

FOR PSA MEMBERS: PUBLIC PROTECTOR OF SOUTH AFRICA (PPSA)

13-11-2019

Closure of Office between Christmas and New Year

Members have been kept informed of the background and progress on this matter in previous editions of *Informus*. (copies can be obtained from the PSA's website (www.psa.co.za) or from any PSA Provincial Office).

The PSA tabled this item after the employer issued a circular forcing employee to take two days' leave in December 2019. The PSA was of the view that the circular was contrary to *section 20(10)(a)* of the *Basic Conditions of Employment Act*. In terms of this clause, annual leave must be taken on agreement between the employee and employer. The employer unfortunately did not accept the PSA's demand and relied on the disputed policy to force employees to take leave.

Members were informed in the previous *Informus* that the life span of conciliation was extended to 12 November 2019, for both parties to seek a mandate. At conciliation on 12 November 2019, the PSA submitted members' demand of five days closure of office without deduction of annual leave. The employer could not move from the four days it previously proposed. Instead, it changed the date of closure of Friday, 20 December to Monday, 23 December 2019.

Parties concluded a Settlement Agreement that the Office will now close on 23 December at 12:00. Employees will be granted paid leave on 24, 27, 30 and 31 December 2019. Employees who wish to take leave on 23 December 2019 will do so on a voluntary basis. Members are no longer forced to take leave on 23 December 2019. The employer will issue a circular not later than 22 November 2019, to replace the previous one on this matter.

The PSA views the Settlement Agreement as a victory for employees!

Ivan Fredericks
GENERAL MANAGER