



**FOR PSA MEMBERS: LIMPOPO**

12-05-2025

## Victory for PSA members in Limpopo

### Enforcement of arbitration award

The PSA represented two members who are appointed as Drivers at the Department of Health, where the employer failed to settle legally mandated overtime payments owed to the two PSA members, for work performed in March 2018. The members were granted standing authority to perform remunerative overtime exceeding 30% of their basic salary for the 2017/18-financial year. Despite this authorisation, the employer unlawfully capped their overtime to 30% of their monthly salary, denying them their rightful remuneration and instead coercing them into taking time off in contravention of Clause 9 of PSCBC Resolution 1/2007.

After exhausting all internal avenues to resolve the dispute, the members approached the PSA in 2021. The PSA subsequently referred the matter to the Public Service Coordinating Bargaining Council (PSCBC) in terms of section 24(5) of the *Labour Relations Act 66 of 1995*. The employer stalled proceedings by claiming it was engaging the Department of Public Service and Administration for a resolution. However, no progress was made, leading to arbitration on 20 November 2023, where the employer finally acknowledged its debt of R14 078.34 and R15 038.22, respectively, and committed to settling the amounts by 31 March 2024.

When the employer failed to honour the agreement, the PSA applied for certification of the award on 19 April 2024. A Section-142 ruling was obtained on 24 May 2024, followed by certification in terms of section 143 of the *LRA* on 26 June 2024. Despite this, the employer still refused to comply, forcing the PSA to engage the Sheriff of the Court for enforcement. A vehicle valued at R200 000 was judicially attached on 29 August 2024, giving the employer until 29 September 2024 to settle the debt.

Yet again, the employer ignored the deadline, compelling the PSA to instruct the Sheriff to remove the attached asset in October 2024. However, enforcement was obstructed when it was revealed on 28 November 2024 that the employer had made a bulk payment exceeding R2 million to the Sheriff in an attempt to clear multiple outstanding enforcement orders, whilst conveniently excluding the case in question. Despite continued efforts by the PSA, the Sheriff failed to act throughout December 2024 and January 2025, further delaying justice for the affected employees.

On 30 January 2025, as the Sheriff was finally prepared to execute the removal, the employer- through its Legal Services representative, pleaded for an extension. The PSA categorically rejected this request. The employer then hastily issued a letter, stating that the payment would be captured for a payment run on 6 February 2025 and paid into the Sheriff's account on 15 February 2025. The PSA refused to accept this further delay, and the attached asset was removed on 19 February 2025. The PSA was not surprised when the employer did not comply with its undertaking when no payment had been made to the Sheriff by 15 February 2025. The employer was later informed that the date of the auction by the Sheriff was arranged for 11 April 2025.

The PSA is happy to report that the employer finally made a payment to the Sheriff on 25 March 2025, thereby finally settling the members' dispute. Both members received their outstanding monies on 6 May 2025.

This case epitomises the systemic inefficiency, disregard for labour laws, employees' rights, and gross mismanagement within certain government departments. The PSA remains steadfast in its commitment to ensuring that justice is served. The PSA will do everything in the Union's power to protect members' rights and promote their interests as practicing service excellence is an important value of the PSA. Members needing assistance with their cases can contact the PSA Acting Provincial Manager on [phillip.maponya@psa.co.za](mailto:phillip.maponya@psa.co.za) or WhatsApp 082 880 8967.

Employees who want to join the PSA can contact Paulina Moloto on 082 880 8957, Lawrence Muvhango on 082 880 8995 or call the PSA Provincial Office on (015) 295 0500.

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GENERAL MANAGER