

Update: Victory for PSA Members - Mpumalanga Province

South African Revenue Services (SARS)

A member was acting in a higher post and his acting in the higher post was supposed to be renewed every three months. The employer then refused to pay the member an acting allowance. The PSA assisted the member to declare a dispute and at conciliation a settlement agreement was signed where the employer agreed to pay the acting allowance. The member confirmed payment.

Department of Health

Following the refusal of the employer to upgrade members employed as Radiographers and Occupational Therapists in relation to the OSD agreement, the PSA assisted members to declare a dispute. The arbitration award was in the members favor, determining that the employees should be upgraded as from the date when they qualified, and all outstanding monies should be paid to them.

Department of Labour

A member was absent for 2 days due to sickness. The Supervisor demanded a Doctor's certificate, which the member did not have. Notwithstanding the Department's Leave Determination Policy, which states an official is obliged to produce a sick note from the third sick day, the Supervisor imposed leave without pay and an amount of R3000 was deducted from the member's salary. The PSA assisted the member to refer a dispute and after receiving the dispute forms, the employer investigated the matter, and the Supervisor was found in the wrong. The member will be refunded the amount deducted as leave without pay.

Department of Education

A member was charged with three serious misconduct charges relating to victimisation, threatening to assault, and conducting oneself in an improper manner. The PSA successfully represented the member where the Chairperson found the member not guilty and exonerated him of all the three charges.

Department of Public Works and Infrastructure

A member was issued with a final written warning for insubordination. The PSA declared a dispute relating to unfair disciplinary action short of dismissal and at arbitration it was found that indeed the employer committed an unfair labour practice resulting in the withdrawal of the sanction.

Department of Correctional Services

A member was charged for smoking a cigarette inside the institution during level 5 lock down, and he also shared the cigarette with an offender. The employer argued that in terms of the *Disaster Management Act* it was declared that smoking is prohibited, and the employer also alleged that he was confessing to smuggling with offenders. He was then dismissed. The PSA declared a dispute for unfair dismissal on behalf of the member and following successful representation, the member was reinstated with full benefits.

GENERAL MANAGER