

FOR PSA MEMBERS: EASTERN CAPE (MTHATHA AREA)

14-04-2020

Member's rights: PSA successfully assists member amidst COVID-19

A PSA member at the Department of Public Works approached the PSA for assistance after she was not shortlisted for the post of Admin Officer: Immovable Asset Register. The member applied for the vacant, advertised position as she met the requirements and approached the PSA for assistance after she realised that she was not shortlisted. The PSA advised her to lodge a grievance. The employer's response to the grievance was not satisfactory. A dispute was declared, and the matter was referred for conciliation. Conciliation failed and the matter was referred to arbitration.

At the arbitration hearing, it was revealed that the panel decided to change the minimum requirements and years of experience as stated in the advertisement. It was also noted that the panel failed to consider the member's experience in State Land Administration and Verification of Immovable Assets in Land and Building as an added advantage. Furthermore, the panel went ahead to shortlist and appoint someone who did not meet the minimum requirements with no experience in State Land Administration and Verification of Immovable Assets.

The arbitrator ruled that the employer committed unfair labour practice by appointing someone who did not meet requirements of the post as set out in the advertisement. The employer was ordered to appoint the member in the position of Admin Officer: Immovable Assets from 1 June 2020 retrospectively from the date the second respondent was appointed. The member was thankful for the PSA's intervention as she is presently unemployed owing to the expiry of her contract.

GENERAL MANAGER