

EDUCATION LABOUR RELATIONS COUNCIL

**RESOLUTION NO.5 OF 2000**

**PSCBC LEVIES AND ALLOCATION  
OF FUNDS TO THE ELRC**



*MA* *[Signature]* *[Signature]*  
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# EDUCATION LABOUR RELATIONS COUNCIL

RESOLUTION No. 5 of 2000.

## **PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL (PSCBC) LEVIES AND ALLOCATION OF FUNDS TO THE EDUCATION LABOUR RELATIONS COUNCIL (ELRC)**

### **Parties to Council note:**


- (a) The PSCBC Resolution No. 2 of 1998 which provides for a joint contribution by the employer and its employees to finance the expenditure of the PSCBC and Sectoral Bargaining Council at Schedule 1 clause (1).
- (b) The PSCBC Resolution No. 2 of 1998, at clause 2(3), which provides for a Sectoral Council, that had concluded a levy agreement prior to the conclusion of the levy agreement at the PSCBC, to enter into an agreement with the PSCBC regarding the contribution that the Sectoral Council will make to finance the expenditure of the PSCBC.
- (c) Resolution No. 2 of 1998 of the ELRC.
- (d) The PSCBC Resolution No. 2 of 2000 which deals with the allocation of funds to Sectoral Bargaining Councils and related matters.

### **Parties to Council therefore agree:**

- 1. That the General Secretary of Council is mandated to sign PSCBC resolution No. 2 of 2000 on behalf of Council.

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2. That the General Secretary of Council, in consultation with the Executive Committee and the Auditors of Council, shall develop and conclude an agreement with the PSCBC in terms of :

2.1 Clause 2(3) of PSCBC resolution No. 2 of 1998; and

2.2 PSCBC resolution No. 2 of 2000.

3. That the agreement, as contemplated at paragraph 2 above, must provide for, amongst others:

3.1 ELRC levy contribution to the PSCBC for the period 01 July 1998 to 31 May 2000;

3.2 PSCBC contributions to the ELRC for the period 01 July 1998 to 31 May 2000 with regard to:

(a) salary package of personnel;

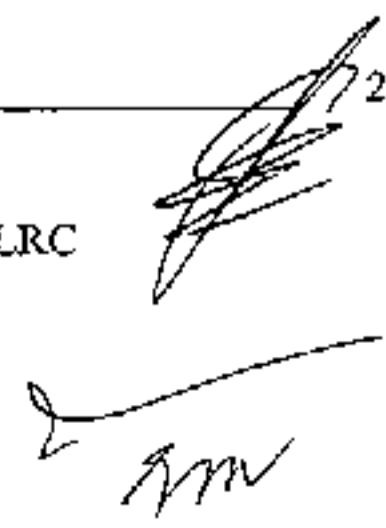
(b) administration costs at 15% of contribution; and

(c) dispute resolution cost calculated on the basis of the provisions of the PSCBC Panellist Fee Policy.

3.3 The transfer of funds between the ELRC and PSCBC from 01 June 2000 onwards.

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**4. ADOPTION AND DATE OF IMPLEMENTATION:**

4.1 The Resolutions, as contained in clauses 1 to 3 above, is adopted; and

4.2 That this Resolution shall take effect on the date that it is signed in Council.

**5. SCOPE OF THE AGREEMENT:**

This agreement applies to and shall bind:

5.1 the Employer; and

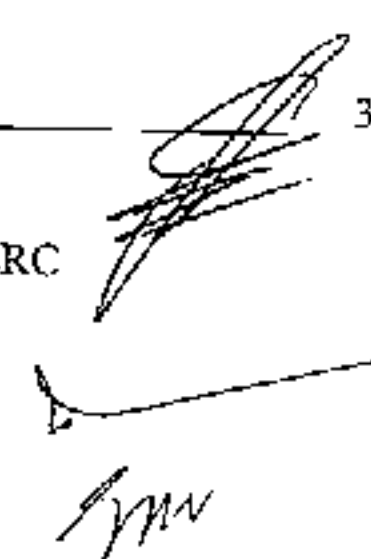
5.2 all the Employees of the Employer as defined in the Employment of Educators Act, 1998 (as amended) whether such employees are members of trade union parties to this agreement or not.

**6. DISPUTE RESOLUTION**

Any dispute arising from the provisioning of this agreement shall be referred to the Council for resolution.

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Thus done and signed at CENTURION on this the 19<sup>th</sup> day of APRIL 2000.

On behalf of the **STATE** as **EMPLOYER**

DEPARTMENT	NAME	SIGNATURE
Education	J. HENDON	[Signature]

on behalf of the **EMPLOYEE PARTIES**

TRADE UNION	NAME	SIGNATURE
SAOU	JC KLOPPER	[Signature]
NARTOS A	F.M. BIEVA	[Signature]
SAOU	Edwin M. Pillay	[Signature]

**PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL**

**RESOLUTION NO. 2 OF 2000**

**ALLOCATION OF FUNDS TO SECTORAL BARGAINING COUNCILS AND RELATED MATTERS**

*Parties to the PSCBC notes that,*

1. PSCBC Resolution 9 of 1998 designated the Public Health and Welfare Sectoral Bargaining Council,
2. PSCBC Resolution 10 of 1998 designated the General Public Service Sectoral Bargaining Council.
3. PSCBC Resolution 12 of 1998 designated the Safety and Security Sectoral Bargaining Council
4. The designation of the ELRC in terms of Schedule 7 item 20 (c) read with Section 37 (3) (b)
5. PSCBC Resolution 2 of 1998 provides for the Levy Agreement in particular Schedule 1 Clause (1)<sup>1</sup> and Clause 2 (3)<sup>2</sup>

*The parties therefore agrees:*

1. The Sectoral Councils GPSSBC, SSSBC, PHWSBC and ELRC will be funded by the PSCBC in terms of the following:

1.1 *Salary Package of Personnel*

- (a) The total salary package of staff establishment not exceeding five personnel.
- (b) The approved staff establishment per sectoral bargaining council is

- 1 Personal Assistant at salary level 1
- 1 Finance and Admin. Clerk at salary level 2
- 1 Dispute Resolution Officer at salary level 2
- 1 Dispute Resolution Manager at salary level 3
- 1 Secretary of Council at salary level 4

- (c) The salary packages are in terms of the PSCBC Conditions of Service Policy.

1. Schedule (1) Clause (1) provides for a joint contribution by the employer and its employees to finance the expenditure of PSCBC and any Sectoral Council.
2. Clause (2)(3) provided for a Sectoral Council that has concluded a levy agreement prior to the conclusion of the levy agreement at PSCBC, to enter into an agreement with Council regarding the contributions that the Sectoral Council will make to finance the expenditure of the Council.

- (d) The sectoral bargaining councils shall be responsible for the filling of their posts and subsequently for all personnel employed by the sectoral council.
- (e) The PSCBC shall be responsible for the payment of salaries to personnel employed in the sectoral bargaining councils, unless otherwise requested.
- (f) The funding of sectoral councils for personnel will only commence on the date of appointment of the individual employee and thereafter increase as the other employees of the sectoral councils are appointed.

1.2 *15% of contribution*

- (a) An amount equal to 15% of contribution received from employees and the employer of the specific sector shall be paid by PSCBC to Sectoral Bargaining Councils.
- (b) The monies to be used by the Sectoral Bargaining Councils for the efficient functioning of their council subject to an approved budget. The budget to be approved by the sectoral bargaining council concerned.
- (c) PSCBC will transfer these monies directly into the bank account of the sectoral bargaining council by the 15<sup>th</sup> day of each month.
- (d) The transfer of the amount, as per paragraph (a) above, shall commence on the 1<sup>st</sup> day of the month in which the sectoral bargaining council was established or on 01 July 1998, whichever is the latest, and will be transferred once the bank accounts of the relevant sectoral councils are opened.

1.3 *Dispute Resolution*

- (a) The PSCBC is responsible for the development, implementation and maintenance of a uniform electronic case management system for dispute resolution at both PSCBC and sectoral levels.
- (b) The PSCBC is responsible for the payment of contracted dispute resolution panellists for all the sectors. These payments shall be made in terms of the PSCBC Panellist Fee Policy.
- (c) The PSCBC shall re-imburse the ELRC and SSSBC (formally NNF) for dispute resolution costs incurred, with effect from 01 July 1998. The determination of the amount owing shall be calculated on the basis of the provisions of the PSCBC Panellist Fee Policy.

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(d) Sectoral Bargaining Councils shall be responsible for:

- (i) Receiving and processing disputes.
- (ii) Appointment of conciliators and arbitrators.
- (iii) Processing claims for payment by the PSCBC, in terms of the claims procedure of PSCBC Panellist Fee Policy.
- (iv) Keeping record of all cases and shall submit on a quarterly basis statistics to PSCBC.

## 2. AGREEMENT BETWEEN ELRC AND PSCBC

This resolution shall form the basis of an agreement between ELRC and the PSCBC, as contemplated in Clause 2(3) of resolution 2 of 1998 of the PSCBC.

## 3. ACCREDITATION

Noting the provisions of S127 of the Labour Relations Act, No.66 of 1995 and paragraph 1.3 (a) above, both Sectoral Bargaining Councils and PSCBC undertake to apply for accreditation simultaneously.

## 4. IMPLEMENTATION

The agreement comes into effect on the date it is signed in the PSCBC. The agreement will be reviewed by PSCBC in consultation with sectoral bargaining councils as the need arises.

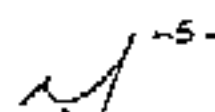
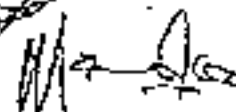
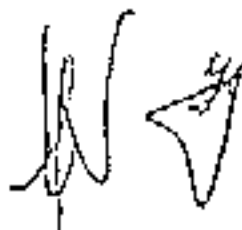
## 5. THIS AGREEMENT BINDS,

- (a) The parties to the PSCBC
- (b) The Sectoral Bargaining Councils

## 6. DISPUTE RESOLUTION

Any dispute arising from the provision of this resolution shall be referred to the EXCO of the PSCBC and the Exco of the relevant sectoral bargaining council for resolution.

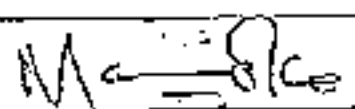
In the event of the dispute being unresolved, the PSCBC shall settle the matter at a Council Meeting.



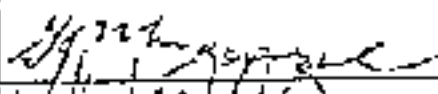
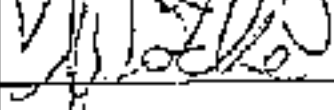

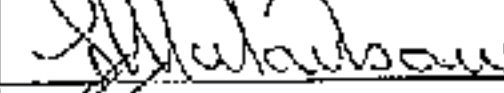
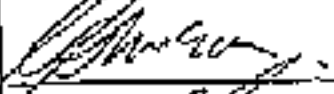


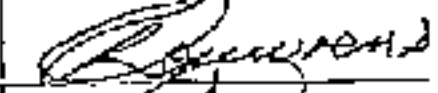



This done and signed at CENTURION on this the 26 day of FEBRUARY 2000

On behalf of the Employer

	NAME	SIGNATURE
STATE AS EMPLOYER	Mansio Nchube	

On behalf of trade union parties

TRADE UNION	NAME	SIGNATURE
DENOSA	T. MNGOMEZU	
HOSPERSA	A. Wöcke	
NAPTOSA		
NEHAWU	Professional Drivers	
NUPSAW	M. MATAITSAHE	
NWU	<del>M. M. M. M. M.</del>	<del></del>
PAWUSA	<del>N. PETERSEN</del>	<del></del>
POPCRU	B. P. H. KING	
PSA	J. A. LOUWRENS	
SADTU	V. M. MADISHA	
SAOU		
SAPU	T. PHETUKA	