

PHSDSBC

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

RESOLUTION 3 OF 2007

**AGREEMENT ON IMPLEMENTATION OF AN OCCUPATIONAL
SPECIFIC DISPENSATION (OSD) FOR NURSES**

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J. Ch. H. A.
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**PUBLIC HEALTH AND SOCIAL DEVELOPMENT SECTORAL BARGAINING
COUNCIL (PHSDSBC)**

RESOLUTION NO 3 OF 2007

**AGREEMENT ON IMPLEMENTATION OF AN OCCUPATIONAL SPECIFIC
DISPENSATION (OSD) FOR NURSES**

1. OBJECTIVES

- 1.1 To introduce an occupational specific remuneration and career progression system for Professional Nurses (Registered Nurses), Staff Nurses (Enrolled Nurses) and Nursing Assistants (Enrolled Nursing Assistants) who fall within the registered scope of PHSDSBC that provides for-
 - 1.1.1 career pathing;
 - 1.1.2 pay progression;
 - 1.1.3 grade progression;
 - 1.1.4 recognition of appropriate experience;
 - 1.1.5 increased competencies;
 - 1.1.6 and performance,with a view to attracting and retaining nursing professionals in all the identified occupations to the public health sector.
- 1.2 To introduce differentiated salary scales for identified categories of nursing professionals based on a new remuneration structure.
- 1.3 To incorporate the existing scarce skills allowance payable to identified categories of specialty nurses into salary.

2. SCOPE

This agreement applies to-

- 2.1 the Employer;
- 2.2 the employees of the Employer who are members of the trade union parties to this agreement and who are registered with the South African Nursing Council (SANC) in terms of section 31 of the Nursing Act, 2005 (Act no 33 of 2005) (the Nursing Act); and
- 2.3 the employees of the Employer who are not members of any trade union parties to this agreement, but who fall within the registered scope of the PHSDSBC and who are registered with the South African Nursing Council (SANC) in terms of section 31 of the Nursing Act.

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3. **IN GIVING EFFECT TO PARAGRAPH 4 OF PSCBC RESOLUTION 1 OF 2007, PARTIES TO COUNCIL AGREE TO THE FOLLOWING:**

3.1 **OCCUPATIONAL SPECIFIC DISPENSATION (OSD)**

An OSD for the three nursing categories (occupations), namely Professional Nurse (Registered Nurse), Staff Nurse (Enrolled Nurse) and Nursing Assistant (Enrolled Nursing Assistant) as defined in section 30 and 31 of the Nursing Act shall be introduced with effect from 1 July 2007. The OSD will provide for the following:

3.1.1 **UNIQUE REMUNERATION STRUCTURES**

The introduction of unique remuneration structures per nursing category with 3% increments between notches on a particular salary level as indicated in Annexure A to this agreement.

3.1.2 **DIFFERENT CAREER STREAMS**

Introduction of different career streams within the occupational category: Professional Nurse, as indicated in Annexure A to this agreement.

3.1.3 **DIFFERENTIATION IN SALARY SCALES**

3.1.3.1 Differentiation in salary scales between Professional Nurse (Registered Nurse) categories in General Nursing, Specialty Nursing/Primary Health Care, Specialist Nurse Practitioner and Nursing Educators.

3.1.3.2 Posts in Specialty Nursing refer to those positions where a post-basic qualification listed in Government Notice R212, as amended, is an inherent requirement to perform the duties attached to the post. This also includes similar post-basic qualifications with duration of at least one year in the relevant specialty recognized by the SANC prior to the publishing of Government Notice R212.

3.1.3.3 The employer will implement the dispensation for Clinical Nurse Specialists once the required regulation has been promulgated to give effect to the envisaged clinical nursing qualification.

3.1.4 **REQUIREMENTS FOR APPOINTMENT AND PROMOTION**

Appointment and promotion requirements for each category as determined by the employer, subject to any statutory requirements determined by the SANC, as indicated in Annexure A.

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3.1.5 PAY PROGRESSION

- 3.1.5.1 The introduction of a two-yearly pay progression dispensation within the limits of the relevant salary scale on condition that the relevant employee has maintained a satisfactory level of performance as set out in the performance management system that will be applicable at the time when such employee becomes eligible for pay progression.
- 3.1.5.2 The 1st two-yearly pay progression cycle commenced on 1 April 2007 and will run until 31 March 2009.
- 3.1.5.3 That actual pay progression will be awarded with effect from 1 July of the year in which the nurse has complied with the prescribed requirements for such pay progression.

3.1.6 IMPROVEMENT IN CAREER PATHS

- 3.1.6.1 The improvement of career paths for the various categories through the introduction of a set of salary grades attached to posts in each category. The salary grades will display longer career progression opportunities, as part of the defined career path, in order both to recruit and retain nurses in the relevant areas of need and also to cater for the retention of nurses in clinical practice for longer periods.
- 3.1.6.2 The OSD will also provide for career paths that facilitate progression to other nurse categories subject to the requirements and conditions for such progression being met.

3.1.7 COMPETENCY REQUIREMENTS

The employer will prescribe the competency requirements (generic, functional and experiential) per post level to provide for appropriate salary recognition and grade progression, as indicated in Annexure A.

3.1.8 CONSOLIDATION OF SCARCE SKILLS ALLOWANCE

The Scarce Skills Allowance payable to nurses who occupy posts in the clinical specialties, namely oncology, operating theatre technique and ICU as identified in PHWSBC Resolution 1 of 2004, will be incorporated into the remuneration structure for the category Specialty Nursing with effect from the date of implementation of the OSD.

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3.1.9 GRADE PROGRESSION AT PRODUCTION LEVEL

- 3.1.9.1 Creation of posts at production levels in the identified occupations as a single post per stream, with the linking of more than one salary grade (scale) to the post to facilitate grade progression.
- 3.1.9.2 Progression to the next salary grade (scale) attached to the production post, provided that candidates meet all the promotion/ appointment requirements for the relevant higher grades.
- 3.1.9.3 A system of differentiated periods for grade progression, based on performance at production level, to enable nurses, who have distinguished themselves from their peers in terms of performance, to progress faster to salary scales attached to higher grades on the relevant production level.

3.1.10 GRADE PROGRESSION AT IDENTIFIED SUPERVISORY LEVELS

- 3.1.10.1 Creation of posts at identified supervisory levels in the occupation Professional Nurse as a single post, with the linking of 2 (two) salary grades (scales) to the post to facilitate grade progression.
- 3.1.10.2 Progression to the next salary grade (scale) attached to the supervisory post, provided that candidates meet all the promotion/ appointment requirements for the relevant higher grade.
- 3.1.10.3 A system of differentiated periods for grade progression, based on performance at the supervisory level, to enable nurses who have distinguished themselves from their peers in terms of performance, to progress faster to salary scales attached to higher grades on the relevant supervisory level.

3.1.11 RECOGNITION OF RELEVANT EXPERIENCE ON APPOINTMENT FROM OUTSIDE THE PUBLIC HEALTH SECTOR

The employer will introduce a basis for salary recognition for relevant experience on appointment from outside the public health sector in production posts, to enhance the recruitment of nurses.

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3.1.12 RECOGNITION OF RELEVANT EXPERIENCE OF SERVING NURSES ON TRANSLATION TO THE OSD

- 3.1.12.1 The recognition of relevant experience of Nurses who were in service on 30 June 2007, and who are translated to production posts in the OSD, is contained in Annexure C.
- 3.1.12.2 The recognition of relevant experience not reflected on the existing personnel record will be based on verified proof of such experience. The verification will be undertaken at departmental level.
- 3.1.12.3 Proof of such experience must at the latest be submitted to the employer by 31 March 2008. Any submission received after the said date will not be considered.

3.1.13 SALARY RECOGNITION UPON PROMOTION

- 3.1.13.1 Nursing Assistants and Staff Nurses who successfully complete the bridging courses, and who are appointed in posts of Staff Nurse and Professional Nurse respectively, shall gain at least 1 (one) notch on such appointment.
- 3.1.13.2 Professional Nurses on production grades and who are promoted to a higher post, shall gain at least 1 (one) notch on such promotion.

3.1.14 DESIGNATION OF NURSING ASSISTANTS

- Any reference in this agreement and the OSD to the job title of Nursing Assistant refers to that of Auxiliary Nurse, as contemplated in the Nursing Act.

3.2 IMPLEMENTATION DIRECTIVE

To give effect to this agreement, the implementation of the OSD will be a determination and implementation directive issued by the Minister for the Public Service and Administration in terms of section 3(3)(c) of the Public Service Act, 1994, read with Public Service Regulations, 2001, Chapter I, Part I / G. This will contain the following particulars:

3.2.1 DATE OF IMPLEMENTATION

1 July 2007.

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3.2.2 SCOPE OF OSD

The scope of the OSD as it relates to those categories of nurses defined in the scope of practice as determined by the SANC and where it is an inherent requirement of the post to continuously maintain such registration with the SANC.

3.2.3 CAREER STREAMS

The defining of career streams for nurses as contained in the OSD.

3.2.4 REQUIREMENTS FOR APPOINTMENT

The determination of requirements for appointment, grade progression and post promotion.

3.2.5 TRANSLATION MEASURES

Measures to facilitate translation from the existing dispensation to appropriate salary scales attached to the OSD based on the following principles:

3.2.5.1 No person will receive a salary (notch or package) that is less than what he /she received on 1 July 2007 prior to the implementation of the OSD.

3.2.5.2 Translation could be done by means of two phases (steps)

(i) 1st Phase

Minimum translation to the appropriate salary scale attached to posts (and grades in respect of production levels), as contained in Annexure B to this agreement. This implies an implementation adjustment in salary to at least the next higher notch on the salary scale attached to the post to which the employee is translated.

(ii) 2nd Phase (in respect of production levels/grades)

Re-calculation of relevant experience obtained by a person who occupies a post on a production level after registration in the relevant nursing category, based on full years service/experience as on 31 March 2007, in order to award a higher salary at a production level subject to and within the limits of the measures for such recognition contained in Annexure C.

If the nurse is eligible for a higher notch on the scale attached to the specific grade or for translation to a higher grade (scale attached to the higher production grade) in

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terms of the re-calculation in terms of limits of the measures for such recognition contained in Annexure C, then the higher notch or grade in terms of the re-calculation basis applies.

3.2.5.3 Translation of Professional Nurse (Registered Nurse) to specialty posts

- (i) A Professional Nurse (Registered Nurse) who occupies a post in a nursing specialty and who –
 - a. is in possession of a post-basic clinical nursing qualification listed in Government Notice R212, as amended, shall translate to the appropriate specialty post; and
 - b. is not in possession of a post-basic clinical nursing qualification listed in Government Notice R212, as amended, but who has been permanently appointed in a post in a specialty unit and has been performing these duties of the specialty post satisfactorily on 30 June 2007, shall be translated as a **once-off provision** to the first salary scale attached to the production level.
- (ii) A Professional Nurse (Registered Nurse) referred to in (i)(b) shall not progress by means of grade progression to the higher salary scale attached to a post in the clinical specialty without first having obtained the required educational qualification in the clinical specialty listed in Government Notice R212.
- (iii) A Professional Nurse (Registered Nurse) who is managing a nursing specialty unit, and who is not in possession of a post-basic clinical nursing qualification listed in Government Notice R212, as amended, but who has been performing these duties of managing the specialty unit satisfactorily on 30 June 2007, shall be translated as a **once-off provision** to the appropriate salary scale attached to the corresponding management level.

3.3 ACCELERATED GRADE PROGRESSION

- 3.3.1 The OSD provides for the introduction of a system of accelerated grade progression, based on shorter qualifying periods than normal, to higher grades based on **above average performance**.
- 3.3.2 The employer shall develop a Performance Management and Development System for nurses that would, amongst others, facilitate the assessment of employees in the occupational categories Professional Nurse (Registered Nurse), Staff Nurse (Enrolled Nurse) and Nursing Assistant

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(Enrolled Nursing Assistant) for purposes of accelerated grade progression.

- 3.3.3 As the accelerated grade progression for employees will be based on **above average performance for a cumulative period of 4 years in their respective grades**, and also noting that certain departments have not assessed nursing staff consistently since the introduction of departmental performance management and development systems, the provision for accelerated grade progression will only be effective from 1 April 2012 – based on the performance assessment cycles 1 April 2008 to 31 March 2009, 1 April 2009 to 31 March 2010, 1 April 2010 to 31 March 2011 and 1 April 2011 to 31 March 2012, based on assessment in terms of the Performance Management and Development System for nursing personnel. Employees on production levels where grade progression opportunities exist will in terms of the OSD, first qualify for accelerated grade progression on 1 April 2012.

4. **DATE OF IMPLEMENTATION**

The provisions of this Agreement shall take effect on 1 July 2007.

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, 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 upon by the parties to the Council as a Resolution of the Council.


6. **DISPUTE RESOLUTION**

Any disputes about the interpretation or application of this agreement shall be dealt with according to the dispute procedure of the Council.


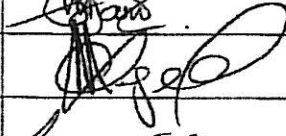
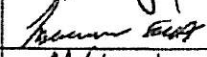
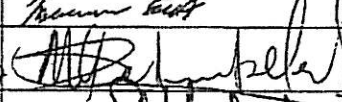
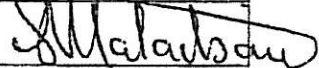
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M.A.
M.C.S.

THIS DONE AND SIGNED AT CENTURION..... ON THIS THE
10th..... DAY OF ..SEPTEMBER..2007

ON BEHALF OF THE EMPLOYER PARTY

| | NAME | SIGNATURE |
|-------------------|---------------|--|
| STATE AS EMPLOYER | J.T. CORNWALL |  |

ON BEHALF OF THE TRADE UNION PARTIES

| TRADE UNION | NAME | SIGNATURE |
|-------------|---------------------|---|
| NEHAWU | S. SAMUEL |  |
| DENOSA | JABU C. MASABULA |  |
| PSA | A MOKGABEDI |  |
| HOSPERSA | M.G. SELEMATSEGA |  |
| NUPSAW | SUCCESS MATAITSEANE |  |

