported, a draft agreement on the averaging of working hours was circulated for a mandate. Unfortunately, no mandate was received from the constituencies, which poses a significant risk to Emergency Medical and Rescue Services personnel. The PSA subsequently indicated that it does not have a mandate on the draft agreement and is still in a process to solicit a mandate. Labour subsequently indicated that it has a fundamental problem with clauses 4.1 and 4.2, which, amongst others, stipulate that the agreement will be average over a period of 42 hours per compressed week and average out over a period of three months.

Parties in Council agree that this matter will also be subjected to the three-day session for which a date still needs to be determined.

GENERAL MANAGER