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FOR PSA MEMBERS: **GENERAL PUBLIC SERVICE SECTORAL BARGAINING COUNCIL (GPSSBC)**

24-05-2024

## Appointment of Full-Time Shop Stewards and release of Trade Union Office Bearers

### Review of Full-Time Shop Steward Agreement (Resolution 3/2001 and 1/2004)

#### Request for a mandate from members!

It was previously reported to members that the employer tabled a draft collective agreement on the appointment of full-time shop stewards (FTSSs) and the release of trade union office bearers on 23 September 2023. The draft agreement aimed to review GPSSBC Resolution 3/2001 and 1/2004 that currently regulates the release of full-time shop stewards. The GPSSBC Resolution on the release of full-time shop stewards was derived from clause 3.2 of PSCBC Resolution 11/1998, which provided guidance to sectors on the appointment and release of full-time shop stewards. It aimed to optimise collective bargaining and dispute resolution in the public service.

The new draft agreement envisaged augmenting and consolidating the provisions of both Resolution 3/2001 and 1/2004.

Resolution 3/2001 provided for the following threshold:

- FTSS were elected in a sector per province (geographical area)
- One FTSS was released for 2 000 members and two FTSSs for 4 000 members.

Resolution 1/2004, which amended Resolution 3/2001, provided for the following threshold:

- One FTSS for 1 000 to 3 999 members.

The new draft agreement provides for the following threshold:

- One FTSS for every 5 000 members in the sector and a minimum of 11 FTSSs for recognised trade unions.
- Four national office bearers and nine provincial office bearers

It must be noted that the Department of Correctional Services (DCS) currently has a collective agreement that regulates the release of full-time office bearers. It is on this basis the PSA demanded that the DCS Chamber agreement be exempted from the new draft agreement. The employer consulted its principals, and on 8 May 2024, it agreed that the DCS Chamber agreement would be exempted from the new draft agreement. Despite the above, the PSA continued to engage the employer on several provisions that might lead to future interpretation problems if not clarified clearly or amended. Numerous engagements occurred and the employer did not agree to amend the following provisions. The following were, amongst others, issues of concern to the PSA:

- Definition of critical posts.
- Termination of the secondment of the FTSS when accepting a promotional post.
- Gratuity allowance payment for officials on salary level 1 - 3 appointed as FTSS on salary level 4.
- Exclusion of the DCS Agreement from the scope of the draft agreement.
- The draft agreement will replace all other agreements that regulate the release of FTSSs and the impact this will have on the DCS Agreement.

The PSA has noted that the new draft agreement, apart from the new threshold requirements, contains the following amendments/additions:

- Recognised trade unions will be able to nominate or elect the FTSS without being limited by the membership number at the province or institutions as stipulated by the current resolutions.
- Recognised trade unions will benefit from the inclusion of a minimum threshold of 11 FTSSs, as the representation would be reasonable.
- Introduction of the new dispensation, which provides for automatic qualification for recognised trade unions to release four national office bearers and nine provincial office bearers.
- The release of FTSS and office bearers will now be managed by the trade union concerned.

The employer during the bi-lateral meeting on 26 April 2024 and the Council meeting on 8 May 2024 confirmed the exemption or exclusion of the DCS Chamber agreement so that the current arrangement could not be disrupted, and office bearers could continue to deal with complex disciplinary hearings and disputes at local, national, and international levels.

The employer has indicated that it has concluded negotiations on the draft agreement. **In terms of clause 16,10 of the GPSSBC Constitution, parties are given 21 days to complete their mandating process to conclude the agreement.** The PSA, as always, will only sign an agreement once it receives a mandate from its members who resort under the GPSSBC Sector to do so. Members are therefore requested to indicate whether they support the draft agreement to be signed or not. Members are requested to send their mandates via their structure Chairpersons to the PSA administrator at [velucia.maluleke@psa.co.za](mailto:velucia.maluleke@psa.co.za) **by 7 June 2024.**

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

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