

Victory for PSA members: Western Cape

Department of Employment and Labour

A member occupies the position of Assistant Director on level 10. He applied for the position of Deputy Director in the Department. He was not shortlisted. He met the qualification requirements as he holds a B-Comm degree in Business Management. The PSA referred the matter to the General Public Service Sectoral Bargaining Council as an unfair labour practice. The award was in favour of the member. He was compensated in terms of section 194(4) of the *Labour Relations Act*. He was awarded compensation, which was the difference between his salary and the first notch of the higher post.

Department of Defence

Members worked excess hours to their contractual working hours for years. They received some form of payment and time off in lieu, but it never payments in line with overtime prescripts. The members merely wanted to be allowed to work their eight-hour day from 07:30 to 16:00, without being compelled or subtly threatened with disciplinary action if they do not work excess hours. The PSA referred the matter to the General Public Service Sectoral Bargaining Council as an unfair labour practice. Parties agreed to a settlement agreement, indicating that the members will not be compelled to work overtime. Furthermore, should it be required that they need to work overtime, they will be remunerated as per the provisions of Resolution 1/2007.

National Student Financial Aid Scheme

The member was a Fund Relations Specialist (level 9) performing the same functions of a Fund Relations Manager. She requested the employer to upgrade her, but it was refused. The PSA referred the matter to the CCMA as an unfair labour practice. A settlement agreement was agreed upon by parties to have the member's post job evaluated by end November 2022.

GENERAL MANAGER