

Promotion and protection of members' rights

The PSA is committed to protect members' rights and defend them in unfair labour practices or infringement of constitutional rights and legislations. The PSA has demonstrated its commitment and expertise in the following matters:

- The Chief Director and Director were charged on allegations of having contravened the recruitment policy in 2012 wherein both SMS members were represented by the PSA. They were advised to tender not guilty pleas whereas members of another union facing the same charge were advised to tender guilty pleas. The members were both exonerated in that all charges were withdrawn based on the arguments presented by the PSA. It should be noted that some members from another union who were charged alongside our members pleaded guilty and as such were found guilty.
- A member approached the PSA for assistance with unfair suspension. The PSA declared a dispute of unfair suspension. In the arbitration hearing, the PSA represented the member and the employer settled the matter by signing a settlement agreement that the member had to return to work the day after the arbitration hearing.
- The PSA assisted the member with an unfair labour practice relating to benefits. The PSA during conciliation argued and produced evidence that the member was on sick leave resulting in the late submission of the PMDS. The employer then wrote a submission for the omission of paying the member. The submission was approved, and the member was paid some R6 400.
- The PSA represented a member charged with allegations of stealing a government vehicle and making a false statement when opening a case at the police station. The chairperson found the member guilty and mitigation was submitted on behalf of the member. The chairperson then pronounced a sanction of two months' suspension without salary, despite the member committing a dismissible offence.
- A senior manager at the Department of Economic Development was charged with misconduct (two charges) and subsequently dismissed in 2017. The PSA declared a dispute of unfair dismissal with the bargaining council. The award was made in favour of the member. The council ordered that the member be reinstated retrospectively to 7 November 2017 and be paid R877 339.20 by 31 January 2019. The member was re-instated effectively on 2 January 2019.

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GENERAL MANAGER