

FOR PSA MEMBERS: **SOUTH AFRICAN REVENUE SERVICE (SARS)**

09-02-2024

Update: SARS 2021-wage dispute

Members are aware that the employer had presented several settlement options to the PSA and, following these discussions, the PSA duly started a mandating process whereby members could exercise their choice as to whether they wanted to enforce the High Court judgement that awarded SARS employees a 2.3% increase on their baseline salaries, backdated to 1 April 2021 or accept the settlement offer that the employer had presented.

It is disconcerting that the employer indicated to the PSA on 8 February 2024, during a working group update meeting, that it is disappointed that the PSA offered enforcement as an option during the ballot process. Members must note that the PSA made it clear to the employer at the outset of the workgroup meetings that the PSA was successful in obtaining the favourable High Court judgement and that a settlement should have been presented before the judgement was issued, but that the PSA will share the information that the employer presented with members, which is an obligation. If the PSA did not provide the option presented by the employer as option 1, and submitted it to members, that would amount to the PSA disregarding the judgement that was issued in favour of the PSA by the High Court.

The PSA notes the employer's internal newflash to employees in which it reported that the matter could not be resolved. The PSA is perplexed by this statement by the employer since the PSA's mandating process is yet to be concluded. The PSA can only assume that the employer is desperate to force employees to accept an offer that is far less than what the Court determined to be due to PSA members.

The PSA implores members to carefully consider the implications if they accept the offer of the employer, as it may have dire financial implications on members in the short term and on their long-term pension growth. The PSA assures members that the Union is committed to the democratic process that was embarked upon and will not allow the mandating and voting process to be derailed. Upon conclusion thereof and, depending on the election of the majority of members, the PSA will embark on the process that the majority of members had elected. If the majority members elected the enforcement route, the PSA will start with enforcement proceedings and the PSA legal team will action this in the coming days. If members elect to accept the settlement offer, the PSA will engage with the employer regarding the implementation of that decision. However, the process will be anonymous and without bias, as opposed to the process that the employer has embarked upon, where each employee has to declare a choice to the employer. This is a process that the PSA cannot support as it may open members up to bias and is disregarding collective bargaining and the role of the national bargaining forum.

It is disappointing that the employer showed no regard for the processes as set out in the statute of the national bargaining forum and that it insists on engaging employees directly and individually. The PSA urges members to refrain from such individual engagements and continue to support the PSA in its sincere and concerted endeavours to ensure that members receive what is due to them and what the Court already ruled in favour of.

SARS employees who have not yet chosen the PSA as their Union of Choice can visit the PSA's website (www.psa.co.za), send an email to ask@psa.co.za, or contact a PSA Provincial Office.

Employees have to unite during this time in which the employer is ostensibly trying to disregard unions and recognised bargaining structures. It is of utmost importance that employees join the PSA as the Union of Choice continues to protect and promote employees' rights and interests without fear or prejudice.

Members will be informed of developments.

Reuben Maleka
GENERAL MANAGER