

Victory for PSA members in Western Cape

- A member at the Department of Correctional Services pleaded guilty on a charge of assault and was given a written warning by the employer. Three months later, the employer transferred him from Community Corrections to a Correctional Centre and used the same incident as reason for the transfer. The PSA engaged the employer *via* a grievance, indicating that it was punishing the member twice for the same incident, but the grievance was unsuccessful. The matter was referred as a dispute and a week before the arbitration a settlement agreement was reached to place the member back to Community Corrections. The Department therefore admitted that it was wrong to transfer the member. The settlement agreement was endorsed by the Commissioner at arbitration.
- A member at the Premier's Office was charged with sexual harassment or alternatively, improper behaviour in the workplace. The PSA assisted the member, and he was found not guilty of sexual harassment but guilty of improper behaviour, which carries a lesser sanction than sexual harassment.
- An educator member was charged with misconduct in that he used inappropriate language when addressing learners and that he prevented them from leaving the classroom during interval. This is a dismissible offence and after due consultation, the member decided to plead guilty and subsequently parties entered into a plea-bargain agreement. The member was penalised with a fine of R1 500, deductible over three months and a final written warning.
- A member at the Department of Forestry, Fisheries and Environment was charged with four counts of misconduct relating to the misuse of a government vehicle, *viz* gross negligent driving, damage to a state vehicle, misrepresentation regarding the same incident, and use of a state vehicle without prior approval for overnight parking. Owing to sterling representation by the PSA's full-time office bearer, the member was found not guilty on all four charges.
- A member at the Department of Health was given a sanction without proper procedure being followed. The PSA's full-time office bearer met with the employer party, and it was agreed that the process was not procedurally fair. Consequently, the sanction was withdrawn. As the disciplinary process was exhausted, no further action can be taken against the member.
- A member at the Department of Higher Education and Training (DHET), employed at a TVET College in the Western Cape, did not receive the 1.5% increase due to her and lodged a grievance. After engagement by the PSA, the member confirmed that she received the 1.5% as well as back pay due to her.
- Several members, employed as lecturers at a TVET College, were informed that their contracts would expire by the end of December 2023. After engaging with the employer and the DHET, the contracts of all the members concerned were extended for another 12 months.

- A member at the Department of Cultural Affairs and Sport had leave issues and did not get any response from his employer. His annual leave on his pay slip, compared to his supervisor's records differed, and whenever he wished to take leave, it was in dispute and declined. The PSA intervened and finally, a leave audit was done and submitted to the member, which resolved his leave issues.

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