

FOR PSA MEMBERS: **SOUTH AFRICAN HEALTH PRODUCTS REGULATORY AUTHORITY (SAHPRA)**

07-03-2023

Feedback: Meeting between labour and Board – 28 February 2023

Labour met with the Board on 28 February 2023 with the intention of dealing with unresolved workers' issues, as mandated by members. Subsequently, a members' meeting was also held on 1 March 2023 to report back. This follows failure between the CEO and labour to find each other. The following matters were discussed:

Salary disparities

Employees are experiencing salary disparities despite performing the same job having identical years of service and experience, which leads to unhappiness amongst staff. It was reported that newly recruited employees were allowed to negotiate their salaries that did not form part of DPSA scales. Those employed through funded projects earned higher salaries than that contained in DPSA scales. The situation has worsened owing to the employer's failure to implement grade progression for qualifying employees. The PSA demanded that these disparities be rectified.

Unresolved tax liabilities

Owing to incorrect tax being deducted by the employer, it has resulted in employees owing SARS tax for the 2020/21-tax year. The PSA demanded that the employer should rectify the situation. The Board committed to settle the debt where it can be proved that the liability is as a result of the negligence by the employer.

Unfair recruitment and promotion

Labour alerted the Board to irregular appointments that were not in accordance with recruitment policies and for positions that did not exist on the structure. Labour demanded that these appointments and promotions be revoked. The Board will investigate the allegations.

Policy uncertainty

Management is failing to implement and follow policies dealing with grievances and PMDS, including grade progression for qualifying employees resulting in many and unnecessary grievances that remain unresolved for extended periods. Labour demanded that all unresolved grievances and pending performance moderations be addressed urgently. Further, the remuneration policy must be implemented

for all employees and not perpetuating disparity by having different scales between employees transferred from the Department of Health and different salary scales for newly appointed employees.

Strained labour relations

Labour opted to suspend all Labour Forum engagement until the employer addresses all issues raised by workers. The decision was based on the fact that management has been ignoring labour and failed to implement all Labour Forum decisions. Labour raised a concern about strained relations between SAHPRA management and labour.

Overreliance on consultants

Overuse of consultants results in wasteful expenditure as they charge exorbitant amounts with no value for money. There is also a duplication of services as the same functions are rendered by existing employees. Labour demanded that these appointments be terminated with immediate effect.

GEPF contributions

A contribution statement from 1 July 2021 must be issued to employees as there is suspicion that contributions are not up to date. Officials from the GPAA were invited and failed to assist members. A print-out of updated statements is thus the only way to assure employees that they will have no problems when leaving employment.

Payroll

Labour noted that there have been improvements in the processing of monthly salaries and 13th cheque. It is worrying to note that some employees lost benefits because of premature migration from Persal to Sage. Labour demanded that such benefits be restored as they are part of basic conditions of service and cannot be changed without a proper consultative process and a collective agreement.

Employment: Labour Relations Manager

Labour demanded the employment of a Labour Relations Manager in accordance with the approved organogram. This was considered by labour as one of the critical positions, considering the number of challenges employees are reporting. The position would be mandated with the responsibility to create a harmonious environment in the workplace. Labour was informed that this function is outsourced to consultants. However, this does not benefit employees as the consultant only advise the CEO on labour-relations matters.

Outstanding employment contracts

The Board inquired from labour if it is aware of outstanding employment contracts. Labour confirmed that it was not aware of any outstanding employment contracts. The Board was informed that the Minister's Directive, issued as part of section-197 transfer documents, provides guidance on how employment contracts of transferred employees should be handled. The Minister's Directive and Memorandum of Agreement between the NDOH and SAHPRA were shared with the acting Board Secretary via email to be distributed to members of the Board.

Benchmarking report

The report could not be adopted by labour owing due to some disparities. Labour requested that a new contractor be appointed as the appointed contractor failed to execute the mandate. Labour is ready to engage with the Board to point at flaws of the report.

Hybrid Policy

The Hybrid Policy was discussed at the Labour Forum meeting and labour had an opportunity to submit comments. The final draft, incorporating inputs from labour, was expected to be shared with labour before approval by the CEO. Sadly, the policy was implemented before labour was given an opportunity to confirm that its inputs were incorporated. On this basis, labour took a decision not to recognise the hybrid policy. It was the view of labour that the Board must intervene as there is malpractice and maladministration in SAHPRA. Labour will push that the organisation be put under administration should the Board fail in its oversight role. The Board was given until 1 April 2023 to address issues raised. The Board undertook to respond in writing to labour on 10 March 2023. It also promised to have a follow-up meeting with labour in the second week of April 2023 to provide progress on the raised issues.

Members will be informed of developments.

Employees who want to join the PSA can visit the PSA's website (www.psa.co.za), send an email to ask@psa.co.za or contact PSA Provincial Offices.

GENERAL MANAGER