

Victory for PSA members

Department of Health

A member from the Department of Health was advised to lodge a grievance based on pay differentials. The PSA referred a dispute to the CCMA for equal pay, for work of equal value. The matter was settled in favour of the member, elevating the member to salary level 7 from 1 July 2023. Their rank designation was also corrected from senior Personnel Officer to Labour Relations Officer.

Department of Justice and Constitutional Development

The Department of Justice and Constitutional Development charged a PSA member for repeated absenteeism. Although the member pleaded guilty, the PSA raised mitigating circumstances based on misconduct vs incapacity and argued that the absenteeism was caused by the employees' illness. Therefore, the employee could not be blamed for the purported misconduct. The member was given a sanction short of dismissal coupled with counseling.

Department of Social Development

A member working in Labour Relations for the Department of Social Development lodged a grievance related to victimisation. Internal attempts to resolve the matter failed. The PSA promptly referred a dispute to the CCMA for unfair discrimination. Upon receiving the dispute notice, the employer requested a meeting with both the Union and the member. The matter was amicably resolved and settled to the satisfaction of our member. The PSA was happy to withdraw the matter from the CCMA, saving valuable resources, time, and effort for all involved.

40 PSA members in Social Development, Namakwa Secure Care Centre complained about their probation that ran for over three years. They were advised to register an unfair labour practice grievance relating to probation. Upon receiving unfair labour practice disputes related to probation, the Department acted swiftly owning up to their error and even convened a meeting with the Management at this Centre along with the PSA. The matter was settled by confirming the permanent appointment of the members.

Department of Home Affairs

A member in a senior position at Home Affairs was charged with misconduct for authorising an irregular appointment. Though the member faced only one charge, the charge was serious enough to justify dismissal if the member was found guilty. The hearing dragged on for over three months. The PSA

provided the member with representation throughout those difficult times and the outcome was eventually in the member's favour as he was found not guilty.

Provincial Treasury

A member at the Provincial Treasury approached the PSA after the employer irrationally declined his leave application. The PSA declared a dispute in terms of interpretation/application of PSCBC Resolution 7/2000 read together with the Determination on Leave of Absence and Policy on Incapacity Leave. The hearing was first interjected by jurisdictional issues raised by employer. The council then found that it has jurisdiction to dispense with the matter and consequently the merits of the case were debated. The PSA pointed out that had the employer correctly applied the collective agreement, then, they would not have declined the member's leave without reasons. The Commissioner ruled in favour of the member. The Department was also ordered to compensate the member for the 19 days of leave that had accrued in 2021 for the leave cycle of 2020.

GENERAL MANAGER