



**COLLECTIVE AGREEMENT
NUMBER NO 3 OF 2009**

JULY 2009

**IMPLEMENTATION OF AN INTERIM
MEASURE FOR EDUCATION
SPECIALISTS
(THERAPISTS AND PSYCHOLOGISTS)
EMPLOYED IN PUBLIC EDUCATION**

EDUCATION LABOUR RELATIONS COUNCIL

COLLECTIVE AGREEMENT NO 3 OF 2009

IMPLEMENTATION OF AN INTERIM MEASURE FOR EDUCATION SPECIALISTS (THERAPISTS AND PSYCHOLOGISTS) EMPLOYED IN PUBLIC EDUCATION

1. PURPOSE OF THIS AGREEMENT

The purpose of this agreement is to provide a directive for the implementation of an interim measure for Education Specialists (Therapists and Psychologists) employed in Public Education.

2. SCOPE OF THIS AGREEMENT

This agreement applies to and binds:

2.1 The employer, and

2.2 All the employees appointed as Therapists and Psychologists, employed in terms of the Employment of Educators Act, 1998 (as amended) whether such employees are members of trade union parties to this agreement or not. These categories of employees must also be registered with the Health Professional Council of South Africa (HPCSA).

3. THE PARTIES TO COUNCIL NOTE AS FOLLOWS:

3.1 PSCBC Resolution 1 of 2007 at paragraph 4.14.2.3 states that the revised salary structure (OSD) for all Educator Specialists – Counsellors, Therapists and Psychologists shall be implemented with effect from 1 April 2008 and paragraph 4.14.1.4 states that the OSD for the same occupations employed in Public Health and Social Development Sector to be implemented with effect from 01 July 2009.

3.2 There is no separate designation for the category of Counsellor on PERSAL. Counsellors would either be appointed as teachers or psychologists.

3.3 The finalization of the OSD for Educator Specialists with effect from 1 April 2008 could not be met as the process is dependent on the finalization of the OSD for Psychologists and Therapist by the Public Health and Social Development Sector as these occupational classes are more common within that Sector.

- 3.4 Labour has expressed concern that personnel in these occupations have an expectation.

4. THE PARTIES TO COUNCIL THEREFORE AGREE AS FOLLOWS:

- 4.1 To revise the effective date for the implementation of the OSD for Educator Specialists (Therapists and Psychologists) to 1 July 2009 to align with paragraph 4.14.1.4 of PSCBC Resolution 1 of 2007.
- 4.2 To provide an across- the- board once- off payment for qualifying Educator Specialists (Therapists and Psychologists) on their current annual salary notch (basic salary). This will cover the period of 15 months (1 April 2008 - 30 June 2009), as compensation for the shifting of the date of implementation in terms of PSCBC Resolution 1 of 2007.
- 4.3 Qualifying Educator Specialists (Psychologists and Therapists) shall receive a maximum of 4% of their annual notch as a lump sum non pensionable payment. To qualify, Educator Specialists must have been in service on 1 July 2009. Pro rata payments will be made to Educator Specialists who entered the service after 1 April 2008.
- 4.4 Noting that the qualifying Educator Specialists would have been entitled to salary or grade progression on 1 July 2008. Those Educator Specialists (Therapists and Psychologists) who did not receive their progression for 2008 will have to be considered for salary or grade progression before the application of the 4% as agreed in paragraph 4.3 of this Agreement.
- 4.5 All future salary progressions shall be replaced by the proposed OSD as envisaged for Educator Specialists.
- 4.6 That the Public Health and Social Development Sector be responsible for the finalization of the OSD for all Therapists and Psychologists appointed and employed by State Departments.

5. DATE OF IMPLEMENTATION

The provisions of this Agreement shall take effect on the date of signing.

6. DISPUTE RESOLUTION

Any dispute about the interpretation or application of this agreement shall be resolved in terms of the dispute resolution procedure of the Council.

3
Handwritten signature and initials


7. DEFINITIONS

- 7.1 "Council" means the ELRC.
- 7.2 "OSD" means the Occupational Specific Dispensation
- 7.3 "Educator Specialists" refer to Therapists and Psychologists employed in Public Education and registered with the Health Professional Council of South Africa.


8. SIGNING OF THE AGREEMENT

Thus done and signed at Johannesburg on the 14th day of August 2009 by:

ON BEHALF OF THE STATE AS EMPLOYER

DEPARTMENT	DESIGNATION	SIGNATURE
EDUCATION	D. Huddle	

ON BEHALF OF THE EMPLOYEE PARTIES

TRADE UNION	NAME	SIGNATURE
CTU-SADTU	M.S. Maluleke	
CTU-SAOU	H. Hensricks	