

FOR PSA MEMBERS: SOUTH AFRICAN REVENUE SERVICE (SARS)

28-10-2019

Update: Disputes

Debt Dispute

Members were previously informed that the PSA rejected the settlement offer by the employer. The PSA appointed legal representatives and its legal team is finalising the pre-arbitration process with the employer's legal representatives. A pre-arbitration is a requirement by the CCMA to resolve preliminary issues, agree on common facts and finalise certain logistical arrangements. The arbitration will commence once this process has been concluded. In the meantime, members are requested to continue to perform their functions as per their job profiles. Members will be updated once the pre-arbitration has been concluded.

Field Workers Allowance (FWA)

The PSA successfully challenged the employer's removal of the FWA for a group of members in the KZN region. The employer subsequently took the CCMA award on review to the Labour Court in Durban. Parties submitted the required affidavits and now await the Labour Court to enroll the matter onto the court roll. Members are requested to exercise patience as the PSA is dependent on the court to provide a set-down date and the PSA understands the Labour Court has a tremendous backlog of cases. The PSA, through its legal representative, is making regular follow ups with the Registrar but could not yet secure a date. The PSA has also involved its Provincial Office in Durban to obtain a set-down date. The PSA has started with engagement with the employer to address the unfairness that the rest of the members experienced when the employer withdrew from the FWA collective agreement. Members will be updated on the outcome of these discussions.

Hay Grade

Members were previously informed that all parties agreed to the private arbitration continuing to resolve this long-outstanding case. The PSA requested information from the employer on individual cases but is yet to receive any information. For the matter to proceed to arbitration and be finalized, the PSA needs the outstanding information. It was therefore decided that affected members must provide the PSA with permission to access their personal files. Affected members will, through their respective provincial chairperson or FTSS, receive a permission slip to complete. Members are requested to do this as quickly as possible to prevent any delays. The PSA is hopeful that the outstanding information will be available on each member's personal file.

Ivan Fredericks
GENERAL MANAGER