



PHSDSBC

**PUBLIC HEALTH AND SOCIAL DEVELOPMENT
SECTORAL BARGAINING COUNCIL**

RESOLUTION 3 OF 2019: AMENDMENTS TO AN AGREEMENT ON
PAYMENT OF ANNUAL STATUTORY REGISTRATION FEES IN RESPECT
OF HEALTH AND SOCIAL DEVELOPMENT PROFESSIONALS

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1. NOTING

Parties have noted the provision in Basic Conditions of Employment Act No 75 of 1997 as amended in section 34(1) which states that no deductions may be effected from remuneration unless employee has consented in writing or the deduction is permitted in terms of a law, collective agreement, court order or arbitration award.

- 1.1. That most health and social service occupations are required to register with professional bodies as a requirement for appointment and practicing in the health and social development sector.
- 1.2. That the current situation is that the Health and Social Development departments have no system of monitoring whether professionals are paying their dues in respect of mandatory professional registration which has a potential of exposing clients to illegal practicing conducts.
- 1.3. That employees, statutory bodies and employers undertake to make effort to ensure expedient use of the system to avoid bottle necks arising from non-payment of statutory fees by employees appointed in health and social development sector.
- 1.4. Therefore, employees and the employer in the provinces must make efforts to address all challenges and so it is equally imperative for National department to do monitoring of any transversal matter, moreover that the statutory councils report to the Minister.
- 1.5. Parties understand that the creation of such a PERSAL bureau for National to access data from other Provincial PERSAL system will mitigate the risks and non-compliance that is being experienced to date.



2. OBJECTIVES

- 2.1. To introduce mandatory deductions of professional registration fees from salary of employees by PERSAL as required by the respective statutory professional bodies in the Health and Social Development Departments.
- 2.2. To assist in the monitoring of potential risks and compliance with registration requirement for appointment and practice as stipulated in the respective Statutory Professional bodies in the departments.
- 2.3. To provide the Employer a grace period prior to the deregistration of the employee due to reasons arising from system challenges.
- 2.4. To provide for the statutory bodies to accordingly amend the relevant provision in the regulations to cover any other circumstances that they may deem fit to maximise the realisation of the objective of this resolution.

3. SCOPE

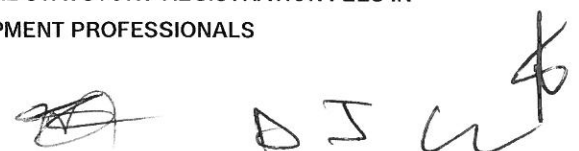
This agreement applies to the following parties:

- 3.1. Employer in the Departments of Health and Social Development and all its provincial Departments.
- 3.2. Employees who are members of the trade unions admitted to the Council, and who fall within the scope of the Council.
- 3.3. Employees who do not belong to a trade union, and who fall within the scope of the Council.

4. PARTIES THEREFORE AGREE AS FOLLOWS:

- 4.1. To introduce a payment mechanism for the registration fees by means of PERSAL for statutory bodies as mandatory in the health and social development sector.

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- 4.2. The Employer shall deduct the statutory registration fees of such employee in the health and social development sector by means of one-month deduction within such a year so registrable as required by the statutory body concerned and pay it over to relevant statutory body.
- 4.3. Deductions in respect of clause 4.2 shall be effected in October of every year on the salaries of employees.
- 4.4. No employee shall be held liable in the event that the Employer delays or fail to effect payments to the respective statutory bodies.
- 4.5. The employee shall notify the Employer one-month prior resignation to enable the Employer to effect necessary stoppage of the deduction upon termination of services in the health and social development sector.
- 4.6. The Council to notify the respective statutory bodies of the content of this collective agreement.

5. INTERPRETATION AND APPLICATION

- 5.1. In the event of any conflict between the provisions of this agreement and any other agreement of the Council pertaining to the content of this agreement, the provisions of this agreement shall take precedence.
- 5.2. No amendments to this agreement shall be of force or effect unless reduced to writing and agreed to by both parties to the Council as a Resolution of the Council.

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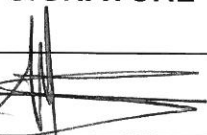
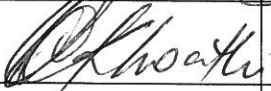
6. DISPUTE RESOLUTION PROCEDURE

- 6.1. Should there be a dispute regarding the interpretation and application of this agreement, any party may refer such dispute to the Council and will be dealt with in terms of the dispute procedure of the Council.

7. IMPLEMENTATION OF THE AGREEMENT

- 7.1. The provisions of this agreement shall take effect from date it attains the majority signature.
- 7.2. The implementation period for this agreement shall be for the year 2019.

THUS, DONE AND SIGNED AT CENTURION ON THIS 09 DAY OF SEPTEMBER 2019.

ON BEHALF OF STATE AS EMPLOYER			
	NAME	SIGNATURE	
STATE AS THE EMPLOYER	NDAILE NGAKE		9/09/2019
ON BEHALF OF ADMITTED TRADE UNIONS			
TRADE UNION	NAME	SIGNATURE	
NEHAWU	D. Mawisa		09/09/19
DENOSA	C. L. KHOATNI		9/9/19.
PSA			
HOSPERSA		N. Desbentins	19/09/19