**PSCBC**

PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL

**RESOLUTION NO 1 OF 2007****AGREEMENT ON IMPROVEMENT IN SALARIES AND OTHER CONDITIONS OF SERVICE  
FOR THE FINANCIAL YEARS 2007/2008 TO 2010/2011****1. OBJECTIVES**

- 1.1 To provide a basis for the annual general salary adjustments for employees for the financial years 2007/2008 and 2008/2009.
- 1.2 To introduce revised salary structures per identified occupation that caters for career pathing, pay progression, grade progression, seniority, increased competencies and performance with a view to attract and retain professionals and other specialists.
- 1.3 To replace the existing Scarce Skills Framework for the public service with the introduction of the revised salary structures.
- 1.4 To review the non-pensionable allowances payable in the public service.
- 1.5 To deal with certain leave matters.
- 1.6 To provide for the adjustment of the medical aid subsidy.
- 1.7 To provide for the adjustment of the housing allowance.
- 1.8 To provide for the alignment of the public service with the requirements of the Basic Conditions of Employment Act, 1997 and matters incidental thereto.
- 1.9 To provide for processes to review certain existing terms and conditions of employment.

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All correspondence must be addressed to the Secretary of Council

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1.10 To provide for the conclusion of a minimum service agreement for all workers employed in essential services (Addendum 1)

1.11 To provide for a mutually beneficial process for the return to work of workers. (Addendum 2)

2. **SCOPE**

This agreement binds the employer and employees who-

- (a) are employed by the State; and
- (b) fall within the registered scope of the Council.

**THE PARTIES TO COUNCIL AGREE TO THE FOLLOWING:**

3. **MULTI-TERM SALARY ADJUSTMENT**

- 3.1 The annual salary adjustment on 1 July 2007 shall be 7.5% for the financial year 2007/2008.
- 3.2 The annual salary adjustment on 1 July 2008 shall be based on the projected CPI-X for the period 1 April 2008 to 31 March 2009 plus 1%.
- 3.3 The annual salary adjustment for the subsequent year or years shall be determined through collective bargaining, which may commence immediately after 2008 adjustment.
- 3.4 If the actual CPI-X is higher than the average projected CPI-X, the difference shall be dealt with as follows:
  - 3.4.1 For the period referred to in clause 3.2, the difference shall be added to the adjustment for the following year, i.e. 2009.
- 3.5 The forecasts of National Treasury shall be used to determine the projected CPI-X.
- 3.6 The employer will consult with employee parties with effect from 1 August 2008 with regard to the budgetary processes pertaining to the personnel expenditure budget for 2009/2010.

4. **REVISED OCCUPATIONAL SPECIFIC SALARY STRUCTURES**

- 4.1 New salary scales will be negotiated and implemented per identified occupation to attract and retain professionals and other specialists over the duration of this Agreement. The negotiations will, among others, cover the following areas:-

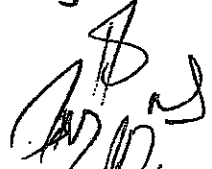
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- 4.1.1 Remuneration structure, including number of notches and percentages between notches;
- 4.1.2 Benefits and allowances to be consolidated into salaries;
- 4.1.3 Frequency of pay progression;
- 4.1.4 Grade progression;
- 4.1.5 Career pathing;
- 4.1.6 Priorities and implementation dates;
- 4.1.7 Translation measures; and
- 4.1.8 Required levels of performance;

### Principles of the revised occupation specific salary structures

- 4.2 The new salary structures will be developed with the aim of improving the Public Service's ability to attract and retain skilled employees. It would assist the Public Service in addressing the current problems experienced with regard to adequately remunerating the diverse occupational categories, which is currently done by means of a single standardised salary structure.
- 4.3 The system will include:
  - 4.3.1 Unique salary structure per occupation;
  - 4.3.2 Centrally determined grading structures and broad job profiles;
  - 4.3.3 Career pathing opportunities based on competencies, experience and performance; and
  - 4.3.4 Pay progression within the salary level.
- 4.4 The interval between notches (packages at MMS levels) in the revised remuneration structures will provide for significant increments between notches. The frequency of the pay progression within a salary level will be determined for each identified occupational category, informed by the needs of the specific occupation(s) and the increments (%) between the notches. Such progression within a salary level will be subject to approved levels of performance.
- 4.5 The salaries of occupational categories will, where applicable, be aligned to the market with the view to enhance the employer's ability to recruit and retain employees. The system will also ensure fair, equitable and competitive remuneration structures for all categories of employees.
- 4.6 The revised salary structures will put in place a proper career pathing model per identified occupational category. Such a career pathing model should be a forward looking plan to systematically increase salaries after pre-determined periods based on specific criteria such as performance, qualification, scope of work, experience, etc.
- 4.7 The remuneration structure will provide for longer salary bands and substantial overlaps between salary levels to facilitate adequate salary progression for employees who choose to remain in the production levels instead of aspiring to move

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into the supervisory or specialist posts. This will allow for professionals and specialists to earn salaries equal to or higher than that of managers, accommodating the uniqueness of different professional/ specialist jobs through acknowledging existing "job families" in the respective specialist disciplines.

### **Implications of the new salary grading system**

- 4.8 Employees will be translated to the appropriate salary ranges attached to the posts subject thereto that they meet the criteria in terms of the appointment and the progression requirements.
- 4.9 Employees on personal salaries and scales which are higher than the maxima of the new salary scales will retain their salaries as personal.

### **Progression and Promotion Measures**

- 4.10 Qualifying periods and criteria for pay progression and grade progression will be specifically indicated per identified occupational category. It will provide for accelerated progression to higher grades for employees who consistently perform above average and pay progression within a salary grade.
- 4.11 Promotion to higher posts will be subject to:
  - 4.11.1 The employee meeting the appointment requirements (i.e. possessing the relevant qualification(s), prescribed years of experience, etc).
  - 4.11.2 Availability of posts; and
  - 4.11.3 The employee must be performing the functions of the post (job).

### **Implementation of the revised salary structures**

- 4.13 These dispensations will be implemented over the next three years commencing with effect from 1 July 2007. The priorities for implementation for new occupations will be determined by agreement within the sectoral bargaining council.
- 4.14 The revised salary structure per occupation shall be implemented as follows:-
  - 4.14.1 Health and Social Development Sector:-
    - 4.14.1.1 The occupational specific salary structure for all professional occupations in the sector will be implemented over a period of three years.
    - 4.14.1.2 All categories of nurses, with effect from 1 July 2007;

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- 4.14.1.3 Medical officer, medical specialist, dentist, dental specialist, pharmacologist, pharmacist and emergency care practitioners, with effect from 1 July 2008; and
- 4.14.1.4 Medical and therapeutic support services:- Dietician, Physiotherapist, Occupational Therapist, Radiographer, Audio and Speech Therapist, Dental Therapist, Dental Technician, Medical Technologist, Psychologist, Clinical Technologists, Medical Physicists, Medical Technical officers, Medical Orthofists and Prothetists, Optometrist, Oral Hygienist, Chiropodist, Environmental Health Officer, Health Technologist, Forensic Pathology Officer, with effect from 1 July 2009.
- 4.14.1.5 Social workers, with effect from 1 April 2008;
- 4.14.2 Education Sector:-
- 4.14.2.1 All school based educators, with effect from 1 January 2008;
- 4.14.2.2 Office based educators, with effect from 1 April 2008;
- 4.14.2.3 Educator specialists - Counselors, therapists, and psychologist - with effect from 1 April 2008.
- 4.14.3 General Public Service sector:-
- 4.14.3.1 The occupation specific salary structure per identified occupation in the sector will be implemented over a period of three years.
- 4.14.3.2 Legal profession within the justice cluster, with effect from 1 July 2007;
- 4.14.3.3 Engineers, architects, environmentalists and other identified professionals, jointly agreed to in the relevant sector with effect from 1 July 2009.
- 4.14.3.4 Correctional officials, with effect from 1 July 2008,
- 4.15 The negotiations related to each of the above mentioned occupations and salary structures, the translation measures for the movement from the current salary structure to the new structure, shall be dealt with at the relevant sectoral bargaining council or at the PSCBC if it is a transverse occupation.
- 4.16 All negotiation processes must be finalized 2 months prior to the implementation date referred to in paragraph 4.14 above. In the event that the negotiations process is not concluded, the matter will be referred to the PSCBC for finalization within 7 days of the expiry of the 2 months prior to the date of implementation.
- 4.17 The revised salary structures for the occupations to be implemented with effect from 1 July 2007 shall be finalized in the relevant sectoral bargaining councils by no later than 31 July 2007. In the event that the negotiations process is not concluded by 31 July 2007, the matter shall be referred to the PSCBC for finalization within 7 days of the expiry of 31 July 2007.

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- 4.18 The employer will ensure that funds are set aside to implement the approved revised salary structures per identified occupation.

**5. PAY PROGRESSION FOR EMPLOYEES NOT COVERED BY REVISED OCCUPATIONAL SPECIFIC SALARY STRUCTURES**

- 5.1 Parties agree to develop and implement a salary progression and career pathing model for employees not covered by the revised occupational specific salary structures. The new salary progression and career pathing model to include the following principles:
- 5.1.1 Reduction in the number of notches per salary level to 12 notches;
  - 5.1.2 Fixed percent increment between the notches to be 1.5%;
  - 5.1.3 Progression to a higher notch to be based on performance;
- 5.2 Implementation of the salary progression and career pathing model to commence with effect from 1 January 2009.
- 5.3 All employees on salary level 1 with 5 or more years of service to be placed on the minimum of salary level 2 with effect from 1 July 2007. (There are 3 559 employees affected by this movement)
- 5.4 All employees on salary level 2 with 20 or more years of service to be placed on the minimum of salary level 3 with effect from 1 July 2007. (There are 29 438 employees affected by this movement)

**6. SCARCE SKILLS ALLOWANCE**

The Scarce Skills allowance will be incorporated into salary as part of the development of the revised occupation specific salary structures thereby replacing clause 4 and Annexure A of Resolution 2 of 2004 on the dates of implementation of each new occupation. No employee will be prejudiced by the implementation of the revised salary structure.

**7. ALLOWANCES**

The Danger, Night Shift and Separation Allowances shall be adjusted as follows:

**7.1 Danger Allowances**

- 7.1.1 The tariffs of the Standard and Special Danger Allowances shall be adjusted by 25% respectively.
- 7.1.2 With effect from 1 July 2008 annual adjustments, shall be effected on 1 July of each year on the basis of the projected CPI-X as at 1 April of that year.

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- 7.1.3 The provisions on the Danger Allowances contained in paragraph IX of Resolution 3 of 1999 is replaced as per Annexure A to this Agreement.
- 7.1.4 Any additions to the occupational categories identified in Annexure A shall be the subject of negotiations.
- 7.1.5 The provisions of the Standard and Special Danger Allowances shall exclude staff employed in terms of the South African Police Service Act, 1995.

**7.2 Night Shift Allowance**

- 7.2.1 The tariff of the Night Shift Allowance shall be adjusted by 25%.
- 7.2.2 With effect from 1 July 2008 annual adjustments shall be effected on 1 July of each year on the basis of the projected CPI-X as at 1 April of that year.
- 7.2.3 The parties agree to undertake a review of the night shift allowance and the recommendations will be subjected to negotiations.

**7.3 Separation Allowance**

The tariff of the Separation Allowance of R27.15 per day will be payable to all employees (single and married) who spend a minimum of 60 days per year away from their family members.

**8. LEAVE PROVISIONS**

**8.1 Annual leave of employees who were taken over from the former Provincial Administrations and Development Boards**

Leave entitlements of former Development Board employees not covered by current collective agreements shall be regularized with effect from 1 July 2007 through a determination by the Minister for the Public Service and Administration.

**8.2 Leave entitlements for part-time nurses with 10 years and more service**

Part-time nurses shall qualify for 26 working days annual leave after 10 years of service.

**8.3 Leave entitlements for Nursing Staff**

The annual leave entitlements of nursing staff shall be aligned to the annual leave entitlements applicable to the rest of the public service.

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**9. BASIC CONDITIONS OF EMPLOYMENT ACT (BCEA), 1997****9.1 Payment Rate for Normal Overtime**

Overtime on a Sunday or public holiday shall be 2 x basic salary of the employee, without the option of granting time-off. All other overtime shall be 1.5 x basic salary of the employee, without the option of granting time-off. This provision excludes employees on commuted overtime.

**9.2 Basic Salary for Calculation of Overtime**

The basis for the calculation of overtime worked shall be the actual salary notch of the employee, provided that it shall not be higher than a basic salary of R 122 841 per annum. This amount will be increased by the percentage of the annual general salary adjustment with effect of 1 July of each year, commencing 1 July 2007. This provision excludes employees on commuted overtime.

**9.3 Maximum overtime hours**

The mechanisms and conditions for the averaging of maximum overtime hours shall, where required, be determined in the respective sectoral bargaining councils. This excludes employees on commuted overtime.

**9.4 Compensation for official duties performed during meal intervals**

Compensation for employees who are, due to the nature of their work, required to remain on duty during their meal intervals shall, where required, be determined in the respective sectoral bargaining councils.

**9.5 Averaging of Working Hours**

The mechanisms and conditions for the averaging of working hours shall, where required, be determined in the respective sectoral bargaining councils.

**9.6 Payment rate for an employee who ordinarily works on a Sunday**

The rate of payment for an employee in the public service who, ordinarily works on a Sunday shall be 1.5 x basic salary.

**9.7 Payment rate for an employee who ordinarily works on a Public Holiday**

The rate of payment for an employee who ordinarily works on a public holiday shall be 2 x basic salary, without the option of granting time-off.

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## 9.8 Definition of Remuneration

9.8.1 "Remuneration" in the Public Service shall, for purposes of calculating pay for annual leave, capped leave, unpaid leave as well as severance pay, be defined as follows:

- (a) In respect of employees on salary levels 1 to 10:
  - (i) for purposes of calculating pay for unused annual leave and severance pay, remuneration means the employee's annual basic salary plus 37% of his/her basic salary; and
  - (ii) for purposes of calculating capped leave and unpaid leave, remuneration means the employee's annual basic salary.
- (b) In respect of Middle Management Services (MMS) members:
  - (i) for purposes of calculating pay for unused annual leave, unpaid leave and severance pay, remuneration means the employee's all inclusive remuneration package; and
  - (ii) for purposes of calculating capped leave, remuneration means the employee's annual basic salary.

9.8.2. For purposes of the encashment of leave in terms of the long service recognition system, the employee's basic salary shall be used.

## 9.9 Night Work

9.9.1 Night work in the public service shall be deemed to be work performed between 19:00 – 07:00 or 18:00 – 06:00 by agreement between parties in the relevant bargaining Council/Chamber, taking into consideration operational requirements.

## 10. MEDICAL ASSISTANCE

10.1 The medical aid subsidy for employees on Government Employees Medical Scheme (GEMS) shall, with effect from 1 March 2007, be adjusted to the monthly monetary tax cap as approved by the Minister of Finance annually until 28 February 2011.

10.2 The Council to set up a meeting, within 2 months of signature, of the parties to address the concerns raised by labour with regard to the GEMS and operational matters.

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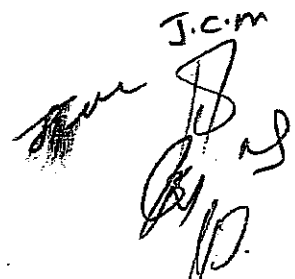
- 10.3 A signatory to this agreement will not prejudice such signatory's rights to challenge the fairness and/or legality of Resolution 1 of 2006.

## 11. CONTRACT EMPLOYMENT AND CASUAL WORKERS

- 11.1 A casual worker means a person employed on a day-to-day basis and who is paid a daily wage and who does not work more than 24 hours a month.
- 11.2 A casual worker is entitled to a salary and any benefits that are prescribed for a casual worker in the BCEA.
- 11.3 A contract worker means a person employed for a fixed term, including an educator appointed in a temporary capacity, but excluding a casual worker or an employee to whom a retirement age applies.
- 11.4 The benefits attached to the appointment of a contract worker shall be granted on the following basis:
- 11.4.1 A contract worker employed for less than six months shall receive his/her basic salary plus 37% in lieu of benefits, excluding leave benefits.
- 11.4.2 A contract worker employed for six months or longer shall receive his or her basic salary plus benefits (excluding leave benefits) or his/her basic salary plus 37% in lieu of benefits (excluding leave benefits).
- 11.4.3 Leave entitlements for a contract worker shall be granted on a *pro rata* basis linked to the term of his/her contract.

## 12. HOUSING ALLOWANCE

- 12.1 The phasing in of the housing allowance as per paragraph 7.1 of Resolution 2 of 2004 shall be fully implemented on 1 July 2007 and increased to R500 per month with effect from 1 July 2007.
- 12.2 Parties agree to undertake a comprehensive review of the current housing allowance to include amongst others:-
- 12.2.1 The promotion of home ownership;
- 12.2.2 What would constitute a fair and reasonable benefit in the light of present property values and/or the cost of housing;
- 12.2.3 What other practices regarding housing benefits that exist in the labour market; and
- 12.2.4 Financial implications of proposals.
- 12.3 The review will be completed and the recommendations subjected to negotiations by 31 July 2008.

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**13. RECOGNITION OF IMPROVED QUALIFICATIONS AND LONG-SERVICE AWARDS**

- 13.1 The employer recognises the need to reward improvement in qualifications that are job related and will enhance performance and service delivery.
- 13.2 The employer recognises the need to revise the existing long-service award, with the view to ensure that the employer is in a position to retain skills and reward loyalty in the public service.
- 13.3 The parties agree to undertake a review of the above (paragraph 13.1 and 13.2), of which the recommendations will be subjected to negotiations. The review process will be conducted with the following as a framework:
- 13.3.1 The present system provides no real incentive for employees to improve their academic qualifications;
  - 13.3.2 The current cash bonus system in recognition of improved qualification;
  - 13.3.3 To provide the respective sectors with criteria/principles pertaining to the relevance and approval of qualifications.
- 13.4 Presently employees only receive long service awards for 20 and 30 years. The investigation into the long service award should consider the following:-
- 13.4.1 Other periods, e.g. 10, 15, 20 and 30 years; and
  - 13.4.2 The payment to employees on attaining the various years of service.
- 13.5 The parties agree to finalise the processes pertaining to the recognition of improved qualifications and long service awards by 30 June 2008 for implementation with effect from 1 July 2008.

**14 FILLING OF FUNDED VACANT POSTS**

- 14.1 The employer will ensure that:-
- 14.1.1 All current funded vacancies are advertised, in terms of existing departmental policies, within 6 months of the date of agreement;
  - 14.1.2 All new funded vacancies are advertised, in terms of existing departmental policies, within 6 months of the date of these vacancies arising.
  - 14.1.3 As far as possible all vacant and funded posts should be advertised and filled within 12 months of signature or from date of arising.
  - 14.1.4 The employer will provide Council with regular reports on the advertising and filling of posts in the public service. The report to include the number of funded vacancies, number advertised, number filled, number unfilled and the reasons for non filling. These reports to be submitted every 6 months to Council for distribution to trade union parties to Council.

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*John Jones*  
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**15 PUBLIC SECTOR SUMMIT**

15.1 Parties to Council agree to convene a Public Sector Summit in 2008 to address the following areas, among others:-

15.1.1 Outsourcing and agentisation;

15.1.2 Performance and productivity in the public service;

15.1.3 Work environment;

15.1.4 Resourcing of the public service; and

15.1.5 Minimum wage.

**16 DATE OF IMPLEMENTATION**

16.1 The provisions of this Agreement shall take effect on 1 July 2007, except in those instances where other dates are reflected.

**17 GENERAL PROVISIONS**

17.1 The wage adjustments provided for in this multi-term agreement for the 2007/2008 and 2008/2009, financial years exclude employees who are on a (personal) salary scale or notch that applied before 1 July 1996 or who are awarded a (personal) salary scale or notch since 1 July 1996 that is not contained/reflected on the salary grading system key scale until their salary scales/notches are on par with the standard salary ranges attached to their positions.

(NB Employees covered in terms of Ministerial Directive issued by DPSA dated 26 June 2003 (1/8/P) qualify for the annual salary adjustments referred to in this agreement. This Directive covers employees who, in terms of Resolution 7 of 2002, were matched and placed in lower graded posts or who applied successfully for lower graded posts and who were placed on personal notches.)

17.2 Parties to the Council reserve the right to re-open negotiations in the event of an adverse economic shock that dramatically impacts on the economy of the country.

**18 INTERPRETATION AND APPLICATION**

18.1 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.

18.2 No amendments to this Agreement shall be of force unless reduced to writing and agreed upon at the Council as a Resolution of the Council.

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19. DISPUTE RESOLUTION

Disputes about the interpretation or application of this Agreement shall be dealt with according to the dispute resolution procedure of the Council.

THIS DONE AND SIGNED AT PSCBC ON THIS THE 5<sup>th</sup>  
 DAY OF July 2007

ON BEHALF OF THE EMPLOYER PARTY

	NAME	SIGNATURE
STATE AS EMPLOYER	K. GOVENDER	<i>[Signature]</i>

ON BEHALF OF THE TRADE UNION PARTIES

TRADE UNION	NAME	SIGNATURE
DENOSA	JABU C. MAGASUA	<i>[Signature]</i>
HOSPERSA/NUPSAW/NATU	BR MAHLARE	<i>[Signature]</i>
NAPTOSA		
NEHAWU	NOLETTAM DO MAYONDE-SIBIYA	<i>[Signature]</i>
POPCRU	ROSEMARY MABWIDA	<i>[Signature]</i>
PSA		
SADTU		
SAPU	PROBUS C. N. TRUTER	<i>[Signature]</i>

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**ANNEXURE A****REPLACEMENT OF PARAGRAPH IX OF PSCBC RESOLUTION 3 OF 1999  
REGARDING DANGER ALLOWANCE****"IX Danger Allowance**

1. The employer shall pay the Standard Danger Allowance to an employee who in the course of her or his employment experiences a genuine risk to her or his life and who is employed in one of following occupational categories and identified areas at work (where indicated):
  - (a) Traffic/Regulatory Inspectors;
  - (b) Correctional Officers guarding prisoners;
  - (c) Social Workers, Youth Workers, Probation Workers, Nursing personnel, Occupational Therapists, Psychologists and Vocational Counsellors and Health Related Workers, working with prisoners, people held in places of safety and people on parole
  - (d) Nurses working with psychiatric patients;
  - (e) Educationists working with prisoners;
  - (f) Nature Conservationists involved in law enforcement and investigations;
  - (g) Employees working for safety restricted laboratories of the National Institute for communicable diseases;
  - (h) Identified categories of emergency services personnel; and
  - (i) Identified categories of immigration Officers.
2. The employer shall pay the Special Danger Allowance to an employee who works in the Department of Correctional Services and is-
  - (a) involved in duties that require direct contact with maximum security prisoners; and
  - (b) is part of the Reaction Unit.
3. The Standard Danger Allowance/Special Danger Allowance shall be paid to employees referred to in paragraph 1-
  - (a) on a monthly basis if they experience a genuine risk to their lives each and every time they undertake their duties; or
  - (b) on a daily basis if they only experience a genuine risk to their lives at times during the performance of their duties.
4. If an employee qualifies for both the Standard and Special Danger Allowances, she or he may receive both simultaneously.

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5. The employer shall pay a danger allowance on the date an eligible employee receives her or his salary. The employer shall stop paying the allowance when the employee stops being eligible.

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**ADDENDUM 1****PROCESS TO DEVELOP A MINIMUM SERVICE LEVEL AGREEMENT FOR  
THE PUBLIC SERVICE**

1. The parties to the PSCBC will appoint a joint technical working group (JTWG) with equal representation to develop a minimum service level agreement for the public service applicable across the relevant sectors.
2. Employer and labour representatives from each of the relevant sector councils will participate in the deliberations of the JTWG
3. The process will be facilitated by an independent facilitator appointed by the parties, who will submit monthly progress reports to the PSCBC.
4. The PSCBC will make funds available to commission research on the law and international and local best practice to inform the work of the JTWG
5. The JTWG may also receive submissions from the employer and labour
6. The work of the JTWG will commence no later than 31 July and will complete by 15 November 2007. The facilitator will if necessary be asked to develop proposals on matters on which consensus has not been reached at the JTWG, and will incorporate these into a comprehensive proposal to be submitted to the PSCBC by 30 November 2007.
7. If the PSCBC fails to adopt the proposal by 31 January 2008 either party may follow the procedure available to it in law to resolve the matter.
8. The procedure set out in paragraphs 1 - 7 above will not derogate from the processes already underway in the Health and Safety and Security sector councils to settle a minimum service agreement for that sector.

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**ADDENDUM 2****RETURN TO WORK**

1. The return to work of public servants upon settlement of the public sector strike will be governed by the following principles and procedures designed to return workplaces to a state of normality.
2. The parties to the PSCBC agree to co operate to facilitate an orderly return to work within 24 hours of the settlement of the dispute. An employee having a reasonable explanation for failing to report to work within this time period will not suffer prejudice and will be admitted back to work.
3. Essential service employees who participated in the strike will return to work. The employer will replace the letters of dismissals with a final written warning upon return to duty. Employees who have been on strike and who have and will return to duty will receive a final written warning. Employees who feel aggrieved may pursue remedies available to them under the relevant procedures.

**APPLICATION OF NO WORK NO PAY**

1. Deductions in respect of no work no pay will be made on the following basis
  - a. Employees on strike for 4 days or less, deductions will be made as a lump sum.
  - b. Employees on strike for more than 4 days, deductions will be staggered over a maximum period of three months.
  - c. The formula to determine a day's work will be annual basic salary divided by 365. The actual deduction will be based on working days lost.
2. The deductions referred to in paragraph 1 will apply in respect of employees in essential and non essential services.

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