

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

21-09-2023

## Update: PHSDSBC

### Child and Youth Care Workers

The PSA received numerous complaints from Child and Youth Care Workers who are forced to perform functions that do not fall within their registered scope of practice. Their terms and conditions are regulated by various pieces of legislation and subsequent collective agreements, which require them to be registered with the South African Council for Social Service Professions (SACSSP). The PSA brought this matter to the attention of the employer as early as June, but unfortunately, the PSA did not receive any response from Social Development. The PSA tabled this matter at the level of the Council to resolve the matter amicably.

During the discussion at the Special Council meeting on 20 September 2023, it was evident that the employer did not respond to the concerns raised by the PSA. Labour demands that the Department of Social Development should issue a circular that indicates that these workers are not supposed to act outside its scope of practice as it should have legal implications for the employer and Child and Youth Care Workers acting contrary to legislation. Failure by the employer to issue such a circular will result in reporting the matter to the Council for Social Workers and subsequently requesting an investigation into the matter.

### Provision of uniform: Review: Uniform Allowance - Nurses

Members will recall that an agreement that regulates the provision of uniforms was signed and subsequently replaced the Uniform Allowance. The objective of the agreement is to:

- Convert the current amount allocated for uniform allowance for nurses to a provision of uniform.
- Provide uniforms for nurses in public health and social development.

The employer, however, proposes that the implementation date for the provision of the uniform should be extended to 1 September 2024. Unfortunately, the employer is not ready to provide uniforms and labour is demanding that the allowance should be paid to all eligible categories until the employer can provide uniforms to all eligible employees.

During the meeting on 20 September 2023, the employer pronounced that it is willing to pay a once-off amount of R3 153.11 by 30 November 2023.

Labour proposes a protection clause to secure the uniform allowance in the event the employer is not ready to provide the uniform by 1 September 2024.

Members are requested to provide a mandate to accept or reject the draft agreement on the provision of uniforms (*attached*). Mandates should be sent to the PSA Chief Negotiator at [jannie.oosthuizen@psa.co.za](mailto:jannie.oosthuizen@psa.co.za) through the respective PSA Provincial Offices by **28 September 2023**.

Members will be updated on developments.

Reuben Maleka  
GENERAL MANAGER



# PHSDSBC

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Public Health and Social Development  
Sectoral Bargaining Council

**RESOLUTION \_\_\_\_ OF 2023**

**AMENDMENT OF RESOLUTION 01 OF 2022: AGREEMENT ON THE PROVISION  
OF UNIFORM FOR NURSES IN THE PUBLIC HEALTH AND SOCIAL  
DEVELOPMENT SECTOR**

**1. NOTING**

1.1. Parties signed PHSDSBC Resolution 01 of 2023: Agreement on the Provision of Uniform for Nurses in the Public Health and Social Development Sector (“The Resolution”).

1.2. Clause 4.9 of The Resolution stipulates that:

*“Uniform allowance in terms of resolution 01 of 2005 shall cease to exist as of 31 March 2023”*

1.3. Clause 4.10 of The Resolution stipulates that:

*“The provisions of this agreement shall take effect from 01 October 2023”.*

1.4. Furthermore, Clause 5.2 provides for the amendment of The Resolution if such amendment is in writing and agreed upon by both parties to Council as a resolution of Council.

1.5. The employer is not in the position to implement The Resolution as per the initial the date of implementation which 01 October 2023.

**2. OBJECTIVES**

2.1. To extend The Resolution and amend Clauses 4.9 and 4.10.

**3. SCOPE**

This agreement binds the following parties:

3.1. the State as Employer;

3.2. Trade Unions that are admitted to the Council and their members; and

3.3. employees of the Employer who are not members of any Trade Union party to this agreement, but who fall within the registered scope of the Council.

**4. THEREFORE, PARTIES AGREE AS FOLLOWS:**

4.1. The Resolution is extended to 01 September 2024.

4.2. Clause 4.9 of The Resolution is amended as follows:

“A once-off uniform allowance of R3153.11 shall be paid to all qualifying nurses by 30 November 2023”.

4.3. Clause 4.10 of The Resolution is amended as follows:

“The provisions of this agreement, other than 4.2 above, shall take effect from 01 September 2024.

4.4 In the event that the Employer is unable to provide the Uniforms as per clause 4.3, the Uniform Allowance shall continue, taking into account the applicable inflation rate annually as pronounced by National Treasury in February.

**5. INTERPRETATION AND APPLICATION**

5.1. In the event of any conflict between the provisions of this agreement and any other agreement of the Council pertaining to the content of this agreement, the provisions of this agreement shall take precedence.

5.2. No amendments to this agreement shall be of force or effect unless reduced to writing and agreed to by both parties to the Council, as a resolution of Council.

**6. IMPLEMENTATION OF THE AGREEMENT**

Subsequent to this agreement enjoying majority signature, the implementation date shall be as per clause 4.3.

**7. DISPUTE RESOLUTION PROCEDURE**

Should there be a dispute regarding the interpretation and application of this agreement, any party may refer such dispute to the Council, which will be dealt with in terms of the dispute procedure of the Council.

**THUS, DONE AND SIGNED AT CENTURION ON THIS THE.... DAY OF ..... 2023.**

<b>ON BEHALF OF STATE AS EMPLOYER</b>			
<b>STATE AS THE EMPLOYER</b>	<b>NAME</b>	<b>SIGNATURE</b>	<b>DATE</b>
	<b>WHO WARRANTS THAT S/HE IS DULY AUTHORISED</b>		

<b>ON BEHALF OF ADMITTED TRADE UNIONS</b>			
<b>TRADE UNION</b>	<b>NAME</b>	<b>SIGNATURE</b>	<b>DATE</b>

NEHAWU			
	<b>WHO WARRANTS THAT S/HE IS DULY AUTHORISED</b>		
PSA			
	<b>WHO WARRANTS THAT S/HE IS DULY AUTHORISED</b>		
DENOSA			
	<b>WHO WARRANTS THAT S/HE IS DULY AUTHORISED</b>		
HOSPERSA			
	<b>WHO WARRANTS THAT S/HE IS DULY AUTHORISED</b>		
NUPSAW			
	<b>WHO WARRANTS THAT S/HE IS DULY AUTHORISED</b>		