



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

31-03-2025

Feedback: PHSDSBC meeting – 27 March 2025

The following agenda points were discussed:

Implementation: PHSDSBC Resolution 3/2019 Amendments to an Agreement on payment of annual statutory registration fees in respect of Health and Social Development Professionals

Labour raised concerns regarding non-compliance with the said agreement, which led to the deregistration of employees. The employer, however, apportioned the blame on statutory bodies, which led to the Council directing the Council Secretary to write letters to all five bodies and the report proven contrary to the employer assertion. Further, the employer indicated that some of these are historical deregistration and where there is wrong by the department, corrective measures shall ensue. Subsequently, parties agreed to have roadshows together with the bodies to ensure that this matter is resolved.

Standardisation of remuneration: Community Health Workers (CHW) - Department of Health

Labour had demanded to serve in the expert working groups (EWG), which was acceded to by the employer. Each union was requested to submit a name of representative. In the meeting, labour was not ready to submit the names and requested indulgence to submit by the end of the day.

Provision of uniform for Nurses in sector

Members are aware that parties deadlocked on the provision of nurses' uniform, which led to the engagement of facilitation process. At the heart of the matter was the standardisation of the uniforms and centralisation of procurement processes as labour complained about the quality of uniforms provided to nurses. Unfortunately, facilitation could not yield results as parties could not find each other. Subsequently, the employer presented a progress report in the meeting for all provinces, which showed that at least three provinces already awarded contracts to service providers. Labour rejected the report and reiterated that the employer must stop the process to allow the PSCBC process regarding standardisation of uniforms as per Resolution 2/2025 to be concluded. The employer indicated that it did not have a mandate and would consult its principals and report in the next meeting.

Levy increase proposal

Seeing that parties could not finalise their mandating processes regarding the conclusion of the Collective Agreement to increase the PHSDSBC levy increment, it was resolved that the current agreement be extended by three months. However, it was reported that such did not receive the majority signatures although parties committed to finalise their internal processes before the end of the month.

Amendment of Resolution 2/2004: Revised non-pensionable allowance referred to as rural allowance

Members are aware that the matter was tabled by labour upon discovering that the province of KwaZulu-Natal is not complying with the resolution. The employer undertook to engage colleagues from the KZN province to ensure compliance with the provisions of the resolution regarding non-pensionable allowance. To labour's surprise, in the meeting, the employer requested that the matter be removed from the agenda as it can be handled by the provincial chamber. Labour vehemently objected to the withdrawal of the item as the employer has not even bothered to take labour into confidence to report on the challenges or impediments for the province to comply with the resolution. The matter will thus remain on the agenda to ensure monitoring and allow the employer to properly engage with the province and report on the matter. The employer is to report in the next meeting.

Child and Youth Care Workers (CYCW) performing duties not within their scope

Members are aware that parties deadlocked, which led to the facilitation meeting. Unfortunately, parties could still not find each other as labour remained adamant that CYCW are not authorised to administer schedule 4 and 5 medication. Labour reserved their rights and will explore the way forward within legal framework.

Amendment: Resolution 4/2017 - Agreement on payment of special allowance and danger allowance

Members are aware that labour had tabled the matter to amend the said resolution to increase payment of danger allowance to R5 000. The employer initially undertook to engage with principals for a mandate, however, seeing that the employer was confused about the applicability of both PHSDSBC Resolution 4/2017 and PSCBC Resolution 4/2015, labour committed to table the draft agreement. In the meeting, labour presented the draft document. To its surprise, the employer responded that the matter does not fall within the competency of the Council but rather with the PSCBC. Upon further discussion, the employer undertook to seek a mandate from its principals and to report in the next DBC meeting.

Amendment of Resolution 2/2010: OSD for Therapeutic, Diagnostic and Allied Professionals

Members are aware that labour demanded the amendment of the said agreement to include categories that have are not benefiting including Therapeutic, Diagnostic and Allied Professionals. The employer reported that engagement with the DPSA is underway and once the report is received, the employer will be able to engage in the matter. Labour noted the report, urged the employer to prioritise the matter and will, however, wait for the DPSA's response.

Current Community Health Workers (CHWs) Contract of Employment

Members would recall that parties to Council did sign a Collective Agreement extending the lifespan of PHSDSBC Res 1 of 2018 for two consecutive terms.

This purpose for this extension was to afford parties the opportunity to conclude on the outstanding matters as per clause 5.5 of the agreement.

Clause 5.5 of the resolution stipulates that, " parties to ensure the development of Standard Operational Procedure for the recruitment, selection, appointment, placement, remuneration, skills development , dispute resolution , occupational health and safety processes and the absorption in the health system for CHWs and the subsequent process that may follow in line with policy framework and strategy for ward-based outreach .

The agreement lifespan has come to an end, while parties were considering further options another recognised union approached the labour court where it was ruled that contracts of employment for CHWs are deemed to be of an indefinite duration. The labour court judgement echoed the long-held position that the department should employ the CHWs permanently. In this meeting, the employer reported that it is still considering the impact and the implementation of the court order although labour maintained that CHWs must be appointed permanently and that the labour court judgement vindicated labour in their ruling. Members will be advised of further developments in this matter as we are aware that national department of health issued instruction to all provinces to extend the contracts of the CHWs for one year to allow them to receive their stipend until a way forward is established. The PSA shall diligently monitor the process to ensure that CHWs interests and rights are advanced.

Salary disparities: Forensic Pathology Managers

Members would recall that the PSA tabled the matter upon receiving complaints from members that Forensic Pathology Managers are not paid equally across the health sector and called upon the employer to ensure that equal work for equal pay is ensured. Although the employer acknowledged the disparities, it provided an unacceptable explanation attributing the disparity to the size of facilities without referring to any approved document for categorisation of facilities as well as job evaluation results. The employer had promised to reflect on the matter and report in the next DBC, however, in the meeting, the employer requested indulgence and requested that the matter be deferred to the next meeting owing to the unavailability of the expert. Labour noted the request and urged the employer to prioritise the matter and ensure that documents and the report will be provided prior to the meeting to allow for proper preparation and engagement.

Status: Professionalisation of Community Development Practice (CDP)

Community Development Practitioners in terms of section 14A and 28(2)(g) of the *Social Services Professions Act*. The employer reported that the Regulations, which outline the roles of the Minister of Social Development, and the South African Council for Social Service Professions (SACSSP) have been approved and *gazetted*. The SACSSP thus should develop voters rolls by identifying eligible CDPs to facilitate the nomination and election of the board members. The composition of the Board is, however, still pending, which upon constituted, will deal issues such as regulation of CDPs training, qualifications, registration, and ethical conduct. In the meeting, the employer reported that the process was underway although the expert was not available to answer labour's questions to labour's disappointment. The employer promised to do its best to avail the expert in the next meeting.

Employees who want to join the PSA can visit the PSA's website, send an email to ask@psa.co.za, or contact PSA Provincial Offices.

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