

RESOLUTION NO. 7 OF 1998**IMPROVEMENT PLAN FOR 1998/99**

Parties to Council AGREE as follows:

1. Objective

The objective of this agreement is to improve salaries and other conditions of service for employees in the public service for 1998/1999.

2. Application

This agreement applies to the employer and to all employees

2.1 who are employed by the employer, and

2.2 who fall within the registered scope of the PSCBC.

3. Salary improvements for 1998/99

3.1 The employer shall provide salary increases as provided in Appendix 1, except for employees who:-

3.1.1 remain on a salary scale that applied before July 1, 1996; and/or

3.1.2 are defined as being part of the management echelon.

3.2 The employer shall increase salaries according to paragraph 3.1 from July 1, 1998.

3.3 In light of the investigation undertaken on job evaluation, pay and grading in the public service, excluding education, the employer agrees to fund a similar investigation for the educator sector. This process

3.3.1 shall commence, under the auspices of the Education Labour Relations Council, within 30 days from date of signing this agreement, and

3.3.2 submit the final report to the PSCBC within four months.

3.4 The parties to Council agree that the funds set out in Appendix 1, referred to in paragraph 3.1, shall constitute the amount set aside for salary increases for 1998/1999.

4. Sectoral requirements

4.1 The employer shall set aside R200 million to be allocated to the sectoral councils and the South African National Defence Force (SANDF) for transformatory measures not covered by other sections of this agreement.

4.2 The amount referred to at paragraph 4.1 shall be allocated as follows:-

4.2.1 the Education Labour Relations Council shall receive R140 million;

- 4.2.2 the National Negotiating Forum shall receive R30 million;
- 4.2.3 the Health and the Public Administration Sector Councils, when established, shall receive R10 million each; and
- 4.2.4 the South African National Defence Force (SANDF) shall receive R10 million.
- 4.3 Prior to the employer allocating the amount referred to at paragraph 4.2, the sectoral councils must:-
 - 4.3.1 conclude an agreement on how the funds will be used in the sector; and
 - 4.3.2 submit this agreement to the Council for the purposes of record keeping.
- 4.4 The employer shall inform the Council of how the SANDF expects to utilise the funds received under paragraph 4.2.4.

5. Training

- 5.1 A sectoral council of the PSCBC shall establish a Skills Development Committee to design a training plan for the sector by December 1998.
- 5.2 The employer shall provide R5 million for costs incurred during the development of sectoral training plans.
- 5.3 The PSCBC shall establish a committee with equal representation of employee and employer parties, which shall:-
 - 5.3.1 allocate the funds referred to in paragraph 5.2 between sectors;
 - 5.3.2 oversee the development and co-ordination of a sectoral training plan; and
 - 5.3.3 participate in the establishment of the Public Service Education and Training Authority (PSETA) and related research projects.
- 5.4 When the PSCBC has approved a sectoral training plan, the employer shall provide the funds needed to implement the plan.

6. Skills, service delivery and personnel audit

- 6.1 The parties to the PSCBC agree to initiate and oversee a skills audit in the Public Service with the view to match service delivery with personnel and skills requirements.
- 6.2 The PSCBC shall appoint a committee with equal representation for employee and employer representatives, which shall:-
 - 6.2.1 identify specific departments, provincial administration and/or sectors of the public service as priorities for an audit;
 - 6.2.2 agree on who should manage an audit for a particular sector, province or department in order to ensure appropriate and efficient completion of the audit;
 - 6.2.3 if necessary, hire consultants or other experts to assist with an audit; and
 - 6.2.4 oversee the implementation of an audit and report regularly on its progress to the PSCBC.
- 6.3 An audit under this agreement shall determine, for the public service or a section of the public service:-
 - 6.3.1 the number of employees within the registered scope of the PSCBC;
 - 6.3.2 existing and improved mechanisms for service delivery;

- 6.3.3 employee skills relative to the skills needed to improve service delivery;
- 6.3.4 existing skills not needed to improve service delivery;

- 6.3.5 components with redundancies and components that need more positions;
- 6.3.6 skills development needed to equip employees to perform necessary work;
and
- 6.3.7 mechanisms to redeploy employees in redundant positions to jobs needed to improve service delivery.

- 6.4 Decisions on the conduct of audits shall take into account work already done by departments, provinces or sectors.
- 6.5 This agreement does not affect collective agreements concluded on work organisation, redeployment and/or staff levels in departments, provinces or sectors; Provided that a party to Council may request a review of a process undertaken at a department or province.
- 6.6 The employer shall provide funding to conduct an audit.
- 6.7 The final audit reports shall be submitted to Council for consideration and adoption.
- 6.8 Any retrenchment initiative arising as a result of the audit reports referred to in paragraph 6.7 above shall be conducted in accordance with the relevant legislation and legal principles.

7. Pension funds

- 7.1 The parties agree that the GEPF shall increase the pensionable years of service or implement other measures for employees disadvantaged by past racial or gender discrimination related to pensions:-
 - 7.1.1 using the funds provided under paragraph 7.2, and
 - 7.1.2 subject to agreement in the PSCBC on specific measures.
- 7.2 To fund the improvements under paragraph 7.1, the GEPF will reduce the funding level by the lesser of:-
 - 7.2.1 1 per cent, or
 - 7.2.2 the amount needed to increase to actual service the pensionable service of former general assistants who;
 - a) are now permanent employees of the employer,
 - b) had a stable and continuous employment relationship in the public service for at least a year immediately before they became permanent employees, and
 - c) due to past measures that discriminated on the basis of race , were employed as casual employees and therefore did not belong to a government pension fund.
- 7.3 The employer shall not reimburse the GEPF for the reduction in the funding level resulting from this agreement.
- 7.4 The Pensions Task Team shall make proposals on the allocation of funds between relevant groups no later than November 1, 1998. The proposals from the Task Team shall:-
 - 7.4.1 cost no more than the funds foreseen in paragraph 7.2, and

- 7.4.2 in that context, take into account the current needs of the different groups affected by past discrimination.

8. Dispute resolution

- 8.1 Any dispute about the interpretation or application of this agreement shall be referred to the PSCBC for resolution in terms of the dispute resolution procedure of the PSCBC.
- 8.2 If a panel of arbitrators as specified in the agreement on dispute resolution procedures does not yet exist, the PSCBC shall appoint a private conciliator and/or a committee of three arbitrators, who will operate in accordance with the agreement on dispute resolution.

9. Date of implementation

This agreement shall, in respect of parties and non-parties to the PSCBC, come into effect on the date it is signed in Council.

10. General provision

- 10.1 In the event of a conflict between any provision of this agreement and a provision of any earlier agreement of the PSCBC, the Central Chamber of the Public Service, and/or a negotiating forum that was/is responsible for negotiations in the Public Service before the establishment of the PSCBC, the provision of this agreement shall apply.
- 10.2 This agreement determines the funds set aside to improve salary grades and other conditions of service for 1998/9.

11. Definitions

For the purposes of this agreement:-

- 11.1 "CCMA" means the Commission for Conciliation, Mediation and Arbitration;
- 11.2 "Council" means the Public Service Co-ordinating Bargaining Council;
- 11.3 "employee" means the employee of the employer;
- 11.4 "employer" means the State as employer falling within the registered scope of the Council;
- 11.5 "GEPF" means the Government Employees Pension Fund as set out in the Government Employees Pension Law, 1996;
- 11.6 "management echelon" means the employees of the employer that are at salary levels 13 to 16, but excluding those employees who are identified as professionals; and
- 11.6 "sectoral council" means a sectoral council established in terms of section 37 of the Labour Relations Act, No. 66 of 1995.