



WAGE NEGOTIATIONS UPDATE (NETCARE)

REPORT 4 OF 2018

13 FEBRUARY 2018

WE can report that Hospersa lodged a dispute with Netcare on the following three points:

1. Interpretation/application of clause 5.4.4.2 of the Organisational Rights Agreement

We agreed to meet with the employer on the 12 February 2018 to discuss the points in dispute in line with clause 8.7 of the Organizational Rights Agreement (ORA).

We indicated that this is a dispute of right and not a dispute of interest. We maintained that the implementation date of salaries is 1 March 2018 as per clause 5.4.4.2 of the ORA which states that *"the implementation date of the substantive agreement shall be 1st March of every year, unless otherwise agreed"*. As a result, we cannot remove the backdating of salaries from our list of demands and reserve the right to refer the matter to be arbitrated to close the dispute.

After discussions with management it was clear that we would not reach an agreement on this point and the employer requested additional time to discuss the backdating of salaries and will revert back to us on 13 February 2018.

In addition, we agreed that the matter can be referred for arbitration to resolve the matter going forward.

2. Discrimination on the arbitrary ground of being represented by Hospersa in the Negotiations

In previous agreements, parties agreed that should the employer agree to any amendments with other Unions to substantive terms and conditions of employment, these amendments would be extended to employees within the bargaining unit which includes Hospersa members.

We reminded the employer that should we become aware of less favourable conditions given to our members as a result of their membership to Hospersa, we reserve our rights.

This is based on comments made during previous sessions that the employer reserve the right to negotiate conditions of employment on their own terms with different unions as well as non-unionized employees.

3. Refusal of the employer to bargain

We indicated our willingness to continue with negotiations and ensure active engagements between the two parties. However the employer previously indicated that they are not willing to continue with negotiations while we are dealing with the dispute.

The employer apologised for this comment and it was agreed to continue with negotiations. In addition, we have also added additional sessions to make

up for lost time in an effort to finalise negotiations as soon as possible.

We will keep you informed on any further updates.

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Why join Hospersa?

- 1) Individual indemnity cover of up to **two million rand** per member
- 2) Death benefit of **R3 993** for principal members after 6 months of membership
- 3) **Professional legal assistance** for labour-related issues at the CCMA and Labour Court
- 4) Collective bargaining **negotiating salaries** and other substantive conditions of employment
- 5) Trained, democratically-elected **shop stewards**
- 6) Representation at **disciplinary hearings**, grievance procedures and incapacity processes
- 7) Representation on **various committees**, including Employment Equity and OHS
- 8) **General Meetings** with members
- 9) Bilateral **meetings with management**
- 10) Service provider benefits including **discounts on services** and stays at holiday resorts

If you have not yet joined Hospersa, please contact your Shop Steward or the Provincial Office (see below).

Eastern Cape (043-722-3776)
KwaZulu-Natal (033-342-6847)
Northern Cape (053-842-2001)

HOSPERSA OFFICES
Free State (051-448-4659)
Limpopo (015-295-3272)
North-West (018-462-3692)

Gauteng (011-791-2243)
Mpumalanga (013-752-6199)
Western Cape (021-591-9283)