

24 November 2011

**MEMORANDUM OF AGREEMENT ON PASS STAFF
REMUNERATION AND CONDITIONS OF EMPLOYMENT
AND RELATED MATTERS FOR 2012**

between

UNIVERSITY OF CAPE TOWN

(hereinafter referred to as the Employer)

And

UNIVERSITY OF CAPE TOWN EMPLOYEES UNION

(hereinafter referred to as the Union)

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1. Preamble and Scope

This document records the agreement reached between the Employer and the Union in respect of remuneration and conditions of employment for employees in the Payclasses 6 to 12, and Payclass 5 as outlined in Annexure 1.

In respect of Payclass 5, management concedes that the process for representation has been clarified and agreed for 2012 bargaining as detailed in the recognition agreement. The proposal contained in Annexure 1 is intended to remedy the situation in respect of settlements already signed in 2011 with another Union, such agreement being effective 1 January 2012 for 2012 only.

2. 2012 Pay Ranges and Performance Bonus

The following differentiated increases to the 2011 pay ranges will be applied with effect from 1 January 2012 (Refer to Annexure 2 for the detailed 2012 ranges):

2012 Average Market increase	8.2%
PC05	7.5%
PC06	7.5%
PC07	9.5%
PC08	7.9%
PC09	7.9%
PC10	7.9%
PC11	7.9%
PC12	9.5%

Staff currently placed above the Standard Package and performing at Category 'A' will receive a guaranteed minimum increase of 5.8%. Exceeds 1 will be 7% of the Standard Package of the Payclass and Exceeds 2 will be 15% of the Standard package of the Payclass. There will be a range above and below the Standard Package in category 'A', the 3% above will be a once-off non-pensionable payment and the 3% below will form part of the guaranteed Cost of Employment.

3. Family Responsibility Leave

Wherever the word 'parent' occurs in the 'Policy Definition' in respect of employee rights to Family Responsibility Leave, the words 'parents-in-law' and 'parents of partners' shall be included and communicated to all staff by 30 November 2011.

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4. Staff Tuition Fee Rate and Extension of Tuition Fees for staff

The Staff Education Bursary Scheme (SEBS) currently provides for staff who need financial assistance for further studies at other institutions. Management will communicate the policy to all staff by 31 January 2012. The Employees Union will be invited to HR policy training sessions in 2012.

5. Parking

Parking fees for 2012 will be increased by 5.8%, using 2011 rates as a base.

6. Annual Bonus

With effect from 1 January 2012 staff in Payclasses 5-12 will be offered the option of structuring their Cost of Employment (CoE) to spread their 13th cheque (annual bonus) over 12 months or to receive it in November as currently practised.

7. Medical Aid

HR will obtain information from Discovery with regard to the impact on the concessions currently enjoyed if a second provider were to be engaged by no later than 31 March 2012. The Organisational Health Consultative Forum will in March 2012 assess all medical aids with a view to reassessing Discovery Health and recommending a second provider to the June 2012 Council meeting.

8. Definition of Scientific and Technical Officers

Technical and Scientific Officers include the following in their job specification:

- research support;
- teaching and learning support;
- administration, leadership and management.

Criteria for Scientific and Technical jobs will be sent to the UCTEU for information and placed on the HR Website. This will also form part of the new Job Evaluation Policy to be consulted on and the Jobs Project for 2012.

9. Matters from the 2011 bargaining process referred to the EU Consultative Forum

Management and the Union have agreed that the following matters and processes will be placed for further negotiation/consultation/joint management on the EU Consultative Forum Agenda, such further negotiation/consultation/joint management to commence with immediate effect. In further negotiation the agreements and positions already reached during the current substantive negotiations, as set out in Annexure 3 hereto, shall be the starting point of each during the process.

- Personal Performance System – annual review of PPS documentation, language and concerns before the following PPS cycle
- Collapsing of the Bands and Exceeds Awards
- Employment Equity and Transformation Audit – Director of Transformation to be invited to the consultative

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24 November 2011

- Stress and Workload – Feedback information and mechanisms
- Succession Planning – formalisation and review of documentation
- Health and Safety – Head of Health and Safety to be invited to Consultative
- Job Evaluation – Job Evaluation Policy being developed, consultation thereafter

Signed at **RONDEBOSCH** this th day of November **2011**.

UNIVERSITY OF CAPE TOWN

UCT EMPLOYEES UNION

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Annexure 1

AGREEMENT ON 2012 SALARY ADJUSTMENT IMPLEMENTATION IN RESPECT OF PAYCLASS 5

The parties agree that the 2011 salary adjustments in respect of staff in Payclass 5 will continue to be processed making use of performance management, under the agreed Personal Performance System (PPS), as a tool to determine a staff member's salary adjustment for 2012, which will be in line with the agreed outcomes of their performance discussions and ratings with their respective line managers.

The parties further agree that the salary adjustment applied to all staff in Payclass 5 will not be less favourable than that applied to any other staff members occupying Payclass 5 posts at the University and not represented by the Employees Union.

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Annexure 2

2012 Average Market increase	8.2%
PC05	7.5%
PC06	7.5%
PC07	9.5%
PC08	7.9%
PC09	7.9%
PC10	7.9%
PC11	7.9%
PC12	9.5%

Standard package and range for each performance category per payclass: 2012

Performance Category	payclass 5	payclass 6	payclass 7	payclass 8	payclass 9	payclass 10	payclass 11	payclass 12
Exceeds 2	15% Above Std Pkg	19,880	23,395	30,343	35,372	42,059	51,453	65,525
	Range							89,404
Exceeds 1	7% Above Std Pkg	9,278	10,917	14,160	16,506	19,628	24,011	30,578
	Range							41,721
Lump sum								
Standard Package (A)	3% Above Std Pkg	3,976	4,679	6,069	7,074	8,412	10,291	13,105
	Maximum guaranteed	132,537	155,963	202,287	235,811	280,394	343,018	436,833
Guaranteed Category B	3% Below Std Pkg	128,561	151,284	196,218	228,737	271,982	332,727	423,728
	Range	128,560	151,283	196,217	228,736	271,981	332,726	423,727
Guaranteed Category C		118,273	147,998	191,968	223,789	266,102	325,536	414,557
	Range	118,272	144,250	187,112	218,131	259,376	317,309	404,074
Guaranteed		112,640	132,537	171,938	200,452	238,359	291,599	371,316
								506,610

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Annexure 3

Proposals referred to EU Consultative Forum

The following demands from the EU together with the management responses have been referred to the EU Consultative Forum to be addressed:

Employee's Union	Management Response
<p>1. Personal Performance System</p> <ul style="list-style-type: none"> • Consistent application of the PPS across the university with HR monitoring the consistency. • HR to be consistent with information given to line managers when placing staff in the categories. • December is not a good time to request line managers to decide on the CoE (excel sheet). • HR must not use the midpoint of A as a bench-mark. This gives the perception to line managers that this is where the placement should be. If a bench-mark is required in the excel sheet by HR then top of A category must be used. A short paragraph (motivation) by line manager as to why it needs not to be at the top of A will suffice. • Equitable payment and consistencies across the University especially regrading issues to be address timeously. • Performance rating must be objective. • Where a line manager has not followed due process e.g. by not conducting a performance assessment / signature of the staff member or any criteria required in the performance document will 	<p>It was agreed at the EU Consultative Forum to take this item off bargaining and move it to the consultative forum</p> <ul style="list-style-type: none"> • Agreed in principle. HR to formulate guidelines for implementation in order to align to Union's requests. This would include training of all staff. • It is recommended that the process should be amended to allow for the submission of PPS documentation to HRA's in order for HR to report to DVC on non-compliance. • Agreed. Early implementation would require early settlement with the Union. • Agreed that midpoint of range will not be used as benchmark. • The standard package should be used as the bench-mark. • There should be some flexibility around the standard package (60th percentile) with motivations for above the standard package. • Acknowledged that HR should develop a Job Evaluation policy which should cover these issues. • Clear processes and guidelines should assist with objectivity.

<p>result in the staff member being rated at the top of A category.</p> <ul style="list-style-type: none"> • Short "test" of HR Advisors / Senior HR advisors understanding of the application of the revised performance system / categories. This should entail 4-5 HR scenarios where HR expertise, understanding and fairness of various policies including current University Policies and Labour Law are tested. • HR to run workshops within Faculties to explain the process of PPS and the process of how salary increases are implemented. This to open to all staff but compulsory for any line manager. • Punitive measures to be taken against Faculties and departments where the process has not been followed correctly. • Include appeal process and the strict adherence to recommendation of the appeal tribunal by Faculty and Line Management. • Ironing out of inconsistencies in faculties and departments • Formally recognise "high achiever" with a lunch apart from the financial remuneration, as agreed in the 2010 substantive agreement. 	<ul style="list-style-type: none"> • Not supported. This does not align to the principles of the PPS system and would not encourage Line Managers to manage appropriately. It may also encourage staff no to sign their PPS forms. The current appeals process is designed to deal with these issues. • Agreed. It is best practice for everyone involved to be trained and tested. • Agreed that in principle all staff should be trained and that a guideline document will be sent to all line managers who will need to confirm that they have read it. • Training, testing and reporting together with support from HR should ensure compliance and the appeals process should cover process irregularities. • The EU to report back to appeals committee on any dissatisfaction with the process. • This is detailed above in the training, testing, reporting and support recommendations. • This would be dependent on voluntary attendance and applicable to staff who have performed at the Exceeds level for the last three performance cycles.
<p>2. Collapsing of the Bands</p> <ul style="list-style-type: none"> • Examples of exceed criteria for pay class 11 and 12 taken directly from Academic and Scientific officers ad-hom, this is not the case in PASS – Administration areas, re-wording and realignment to include those in administrative levels. • Our understanding of the Exceeds 1 and Exceeds 2 in terms of percentage numbers is 10% and 5% respectively. Further that if one is awarded an Exceeds 1 and e.g. is given 70% then this is 60% standard package plus a bonus of 10%? 	<p>It was agreed at the EU Consultative Forum to take this item off bargaining and move it to the consultative forum</p> <ul style="list-style-type: none"> • Further examples to be provided. • The Exceeds 1 bonus is up to 10% of the standard package and the Exceeds 2 bonus is up to 15% of the standard package.

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<ul style="list-style-type: none"> Category A uses the occasionally and this needs some clarity. Also various job description will not fit the criteria in A such as e.g. Does not require direct supervision. Proactively consults with line manager on performance expectations. If one is placed in a low A category, one must still be able to be nominated for an Exceeds award. Nomination process in the Exceeds categories should be open and transparent within the department to remove the perception of "favouritism". 	<ul style="list-style-type: none"> The inclusion of the word 'occasionally' is to illustrate that performance category 'A' includes the definitions from the previous performance bands of '4 meeting' and '5 meets and occasionally exceeds', which was one reason for settlement on the 60th percentile of the National All Jobs Market. The proposal is that you would need to be at the standard package (60th percentile) in order to qualify for an Exceeds award. If below the standard package it would need to be justified for a particular reason. Management to consider ways of making this transparent but not breaching confidentiality.
<p>3. Employment Equity Plan and Transformation Audit</p> <ul style="list-style-type: none"> EU demands a copy of the Employment Equity Plan for each department revised bi-annually to be tabled at the Consultative meeting. Transformation of Faculty Boards across the University to include at least two PASS members. Bi-annually monitoring and evaluation of set target for Employment Equity. 	<p>It was agreed at the EU Consultative Forum to take this item off bargaining and move it to the consultative forum</p> <ul style="list-style-type: none"> The Employment Equity Plan for the University is a public document. Current plans are at Faculty and not departmental level. It is recommended that the current status of Faculty Boards is looked at as many currently have PASS staff in attendance. This is not possible and the appointment of EE representatives should ensure compliance as staff are appointed.
<p>4. Stress and Workload</p> <p>With the increase student numbers, Management must investigate ways to reduce stress and workload on PASS members. This must include at the very least temps, secondments and increased Wellness events. Greater communication to all staff with the current assistance programs available to staff e.g. EAP.</p> <ul style="list-style-type: none"> Those staff members in high pressured areas or for operation reasons are unable to take leave that will be forfeited must have extension of 	<p>It was agreed at the EU Consultative Forum to take this item off bargaining and move it to the consultative forum</p> <ul style="list-style-type: none"> Agree to promotion of current assistance programs and events to support management of stress and workload. It is possible for carry-over of leave to be approved if the reason for not taking it is linked to operational reasons so long as it is taken in the following year.

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<p>the leave so as not to loss leave accrued.</p> <ul style="list-style-type: none"> Implement systems for benchmarking and monitoring workload in student facing areas of the University. 	<ul style="list-style-type: none"> Details and examples should be requested from the EU in order to respond to this.
<p>5. Succession Planning</p> <ul style="list-style-type: none"> PPS and skills development for staff members in the area who which to apply for the vacated post Job shadowing must occur for any successful candidate. The period to be determined by the level of the position. 	<p>It was agreed at the EU Consultative Forum to take this item off bargaining and move it to the consultative forum</p> <ul style="list-style-type: none"> Agreed that this should be incorporated into the staff member's Personal Development Plan. This is supported if operationally possible but may not be practical for all posts.
<p>6. Health and Safety</p>	<p>It was agreed at the EU Consultative Forum to take this item off bargaining and move it to the consultative forum</p> <ul style="list-style-type: none"> More clarity is requested for this demand. It is agreed that issues should be referred to health and Safety and dealt with timeously.

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