

PSA assists members in Northern Cape

South African Social Security Agency (SASSA)

A PSA member was aggrieved by employer's failure to shortlist him. He met the requirements for a senior post advertised and duly applied. Inexplicably, he was not shortlisted even though he acted in the same post previously. The CCMA Commissioner ruled in favour of the member and rendered an award that confirmed the unfair act by employer. The member was awarded compensation for two months.

Department of Employment and Labour

A member at the Department of Employment and Labour was not shortlisted for interviews. He met the requirements of the advertised post. The PSA declared an unfair labour practice relating to promotion on behalf of the member. The PSA found the reasons forwarded by the employer to not shortlist the member strange. The Commissioner explicitly called the reasons a "cover up". The PSA obtained a favourable award as the Commissioner found that the appointment of the then-incumbent to be unfair. The appointment was also nullified. The employer was ordered to re-start the appointment process from the point of advertisement.

Statistics South Africa

The PSA declared a dispute of unfair labour practice relating to benefits on behalf of a member. The member had been doing work in a higher position for longer than six weeks. The employer refused to pay an acting allowance, raising the vetting process as reason. The PSA challenged the refusal by way of an unfair labour practice relating to benefits dispute. The Commissioner considered this aspect and ruled that the vetting process was not a requirement of the policy on acting. Stats SA was ordered to pay R39 595 for outstanding acting allowances and a further one month's salary in compensation for the unfair conduct towards the employee.

Department of Sport, Arts, and Culture

The employer refused to pay a PSA member and acting allowance. It reasoned that there was no official appointment letter by the Executing Authority. The PSA argued that the breach of the collective agreement was the doing of the employer and the member cannot be disadvantaged. Evidence was led that the member performed the functions in a higher position and the employer benefited from this. The arbiter awarded payment of the acting allowance amounting to R89 327, plus compensation equal to one week's salary.

Department of Transport, Safety, and Liaison

A matter related to non-payment of 1.5% pay progression based on EPMDS was raised in the Bargaining Council. The arbiter needed to determine whether the employer acted fairly in line with the Employee Performance Management System. Simply stated, the employer could not present reasons why the PSA member could not be granted 1.5% pay progression. The Commissioner ruled in favour of the member. The employer was ordered to grade progress the member and pay a further six months' compensation for the unfair discrimination by the supervisor. The total amount payable was R156 799.72.

GENERAL MANAGER