

Victory for PSA members – Mpumalanga Province

Department of Justice

A member was charged with misconduct for interference with the duties of a Court Manager, sexual harassment, and insubordination. He attended a disciplinary hearing, was found guilty and was suspended for two months as well as being served with a final written warning. The PSA appealed the verdict and the sanction was set aside.

Department of Water and Sanitation

A member requested the PSA to assist him in lodging a grievance against the employer for continuing to be paid on salary level 2 when all Drivers are paid at salary level 4. The grievance was unresolved and a dispute was referred to the General Public Service Sectoral Bargaining (GPSSBC) for resolution. At the GPSSBC the employer contended that the dispute was out of time and that the GPSSBC lacked jurisdiction. The PSA argued that this is an ongoing dispute since the under payment is ongoing. The GPSSBC agreed with the PSA and the employer's contention was dismissed. The matter will now proceed.

Department of Community Safety and Security

A member was charged with eight charges, ranging from allowing Z83 applications to be submitted after the closing date as per the advertisement, allowing candidates without a driver's licences to be short listed and appointed, allowing candidates of whom the driver's licence had expired to be shortlisted, shortlisting candidates who did not provide a physical address, and allowing candidates to be short listed whilst they did not meet the qualifications requirements. He was represented by the PSA and was found not guilty on all charges.

Department of Correctional Services

A member applied for a transfer to another Province. The transfer was approved by the delegated authority. The approval was never communicated to the member, but was then withdrawn. The member lodged a grievance, and the PSA subsequently declared a dispute. At arbitration, the employer raised a jurisdictional issue that a transfer is not a benefit. The PSA argued that in terms of the Apollo case and other case law, the transfer can be seen as a benefit as soon as it is approved. The jurisdictional ruling was in favour of the member and the arbitration date is now being awaited.

GENERAL MANAGER