

RESOLUTION NO 2 OF 2009

AGREEMENT ON THE IMPLEMENTATION OF AN OCCUPATION SPECIFIC DISPENSATION (OSD) FOR  
CORRECTIONAL SERVICES OFFICIALS

1. PURPOSE

This agreement gives effect to clause 4.1 of the PSCBC Resolution 1 of 2007 in providing an Occupation Specific Dispensation (OSD) for Correctional Officials.

2. DEFINITIONS

**"Department"** means the Department of Correctional Services referred to in Schedule 1 of the Public Service Act, 1994 (as amended).

**"Employees"** means persons employed by the Department in terms of the Correctional Services Act, 1998 and persons employed in terms of the Public Service Act, 1994 (as amended).

**"Centre Based Correctional Official"** means all categories of employees, based at Correctional Centres and Social Reintegration Offices and include all other employees who fall under the establishment of the Correctional Centre, working 45 hours per week.

**"Non-Centre Based Correctional Official"** means all categories of employees, not referred to as centre-based correctional officials, working 40 hours per week.

**"Correctional Centres"** means a correctional centre as defined in the Correctional Services Amendment Act, 2008

**"Correctional Official"** means persons employed in terms of the Correctional Services Act, 1998.

3. OBJECTIVES

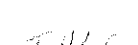
3.1 To introduce an Occupational Specific Dispensation (OSD) for Centre Based and Non-Centre Based Correctional Officials that provides for-

3.1.1 a unique salary structure;

3.1.2 career-pathing opportunities based on competencies, experience, performance and scope of work;

3.1.3 pay progression;

3.1.4 grade progression based on performance;



- 3.1.5 recognition of appropriate experience;
- 3.1.6 increased competencies;
- 3.1.7 protection of current compensation;
- 3.1.8 the introduction of differentiated salary scales for different categories of Correctional Officials;
- 3.1.9 The introduction of 45-hour work week for the implementation of OSD and the implementation of a 7-day establishment/ shift system for Centre Based Correctional Officials.
- 3.10 The appointment of new recruits as learners.

#### 4. SCOPE

- 4.1 Subject to clause 4.2 this agreement binds –
  - 4.1.1 the Employer;
  - 4.1.2 the employees of the employer who are members of trade union parties to this agreement; and
  - 4.1.3 the employees of the employer who are not members of trade union parties to this agreement, but who fall within the registered scope of the Council.
- 4.2 The agreement is not applicable to the following categories of officials employed by the department -
  - 4.2.1 Support staff employed in terms of the Public Service Act, 1994, as amended;
  - 4.2.2 Employees covered by other OSD referred to in PSCBC Resolution 1 of 2007; and
  - 4.2.3 Members of the Senior Management Service.

#### 5. EDUCATORS WITHIN THE DEPARTMENT OF CORRECTIONAL SERVICES

- 5.1 Parties agree to extend the ELRC Collective Agreement 1/2008 to the occupational class of Educators within the Department of Correctional Services.
- 5.2 The Agreement will regulate the implementation of the Occupational Specific Dispensation for Educators within the Department.
- 5.3 The implementation of the above agreement will be backdated to 1 January 2008.

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6. IN RESPECT OF CENTRE BASED AND NON-CENTRE BASED CORRECTIONAL OFFICIALS, PARTIES AGREE TO THE FOLLOWING:

6.1 TRANSLATION MEASURES

6.1.1 Centre Based and Non Centre Based Correctional Officials, as defined in this agreement shall translate to the OSD, which shall provide for the following:

(1) **Unique Remuneration Structure**

The introduction of a unique remuneration structure, with 3% increments between the notches.

(2) **Differentiated Dispensation**

Differentiated salary structures for Centre Based and Non-Centre Based Correctional Officials attached as **Annexure A1** (Centre Based), and **Annexure A2** (Non-Centre Based) and as summarized hereunder:

No	WORK STREAM	OSD BAND	OCCUPATIONAL GROUPS INCLUDED
	A	B	C
1	Learners	As per learnership contract.	<ul style="list-style-type: none"> <li>Student Correctional Officer</li> </ul>
2	Security Stream (Centre Based)	CB 1	<ul style="list-style-type: none"> <li>Security Officer Grade III, II and I,</li> </ul>
		CB 2	<ul style="list-style-type: none"> <li>Specialised Security Officer Grade II and I</li> </ul>
3	Corrections Stream (Centre based)	CB 1	<ul style="list-style-type: none"> <li>Case Officers Grade III, II and I</li> <li>Social Re-Integration Officers Grade III, II and I</li> </ul>
		CB 2	<ul style="list-style-type: none"> <li>Specialised Case Officer, Grade II and I</li> <li>Specialised Re integration Officer, Grade II and I</li> </ul>
		CB 3	<ul style="list-style-type: none"> <li>Case Management Supervisor Grade II and I</li> <li>Senior Re-integration Officer Grade II and I</li> </ul>
4	Management of Correctional Centres (Centre based)	CB 4	<ul style="list-style-type: none"> <li>Security Manager</li> <li>Reintegration Manager</li> <li>Unit Manager</li> <li>Head of Correctional Centre (Small Centre)</li> <li>Head of Community Corrections (Small)</li> </ul>

No	WORK STREAM	OSD BAND	OCCUPATIONAL GROUPS INCLUDED
	A	B	C
			CB 5
		CB 6	<ul style="list-style-type: none"> <li>Centre Coordinator (Large Centre)</li> <li>Head of Correctional Centre (Large Centre)</li> <li>Head of Community Corrections (Large Centre)</li> </ul>
5	Parole Board Clerks and Correctional Policy Administrators (Non-Centre based)	NCB 1	<ul style="list-style-type: none"> <li>Correctional Administration Officers Grade III, II and I</li> <li>Parole Board Clerks Grade III, II and I</li> </ul>
6	Senior Correctional Administration Officer and Parole Board Secretary (Non-Centre based)	NCB 2	<ul style="list-style-type: none"> <li>Senior Correctional Administration Officer</li> <li>Parole Board Secretary</li> </ul>
7	Assistant Director Correctional Policy Administrator (Non-Centre based)	NCB 3	<ul style="list-style-type: none"> <li>Assistant Director Correctional Policy Administrator</li> </ul>
8	Deputy Director Correctional Policy Administrator (Non-Centre based)	NCB 4	<ul style="list-style-type: none"> <li>Deputy Director Correctional Policy Administrator</li> </ul>

- (3) Centre Based Correctional Officials shall translate to the appropriate salary scales in accordance with **Annexure B1**.
- (4) Non-Centre Based Correctional Officials shall translate to the appropriate salary scales in accordance with **Annexure B2**.

## 7. TRANSLATION MEASURES FOR CORRECTIONAL OFFICIALS – PHASE 1

- 7.1 Translation to the OSD for correctional officials shall be subject to the following principles:
  - 7.1.1 the employee must be an incumbent in the post and;
  - 7.1.2 must be performing the functions of the post (job).
- 7.2 Correctional officials shall translate to the appropriate salary scales in accordance with the posts that they currently occupy.
- 7.3 Translation measures to facilitate translation from the existing dispensation to the appropriate salary scales attached to the OSD are based on the following principles:
  - 7.3.1 No person shall receive a salary (notch or package) that is less than what he/she received prior to the implementation of the OSD; and
  - 7.3.2 A minimum translation will be implemented to the appropriate salary scale attached to the posts (and grades in respect of production levels). As contained in Annexure B1 and B2.
  - 7.3.3 Employees who are translated to total cost packages, shall have their benefits protected (employees shall not be worse off).

## 8. PAY PROGRESSION

- 8.1 Biennial pay progression of 3% shall apply on condition that the relevant employee has maintained a satisfactory level of performance as set out in the performance management system of the department that shall be applicable at the time when such employee becomes eligible for pay progression.
- 8.2 Biennial pay progression shall be awarded to Centre Based Correctional Officials and to Non-Centre Based Correctional Officials with effect from 1 July of the year in which the employee has complied with the prescribed requirements for such pay progression.
- 8.3 The 1<sup>st</sup> annual pay progression cycle for Centre Based Correctional Officials and Non-Centre Based Correctional Officials in terms of this OSD shall commence on 1 April 2009 and shall run until 31 March 2011; therefore the awarding of the first pay progression in terms of this OSD shall be 1 July 2011.



## 9. IMPROVEMENT IN CAREER PATHS

- 9.1 Career path is improved through the introduction of a set of salary grades attached to the posts in identified categories.
- 9.2 The salary grades provide for longer career progression opportunities, as part of the defined career path.
- 9.3 The OSD also provides for career paths that facilitate progression to other work streams, subject to the requirements and conditions for such progression.

## 10. GRADE PROGRESSION

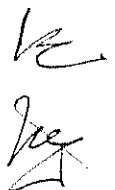
The creation of posts at production and identified supervisory levels allows for a single post to be linked to more than one salary grade (scale) to facilitate grade progression.

## 11. RECOGNITION OF EXPERIENCE – PHASE 2

- 11.1 With effect from 1 April 2010, the recalculation of salary notch position shall be based on DCS experience as at 30 June 2009 based on years of experience obtained in addition to the experience required for appointment on that level. The recalculation of salary notch will be limited to officials in the production levels (current salary levels 3-8)
- 11.2 Translation of experience shall be recognized as 1 notch for every 5 years worked, calculated from the date of employment in DCS based on the new notch of the OSD.
- 11.3 The employer shall introduce a basis for salary recognition for relevant experience on appointment for employees who are appointed from outside the public service in production posts.

## 12. ENROLMENT OF NEW CENTRE BASED RECRUITS AS LEARNERS

- 12.1 All Learners at entry level in production who are required to undergo basic training shall be appointed in terms of a Learnership employment contract as envisaged by Section 18(2) of the Skills Development Act for the duration of the Learnership. The conditions of service and remuneration will be determined in accordance with the Sectoral Determination for Learnership made by the Minister of Labour in terms of Section 55(1) read with section 18(4) of the Skills Development Act, with effect from 1 July 2009.
- 12.2 Current ring-fenced Student Correctional Officials shall retain their current conditions of employment and upon completion of the training programme, shall translate to the first notch of the OSD for full time employment. No recognition of experience shall apply to these employees
- 12.3 Organisational rights agreement of the Department of Correctional Services will be applicable to Learners.



**13. INTRODUCTION OF 45 HOUR WORK WEEK AND 7-DAY ESTABLISHMENT**

- 13.1 All Centre Based Correctional Officials shall be translated to the 45 hour work week, with effect from 1 July 2009.
- 13.2 The Department shall introduce a 7-day establishment for correctional facilities with effect from 1 July 2009.
- 13.3 The Department shall develop 7-day establishment models taking into consideration institution- specific needs.

**14. COMPENSATION FOR EXTENSION OF IMPLEMENTATION DATE OF DISPENSATION**

A once-off amount of R7500.00 shall be paid to all correctional officials covered in this agreement that were in the employ of the department as at 1 July 2008, with effect from the date of signing of this agreement in lieu of the non-implementation of the OSD as per the PSCBC Resolution 1 of 2007.

**15. APPOINTMENT MEASURES FOR NEW APPOINTEES**

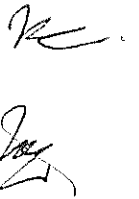
- 15.1 New appointees in non custodial posts, who are non centre based and who provide general support services to the core business of the Department shall be appointed in terms of the Public Service Act and their conditions of service shall be regulated by the said Act.
- 15.2 the Employee must meet the appointment requirements of the job(i.e. possessing the relevant qualification(s) , prescribed years of experience, etc.

**16. MEASURES APPLICABLE TO THE MIGRATION OF CORRECTIONAL OFFICIALS**

- 16.1 Non- Centre Based Correctional Officials at current salary level 3-7 will be given a choice to migrate to correctional centres where operational needs exist and shall be placed and translated to the OSD for Centre Based Correctional Officials.
- 16.2 All other non-Centre based Correctional Officials will be given a choice to migrate to correctional centres subject to the availability - and complying with the appointment requirements of the vacant post.
- 16.3 Non- Centre Based employees who choose not to migrate to the centre based work streams will retain their benefits and appointment status under the Correctional Services Act as amended.
- 16.4 Centre Based Correctional Officials who choose to migrate to the non- centre based work streams will on transfer translate to a salary notch applicable to the non- centre based work stream and will not retain the salary earned in terms of the 45 hour work week.
- 16.5 Appointment to a higher post shall be in accordance with departmental appointment requirements.

**17. OVERTIME**

Overtime will be compensated in terms of PSCBC Resolution 1/2007 beyond 45 hours for those who are Centre Based and beyond 40 hours for those who are Non Centre Based.



18. DATE OF IMPLEMENTATION

This Agreement shall take effect on the following dates:


PAR	PROVISION	DATE
18.1	OSD for Centre- Based and Non- Centre Based Correctional Officials	1 <sup>st</sup> day of the month following the signing of this resolution
18.2	Recognition of experience for Centre- Based and Non- Centre Based Correctional Officials	1 April 2010
18.3	45 Hour Work Week and 7-day establishment	1 July 2009
18.4	Once-off payment of R7500 in lieu of the non-implementation of the OSD from 1 July 2008 to 30 June 2009.	On the signing of this resolution.

19. DISPUTE RESOLUTION



Should there be a dispute about the interpretation or application of this agreement any party may refer the matter to the Council for resolution in terms of the dispute resolution procedure of the Council.

This was done at Centurion on this 26<sup>th</sup> day of JUNE 2009

ON BEHALF OF THE EMPLOYER PARTY

	Name	Signature
State as employer	T. M. SIKO	

ON BEHALF OF TRADE UNION PARTIES

TRADE UNION	NAME	SIGNATURE
NEHAWU	CLEMENT MARUPE	
POPCRU	UNATHI KA THELESA	
PSA		