



FOR SERVICE WORKER EMPOWERMENT

COMPREHENSIVE REPORT ON OSD FOR MEDICAL OFFICERS, MEDICAL
SPECIALIST, DENTISTS, DENTAL SPECIALIST, PHARMACOLOGISTS,
PHARMACISTS AND EMMEGENCY CARE PRACTITIONERS

As provinces are by now aware from reports in the media the employer tabled and signed their final offer in the PHSDSBC on 30th June 2009. This offer must now be submitted to members of labour parties in Council to obtain mandates on whether labour should support - accept the employer's final offer. A copy of the draft agreement is attached for perusal by HOSPERSA structures in order to guide them to well informed consolidated mandates.

To bring Provinces up to date with how the processes up to 30th June 2009 unfolded and indicate HOSPERSA'S position throughout the negotiations, collective bargaining herewith give a short summery of each days engagement.

Principals of parties and the relevant ministers met at Birchwood on the 11th of June 2009 were a declaration was drafted that all OSDS must be concluded by 30th June 2009. The new dates for engagement were then set from the 24th June to the 30th June 2009. This declaration was confirmed in PSCBC resolution 2 of 2009.

On the 24th of June - the employer presented a revised offer and withdrew all previous offers. On the same day, the employer presented its model and afforded labour the opportunity to raise their concerns or to ask clarity seeking questions. This model included a two year phasing in process with effect from 1st July 2009, a payment a three percent once off non-pensionable allowance on basic salary as on 1 January 2009.

On the 26th of June 2009 - the employer reverted to labour on the clarity seeking questions and during this meeting HOSPERSA specifically raised the following issues;

- HOSPERSA cannot accept the employer's proposal as it did not agree to the payment of a ONCE BONUS IN LIEU of the employer not implementing the OSDS with effect from 1st of July 2008 as indicated in the PSCBC resolution 1 of 2007 clause 4. HOSPERSA'S argument was that principles of OSD did not make provision for a once off bonus to be paid.

- HOSPERSA also did not agree with the recognition of experience as from the 1st of April 2011.
- HOSPERSA was also not happy with the translation of registrars.
- Also the date of implementation as from 1st July 2009 could not be accepted by HOSPERSA.

25th Of June 2009 - Engagements continued and the following issues specifically addressed;

- Once off gratuity for non-implementation of OSD retrospective to 1st July 2008 – the once off bonus was categorically rejected by HOSPERSA.
- Extension of 10% annual non-pensionable lecturing allowance to EMS lecturers to other categories – labour proposal rejected by employer.
- Inclusion of “non-clinical in clauses 3.2, 3.3 and 4.1 employer agreed to include and also provide a definition for non-clinical.
- Recognition of experience for serving officials with effect from 1 July 2009 and not 1st April 2011.
- The date of implementation as from 1st July 2009 could not be accepted by HOSPERSA

29th June 2009 - further engagements took place on the issues of concern raised by labour. On conclusion of this day’s deliberations the employer undertook to revise the draft agreement based on labour inputs on the following areas.

- A higher percentage for once off bonus
- Adjusting the clause on recognition of experience to effect such recognition from 1st July 2009.
- That registrars will upon completion of each year of study move to the next higher notch
- Senior principal and chief medical officers who wish to specialise will retain their salaries if it is higher than the maximum of the package for registrars/Senior Registrars.
- Recognition of experience prior to compulsory registration for pharmacist assistants.

30 June 2009 – the employer came to Council with a cleaned up draft agreement and certain parts of the annexures. The employer then indicated that this is their final offer.

Labour then had the opportunity to indicate whether they support the employer or not. On conclusion of the meeting the employer signed the document and it is now up to labour to decide whether they want to sign or not.

Specific cognisance should be taken of the following clauses where the employer conceded to labour proposals – clause 1.4 inclusion of a definition for non-clinical, this is important as it now clarifies the categories to benefit from OSD.

- Clauses 3.2, 3.3 and 4.1 where non-clinical is included and also “part-time”

- Clause 4.1.11 ‘where recognition of experience for serving employees has been moved from 1st April 2011 to 1st July 2009, and a full explanation is given on minimum requirements. The bottom line is that serving employees can on recognition of experience move to a higher on implementation of the agreement. “This is an HOSPERSA victory”.
- Clauses 4.1.12.2 and 4.1.12.3 retention of salary by senior principal and medical officer on translation to registrar / senior registrar where their current packages are higher than the maximum of the package for registrar / senior registrar. This was again based on inputs by HOSPERSA. In the past, Provincial Health Departments applied this principle selectively; this clause now takes away such selective discretion.

HOSPERSA indicated that they were going for further mandates.