

FS MEC vows to take warehouse arbitration award to 'highest courts'

OFM - 18 Sep 2019

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Wed, 18 Sep 2019 Free State Education MEC, Tate Makgoe Free State Education MEC, Tate Makgoe, vows to take a damning R23 million arbitration award favouring a determined group of former book packers to the highest courts in the land. Makgoe provided the department's first response to word of the award during intermission at the Free State Treasury's two-day research colloquium held at the Central University of Technology on Wednesday 18 September. In his response, Makgoe acknowledges the Education Department has instituted proceedings to appeal the ruling made by the General Public Service Sector Bargaining Council (GPSSBC) in August 2019 that ordered the department to rehire and compensate at least 170 former book packers with R136 000 each. These 170 employees used to work at ten of the department's learning and stationary warehouses located throughout the province in Welkom, Allanridge, Marquard, Petrus Steyn, Heilbron, Kroonstad, Qwaqwa, Harrismith, Koffiefontein, and Mangaung. Makgoe argues the award defies logic, because the employees were temporary anyway, further asking a pertinent question "if we employ those people, what will they do?" In 2017, the Education Department terminated the temporary contracts with the book packers and shut down nine of the ten warehouses. The nine warehouses were being rented, while the tenth – in Mangaung – was owned by the department. It is estimated that the end of the programme resulted in about 600, mostly young people being left jobless. Makgoe says the end of the programme began at the provincial treasury's office. Finance MEC Gadija Brown later explains that her predecessors' decision "was made on providing efficiency to the fiscus, to optimise cost and output and it unfortunately affected temporary jobs". The Education MEC does acknowledge the end of the programme may have had some lasting effects on the unemployment rate of the communities in which the warehouses were located, "but it was not a permanent intervention, there is not much we can do about it," he says. While the two officials stressed the jobs were temporary they did not delve into the arguments made by the Public Servants Association of South Africa (PSA) in arbitration proceedings this year. PSA labour relations officer, Jantjie Jack, says the Department created a "reasonable expectation" when they renewed employees' contracts each year or every other year. The union stated the 2015 amendment to the Labour Relations Act regarding contract workers was in their favour, limiting contract work to three months, without a justifiable reason. It states "Employment in terms of a fixed-term contract (newly concluded or renewed) for longer than three months will be deemed to become permanent employment – with some exceptions. Note: An employer cannot circumvent this provision by using successive fixed-term contracts limited to three months each. It is not the current contract period, but the total period of employment that must not exceed three months". OFM News... [View the entire article here](#)

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