

**Memorandum of Understanding between the University of the Witwatersrand
Management, Outsourced workers and Students**

The University of the Witwatersrand like all universities in the country has been witness to historic student led protests which have drawn on the energies of exploited black outsourced workers. Together with the exploited outsourced black workers students in this university dared to imagine a different society, a society in which free quality education will be provided to all, and a society where the unethical labour regime of outsourcing would not only be outlawed but abhorred by all for its dehumanising effects on black workers. Following weeks of political protestation and agitation by students and outsourced black workers, intense but productive negotiations aimed at returning normalcy to the university were entered into. Convinced of the legitimacy of the grievances university management, outsourced workers and students worked earnestly and have arrived at a point of mutual agreement on the following issues:

1. Insourcing/Outsourcing

Recognising that the practice of outsourcing is an exploitative and dehumanising practice an agreement was reached after a University Council deliberation and decision that in principle the University should insource. Cognisant of the above and the imperative to maintain a financially viable institution it is hereby agreed that;

- 1.1 In pursuance of the principle of insourcing the university will not be renewing any contract that lapses except in instances where it secures the concurrence of the insourcing task team.
- 1.2 An insourcing task team will be constituted to work out the modalities (details) of the whole process including an analysis of cost structures.
- 1.3 Whatever decision the insourcing task team arrives at, it must ensure that it does not undermine the intent of the overarching principle which is to end the dehumanising practice of outsourcing.
- 1.4 The task team must report back on progress made to at a general meeting exactly a month after it is officially constituted.

1.5 The insourcing task team will be constituted as follows:

1. Chairperson of the Task Team	To be chosen by Task Team
2. Council Representative	Randall Carolissen
3. Council Representative	Theunie Lategan
4. Management Representative	Linda Jarvis
5. Management Representative	Imraan Valodia
6. Worker Representative	Elizabeth Deliwe Mzobe
7. Worker Representative	Matthews Lebelo
8. Worker Representative	Johannes Dlamini
9. Worker Representative	Vusi Masondo
10. Union Representative (NASAWU)	Sam Ndou
11. Student Representative	Vuyani Pambo
12. Student Representative	Ntokozo Moloji
13. Student Representative Council	Nompendulo Mkhathshwa
14. Student Representative Council	Thabo Boom
15. Academic Representative	Shireen Ally
16. Academic Representative	Noor Nieftagodien
17. Independent Expert	To be chosen by Task Team

1.6 At its first sitting the task team will deliberate and agree on an external person to chair its proceedings and an independent expert.

1.7 At its first sitting the task team will have to work out a quorum to ensure that it is not paralysed by lack of attendance of some members at anyone meeting.

1.8 The following key items it is expected are going to be prioritised in the work of the task team; lock-in clause (meaning companies that provide outsourced services may not move workers to other sites outside of Wits in manner that deprives these workers an opportunity to be insourced), MJL workers, ownership of the Matrix, and dispute about Campus Control night shift allowance.

2. Dependants of Outsourced Workers

Dependants of outsourced workers who are admitted to the university will be able to study tuition free until they complete their studies. The onus will be on the University to find the resources with which to support these students.

3. Supplementary Exam Fee

The supplementary exam fee of R 1500 will no longer be levied.

4. With-held Qualifications

It has been agreed in principle that students with unpaid fee accounts who have completed a qualification will be issued their transcripts and be permitted to graduate, subject to entering into an agreement and payment plan with the University. The University will work out how this provision will be implemented in a way that ensures that it does not place its finances at risk.

5. Deferred Exams

Those who for reasons pertaining to protests feel inadequately prepared for exams will be permitted to sit for these in January 2016 in accordance with rules for deferred exams which allow for deferral on these grounds.

6. University General Assembly

It was proposed that a University Assembly composed of all stakeholders be constituted as the overarching institutional authority. It did however emerge that the structure that was envisaged may be at variance with past practice in the University. Hence this matter could not be conclusively dealt with within the parameters of the negotiations. It was therefore resolved that continued engagement on the matter is pursued and finality be reached at least by June 2016.

7. Disciplinary Action

No disciplinary action will be pursued against any student for taking part in the protest. Furthermore no outsourced worker or university employee will be victimised in any way for taking part in or supporting the protest.

8. Underwriter

It was agreed that an underwriter to the agreement be nominated. The person will play the role of arbiter of the agreement. More precisely in the eventuality of a disagreement or dispute the person nominated will be the mediator. Advocate Mojanku Gumbi has since been nominated for the role and position of underwriter to this agreement.

