

Victory for PSA members: Limpopo Department of Health

- A member, employed as a medical practitioner, requested the PSA's assistance when the Department failed to pay her for commuted overtime during the 2017/18-financial year and simply ignored the grievance she lodged on 18 November 2019. She had struggled for more than three years to resolve her grievance before she finally turned to the PSA for assistance. Subsequently, a dispute was referred to the PSCBC. The matter was arbitrated, and the Commissioner ruled that Council lacked jurisdiction to enforce the overtime payment. The PSA then referred the matter to the PHSDSBC and unfortunately received the same outcome. The matter was then referred to the CCMA where no agreement was reached at conciliation. Since the matter could not be referred for arbitration as the member earned above the threshold, the only remedy was then for the PSA to approach the court. The PSA's internal legal section was engaged for assistance with filing of papers. Whilst the process was underway, the PSA pursued the employer to get finality on the matter. The PSA engaged the employer on several levels, including the HOD, DDG, and Labour Relations Manager, until the employer finally agreed to pay the outstanding monies. Despite this undertaking, the employer dragged its feet by requesting information piece meal, and eventually a submission was made to the HOD for approval after months of pressure by the PSA. The PSA then approached the Office of the Premier and the Public Service Commission to highlight the departmental inefficiency to deal with an employee's issues. The PSA relentlessly followed the progress up with all role players until approval was ultimately granted. The member was paid an amount of R155 150 on 31 October 2023.
- Another employee requested assistance when she was admitted to the high-care unit of a local hospital. The employer had failed to consider her pleas not to transfer her to a clinic where she would be exposed to hundreds of patients daily. As a result, she became very ill within a week of her transfer. The member had a medical history, which required that she must work in an environment where she would have no contact with patients as she suffers from a chronic ailment. The PSA immediately engaged the employer at District Level. When this failed to yield results, the PSA turned to the Head of Department who also failed to respond. The office of the MEC and the Department of Employment and Labour were approached to urgently intervene as the employer had a legal duty to provide and maintain a working environment that is safe and without risks to the health of workers, and the PSA could not allow the member to return to the clinic under any circumstances. The member subsequently received a letter transferring her back to her initial workplace where she would have no contact with patients.

The PSA is committed to protect members' rights and promoting their interests as practicing service excellence is an important value of the PSA. Members needing assistance with their cases can contact the PSA Provincial Manager at john.teffo@psa.co.za / WhatsApp 079 513 9856.

Employees who wish to join the PSA can contact Lawrence Muvhango on 082 880 8995 / lawrence.muvhango@psa.co.za or Paulina Moloto on 082 880 8957 / paulina.moloto@psa.co.za.

Reuben Maleka
GENERAL MANAGER