

FOR PSA MEMBERS: WESTERN CAPE BLOOD SERVICE (WCBS)

06-09-2024

## WCBS: Collective Agreement 1/2024 – Night-shift arrangements: **MANDATE** request

### Night-Shift Agreement

Members will recall a collective agreement in 2020, which speaks to regulation of working time, daily and weekly rest periods, overtime, averaging, pay for work on Sundays, meal intervals, night work, public holidays, annual leave, and sick leave in terms of *the Basic Conditions of Employment Act 75 of 1997* (see *attached 2020 NSA agreement*). The employer then tabled a revised agreement earlier in 2024 (see *attached Draft 2024 Agreement*). The PSA WCBS Committee has circulated the draft agreement to members for which a response is still awaited.

### The key clauses to note in the proposed (revised) agreement are the following:

- 3.1 *The draft agreement binds the WCBS as employer, PSA members, as well as non-PSA members who fall within the following departments:*
- *Transport*
  - *Processing*
  - *Donor Collections / Clinic (this includes Paarl)*
  - *Worcester Donor Collections / Clinic, Processing and Blood Bank*
  - *George Donor Collections / Clinic, Processing and Blood Bank*
  - *Cape Metropole Blood Banks (this includes Paarl) staff that are on the “8 hour” arrangement.*
- *It is recorded that the current arrangement for those staff on the “6 hour” arrangement will remain unchanged, i.e. these 6-hour staff are “grandfathered”.*
- 4.1. *Staff in the above departments will be rostered to work as to best meet the operational requirements of WCBS on 24 hour / 7 days a week / 365 basis; as a result, staff will be rostered accordingly and will be required to be available for work on any day of the week including regular work on Public Holidays, Sundays and Night work.*
- 4.2. *These staff will be defined as **Shift workers**, specifically in areas where operations continue uninterrupted as defined in 4.1. or are required to be on call / standby to see to after hour operations.*
- 4.4.1 *Averaging of hours of work (BCEA section 12) - Staff will be required to achieve their target hours of 8 hours per day, shifts may be arranged as 6 / 8 / 10- and 12-hour shifts. As such this collective agreement allows for hours of work (ordinary and overtime) to be averaged over a 4month period. This arrangement will be in force for the same duration as this agreement.*

- 4.4.3.3. *Time off in lieu of overtime – overtime should be laid off at the “time” that the overtime would have been paid i.e. normal overtime – 60 minutes worked = 90 minutes laid off; Sunday overtime – 60 minutes worked = 120 minutes laid off. Ideally this time should be laid off in the month that it is worked but may be extended to a maximum of 3 months, whereupon it will be forfeited.*
- 4.4.7. *Leave (BCEA section 21 – 27) In areas where staff are regularly rostered to work on Saturdays and Sundays, or where they have off periods between shifts, they are required to submit pre-authorized leave for any planned periods of absence. This includes all planned leave types.*
- 4.4.7.1. *In terms of the agreement concluded in 2020 the annual leave balances were reviewed from working days to calendar days. It has become clear that intent of this agreement is not being realised. The affected staff are not working more than 21.67 / 24 days per month, are not submitting leave for calendar days, only working days. As such, leave for shift workers will no longer be allocated as calendar days and they will revert to working day annual leave entitlement and sick leave entitlement as per WCBS Policy PER-LO5 – Leave. Annual leave accrued (balances) as calendar leave will remain intact and further leave will be accrued as per PER-L05 (see attached LEAVE Policy)'*

**The PSA hereby calls on members to urgently submit their mandate via the PSA WCBS Secretary [nazmie@wcbs.org.za](mailto:nazmie@wcbs.org.za). The deadline for this mandate is Tuesday, 10 September 2024 at 16:00.**

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GENERAL MANAGER