FOR PSA MEMBERS: **GAUTENG – JOHANNESBURG AREA**

17-09-2026

Victory for PSA members

Successful cases in Johannesburg area

- Seven members at the Gauteng Department of Roads and Transport worked authorised overtime during March 2025 but were not paid. The Department argued that owing to budget constraints, the employees had been informed that they would receive time off instead of payment. The arbitrator found that although the Department had discussed its budget constraints with employees, there was no written agreement in which the applicants agreed to take time off instead of receiving overtime payment. The Department therefore failed to correctly apply PSCBC Resolution 3/1999 and its own Overtime Policy. The employees were awarded a total of R69 428.79 for the outstanding overtime, plus interest from the date of the award until payment.
  Key principle: An employer cannot simply substitute overtime payment with time off where the applicable policy requires a prior written agreement between the employee and supervisor/manager.
- The PSA referred an unfair labour practice dispute against the Gauteng Department of Education after a member's claim for travel costs incurred whilst working overtime in 2025 was rejected and the grievance was not responded to. The arbitrator found that although home-to-work travel is normally considered private under Scheme B, the circumstances were unfair because other employees working the same overtime were provided with government vehicles, whilst the member had to use his own vehicle. The Department also failed to clearly communicate how his transport would be handled. The Department was ordered to pay the member R8 456.36.

Successful case at CCMA

A member at the Border Management Authority approached the PSA after the employer failed to honour payments due to the member. Despite attempts to resolve the matter internally, the dispute remained unresolved, leaving the member financially prejudiced. The member therefore sought assistance from the PSA. Upon assessing the merits of the case, the PSA took up the matter and referred the dispute to the Commission for Conciliation, Mediation and Arbitration. The PSA represented the member throughout the dispute resolution process and ensured that all relevant facts and evidence were properly presented. During conciliation proceedings, the employer acknowledged the validity of the member's claim and entered into settlement discussions. As a result of the PSA's intervention and representation, parties concluded a settlement agreement in full and final resolution of the dispute. The employer undertook to pay the member R90 251.88 on or before 30 September 2026.

This outcome demonstrates the importance of seeking assistance through the PSA when employees experience unfair treatment or are denied benefits. The successful resolution of the dispute provided financial relief to the member and ensured that the employer was held accountable for its obligations.

The PSA is committed to protecting members' rights and ensuring that they receive fair treatment in the workplace.

Reuben Maleka
GENERAL SECRETARY