

Individual assistance to members

Department of Justice and Constitutional Development (DoJCD)

A member at the DoJCD approached the PSA after her application for temporary incapacity leave (TIL) for six days in October 2020 was not successful. The member was notified of the decision in January 2021. The PSA assisted the member to lodge an appeal against the decision by the DoJCD not to approve the TIL. The appeal was considered in favour of the member and the TIL leave was approved and implemented on 31 March 2021.

The PSA also assisted another member at the DoJCD to lodge an appeal after the Performance Management Moderating Committee reduced her performance score for the 2017/18 year of assessment. The appeal was only decided more than a year later and the Central Appeals Committee confirmed the scoring of the Moderating Committee. The PSA then declared a dispute on the member's behalf at arbitration, which commenced in 2019 and was only finalised in March 2021. The Commissioner found that the DoJCD committed an unfair labour practice against the member by reducing the performance score that was agreed upon between the member and the supervisor. The DoJCD has now been ordered to calculate the amount that the member would have received at the end of the assessment in 2018. This must be paid to her by the end of April 2021. The PSA will monitor to ensure that the award is implemented.

Office of the Chief Justice (OCJ)

Two members at the OCJ approached the PSA after they were informed by the employer that they would not be paid pay progression owing to the employer having decided that they did not qualify for this as they had not attended training that was scheduled for the various sections during the 2019/20-assessment cycle. The members were assisted to lodge internal appeals and after no outcome was forthcoming, disputes were declared on their behalf. One of the matters was conciliated in March 2021 whereas the other matter was awaiting a date for conciliation. The PSA is pleased to report that the affected members confirmed that the payment of pay progression was implemented on 6 April 2021.

GENERAL MANAGER