

Victory for PSA members in Pretoria

Department of Public Works and Infrastructure

The PSA assisted a member who did not receive her salary owing to the premature implementation of an outcome relating to incapacity, with a grievance. The PSA rigorously represented the member and convinced the employer that because of the implementation, the member incurred bank charges. As a result, the employer took responsibility regarding the bank charges incurred owing to non-payment of the member's monthly salary. The employer committed to pay the bank charges incurred.

Department of Higher Education and Training

- A member was assisted by the PSA in a matter concerning the interpretation or application of PSCBC Resolution 7/2000. The member alleged that the employer failed to implement a temporary incapacity application within the 30-day time frame and responded more than a year later. The member also disputed the employer's refusal of various applications by the member for temporary incapacity made in terms of the Resolution. The PSA referred the matter for arbitration at the PSCBC and after making a compelling case, the Commissioner found that the decision to refuse the granting of temporary incapacity was made outside the 30 days after the application and not in compliance with the Resolution. The Commissioner found that the effect of the delay is that it sought to have a retrospective effect in that it amounts to an unreasonable and arbitrary exercise of discretion with unfair consequences for the member. The Commissioner found the member was entitled to temporary incapacity for the periods she applied for, together with repayment of monies deducted from her salary for those periods. The Commissioner awarded that the Department failed to comply with the Resolution, the member is entitled to temporary incapacity leave for the periods she applied for, and the employer may not appropriate leave credits due to the member or deduct money from her salary. The Department was ordered to amend the member's personnel or leave file. The employer was also ordered to refund the member an amount equivalent to deductions made.
- In another matter, the PSA assisted a member who had applied for a position in the Department. The member was shortlisted and interviewed, but the employer decided not to fill the post. On behalf of the member, the PSA referred a dispute to the GPSSBC. At arbitration, the Department decided to settle the matter. The member was offered the position of Deputy Director by the Department.

South African Health Products Regulatory Authority

The PSA assisted two members who were aggrieved that the employer decided not to pay the full bursary allocation as per their bursary contracts. The members lodged a grievance that was not resolved by the employer. The PSA referred the matter for conciliation at the CCMA. Conciliation for the dispute failed and the PSA then referred the matter for arbitration. At arbitration the employer, after realising that the PSA had a convincing case, decided to settle the matter. A settlement was reached wherein all outstanding bursary fees would be paid by the employer.

The members have expressed gratitude with the PSA's support and successful resolution to their matters. The PSA is committed to providing strong representation in all matters.

Employees who want to join the PSA can visit the PSA's website or contact PSA Provincial Offices.

Reuben Maleka
GENERAL MANAGER