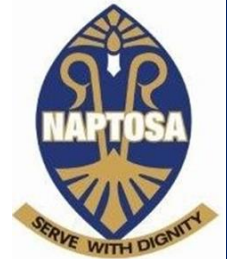


NATIONAL NEWS FLASH



SERVING EDUCATION SINCE 1904

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IMPORTANT CONDITIONS OF SERVICE ISSUES

We wish to bring the following important conditions of service issues to the attentions of members:

Teacher Comorbidities

ELRC Collective Agreement 1 of 2020 dealt with the concession process for employees with comorbidities in relation to the COVID-19 pandemic.

Despite some people wanting to interpret the Agreement as having lapsed when the country moved to Alert Level 1, there is, in NAPTOSA's view, no room for such an interpretation. According to the agreement, concessions granted in terms thereof will only be applicable for the duration of Alert Levels 3 and 2. There is no indication that the Agreement would lapse once Alert Level 1 is attained. The only question that needs to be answered is what Alert Level the country finds itself on at any particular stage to determine whether the concession provisions of Collective Agreement 1 of 2020 are applicable or not. We are currently on Alert Level 3. The fact that it is **adjusted** Alert Level 3 is irrelevant.

In discussions with the Department of Basic Education it appears as if they would be amenable to reinstating the comorbidity provisions now that we have reverted to Alert Level 3 and for concessions of employees who had previously successfully applied, to remain valid, while allowing those who had been unsuccessful, but whose situations might have changed, to re-apply along with any new first-time applicants.

This matter is being further explored in discussions with the Department, but it is imperative that the matter be finalized before teachers are expected to return to school, because to pile further stress and anxiety on this group of teachers will be unacceptable.

GEMS Subsidy Increase

The State as Employer probably feels emboldened by the questionable Labour Appeal Court judgement at the end of 2020, allowing the employer to walk away from implementing the salary

adjustment that was due on 1 April 2020, because they have now also failed to honour the adjustment of the GEMS subsidy with effect from 1 January 2021 as per PSCBC Resolution 2 of 2015.

As with the salary adjustment issue, the Employer has again followed the tactic of allowing the implementation date to slip by without informing employees or labour that they are not implementing the agreed adjustment. This is the most reprehensible treatment of one's own employees, considering that medical aid companies, including GEMS, have all announced membership contribution increases.

The employer is often quick to point out to employees their responsibilities under the Service Charter (PSCBC Resolution 1 of 2013). Maybe it is time they also start focusing on their own responsibilities in terms of the Charter, especially the recognition of the right of public servants to engage in collective bargaining and to implement conditions of service that fairly reward public servants. How hypocritical to give credence to collective bargaining, but to trample that right by failing to implement what has been agreed in this process and is rightfully owed to employees.

The matter is currently under discussion in the PSCBC and we hope for a speedy resolution.

1 April 2020 Salary Adjustment

NAPTOSA's NEC has resolved to continue the fight for the implementation of the above-mentioned salary adjustment that was due in terms of PSCBC Resolution 1 of 2018. As indicated above, we have serious reservations about the Labour Appeal Court's judgement in respect of this matter (see National News Flash 62 of 2020).

Together with the FEDUSA unions, we will be approaching the Constitutional Court for a reversal of the Labour Appeal Court judgement, because if the judgement is to stand, collective bargaining in the public service is all but dead and buried.

BASIL MANUEL
EXECUTIVE DIRECTOR