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FOR PSA MEMBERS: **INDUSTRIAL DEVELOPMENT CORPORATION OF SOUTH AFRICA LIMITED (IDC)**

30-04-2024

Update: Arbitration for the 10% benefit dispute

As previously reported to members, the PSA declared a dispute of unfair labour practice over IDC's failure to pay full benefit to members in terms of the Non-Pensionable Allowance (NPA) and the Short-Term Incentive (STI). The matter was previously set for conciliation where parties could not find an amicable solution to it. It was then set for arbitration on 17 April 2024 where the IDC raised a preliminary point arguing that the Commissioner of the CCMA lacks the authority to arbitrate over the dispute. The PSA views this as a delaying tactic from the IDC as they knew that by raising preliminary point, the arbitration would not proceed on the day but on a much later date. IDC made critical concessions before the Commissioner while raising the preliminary point. They conceded that the NPA and STI are benefits and that only 90% of those benefits was paid and 10% was not paid. The PSA's argument is that the mere concession that the NPA and STI are benefits gives the CCMA authority to arbitrate over the matter in terms of section 191 of the *Labour Relations Act*. The submissions made by IDC were not based on the facts of the dispute but on their misconceived interpretation.

The CCMA will issue a ruling on the preliminary point after 14 days and if it is in favour of the IDC, the matter will be dismissed but if it is in favour of the PSA, it will be set down for arbitration. IDC indicated that the 10% claimed by the PSA amounts to about twenty-one million rands, which will increase should the matter be delayed further. The PSA is determined to fight this case until members are paid what is due to them.

Members will be kept updated.

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.

Reuben Maleka
GENERAL MANAGER