

Dear Dr Zulu

The Unions, being NEHAWU-NTEU-UKSU, have met and discussed the issues below and hereby provide their collective response.

1) PERFORMANCE INCENTIVES

1.1 Performance bonuses (PbP)

The Unions, being NEHAWU-NTEU-UKSU, require the following information in order to consider management's proposal for the non-payment in 2020 of the performance bonuses for the 2019 performance cycle:

- a) The cost incurred to date for replacement staff to undertake the duties of those staff suspended in 2017 and 2018;
- b) The cost to date from 2017, for all legal representation costs in labour related matters, including the use of external initiators and hearing chairs;
- c) The current value of student debt and the amounts written off in 2018 and 2019;
- d) The cost of hiring private accommodation for students, and the income in respect of those 'beds';
- e) The cost of licenses purchased under the guise of online teaching, specified for each license.

The Unions understand the need for sacrifices and sustainability but want to be assured that sacrifices are not only being asked of staff.

1.2 Performance pay Progression (PpP)

Performance pay Progression (PpP) is not negotiable. The Unions do not and will not agree to any changes to the usual practice. These adjustments must be made to all who qualify for the previous two year cycles (2018 and 2019), including whether or not the employee earns above or below the maximum of the 2018 salary ranges.

Management should not use the 2020 performance budget to pay the 5% February 2020 once off payment in respect of 2017/2018 PpP for outliers. The budget was calculated for the 2020 payments and did not take this payment into account, therefore, cannot be used to cover the cost. This was a negotiated agreement and must be treated as such and should not be stated as having been paid from the PpP budget for 2020, nor be taken from that budget.

2) PERFORMANCE MANAGEMENT

Issues that management should note are:

- a) Management must accept that 2020 has been unique and given the circumstances, performance contracting in the current environment should be abandoned;
- b) Under the unique circumstances, a motivation system to be used for the assessment of 2020 performance – this was used successfully in the past;
- c) Commit to future discussions on some form of averaging of performance scores over a specified number of years.

3) PERFORMANCE MODERATION

The Unions, being NEHAWU-NTEU-UKSU, have met and discussed the presentation and proposals from management regarding moderation. Management referred to the proposal as a new simplified way in which to do moderation. The Unions do not support this view and do not support the proposal.

Notwithstanding that the proposal is rejected, the following comments are made:

- a) The proposal stated as 'new' and 'simplified' is actually modelled on Line of Site (LoS);
- b) It is viewed as an attempt to introduce LoS, through the *backdoor*;
- c) Employees contracted as individuals in 2019 with an expectation that moderation would be individual, this cannot now be changed to moderation done as a collective;
- d) The final assessment score is an agreement between the subordinate and line manager, and the proposal is that this score is then reviewed by both the dean / DPS / director and then the EMC;
- e) The presentation refers to EMC then to "normalize the distribution curve", which implies that no matter how employees actually perform, whatever curve results from this, it will be adjusted to how EMC views the curve should be;
- f) This means that no matter the score, EMC will impose their view, which effectively makes assessment by line managers and the entire system voided;
- g) If EMC is effectively adjusting the scores, then EMC must take accountability and not force any notification to others in that "line managers shall then communicate the final performance scores to their employees" - this is not the score that the line manager has any input to;
- h) The measure is what EMC wants and not the actual measure of an individual's performance;
- i) To do what is being proposed correctly, would actually be a much more labour intensive process. Each role would need to be benchmarked in South Africa, rather than simply amending the Bell Curve;
- j) The proposal is not in line with the 2019 PM contract, nor with how outcomes are utilised in PpP and PbP, i.e. on an individual basis;

Management is again reminded of the critical problem with its stated position of how it intends "converting" LoS scores into "into a 4-point rating scale", wherein management stated it is a "simple mathematical conversion". It has been shown previously that what was proposed was not fair and equitable and management is again reminded:

- Performing at the norm lies at the 75% percentile in one system and the 50% in the other;
- Both the KPAs and the criteria to achieve any score are not the same;
- The percentage weightings are not the same.

Conclusion for the PERFORMANCE MODERATION issue

The Unions, being NEHAWU-NTEU-UKSU categorically reject the proposal for the EMC, and Dean and DPS to assume a mandate of moderating PM scores for 2019 - this is not their role and responsibility. The named Unions are prepared to challenge this proposal before the Employer, University Council. The moderation of PM scores for 2019 must be done as usual, i.e. College Moderation Committees that include the Line Manager of the employee, who should execute this task as has been the norm for a couple of years, 2018, 2017, etc.

SUBMITTED BY NEHAWU-NTEU-UKSU on 14 October 2020

