

RESOLUTION 4 OF 2015

**AGREEMENT ON THE REVIEW OF ANNEXURE A OF PSCBC RESOLUTION 1 OF 2007:
DANGER ALLOWANCE**

1. SCOPE

- 1.1. This agreement binds the Employer and Employees who:
- 1.1.1. Are employed by the State; and
 - 1.1.2. Fall within the registered scope of the Council.

2. NOTING

- 2.1. Noting that the inclusion of the occupational categories and payment of the danger allowance towards employees attached to those occupational categories take into account-
- 2.1.1. the nature of their duties and the work environment;
 - 2.1.2. the nature and extent of the risk they are exposed to;
 - 2.1.3. the frequency of the risk, i.e. when do the Employees experience a genuine risk to their life during the course of their employment or during training;
 - 2.1.4. the health and safety and/or precautionary measures the Employer has implemented to mitigate the risks;
 - 2.1.5. if mitigating measures are in place, the degree to which the risk could be mitigated. If not mitigated or partially mitigated the reasons that the risk persists and the degree to which it continues to present a genuine life threatening risk to the Employee; and
 - 2.1.6. substantive motivation provided by the Employer where the risks cannot be mitigated through safety and/or precautionary measures, substantive motivation should be provided.

3. PURPOSE

The purpose of this agreement is to-

- 3.1. Review the provisions contained in Annexure A to PSCBC Resolution 1 of 2007 and replace such with Annexure A to this agreement;
- 3.2. Reflect the occupational categories which will be eligible to the payment of a danger allowance as per the annexure to this agreement.

4. AGREEMENT

- 4.1. The parties to this agreement resolve that with effect from 1 April 2015:
 - 4.1.1. The following occupational category be deleted from the list of eligible occupational categories:
 - a) Employees working for safety restricted laboratories of the National Institute for Communicable Diseases;
 - 4.1.2. The occupational categories depicted in Annexure A to this agreement be eligible to the danger allowance on the terms and conditions outlined in Annexure A.
 - 4.1.3. The annual adjustment of the danger allowance will continue to be effected on 1 July of each year based on the projected CPI as at 1 April of that year.
 - 4.1.4. Any additions to the occupational categories identified in Annexure A shall be the subject of negotiations.
 - 4.1.5. The provisions of the Standard and Special Danger Allowances shall exclude staff employed in terms of the South African Police Service Act, 1995.

5. DISPUTE RESOLUTION

If there is a dispute about the interpretation or application of this agreement any party may refer the matter to the Council for resolution in terms of the dispute resolution procedure of the Council.

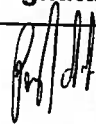
6. IMPLEMENTATION OF AGREEMENT

6.1. This agreement shall come into effect on the date it enjoys majority support and will remain in force unless terminated or amended by agreement.

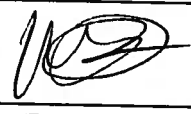
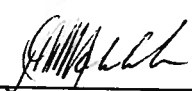
6.2. The Council will monitor the implementation of this agreement.

THUS DONE AND SIGNED AT CENTURION ON THIS 20TH DAY
OF MAY 2015.

ON BEHALF OF THE EMPLOYER

	Name	Signature	Date
State as Employer	KHUMBULA NDABA		2015/05/19

ON BEHALF OF TRADE UNION PARTIES

Trade Union	Name	Signature	Date
DENOSA			
HOSPERSA/NUPSAW/NATU			
NAPTOSA			
NEHAWU	Mike Shingye		19/5/15
POPCRU	Nkosinathi Mabli		19/05/2015
PSA			
SADTU	Mugwena Mawleke		20/05/2015
SAPU			

ANNEXURE A

PROVISIONS ON THE 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 the following occupational categories and identified areas at work (where indicated):
 - 1.1. Traffic/Regulatory Inspectors;
 - 1.2. Centre based Correctional Officers guarding prisoners;
 - 1.3. Social Workers, Social Auxiliary Workers, Youth Workers, Probation Workers, Nursing Personnel, Occupational Therapists, Psychologists and Vocational Counsellors and Health Related Workers, working with prisoners, people held in Child and Youth Care Centres (CYCC) in terms of section 196 of the Children's Act, 38 of 2005 and people on parole;
 - 1.4. Nurses working with psychiatric patients;
 - 1.5. Educationists working with prisoners;
 - 1.6. Nature Conservationists involved in law-enforcement and investigations;
 - 1.7. Identified categories of emergency services personnel;
 - 1.8. Identified categories of Immigration Officers;
 - 1.9. Centre-based artisans working with prisoners; and
 - 1.10. Mine Health and Safety Inspectors.
2. The employer shall pay the Special Danger Allowance to an employee who works in the Department of Correctional Services and is:
 - 2.1. Involved in duties that require direct contact with maximum security prisoners; and
 - 2.2. Is part of the Reaction Unit.
3. The Standard Danger Allowance/Special Danger Allowance shall be paid to employees referred to in clause 1, above:
 - 3.1. On a monthly basis if they experience a genuine risk to their lives each and every time they undertake their duties; or
 - 3.2. 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 Daily Allowances, she or he may receive both simultaneously.

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.

John R