

**PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL (PSCBC)****REPORT NO 15 OF 2018****31 OCTOBER 2018**

WE can report that the Public Service Co-ordinating Bargaining Council (PSCBC) met on 24 October 2018 and the following matters were discussed:

**Consultation on Border Management Agency – Oshoek Border Post, O.R. Tambo International and Cape Town Harbour**

We requested the employer to have a special Council meeting to deal with this matter. We also asked the employer to stop the roll out of the Border Management Agency initiatives pilot project, as we were never consulted on the matter. The employer agreed to the special Council meeting and we asked that the employer put it in writing that he will stop the pilot project.

**Department of Public Service and Administration: Incorrect Taxation**

Some employees were incorrectly taxed when salary adjustments were being implemented and the employer wants to recover the monies from these employees by the end of November. We requested the employer to provide us with a department's breakdown of the employees who are affected. We further requested the employer to provide us with a report of its investigation before it can start to deduct the monies from our members. The employer promised to provide the requested information within 14 days.

**Education Labour Relations Council (ELRC) – Confirmation of Scope as Certified by the Registrar of Labour**

We requested a further opportunity to finalize our mandating processes on this matter.

**Draft Policy on Recognition of Prior Learning for the Public Service**

We indicated that we still need to get direction from our principals on the draft policy.

**Public Submissions: Foreign Services Draft Bill**

In the previous meeting we agreed that the Department International Relations and Cooperation be invited to make a presentation on proposed changes to the bill. The secretariat reported that the department was invited but was not available on the day however they will make a presentation on 20 November 2018.

**Government Employees Pension Fund (GEPF) – Rule of Change on Rotation of Trustees**

The secretariat reported that the GEPF will not change the rule on rotation of trustees.

**Implementation: Public Service Regulations**

The employer promised to provide feedback in the next Council meeting on 20 November 2018.

**Applicability: Section 198B – Fixed Term Contracts**

We are of the view that section 198B is applicable to the public service while the employer argues that it is not applicable. We proposed that we must conclude an agreement on this matter as in the education sector this section is applicable. The employer proposed that we have a seminar on this matter and Secretariat will arrange the seminar.

**Provision on PERSAL to Enable Implementation of Tax Act Provisions**

The employer indicated that the process would be administratively cumbersome as a result it cannot create a code on PERSAL. We tried to convince the employer to create the code and the employer indicated that it will relook into this matter but does not promised anything. The employer will report back in the next Council meeting of 20 November 2018.

**PSCBC Resolution 2 of 2015: Clause 9 Bursary Scheme**

We requested time to look at the report that the employer presented in the last Council meeting.

**PROVINCIAL HOSPERSA OFFICES**

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**PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL (PSCBC)****REPORT NO 15 OF 2018****26 OCTOBER 2018****PSCBC Resolution 1 of 2018: Clause 5.2.1 – Temporary Incapacity Leave**

Secretariat reported that it has consulted Council attorneys who indicated that this matter cannot be appealed as two different judges provided two different judgments on the cases that have the same facts. Council will write to Judge President to provide some direction on the different judgments made at the Labour Court.

**Implementation of PSCBC Resolution 1 of 2018, Adjustment and Improvement on Conditions of Service in the Public Service for 2018/2019, 2019/2020 and 2020/2021: Clause 8 – Outstanding Matters – Previous Resolutions:****• Clause 8.1.1 – Resolution 3 of 2009**

In the previous Council meeting the employer indicated that it is still busy with its internal processes of sourcing a mandate on this matter. In this Council meeting the employer indicated that it is not ready to respond on this matter and requested that the matter be dealt with in the next Council meeting.

**• Clause 8.1.2 – Resolution 4 of 2015 (Clause 4.1.4) and Clause 8.1.3 – Resolution 5 of 2015 (Clause 3)**

The Secretariat reported that the General Public Service Sector

Bargaining Council is still discussing the issue of additional categories for danger allowance. While in the Public Health and Social Development Sectoral Bargaining Council, and Safety and Security Sectoral Bargaining Council the matter has been tabled but parties are not in agreement. Secretariat indicated that these two sector Councils have been informed to submit their lists of additional categories to Council so there can be further engagements on the lists.

**Clause 7 – Comprehensive Danger Insurance**

We indicated that we have gone through the proposed term of reference and we do not agree with three clauses that indicated that the current danger allowance money that employees gets will be used for the comprehensive danger insurance. We further indicated that the employees should continue to get the danger allowance and the employer pay for the comprehensive danger insurance. The employer indicated that it will respond on the next Council meeting.

We will keep members updated on all latest development.

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