



## PUBLIC HEALTH AND SOCIAL DEVELOPMENT SECTORAL BARGAINING COUNCIL SPECIAL CHAMBER MEETING

### REPORT 02 OF 2024

On 01 August 2024, representatives from HOSPERSA participated in a Provincial Chamber meeting of the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC) held in the Gauteng Province.

The topics addressed during the meeting are outlined below:

#### MULTILATERAL TASK TEAM REPORT – DEPARTMENT OF HEALTH (DoH):

**MULTILATERAL TASK TEAM REPORT – DEPARTMENT OF SOCIAL DEVELOPMENT (DSD):**  
Two reports for June 2024 and July 2024 were presented, main topics discussed:

PMDS 2020/2021 – Employer indicated that a memorandum for payment of pay progression has been signed and ready for implementation, employer submitted that the item be removed from the agenda.

#### DRAFT CHAMBER POLICIES:

**DEPARTMENT OF SOCIAL DEVELOPMENT (DSD) COMMUNICATION POLICY:** policy thoroughly deliberated at the Multilateral Task Team (MTT), and a motion passed for adoption by parties.

Following policies were presented and still to be discussed at the Multilateral Task Team:

- Recruitment Policy
- Policy on official Working Hours
- Overtime Policy
- Recruitment & Selection Policy
- Resettlement Policy
- Special Leave Policy

#### HEALTH:

Following policies were presented to chamber and a motion passed for adoption by parties:

- Commuted Overtime Policy
- Grievance and Procedures Policy
- Recruitment & Selection Policy

#### REALIGNMENT OF THE ORGANIZATIONAL STRUCTURE – DSD

No report received from employer.

#### GAUTENG DEPARTMENT OF HEALTH (GDoH) ORGANISATIONAL STRUCTURE

The special multilateral meeting could not proceed on the 18th of June 2024 due to a council webinar that was scheduled for the same date.

The parties agreed to discuss the item in the special multilateral meeting to be held on 22 July 2024.

- The employer is to extend the invitation to the Human

### 04 SEPTEMBER 2024

Resource (HR) Managers of Tembisa, Kalafong and Helen Joseph hospitals.

- Organized labour to extend the invitation to the branch representatives of the three tertiary hospitals. Two representatives per union.

The matter remains on the agenda for further deliberations.

#### NON-COMPLIANCE WITH PROVINCIAL CIRCULAR 5 OF 2019 AND SECTION 14 OF THE BCEA FOR STAFF WORKING MORE THAN 160 HRS PER MONTH:

The employer did not have a written report and is still in consultation with other institutions to check compliance. Organized labour expressed their dissatisfaction with the lack of urgency from employer and stated that they will engage the office of the Head of Department (HOD) regarding the efficacy of the meeting.

The matter remains on the agenda for further deliberations.

#### CHAMBER TASK TEAM REPORT ON IMPLEMENTATION OF PHSDSBC SIGNED RESOLUTIONS:

#### PHSDSBC RESOLUTIONS NO. 3 OF 2007; NO. 3 OF 2009; & NO. 2 OF 2010.

Below Presentation was submitted by employer:

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**Northern Cape** (053-842-2001)

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**Limpopo** (015-295-3272)  
**North-West** (018-462-3692)

**Gauteng** (011-791-2243)  
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Grade progression for Professional Nurses was implemented in accordance with PHSDSBC Resolution No. 3 of 2007.

- Accelerated grade progression for Professional Nurse General Grade1, Nursing Assistant Grade1, Staff Nurse Grade1 was aligned with above average performance (rating of 4) with a combination of 5 years actual service appropriate/recognizable post-registration General Nursing experience.
- The implementation date was effective from 01 April following the date on which the official met all the requirements.
- In the case where an official reaches 5 years of service but has 3 ratings of 4 (above average) grade progression was implemented as soon as the official accumulate a 4th rating of 4.
- Accelerated Grade progression for Professional Nurse Grade1 Specialty: A combination of 9 years actual service and/or appropriate/recognizable experience in General Nursing, 5 years of this period is actual service as Professional Nurse Grade1 (Specialty Nursing) after obtaining the relevant 1 year post basic qualification.
- Average performance for grade progression of Professional Nurse requires a period of 14 years actual service and/or appropriate/recognizable post registration experience in General Nursing. At least 10 years of this period must be appropriate/ recognizable

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experience after obtaining 1 year Post basic qualification. This was accompanied by the Performance Management and Development System (PMDS) rating of 3.

- The Grade progression of Medical Officer Grade 2: Above Average Performance: grade progression was implemented in line with PHSDSBC Resolution 3 of 2009, which requires a combination of 3 years actual service and/or recognizable experience after registration with Health Professions Council of South Africa (HPCSA) as Medical Practitioner. PMDS rating of 4. It was implemented on the 1st day of the month following the date on which the official met all the requirements.

#### **Challenges:**

- Most Medical Officers do not comply with Performance Management and Development System policy which affects the implementation of grade progression as they do not meet all the set requirements of PHSDSBC Resolution 3 of 2009.
- The inconsistency of implementing grade progression by different institutions. Some institutions do not require PMDS when implementing grade progression on average performance. The employees expect the same incorrect practice to be implemented in all institutions.
- Delay in implementing grade progression in time for Nurses due to late submission of

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PMDS. As a result, the institution carries a lot of accruals on the budget

It was reported that the custodian of the item could not attend the meeting due to family commitments. However, a progress report was presented by a representative from the Department of Health.

#### **Decision:**

It was resolved that the matter be kept for further discussions in the next meeting.

#### **MONITORING OF THE PHSDSBC RESOLUTION 3 OF 2019 – AGREEMENT ON THE PAYMENT OF STATUTORY DEDUCTION**

The progress report was presented by the Department of Health and the Department of Social Development.

Department of Social Development presented that they have complied with all payments as expected and no challenges were encountered except for the Child and Youth Care Workers that were de-registered and the matter is being discussed at the Multilateral Forum Meeting.

The Chairperson requested that employer give a brief report on the de-registered child and youth care workers matter that is being discussed in the Multilateral Forum Meeting. A brief description was presented of the de-registration of Child and Youth Care Workers. It was presented that the matter was discussed lengthily, and that progress was achieved on the matter at that forum. It was agreed that the matter would remain on the agenda and that further discussions to continue in the Multilateral Forum.

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### DEPARTMENT OF HEALTH

presented the report covering the registration of Health Professions Council of South Africa (HPCSA), and the challenges encountered were highlighted in the report and the main challenge was the double deductions by the Council. It was reported that they were not aware that they must include other councils such as South African Nursing Council (SANC) and South African Council for Social Service Professions (SACSSP) as they had reported previously. However, the other councils will be incorporated into the report to be submitted to the Chamber.

A request was raised that the Task Team should consider including the other categories of professionals in the Department that are not included in the statutory deductions as they have raised that concern of not being included.

The parties agreed to only focus on the professionals that are mentioned in the collective agreement of statutory deduction.

### MONITORING OF PHSDSBC RESOLUTION 2 OF 2023- AGREEMENT ON TOKEN OF APPRECIATION

Both Departments issued a Circular to all staff and Gauteng Department of Social Development (GDSD) had a MS Teams meeting with HR practitioners at Entities. All employees were encouraged to apply.

#### Decision

It was agreed that Employees must be encouraged on leave management and that employer must issue constant reminders to all employees before the cut-off date.

### PHSDSBC RESOLUTION 01 OF 2023 UNIFORM ALLOWANCE FOR NURSES

Employers canvassed labour to support the removal of this resolution from the Task Team (TT) as the implementation of the resolution relies with the Council at national Level.

Organized Labour raised that with the failure of the Council to implement the resolution, there may be a need for employers to pay uniform allowance awaiting implementation of the resolution including the outstanding for 2023.

#### Decision:

Parties agreed to remove the resolution from the agenda of the TT until guidance/clarity is provided by the Council.

### COLLECTIVE AGREEMENT OF THE GENERAL ADMINISTRATIVE REGULATIONS 6 & 7 OF THE OHS ACT 85 OF 1993 AS AMENDED:

Employer made a brief presentation on the need for establishment of a policy document regulating the implementation of the regulations in the Department of Health, the regulations deal with the appointment of OHS Reps, training and other functions related to safety reps.

Parties unanimously agreed that this matter be deferred to the Multilateral task Team for further deliberations.

### INSTITUTIONAL REALIGNMENT PROJECT – DSD:

Employer proposed that this item be removed from the agenda as they already issued a circular recalling the implementation of the IRP, further that the MTT had agreed on the removal of the item from the agenda.

Organized Labour raised that employer is two-faced in dealing with the matter as they submit in the chamber that the process is halted, whilst the HOD as the principal of employer indicated during the DSD Strategic Planning of the Department that IRP was on the priority list of the Department.

The agreement at the MTT to remove the item from the agenda was conditional in that employer will desist completely from implementation of the IRP.

#### Decision:

As parties could not agree on the matter, the Chairperson of Chamber ruled on the matter as follows: matter remains on the agenda and that the representative of employer is to seek a mandate from their principals on the future of the item in the Chamber.

### UNBEARABLE WORKING CONDITIONS FOR CHW'S:

Employer submitted a comprehensive report with following highlights:

- Uniform
- Danger allowance for Counsellors in Correctional Facilities
- Supervision of CHW's
- Two Modes of Transport
- Water & Sanitation
- Safety
- CHW's compelled to work shifts
- Unsafe vehicles
- Ill-treatment in Municipal Facilities
- Scope of practice
- Management of test kits and condoms.

All the above issues are receiving attention at the branch multilateral

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and a final report will be submitted once negotiations have been concluded.

The report was noted by Organized Labour and item kept on the agenda to monitor progress.

#### **DE-REGISTRATION OF CHILD AND YOUTH CARE WORKERS:**

Employer presented a list at the MTT of all affected Child & Youth Care Workers who did not have qualifications, further indicated that there would be a mass meeting with Organized Labour and the affected categories, and that Chamber Secretariat would be notified once the meeting is confirmed. Organized Labour noted the report and requested that the list be presented at the mass meeting.

The matter remains on the agenda to monitor progress.

#### **VERIFICATION IN GDoH:**

Employer had no report to present Employer to provide outcome of campaign project in the next multilateral meeting. Organized labour stated that this item will form part of the discussions with the Head of Department (HOD). Item to remain on the agenda to monitor progress.

#### **MERGER OF LUCKHOFF CYC AND EMMASDAL CYC ON IMPLEMENTATION OF SANDF SUBSTANCE ABUSE PROGRAM:**

The employer submitted that what is contained in the document of the Luckhoff & Emmasdal merger was a guideline and not final, and that they were open to listening to the concerns of Organized Labour on the matter.

In its response, Organized Labour requested that the process be

started afresh and for employer to include us right from the beginning of the process and not invite us when decisions have already been taken. We further indicated that we would not move until the document is redrafted to accommodate Organized Labour and its members. Matter kept on the agenda to monitor progress.

#### **INSOURCING OF LAUNDRY & GARDEN WORK SERVICES WITHIN THE DEPARTMENT OF SOCIAL DEVELOPMENT ENTITIES:**

New proposed agenda item submitted by Organized (Nupsaw) Labour for discussions at chamber.

- This agenda item seeks to provide a comprehensive legislative mechanism to bring an end to these problems and challenges, brought about by the outsourcing of services and functions provided by government and to provide for insourcing of services that are required on a regular basis by the organs of state.
- The aim of the item is for parties to arrive at an agreement and see the development of a Policy document outlining the approach, the timeline, the project plan and the implementation strategy of insourcing GDSD laundry and garden workers. This will be bunch marked with how municipalities implemented their insourcing.

Matter deferred to the Multilateral Task Team for further deliberations.

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