

FOR PSA MEMBERS: **PUBLIC SERVICE COORDINATING BARGAINING COUNCIL (PSCBC)**

28-03-2024

Feedback: Public Service Coordinating Bargaining Council (PSCBC) – 26 March 2024

Draft Minimum Service Level Agreement (MSLA) in the Public Service

On 6 December 2023, the employer tabled a draft MSLA document to manage strike actions in all components and departments which are declared essential services. The document proposed that at least 20% of employees must participate in strike actions and 80% must work. Labour objected to such a proposal and maintained that the MSLA must be implemented according to the circumstances of each sector and institution such as health, education, and police. On 28 February 2024, the Essential Service Committee (ESC) informed the council that the matter was long overdue, and they were ready to declare the MSLA on departments which are designated to be essential services. The ESC advised the council that they should first develop a framework which will guide various sectors to draft their MSLA to manage strike actions according to their circumstances. Parties were given two months to develop the framework. On 26 March 2024, the Council agreed to develop a timetable within two months to draft a framework and engage various sectors to draft their own MSLA. The matter is to be reported at the next council meeting.

Spousal Benefit Increase

Labour tabled the item at the beginning of 2023. Labour requested the employer to consider increasing the spousal benefit from 50% to 75%. On 6 December 2023, the employer indicated that it was going to cost government R94,5 billion should they agree to increase the spousal benefit for both active members and members on pension. The employer indicated that the proposal was unaffordable. On 26 March 2024, the GEPF maintained that they could not afford the proposed increase. Labour noted and indicated that they would consult their principals and revert to the Council at the next meeting.

Draft Agreement: Picketing rules for public servants

On 6 December 2023, the employer requested labour to provide inputs on the draft picketing rules for the entire Public Service. The draft aimed to develop standard picketing rules for all sectors of the public service in the event strike action is planned. Labour maintained that the picketing rules should be applicable per sector and not a general standard rule for all sectors. On 26 March 2024, labour indicated that they were still consulting their principals and would report at the next Council meeting.

Subsidised vehicle restrictions prejudiced employees

Labour tabled the matter at the beginning of 2023. Labour indicated that most employees were disadvantaged and penalised during the Covid-19 period. Most of the employees who owned subsidised vehicles were unable to travel and meet their targeted kilometres. As a result, the PSA requested that the employer not penalise them, as they could not meet their obligations due to natural disasters. On 6 December 2023, the employer indicated that the matter must be raised with the Head of Departments (HODs) for each department. The HODs are delegated to address such issues in their respective departments. Labour noted the response and indicated they will engage their principals for further mandate on the matter and consult with the HODs of those affected departments. On 26 March 2024, labour was still engaging its principals and various affected departments and would provide feedback at the next Council meeting.

Review of PSCBC Resolution 7 of 2015 (clause 4,5,6,5,3)

Labour tabled the matter at the beginning of 2023. Labour indicated that the employees who resigned and were dismissed from the Public Service forfeited their housing savings, which was deemed to be unfair. On 6 December 2023, the employer objected to the proposal to amend clause 4.5.6.3. Labour noted the response and indicated that it would consult its principals for further mandate. On 26 March 2024, Labour indicated they are still considering other avenues to challenge the decision and will provide feedback at the next Council meeting.

Outstanding Grade Progression

Labour raised a concern that there were employees whose grade progression was not implemented. The employer requested that the list of affected employees be submitted through the Secretary of the Council. The employer committed to process all the outstanding grade progressions. Members who qualified for grade progression are requested to submit their particulars to the Chief Negotiator Peter Mngomezulu at peter.mngomezulu@psa.co.za by **15 April 2024**.

Review of the GPSSBC scope-include entities and State-Owned Enterprises

It was reported that the Council wrote to the PSCBC and requested that its scope be extended. They requested that 251 state entities and state-owned enterprises fall under its jurisdiction. It was indicated that the PSCBC solicited the services of the attorneys to process the documents and provide a legal opinion in that regard. Feedback from PSCBC will be provided at the next Council meeting.

Draft wage negotiation protocols

On 6 December 2023, the employer tabled a new draft agreement to align wage negotiations with the budget planning of the government. Labour was requested to seek a mandate on the draft agreement. On 19 February 2024, a workstream was responsible for the administration of the implementation of the outstanding collective agreements. The workstream recommended that instead of drafting a new collective agreement, parties amend the existing Resolution 4 of 2017 which facilitated the wage negotiations protocols. They recommended that the salary negotiation timetable be included in Resolution 4 of 2017. The parties agreed to circulate the draft amended resolution for inputs and mandate.

Settlement agreement: NEHAWU and other unions

During the 2023/2024 salary negotiations, NEHAWU signed a settlement agreement with the employer outside the Council processes. The settlement was mainly to reopen the 2022/2023 salary negotiations which were concluded and implemented accordingly. The employer withdrew from the settlement agreement as they maintained that they responded to the demands tabled by NEHAWU. The Council in

2023 agreed that the matter was closed. NEHAWU lodged a court application with the Labour Court and the court issued an Order that the settlement was legitimate. On 26 March 2024, NEHAWU tabled the matter at the Council. The PSA, SADTU, HOSPERSA AND NAPTOSA objected to the matter being entertained and recused themselves from the discussions. They maintained that the settlement cannot be the subject matter of the Council since it was signed outside the Council meeting and the 2022/2023 salary negotiations were closed.

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