



MEMORANDUM OF AGREEMENT FOR 2021

Between

**UNIVERSITY OF CAPE TOWN
(UCT)**

And

**UNIVERSITY OF CAPE TOWN ACADEMICS' UNION
(AU)**

Bm LL
Sy 
1

1. Period of agreement

This agreement operates, unless otherwise stated, for the period 1 January 2021 to 31 December 2021.

2. Scope of agreement

The agreement applies to the bargaining unit as agreed in 2009.

3. Increases in the Cost of Employment

The Standard Academic Salary Package (SASP) for Academic staff is based on the total Cost of Employment.

According to Stats SA, the Western Cape CPI in June 2020 was 2.8%. The overall academic salary increase for 2021 will therefore be 2.8% plus 1% as per the multi-year agreement with the Union giving a total of 3.8%.

The following are the increase percentages per academic rank for 2021:

Rank	UCT 2020 SASP	Increase	UCT 2021 SASP
Lecturer	730 510	4.8%	765 575
Senior Lecturer	887 294	3.8%	921 012
Associate Professor	1 065 129	3.8%	1 105 604
Professor	1 309 616	3.0%	1 348 905

Increases will only be paid to staff in service in the month of April 2021, and will be paid in the May 2021 pay run backdated to 1 January 2021.

4. Annual leave

The parties have agreed on the following with regard to academic annual leave:

- 4.1 Twenty-six (26) working days per annum which incorporates the four days between Christmas and New Year.
- 4.2 Annual leave forms must be completed and the leave recorded via the automated annual leave system on SAP (Employee Self Service).
- 4.3 Annual leave to be taken at any time in the year subject to operational circumstances.
- 4.4 Terms of carrying forward unused annual leave can be found in Annexure 1 (b).

Bm

LL

 2 SY

5. Medical Aid

The parties have agreed on the following with regard to Medical Aid:

Academic staff are required to become members of either the [University's medical aid scheme](#) or another [external registered South African medical aid scheme](#) as either the main member or spouse/partner dependant only. Those who elect not to join the University's medical aid scheme will be requested to provide proof of medical aid membership annually. Where external cover cannot be confirmed, the staff member will be in breach of conditions of employment and further action will be taken.

Permanent staff members employed before 1 January 2018, who qualify for a [post-retirement medical aid subsidy](#) and have external medical aid cover, must move back onto the [University's medical aid scheme](#) before retirement in order to access the subsidy. This move may incur penalties, waiting periods and/or exclusions as determined by the University's medical aid scheme.

6. Staff Tuition

The parties have agreed to retain the existing staff tuition policy (see Annexure 2 for details).

7. Non-salary Demands

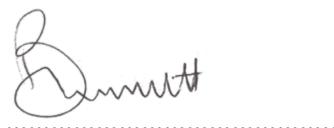
The parties agree to the process to resolve the remaining non-salary demands as specified in Annexure 1(a) and 1(b), including a dedicated dispute resolution procedure as set out in the Annexure.

Signed at **RONDEBOSCH** this 26th day of April 2021.

UNIVERSITY OF CAPE TOWN



.....



.....

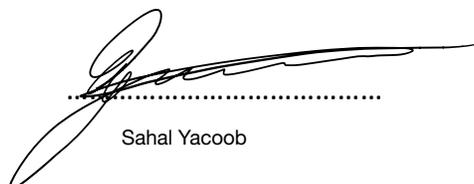
Barbara Mapara

UCT ACADEMICS' UNION



.....

Kelley Moul



.....

Sahal Yacoob

ANNEXURE 1 (a)

Non-salary item and current position	Report back date	Deadline
<p>SFARS policy The SFARS policy has been accepted subject to Council approval by the 13th of June 2021. A thorough update on the policy and timelines for the implementation to be provided.</p>	CFASM meeting on 19.05.2021	26.07.2021
<p>Reduction of academic workload A report and feedback will be provided at the CFASM scheduled for the 19th of May 2021 which will outline more detail. This item can be revisited within 3 months after the meeting mentioned above.</p>	CFASM meeting on 19.05.2021	26.07.2021
<p>Marking period A revised examination schedule will be designed to address the problem of too short marking periods.</p>	CFASM meeting on 19.05.2021	26.07.2021
<p>Career path for teaching As above</p>	CFASM meeting on 19.05.2021	26.07.2021
<p>Performance evaluation Management will address this item at the CFASM scheduled for the 19th of May 2021</p>	CFASM meeting on 19.05.2021	26.07.2021
<p>Leadership development A presentation on the current plans and activities associated with this item will be presented at the next CFASM scheduled for 19 May 2021.</p>	CFASM meeting on 19.05.2021	26.07.2021
<p>Parking Proposal to be presented to all unions in response to demands following discussion at Space Allocation Committee (SAC) meeting.</p>	SAC 05.05.2021	26.07.2021

Bm

LL

 S-y

<p>Publication top slicing Management will present a report on the progress of the Task Team and future plans, and will discuss the participation of AU representatives on the Task Team the Task Team.</p>	<p>CFASM meeting on 19.05.2021</p>	<p>26.07.2021</p>
---	------------------------------------	-------------------

ANNEXURE 1 (b)

Non-salary item and current position	Report back date	Deadline
<p>Mental health The AU to consider provision of extended counselling sessions on assessment and on a communication to staff of the mental health and related services available for staff.</p>	<p>30.04.2021</p>	<p>26 July 2021</p>
<p>Work from home reimbursement A financial reimbursement will be made to staff. The amount is still to be determined by the Executive at its next meeting, and agreed to by the AU.</p>	<p>07.05.2021</p>	<p>26 July 2021</p>
<p>Annual Leave carry over The current proposal is as follows: Academic staff may take annual leave in the year in which he or she earns it, or in the calendar year following the year in which he or she earns it. Accrued annual leave not taken by the end of the following calendar year is lost, unless the staff member through the Head of Department can show, via a written motivation to the satisfaction of the Dean (as delegated authority from DVC for this approval) that there were good operational reasons why the leave could not be taken. Leave to be postponed in this way must be requested before completion of the calendar year concerned and must be taken as early as possible in the following year. Annual leave cannot be cashed in. This still requires an Executive mandate and agreement by the AU.</p>	<p>07.05.2021</p>	<p>26 July 2021</p>

Bm

LL


S-Y

Dispute resolution in respect of the above non-salary demands.

In the event of any of the above items remaining unresolved after 26 July 2021, the parties agree that such dispute will be resolved through private arbitration.

Clause 10 of the Recognition Agreement (RA) provides a procedure for disputes that arise in the course of collective bargaining. However, it is agreed that the items in the annexure are subject to the dedicated dispute procedure set out below.

All the items have a report-back date, and all are subject to either reasonable progress or resolution by 26 July 2021. The AU will within 3 days of the report-back date give notice to Management on non-salary items on which insufficient progress has been made.

Whatever items that have not progressed to the satisfaction of the AU¹ or been resolved by 26 July 2021, will on that date be considered to be in dispute and will be referred by the AU to private arbitration.

The private arbitrator will be agreed by Management and the AU prior to 26 July 2021 from a list of three names submitted by each side. If agreement cannot be reached then the parties agree that the head of Tokiso will nominate an arbitrator. The date of the arbitration will be scheduled no later than 30 days after 31 August 2021. The arbitrator will be paid 50/50 by the University and the AU.

The AU will provide a list of the disputed items to the private arbitrator, succinctly state the positions in the dispute and progress made, provide relevant supporting documentation, and indicate the desired outcome for each. Management will provide their response to the arbitrator. The parties may provide the arbitrator with any additional documentation or information required. At the hearing either party may call witnesses. The procedure at the hearing will be determined by the arbitrator.

The decision made by the arbitrator on each disputed item will be binding on the parties and will not be subject to appeal.

¹ It is agreed, and specifically recognised by the AU, that certain items are the subject of existing policy-making processes. These processes are likely to be concluded only in about December 2021. These items will therefore not be resolved by 31 July 2021, but should have made reasonable progress by that date. If the AU determines that reasonable progress has not been made then it has the right to declare it in dispute and refer the matter, being something of mutual interest and having been a demand in the negotiations for this agreement, to the private arbitrator as part of this dispute resolution process.

Bm

LL


S.Y.

ANNEXURE 2

Draft communication on mental health services

HR provides professional counselling services for staff. The initial services cover 6 sessions but staff requiring extended counselling services may apply for additional sessions where there is a need through Blanche.Claasen-Hoskins@uct.ac.za.

Onsite and online counselling is available through the ICAS toll-free line or staff can book face-to-face counselling through Blanche.Claasen-Hoskins@uct.ac.za. Details of these services can be found at [UCT HR's Organisational Health and Wellness web page](#).

The following is a summary of HR's approach and what is available to staff:

Health and Wellness is a major priority at UCT as is reflected in the University's decision to adopt the notion of *Employer of Choice* as one of its Strategic Themes. Prior to the pandemic and the subsequent lockdown, UCT Human Resources had been increasing its focus, through its staff health and wellness services, to helping staff to develop the necessary skills and capabilities to remain resilient in our rapidly changing world. COVID-19 has made the focus on mental health even more important and has resulted in a further enhanced focus in this area.

The initial focus from UCT was to ensure physical protection against infection for staff with the 'work from home' approach. The importance of seeking to mitigate the impact of the pandemic on employees' mental wellbeing has been acknowledged by the University. The World Health Organization (WHO) has also already flagged the rising stress levels that the COVID-19 crisis is generating and encourages programmes to help staff cope with the mental and emotional strains that accompany the pandemic.

Through the VC and COO desk communications and training of [HR Business Partners](#), continuous reminders have been sent out to staff in order to remind them of the services which are available as part of HR's care package for staff. Staff are strongly encouraged to reach out and make use of the services which can be most helpful during these unprecedented times where many are trying to find a solid base from which to operate and make decisions. Reminders have also been sent for staff to show kindness to themselves and acknowledge any negative feelings which they may be experiencing.

It has also been acknowledged that, in these uncertain times, it is imperative that employers and their staff work together and take shared responsibility for safeguarding the mental wellbeing of staff. Staff should play their part by practising self-care, adopting healthy, and not destructive, coping strategies and making use of employee support services when these are needed.

There is widespread uncertainty about the impact the COVID-19 pandemic will have on the mental wellbeing of staff which indicates that UCT needs to have a proactive approach in this regard. Staff are encouraged to visit the website at [UCT HR's Organisational Health and Wellness web page](#) for the latest information and detail of the services provided and what is available in terms of support for staff through the UCT HR Staff Mental Health and Wellness programmes and services at UCT which include the following:

Bm

LL


S.Y

Counselling Services

UCT Human Resources offers many forms of support, including the coordination of services provided by Independent Counselling and Advisory Services (ICAS) and South African Depression and Anxiety Group (SADAG). During the lockdown period HR has enhanced its Health and Wellness offering for staff with many of the services moving to online mode. The goal of the counselling is to offer confidential and experienced help with the resolution of personal, as well as problems that are affecting work, or have the potential to affect work. Counselling can help most troubled employees find new alternatives and other resources to deal more effectively with their problems. These problems could include: marital and family conflicts, emotional problems, illness, financial difficulties, drug and alcohol abuse, job stress and burnout, legal difficulties, eldercare, childcare, parenting issues, balancing work and family, depression, anxiety, HIV and AIDS, compulsive gambling, and other major life changes.

The counselling process is designed to help people understand or overcome their personal problems. Such problems, if left unresolved can result in family disruption, job loss, and severe health problems.

Training programmes

The following are the current online training programmes available:

- Living in lockdown
- Managing in Lockdown
- Returning after Lockdown
- Loss, Mortality and Grief with CoVID 19
- Mental Health Awareness – The Mind@work
- Parenting in Lock
- Managing stress and Anxiety
- Emotional Impact
- Basic counselling skills
- Juicy Parenting

The following is the outline for Mental Health Awareness – The Mind@Work training programme which has been introduced specifically to deal with mental health awareness:

This six session training consisting of 90 minutes per session aims to equip line managers and supervisors with the knowledge and skills to better understand mental illness in the workplace.

Course Objectives:

- Managers understand the key issues associated with mental illness
- Managers can identify decreased work performance
- Managers know how to discuss issues with the employee
- Managers know how to refer cases
- Managers know how to deal with accommodation of employees with mental illness

LL
Bm
S.Y. 

Scope of training:

- Understand the key issues of mental illness such as the size of the issue, the impact on performance, stigma, the complexities of managing cases;
- Issues of managing mental illness – balance between care & concern and productivity;
- Relevant legal precedents associated with discrimination/mental health/incapacity;
- Use of mediation to find solutions to accommodate people with mental illness;
- Return to work issues - assessing readiness to return to work, graded return to work;
- Incapacity management of mental illness; and,
- Resources available in the workplace and other resources.

Approach:

- Presentation of key information
- Use of individual experiences
- Simple case studies driving much of the discussion
- Work books with ready reference information

Bm

LL

 S.Y

ANNEXURE 3

Staff Tuition

For the updated Staff Tuition Policy the South African Revenue Services (SARS) Regulations require UCT to deduct fringe benefits tax on study assistance provided by the employer. The study assistance amount is the amount of the study assistance benefit above 75%. Staff currently receive 100% cover and their dependants 90% cover.

Fringe benefit tax is calculated on the 25% value (of staff tuition cost) for staff and the 15% value (of staff tuition cost) for their dependants.

Where staff have more than one dependent accessing the benefit, these amounts are combined but staff receive a separate letter for each registered student (including the staff member if they are the student). For staff who are at the highest marginal rate of tax, the benefit is still higher to them from a cost perspective following the introduction of the revised policy and benefits.

The following example illustrates the increase in benefit from the old policy to the new policy:

Example Staff member studying an MBA of R 192 660 in 2020	100% benefit
Total Tuition and UCT covering in full on staff members behalf	192660
Old Policy Cost to staff member @ 75% benefit	48165
New Policy Fringe Benefit Tax Amount (Tuition x 25%)	48165
Marginal Tax rates	26%
Amount now paid by staff member is just the fringe benefit	12523
Difference in amount from old to new policy (staff pay this amount less)	35642
Example Dependant studying an MBA of R 192 660 in 2020	90% Benefit
Total Tuition and UCT covering in full on staff members behalf	192660
Old Policy Cost to staff member @ 75% benefit	48165
New Policy Fringe Benefit Tax Amount (Tuition x 15%)	28899
Marginal Tax rates	26%
Staff need to pay 10% of cost	19266
Fringe benefit amount paid by staff member	7514
Total paid by staff member	26780

Bm

LL


S.G

Difference in amount from old to new policy (staff pay this amount less)

21385

Bm LL 
SY