

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

27-10-2023

Feedback: Public Health and Social Development Sectoral Bargaining Council

Feedback: Community Health Workers (CHWs)

Members would recall that parties to the Council signed a collective agreement extending the lifespan of PHSDSBC Resolution 1/2018 for two consecutive terms and also extended it for another three-year term. The extension was necessary to allow parties to conclude on outstanding matters as per clause 5.5. Clause 5.5 of the Resolution stipulates that parties are 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.

Labour raised concerns regarding the ongoing extension of these contracts without securing permanent employment for CHWs. Labour committed to table a draft collective agreement for engagement on 3 November 2023 at the level of the Task Team to engage constructively on this long-outstanding item to comply with clause 5.5 of PHSDSBC Resolution 1/2018.

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. Child and Youth Care Workers' terms and conditions are regulated through 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 the Department of Social Development. The PSA tabled this matter at the level of the Council to resolve the matter amicably. During the discussion at Council, the PSA provided background and explained that Child and Youth Care Workers are expected to administer schedule-4 and -5 medication and escort children to outside facilities. These responsibilities do not fall within their ambit and pose a significant risk to this cohort of workers and the children under their supervision.

The PSA, once again, raised a serious concern as this practice cannot be continued as it may have dire consequences for employees if something happens to those children whilst performing duties that they are not allowed to do.

The employer agreed to conduct an audit in all provinces. Once the outcome of the audit is available, a report will be provided. The employer will also issue a circular to confirm such an audit process to establish what functions Child and Youth Care workers are performing and if these are in compliance with the statutory Council scope of practice.

The PSA requested that interim measures should be considered from the employer's side to safeguard these employees. Unfortunately, the employer was not able to respond. The PSA advises Child and Youth Care workers that they should only do functions as per their scope of practice as outlined in the SACSSP gazette.

Token of appreciation: Draft agreement

The outbreak of COVID-19 brought about unprecedented challenges to government services, particularly in the Health and Social Development Sector. Despite these challenges, frontline workers continued to demonstrate their commitment to fighting the pandemic to assist government to meet its mandate and responsibility. Frontline workers lost out on a lot of their resting and family time in the line of duty because of their dedication, continued service, and ensuring that service delivery was not interrupted during the pandemic. The objective of this agreement is to provide a token of appreciation for all qualifying frontline employees who provided services during the COVID-19 pandemic.

As previously reported, the token of appreciation was subjected to a negotiation process last year. A draft collective agreement was tabled for parties to engage. Numerous engagements took place, and the employer tabled a counterproposal of two days' special leave. Labour rejected the proposal and tabled a counterproposal of five days' special leave. The employer conceded to labour's proposal of five days' special leave to all qualifying employees as per the *attached* agreement. The employer also agreed to the additional categories as identified in Annexure A.

Labour furthermore proposed an additional clause that all employees who were deployed as part of COVID-19 outreach teams during the pandemic and whose categories are not part of Annexure A shall also qualify. This is a victory for labour as the employer conceded to these additional categories as presented and indicated that it is willing to sign the agreement.

Mandate request

Members are, however, requested to provide the PSA's Chief Negotiator (jannie.oosthuizen@psa.co.za) with a **mandate** to accept the agreement on the token of appreciation to the front-line workers as per Annexure "A" on or **before 10 November 2023** through their respective PSA Provincial Structures.

Members will be informed of developments.

Reuben Maleka
GENERAL MANAGER