

NEWSFLASH

SAPTU wish to bring you up to date with recent developments in Legal Aid –South Africa where the Union is actively engaged in

1. SAPTU/Management Committee Meeting of 3 February 2010. Minutes of this meeting is enclosed herewith and I wish to refer you specifically to the following paragraphs:

2.1.1.3 Implementation of phase 2 of the OSD

2.2.1.1 AIPF

Further questions have been raised with regard to the number of years worked before an employee can qualify for LA-SA portion of the pension fund (see attached memo from PE Justice Centre). SAPTU has now taken the matter up with LA-SA Management in order to clarify the issues raised therein. At a SAPTU/LA-SA Management Committee meeting of 04 September 2009 LA-SA promised that the rules of the LA-SA pension fund would be made available to all staff members. It appears not to be the case.

2.1.1.4 Housing Loans

10. Skills training – SASSETA

SAPTU has nominated Elginita Moodley of the P.E Justice Centre to be our representative on the SASSETA.

2.2.1.2 Implementation of OSD for non- legal staff

SAPTU had a fruitful meeting with the HRE of LA-SA regarding this matter. As management is still in the process of investigating the matter no final details could be provided to SAPTU. At the next SAPTU- LA-SA Management Committee Meeting feedback will be given to SAPTU.

2.2.1.4 Rotation of Legal Staff

2.2.1.5 Remuneration Policy

SAPTU has appointed Mr N Msimanga of the Braamfontein Office as its representative on the Job Evaluation and Grading Committee. (JEG).

2. SAPTU – RECOGNITION AGREEMENT

The Chairperson of SAPTU/ LA-SA Mr H Horn and the General Secretary had a meeting with LA-SA to finalise a new recognition agreement between SAPTU and LA-SA. Mr T Nyamane also took part in earlier discussions. This Agreement will now make provision for representation on the SAPTU/LA-SA Executive Committee from all the regions (seven in total). Once the new agreement has been signed new elections will have to take place for the election of a new committee. This Agreement also makes, inter alia, provision for:-

- (i) Consultations on substantive matters such as remuneration, employment benefits and terms of conditions of employment;
- (ii) Dispute Procedures - Internal dispute mechanisms as well as the referral of any dispute to private arbitration;

(iii) Industrial action as per the requirements of the Recognition Agreement and the Labour Relations Act.

(iv) As we have not obtained a 50%+1 membership (majority) we can only have full collective bargaining rights once we have been successful in this respect.

3. Other Matters That SAPTU Are Recently Involved In

- (i) Grievance – Braamfontein Office. Unilateral Change of Conditions of Service with Respect to Medical Aid Benefits After Retirement.
- (ii) Unilateral Change of Conditions of Employment George JCE. Refusal of Benefit (Housing Guarantee Scheme). Benefit was part of Conditions of Service up to July 2009. CCMA – Case scheduled for 12 March 2010.
- (iii) Potchefstroom Justice Centre – Dispute on a Contractual Issue regarding Candidate Attorney (Two Year Contract).
- (iv) Grievance – Johannesburg JCE – Incapacity Leave – No payment of Salary for November/ December –Infringement of Constitutional Rights to Privacy and Human Dignity.
- (v) Grievance Hearing Cape Town JCE – Denial of Promotion as Paralegal after a substantial number of years of Service: Career Opportunities Ignored by Management.
- (vi) Disciplinary Hearing Klerksdorp JC – Leave Matter.

4. General Salary Increases in the Public Service Bargaining Council.

Negotiations in respect of general salary increases are still in progress.

5. SAPTU – Constitution

Mr Herman Horn has made valuable contributions in respect of the drafting of a new SAPTU Constitution.

- 6.** SAPTU wish to agree with the Employment Equity Audit that was done by the outside consultants on behalf of LA-SA on victimisation in the workplace. SAPTU get on an ongoing basis complaints from its members regarding victimisation by senior staff members. We will put pressure on Management that the issue of victimisation must get a priority when intervention strategies are considered.

Ben v/d Walt
General Secretary
SAPTU

Date: 04/03/2010