

Feedback: GPSSBC meeting – 9 December 2022

Transfer of Agricultural Colleges to National Department of Agriculture

Members are aware that Cabinet approved the memorandum to transfer the functional competence of Agricultural Colleges from the Department of Agriculture, Land Reform and Rural Development (DALRRD) to Department of Higher Education (DHET). Subsequently, the GPSSBC established a task team that will facilitate the process as a result of the uncertainty between the two Departments as to what their respective roles will be. The DHET subsequently pulled out of the process. It was then agreed that the Colleges must be transferred from provincial government to national sphere and that the DHET should not participate in the process and be excluded from the task team. Owing to a trust deficit, labour requested the General Secretary to draft a collective agreement to include the following elements: Job security of employees, retention of terms and conditions of employment with prevailing benefits, and the legislative framework applicable to this process. Further, the GPSSBC directed all affected chambers to stop engagement on this matter as the council will be responsible for this process. The legality of the matter became problematic, leading to the Council seeking a legal opinion, which provided that the Cabinet memorandum cannot be relied upon to transfer Agricultural Colleges to the DHET/DARLLD. Although it was concluded that the Council does not have authority to deal with the matter, the employer requested that the matter be stayed over to allow for the employer to consider legal opinions. Labour, however, called for removal of the matter and for it only to be tabled once the employer is ready.

Review: Resolution 3/2001 and Resolution/2004

Labour withdrew the matter after it became clear that the employer had no appetite to release office bearers and full-time shop stewards. The response that the employer was busy with internal processes could not be acceptable, noting that the matter has been on the Council's agenda for a long period and the employer never showed urgency in concluding the matter.

Special Leave/Study Leave

The matter was withdrawn as the employer failed to get a mandate to deal with it and has been hiding behind PSCBC processes for wage negotiations, although the matters were unrelated.

Review of scope: Public Entities

Upon engagement with the PSCBC, the GPSSBC was informed that the legal investigation process was underway, that a preliminary report is ready for tabling at the PSCBC, and that the report will only be shared with the GPSSBC upon tabling. Only then will the Council be able to engage on the matter.

Members will be informed of developments.

Employees who want to join the PSA can visit the PSA's website (www.psa.co.za), send an email to ask@psa.co.za, or contact PSA Provincial Offices.

GENERAL MANAGER