

## Victory for PSA members in North West

### Department of Social Development

Two members lodged a grievance regarding the upgrading of their posts from Social Worker Grade 3 to Social Worker Supervisor Grade 2. The Department failed to attend to their grievance and the members approached the PSA for assistance. The PSA declared a dispute on their behalf and the matter ultimately reached arbitration stage. During the arbitration, the Department realised that it did not have any grounds as it erred in not upgrading the members. The Department entered into a settlement agreement with the PSA and in the end upgraded the members accordingly.

### Department of Agriculture and Rural Development

- A member applied for an advertised post of Assistant Director and was not shortlisted. She requested reasons why she was not shortlisted, and the Department failed to furnish her with reasons. She lodged a grievance that the Department also failed to deal with. A member approached the PSA for assistance and a dispute was declared on her behalf. As a result of this dispute, the Department decided to resolve the matter at conciliation stage. The Department wrote a letter to the member, informing her that the interviews would be reconvened, and she would be included. The member has since confirmed that she was invited for the interview.
- A member qualified for a performance bonus for the 2020/21-financial year and the Department has been refusing to make payment. The member lodged a grievance and the Department failed to deal with this in a satisfactory manner. The member approached the PSA, and a dispute was declared. The Department paid the member a performance bonus amounting to R11 000 after it received a notice to arbitration.

### South African Local Government Association

A member was assessed for the 2022/23-financial year. He was not satisfied with the outcome of his assessment as the employer assessed and rated him on the wrong KPI. This action by the employer resulted in him not qualifying for a notch increment and a performance bonus. He raised his dissatisfaction with the employer, but the employer failed to deal with his dissatisfaction. He lodged a grievance, and his grievance was also not dealt with to his satisfaction. The member approached the PSA for assistance and a dispute was declared. The employer decided to settle the matter during the arbitration hearing and agreed to assess and rate the member in line with the correct KPI.

### Department of Public Works and Roads

A member was charged with misconduct relating to dereliction of duty, insubordination and negligence and was dismissed on 18 April 2023. The PSA declared an unfair dismissal dispute. The Commissioner ruled in favour of the PSA and ordered the Department to reinstate the member with effect from 19 April 2023 and further ordered it to pay the member the amounts as calculated by the Persal system, covering the period 19 April 2023 to 2 April 2024, inclusive of all increases.

### **Department of Human Settlements**

A member applied for the position of Deputy Director and was shortlisted and interviewed. Another employee was appointed who was less qualified for the position and with insufficient management experience. The member filed a grievance, which remained unresolved and was referred to Public Service Commission, which found that the appointment was irregular. The employer challenged the report of the Public Service Commission regarding the promotion to such an extent that the matter was unduly delayed. The member approached the PSA, and the matter was reinstated and proceeded, despite multiple jurisdictional points from the employer aimed at dismissing the matter. Finally, the Commissioner awarded in favour of the member with four months' compensation being given, amounting to R151 845.

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