



PHSDSBC

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

PART-TIME PANELLIST AND INTERPRETERS FEE POLICY

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1. POLICY OBJECTIVE

- 1.1 The purpose of this document is to provide rules and guidelines for the payment of panellists and interpreters.

2. FEE STRUCTURE

- 2.1 A daily fee of R2 500.00 per day, is payable to the Council senior commissioners and level A commissioners for conducting hearings.
- 2.2 A daily fee of R2 400.00 per day, is payable to the Council level B commissioners for conducting hearings.
- 2.3 An allowance of R1 400.00 is payable to the senior commissioner, in the event is allocated senior commissioner work below:
- 2.3.1 In terms of section 137 of the Labour Relations Act, 66 of 1995;
- 2.3.2 Matters remitted back to the Council from the Labour Court; and
- 2.3.3 Transversal and complex matters that are allocated or where commissioner's submitted a motivation to the General Secretary, if the dispute is regarded complex. The motivation will be subjected for review and approval.
- 2.4 A daily fee of R696.00 per day, is payable to the Council interpreters for interpretation service in the hearings.
- 2.5 The following fees may be paid in addition to the daily fee for written rulings or awards made:
- 2.5.1 Jurisdictional ruling: R480.00
- 2.5.2 Condonation ruling: R480.00
- 2.5.3 Rescission ruling: R400.00
- 2.5.4 Arbitration award: R840.00
- 2.5.6 Default award: R390.00

2.6 No fees are payable for:

2.6.1 Settlement agreement

2.6.2 Outcome report

2.6.3 Postponement ruling

2.6.4 Quantification of award

2.6.5 Award to dismiss case due to the non-attendance of the applicant

2.7 Parking and toll fee costs relating to hearings confirmed by the Council may be claimed with the submission of the original receipt of such expenditure.

2.8 An amount of R 10.00 may be claimed for every CD submitted to the Council, as part of the record of proceedings. If the original proof of purchase for CD is attached to the claim when submitted, the Council will refund the amount, as per the proof of purchase.

3. ENTITLEMENT TO CLAIM

3.1 No claim shall be processed unless the following documentation is attached to the claim/invoice:

3.1.1 A signed copy of the outcome form, outcome report, settlement agreement, ruling, award (whichever is applicable);

3.1.2 A pre-printed attendance register signed by participants in the process; and

3.1.3 original parking/toll fee/CD slips (if claimed).

3.2 An electronic copy of the award/ruling, hand written notes, voice recordings and any other record of the proceedings must be submitted to the Council before payment is made.

4. PENALTY FOR LATE SUBMISSION OF AWARDS

4.1 Should a panellist fail to produce an outcome or award within the time periods prescribed in the contract of engagement, without extension being granted by the General Secretary to the Council, the following penalties will be applicable:



- 4.1.1 Day 15 to day 22 - 25% of the total claim will be deducted;
- 4.1.2 Day 23 to day 45 - 50% of the total claim will be deducted; and
- 4.1.3 Day 45 and more - 75% of the total claim will be deducted, furthermore, the contract may be cancelled.
- 4.2 Applications for the extension of the time frame to submit awards/rulings must be made to the General Secretary of the Council, at least two (2) working days before the expiry date for the submission of such award/ruling.

5. PENALTY FOR LATE SUBMISSION OF CLAIM FORMS / INVOICES

- 5.1 Should a panellist fail to submit a claim within ninety (90) days of completion of the hearing the following penalties shall apply, unless good cause is shown:
 - 5.1.1 Day 91 to day 119 - 25% of the total claim will be deducted;
 - 5.1.2 Day 120 to day 149 - 50% of the total claim will be deducted;
 - 5.1.3 Day 150 and onwards - date of payment will be at the discretion of the Council and 75% of the total claim will be deducted; and
 - 5.1.4 100% penalty will apply if the claim is older than a year.

6. CANCELLATIONS

- 6.1 The following shall apply to every postponement or cancellation of an event.
 - 6.1.1 A panellist shall have the discretion to charge up to 100% of his/her full fee for an event that has been confirmed, in writing, by the Council and where the event is cancelled/postponed within one (1) working day before the day set for the event.
 - 6.1.2 A panellist shall not be entitled to claim where the event is cancelled/postponed at his/her instance.
 - 6.1.3 Where a panellist obtains alternate Council work, resulting in no loss of income, he/she will waive the cancellation fee.



- 6.1.4 Where an event has been cancelled and a cancellation fee is claimable, the General Secretary may require a panellist to assist the Council in other dispute resolution related projects/functions. Refusal to assist shall disqualify the panellist from claiming a cancellation fee.

7. TRAVELLING RATE


- 7.1 When using their own vehicles to travel to Council events, panellists will be entitled to charge a flat rate per kilometre, as determined by SARS, when travelling more than (fifty) 50 kilometers from the area where they normally conduct their daily business/ practice.
- 7.2 The Council may from time to time determine the maximum kilometers to be travelled between towns/cities, for payment, in accordance with the acceptable standards for such.

8. HOTEL ACCOMMODATION, HIRED CARS AND FLIGHT BOOKINGS

- 8.1 In general panellists are required to make use of their own transport, but in exceptional circumstances a panellist may request the General Secretary of the Council to make bookings, relating to travelling and accommodation, for events scheduled.
- 8.2 All bookings, relating to travelling and accommodation, for events scheduled must be made by the Council.
- 8.3 All requests for accommodation, flight bookings or car hire must be submitted to the General Secretary of the Council within five (5) working days from the day the panellist received the notification of the hearing, unless the Council requires the panellist to attend a hearing on short notice.
- 8.4 The approval of any request made will be at the sole discretion of the General Secretary of the Council.
- 8.5 The General Secretary may recover wasted costs, with regard to accommodation, car hire or flight bookings, from the claims/invoices submitted.

9. GENERAL

- 9.1 Payment of fees for awards/rulings and others are subject to the approval by the General Secretary of the Council.
- 9.2 All awards and rulings will be subjected to quality control evaluation before payment is made.

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Mr Mpumelelo Sibiya

PHSDSBC: General Secretary

Date: 15/03/2017