



FOR PSA MEMBERS: **FREE STATE**

18-11-2025

PSA protects members' rights in Free State

Department of Cooperative Governance and Traditional Affairs

The PSA successfully represented a member in an unfair labour practice dispute against the Department. The case involved the employer's decision to stop the member's salary and benefits after a delay in submitting a temporary incapacity leave application, despite the member being booked off owing to a serious medical condition. The arbitrator found the employer's actions to be procedurally unfair and unreasonable, as it failed to consider the employee's circumstances and caused financial hardship. The employer was found guilty of committing an unfair labour practice and was ordered to compensate the member with two months' salary amounting to R57 855.50, payable by 15 December 2025. Failure to comply will result in interest and enforcement.

Department of Sports, Arts, Culture, and Recreation

The PSA secured a victory for members in an unfair labour practice dispute against the Department. The case involved the Department's failure to submit employees' performance agreements on time, which led to the non-payment of the 1.5%-salary progression. Although employees had signed their agreements within the required timeframe, their supervisor neglected to forward these to Human Resources, resulting in financial prejudice to the affected staff. The arbitrator ruled that this constituted an unfair labour practice under section 186(2)(a) of the *Labour Relations Act*. The Department was ordered to:

- Assess and evaluate the employees' performance outcomes for the relevant period by 31 October 2024; and
- Compensate each affected employee with three months' salary for the unfair labour practice, payable by 31 October 2024.

Failure to comply with the award may result in Labour Court enforcement through contempt proceedings. This outcome reaffirms the PSA's commitment to protecting members' rights and ensuring fair and lawful treatment in the workplace.

Reuben Maleka
GENERAL MANAGER