

Update: Victory for members in North West

Department of Education

A member was appointed as a Data Technologist. When receiving a salary advice in March 2022, she noticed that she was unilaterally appointed as an IT Helpdesk Support without being consulted. This was also contrary to her contract of employment. She lodged a grievance and requested the matter to be corrected. Previously, she declared a dispute by herself to the Council and a ruling was made that she was late and needed condonation, whereafter she approached the PSA for help. A meeting was scheduled with the employer, where the matter was amicably settled and the member was correctly placed.

Department of Mineral Resources and Energy

A member worked overtime during the period of COVID-19 under the instructions of his manager from Head Office in Pretoria. This included night overtime as well as weekend overtime. The total hours of overtime were 112 hours. The Department failed to pay him because it stated that his overtime payment should not exceed 30% of his monthly basic salary in accordance with the *Basic Conditions of Employment Act* and the Circular from the Department of Public Service and Administration. The PSA argued at the arbitration that there was evidence that the member got an instruction from his superiors to perform overtime duties and that the instructions were unlimited. The Department wrote to the member, suggesting that he should take time off. The PSA further argued by submitting Resolution 1/2007 paragraph 9.1, which deals with the payment of normal overtime on Sundays and public holidays where, in such instances, officials should be paid double or be granted time off. The award was issued in favour of the member.

Department of Treasury

A member acted in a post of Deputy Director. After twelve months, although the acting period with remuneration payment ended, the Department continued to enjoy the services he provided. He eventually filed a complaint after the Director expanded his functions to include those of the Deputy Director. He was represented by the PSA during a grievance meeting. A decision was taken that the Director should make a written submission to the Head of Department, extending the member's acting allowance because the post was still vacant and funded.