

FOR PSA MEMBERS: CAPE NATURE

22-01-2024

## What is happening at Cape Nature?

### Labour Court: Review application regarding Arbitration Award concerning interpretation and application of collective agreement after unilateral reduction of members' vacation leave accrual from 30 days to 24 days

Members will recall that it was reported in the previous *Informus* that the above-mentioned matter was referred as a dispute to the CCMA. The employer's conduct in the reduction of leave days from 30 to 24 days per annum does not only address the issue of leave, but also the long-service recognition agreement that was reached between the PSA and Cape Nature. The PSA's mandate was that members want their leave accrual to be returned to 30 days leave per annum.

At the arbitration, the Commissioner found in favour of Cape Nature, viz that the collective agreement regarding long-service recognition, which was concluded in 2012, was only valid for three years and thus lapsed in 2015. The PSA did not agree with the Commissioner's finding and the arbitration award was taken on review to the Labour Court.

Approval for legal assistance was granted and an attorney, *Malcolm Lyons and Brivik Incorporated*, was appointed to represent PSA members at the Labour Court. The case has been set down for 1 February 2024 and the attorney confirmed that Heads of Argument have been prepared and submitted as per the directive of the Labour Court.

Members will be informed of developments as well as the ruling by the Judges of the Labour Court.

Reuben Maleka  
GENERAL MANAGER