

FOR PSA MEMBERS: CAPE NATURE

17-09-2020

Dispute referral: unilateral reduction of members vacation leave accrual from 30 to 24 days

Members will recall that it was reported in an earlier *Informus*, Cape Nature confirmed that they did implement the deduction of Vacation Leave from 30 to 24 days, for those employees with more than 10 years of uninterrupted service and who accumulated 30 days' vacation leave per annum. This action was implemented with effect from 1 July 2020.

The PSA regards this as a unilateral change in the conditions of employment for the affected officials, and a dispute in terms of section 64 (4) of the *Labour Relations Act, Act 104/1995*, as amended. Cape Nature implemented its decision without following the relevant consultation process and in concluding an amended or new Collective Agreement in this regard.

CapeNature E-conversation from the desk of the CEO, dated 12 June 2020, where employees were informed of the employer's decision. The invitation to mail an Official of Cape Nature should the employees have reservations, objections, or proposals by no later than 19 June 2020, only 5 days later, whilst a lot of the members were on leave and had no access to their e-mails, cannot be regarded as consultation.

Despite several employees submitting their reservations and concerns in this regard, the decision was concluded and implemented with a second Cape Nature E-conversation from the CEO's desk dated 17 July 2020, wherein it was also alleged that the union was consulted. The union referred to was definitely not the PSA, which is the only recognised union in Cape Nature. The CCMA has confirmed that the referral has been received and allocated case no WECT13491-20 and we are awaiting the date for conciliation.

The Office also received a request from the CCMA that this meeting be virtually conducted, and members will be informed of the date of set down as soon as it is received.

Members will be updated on further developments in this regard.

GENERAL MANAGER