



## **GEPF** FUNERAL BENEFIT.

GEPF provides a funeral benefit for the funeral of an active member or a pensioner, as well as for the funeral of a spouse or eligible child of a member or pensioner.

The funeral benefit payable upon death of such a member or pensioner is R15 000, spouse R15 000 and eligible child R6 000.

More cover and less worry about tomorrow.

















#### VISION

Position the PSA as a leading brand that is globally recognised by its dominance in the Public Sector through its responsive, innovative and customer focus.

#### MISSION

Continue to conduct the core business of the Union and maintain strategic partnerships to protect the rights and promote the interests of our members individually and collectively in the relevant social dialogue platforms. In addition to this, the marketing of the PSA will be done aggressively by utilising all communication platforms.

The following values guide the PSA's conduct aimed at achieving the Union's mission:

Loyalty, transparency, respect, integrity, consistency, and service excellence









www.psa.co.za 0861 452 452



The PSA offers

financial assistance

with funeral costs

at the death

of a member,

provided that

the application

is received

within six months

of death

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### In service of workers

**EDITORIAL** 

For years to come, 2020 will be remembered across the world as an extremely testing period. The reason for this was the devastating COVID-19 pandemic that also left a trail of destruction in South Africa. In modern times, such a disaster was almost unthinkable.

As the pandemic impacted on the already embattled South African economy, further - almost unthinkable - events became reality for public servants. Their employer, as custodian of workers' rights and defender of democracy, reneged on the 2018-salary agreement by refusing to pay them their increase due on 1 April 2020. At the same time, COVID-19 brutally laid bare ills in South African society. It exposed serious shortcomings in basic infrastructure that public servants and the communities that they serve have, in fact, been exposed to for many years; Poorly equipped hospitals, schools, and other workplaces that lack basic facilities such as running water, proper ablution facilities, and decaying buildings. Severe shortages of personal protective equipment left frontline workers exposed to COVID-19 contamination, with many of them paying the ultimate price. In addition, employers often failed to comply with regulations to ensure the health and safety of their employees. In all these instances, the PSA was a loud and clear voice of reason, persistently demanding action to address these situations.

But perhaps even more disturbing, was the opportunistic fraud, corruption and vandalism that exploited the state of disaster to criminally benefit individuals. It is the same activities that have gradually eroded the South African economy to reach a critical point where the State as employer, is now pleading poverty when it comes to honouring salary agreements for its employees. The State is by means of, amongst others, the media mooting a host of attacks on public servants' established rights as well as their pension benefits, whilst seemingly forgetting that these matters were the result of proper processes being followed.

With the State as employer and custodian of labour rights and democratic processes reneging on agreements with its employees, collective bargaining in South Africa is at a turning point. The PSA, as a professional Union is, however, geared to take on perhaps one of the biggest challenges in the organisation's century of existence.

POLICE DAY: 27 January 2021

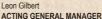
The PSA pays tribute to the dedicated Officers who serve the country with pride.

In the face of the current grim realities, the PSA would, however, like to reassure members that their Union of Choice is in good standing to continue protecting and promoting their rights and interests as we enter 2021. The external auditing firm that was appointed to audit the PSA and oversee its financial affairs, for example, issued an unqualified audit opinion for the past financial year. This underlines the Union's sound financial management.

The PSA's continued demonstration of leadership in collective bargaining structures and its strong stance against the exploitation of public servants' pensions benefits and other matters also contribute towards trust in the Union.

With 2020 (and the PSA's centenary year) now behind us, the PSA can look back at a period where its vast experience equipped the Union to rise above adversity and cement its legacy as being "MORE THAN A UNION". Centenary initiatives were reprioritised in support of COVID-19 interventions. These included wide-spread support for communities in need.

The troublesome 2020 may be part of history, but 2021 is destined to be a challenging year for workers. The PSA will remain alert and intensify its efforts to ensure that the Union and its members will continue to be a force to be reckoned with for centuries to come.





# Collective bargaining

The rules of collective labour law flow from acceptance of the fact that employees and employers, though linked by the common enterprise, constitute different interest groups with a different objective. Employees, for most part, seek to ensure that they receive a fair return for their labour, whilst employers strive to maximise their profits.

Labour law is therefore designed to ensure that the inherent conflict between these two groups is subject to certain rules, and to subject those who break these rules to the scrutiny and power of the judicial system. Collective labour law consists of rules and principles that govern the relationship between labour collectives and employers who may, in turn, be organised into their own collectives.

Collective labour law is unique in the sense that its rules leave parties in a large measure to determine the outcome of disputes by muscle (numbers, majority rules). Unions should therefore pursue their competing goals through a process of collective bargaining, which may ultimately be backed by a threat of industrial action.

The law and the courts therefore play a minimum role in the process of negotiations and courts only step in when ground rules are broken. Collective bargaining is characterised by collectivism, which involves not individuals but a group of individuals from the labour side working for the same employer or service sector.

It is important to note that collective bargaining is not consultation. Consultation implies seeking advice and does not include any kind of agreement. Bargaining means to arrive at some agreement on terms of give-and-take. Negotiations therefore involve bargaining to confer with a view to reach an agreement.

In South Africa, collective bargaining is regulated by the Labour Relations Act (LRA) and the Constitution of South Africa entrenches certain rights, which may not limit those rights to the extent and the purpose permitted. Amongst the entrenched rights are those groups under the heading Labour Relations (section 23), which reads:



# under Militais

DAY OF RAGI

- Everyone has the right to fair labour practice.
- Every worker has the right to join a trade union, to participate in the activities and programmes of the trade union and to strike.
- Every trade union, employer's organisation and employer have the right to engage in collective bargaining national legislation may be enacted to regulate collective bargaining.
- National legislation may recognise union security arrangements contained in collective agreements.

These are, amongst others, the most salient constitutional rights and are thus protected by the Constitution. Government's recent reneging on a collective agreement (Public Service Coordinating Bargaining Council Resolution 1/2018 — Public Service Wage Agreement) is a clear indication of an attack on collective bargaining.

Only registered unions may conclude collective agreements that are recognised under the *LRA*.

Section 23 of the *LRA* provides that any collective agreement binds not only the union party or parties to the agreement, but also members of the union party or parties. All parties to the bargaining council are bound by the collective agreement concluded at council level. A collective agreement, like a contract, expires on a specific date. The *LRA* provides that, if no termination date is specified, collective agreements may be terminated by given reasonable notice in writing to the other parties. PSCBC Resolution 1/2018 is a three-year wage agreement and the employer therefore could not negate from the implementation.

If labour fails to unite in the attempt to stop this ludicrous action by the employer, it will have far-reaching implications on all collective bargaining forums. The impact that this reneging from a collective agreement will have on existing rights will also undermine the purpose and the existence of unions in South Africa. The State, as custodian of democratic rights and upholding the law, is sadly also reneging on these responsibilities and is destroying sound labour relations in South Africa and social justice in the workplace.

### **STOP PRESS**

The hearing of the PSA's wage dispute before the Labour Appeal Court is set to be one of the most important and defining events in the history of South African labour law. This watershed case that will dictate the future of collective bargaining in South Africa was heard on 2 December 2020. The outcome\* will not only affect the salaries of public servants but has a direct impact on collective bargaining in general. The PSA is optimistic that it has a very strong case in that collective agreements must be honored and that public servants, like any other worker in the country, must be paid the salaries due to them.

by the time of going to press of this edition of the PSA magazine, judgement was still being awaited

In service of workers



The Child's pension is available to a child whose parent or guardian was a GEPF member or pensioner. The benefit only applies if the parent or guardian or pensioner is deceased from the 1st of June 2018.

#### BENEFITS

- The Child's pension is payable to a child up to the age of 22 years.
- Disabled children are entitled to receive a Child's pension beyond the age of 22 years, subject to approval by the GEPF.

#### WHAT THE APPLICANT MUST SUBMIT

A certified copy of the deceased ID (certified within the last 6 months)

- A banking details form (Z894)
- A certified copy of the death certificate
- A certified copy of your ID and confirmation of death by the Department of Home Affairs.

Securing their future.

















# ensions: High alert

Proposed changes to retirement funds in South Africa have caused anxiety amongst workers. Three major changes are proposed related to annuitisation rules, access to funds on emigration and the impact on provident funds and their administrators. These are as a result of several legislative changes affecting the retirement industry such as the Conduct of Financial Institutions (COFI) Bill, which is currently in discussion phase and subject to public opinion.

As far as public servants are concerned, the Board of the Government Employees Pension Fund is trustee of the Fund and is bound by the provisions of the Government Employees Pension Law, 1996 (GEPL) and the rules of the Fund. The object of the Fund is to provide a pension and related benefits as determined in the GEP Law to members and pensioners and their beneficiaries. Each trustee is under a duty to take all reasonable steps to ensure that members' interests in terms of the Fund rules and the provisions of the law are always protected. The Board must act with due care, diligence and in good faith

The GEPF is furthermore a defined-benefit fund that is not adversely affected by the proposed amendments. Benefits are guaranteed in terms of the GEPL and rules. Benefits are calculated in terms of a formula and are not subject to outside market forces.

The PSA will ensure that members' rights and interests are protected. Members are advised not to panic and be misled by opportunistic entities trying to convince them to resign and take their pension money for investments options. GEPF benefits are guaranteed. No other entity or person can provide such an assurance. The PSA is participating in providing inputs on the CoFi Bill to ensure that the Bill does not have any detrimental impact on the GEPF. The PSA will monitor any changes that will have a detrimental impact on the GEPF as it did with the actuarial interest matter where it secured a victory in the Supreme Court of Appeal\*

\*After the High Court handed down judgement against the PSA on the actuarial interest factors affecting the resignation benefit of some 1.2 million public servants, the PSA approached the Supreme Court of Appeal. The GEPF Law and rules make various references to instances where negotiation or consultation is required by the Minister and/or labour representatives in the Public Service Coordinating Bargaining Council (PSCBC) or employee organisations representing the Public Service, prior to any amendment being made to, amongst others, the benefit structure of the Fund.

The GEPF reduced the actuarial interest factors without following the consultation process as contemplated in the *Pension Fund Act* and rules. Despite efforts by the PSA to have the GEPF reverse its decision and consult before amending the actuarial factors, the GEPF remained adamant and proceeded with implementation and pay out of benefits according to the changed actuarial factors. The matter was heard at the Supreme Court of Appeal on 7 September 2020 after which the following order was issued:

"The Hight Court Judgement is set aside and substituted as follows:

- The delay in bringing the application for review is excused.
- The decision of the GEPF to amend, with effect of 1 April 2015, the F(Z) and A(X) factors utilised in the calculation of the actuarial interest under rule 14.4.2 of the rules of the GEPF is reviewed and set aside.
- The GEPF is ordered to consult with the first applicant (PSA), second respondent, fourth to nineteenth respondents and all other employee organisations as defined in the rules of the GEPF concerning the calculation of the actuarial interest referred to in respect of those affected thereby.
- The GEPF is to pay the costs of the application, including the cost of two counsel where so employed."

The PSA subsequently called on the GEPF to urgently start with the consultation process to rectify the losses incurred by affected members. The GEPF's action was another example of frivolous litigation instituted by government and wasting taxpayers' money when it should have abided to the rule of law. This outcome confirmed the PSA's confidence in the judicial system. It is also for this reason that the PSA approached the Courts to adjudicate over the critical matter of the Public Service wage dispute for the 2020/21-financial year.

Photo: micheile-henderson (Unsplashed

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### Adjustments for pensioners

By Buks Jordaan: Secretariat: PSA Group Branch Associate Members: Public Service Pensioners

he reality of the COVID-19 pandemic is the effect it had and still has on the lives of every human being. The common denominator is that there is not a single person who can claim not to have been affected. It, however, never fails to amaze to observe the capacity of humans to adjust to circumstances.

When probing pensioners of various age categories on their experiences in the wake of the COVID-19 scare and restrictions, the

responses are both enlightening and encouraging. Experiences have many commonali-

ties. The news that the virus has a devasting effect on the aged, sick, or vulnerable, caused panic about sudden death amongst pensioners. Amongst many other impacting factors, retirement villages and care cen-

ters for the aged, as could be expected from responsible management and responding to announced restrictions, closed access gates to outsiders. Even visiting and communication between residents were terminated.

loneliness and an unsatisfiable longing to experience the physical closeness and support of family and friends. The darker picture did not end here. Economically, interest rates on investments plummeted, causing panic regarding the sustainability of income and emotional depression.

On the other hand, new innovative coping measures emerged that changed life forever. Many pensioners welcomed the sudden calmer tempo of activities. There was quality time to reflect on the meaning of life, the value of health and the human being's fragile dependence on the grace of the Creator. A minute organism brought worldwide unavoidable changes. To acknowledge that humans are vulnerable and limited in their capacity to find quick and simple solutions for every impediment in life, was a life-changing experience for the better. Thanks to electronic communication systems, new measures were put in place to at least provide togetherness on a different level. Churches played a major role in sustaining spiritual care through virtual and audible means. Suddenly, the experience of community living reached new dimensions and widened the feeling of community far beyond the boundaries of residential areas, provinces, and countries. Many pensioners who were hesitant to engage in the technicalities of the electronic media, suddenly discovered the wonder of exciting solutions to satisfy essential social needs.

It was also exciting to learn that in many cases, pensioners had to step in to assist with housing and life-sustaining measures to support children, grandchildren, family, friends, and community members who had lost their employment opportunities and incomes. This action so clearly demonstrates that life is not all about what you earn, where you live and what car you drive, but rather that what you share with others in excess of what you need, gives life real meaning. Never ever doubt that pensioners are valuable and meaningful members of society!



Apply for membership as a PSA associate member before you go on pension to ensure that you retain essential PSA benefits and assistance.

See www.psa.co.za for more information on the Group Branch Associate Members and application form

# WORK ON A BETTER 2021 PSACE



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11 In service of workers



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# PSA Holiday Resort

Nestled in a lush indigenous dune forest at Quenera Mouth, East of the Gonubie River and in close proximity to the beach, you will find the PSA Holiday Resort\*. Just 18 km from East London, the Resort is committed to offering you relaxation and tranquility.

The area is a bird and nature lover's paradise. Excellent saltwater fishing can be enjoyed at the Resort's beach, combined with unpolluted and uncrowded, safe swimming.

The Resort has ten fully-equipped chalets - most with a sea view (choice of two or three bedrooms) and 110 semi-shaded stands for caravans and camping. To ensure absolute peace of mind, the Resort is enclosed with an electrified security fence.





\*Rated by the AA as a Highly Recommended Resort with Varied Accommodation

Enquiries/bookings: 082 880 8949

psa.resort@mweb.co.za / www.psaresort.co.za



# spired to give

random acts of kindness as part of the #Dream project that was launched in commemorating its centenary in 2020. This #Challenge was inspired by the PSA's Dream Ambassador - Mbasa. Her mobility and passion for life opened many opportunities for her and the PSA wanted to enable more people with the gift of mobility for them also to achieve great things! PSA employees, shop stewards, and members also collected plastic bottle caps and bread clips to be recycled and, in exchange. wheelchairs were donated to those in need. The #Challenge was expanded to give PSA personnel the opportunity to also

The PSA was able to donate 13 wheelchairs! The PSA President, Lufuno Mulaudzi, in partnership with Chief Mudimeli and the Traditional Council donated the 13th wheelchair in Mudimeli Village in Limpopo.































contribute financially to this project.

Thank you to all who contributed towards this life-changing project.











# TOMORROW SHOULDN'T BE A WORRY WHEN TODAY IS DONE RIGHT.

Peace of mind and a secure future for our members is the reason for our continuous commitment to grow the fund, ensuring that the funds are responsibly invested and that benefits are paid out efficiently and accurately. In the 2019/20 financial year we paid out R111 billion in gratuities, pensions, resignations, death, funeral and child pension benefits.













# VERY GOOD REASONS WHY THE PSA SHOULD BE YOUR LABOUR HOME

The PSA, a registered trade union, is the largest, politically non-affiliated, fully-representative Union in the Public Service and state-owned entities with a proud history of decades of service to members. THE PSA...

- 1. Is a growing Union with 230 000+ members served by Provincial Offices across the country.
- 2. Attends to members' individual disputes FREE of charge.
- 3. Negotiates fair terms of remuneration and represents members' interests in bargaining
- Protects members' service benefits (e.g. medical aid, pension schemes, and housing subsidies).
- Addresses issues such as fair and reasonable working conditions, hours of work and leave.
- Is the only Union in the Public Service that serves Public Service pensioners.
- 7. Is financially stable (complies with the Companies Act and Labour Relations Act).
- 8. Assists beneficiaries and communities throughout South Africa as part of the Union's corporate social investment programs.
- 9. Protects members' rights and defends them in unfair labour practices or infringements of constitutional rights and legislation (Labour Relations Act. 1996. Basic Conditions of Employment Act, 1997, and Employment Equity Act, 1998). Disputes are resolved at the CCMA, Labour Court, and Labour Appeal Court. In the Public Service, the Public Service Coordinating Bargaining Council (PSCBC), Education Labour Relations Council (ELRC), Safety and Security Sectoral Bargaining Council (SSSBC), Public Health and Social Development Sectoral Bargaining Council (PHSDSBC), and General Public Service Sectoral Bargaining Council (GPSSBC) provide dispute resolution functions. With the promotion of interests, rights are also established with collective agreements - non-compliance with such rights is being taken care of by these
- 10. Employs professional, dedicated and competent staff to support member structures in service of members.

institutions

11. Promotes members' interests during collective bargaining in bargaining forums with employers.

- 12. Is admitted to the various bargaining councils, which enables the Union to resolve workplace problems in these councils, saving cost and time.
- 13. Acts only on members' mandate (mandates on collective issues are obtained from member structures).
- 14. Has country-wide, extensive member structures (national and sectoral) that are the link between the Union and members. These structures mirror the structures for collective bargaining and ensure the protection and promotion of members' rights and interests. Structures are active in all provinces to promote the organisation of members, obtain mandates and improve communication. For information on your PSA representative and structure, contact vour local PSA Provincial Office.
- 15. Has an impressive success rate in resolving cases by the Union's full-time staff and thousands of democratically elected, trained shop stewards
- 16. Offers fringe benefits to members, including FREE membership of PSACLUB!
  Other benefits include an exclusive PSA short-term insurance scheme, insurance benefits, funeral schemes, and assistance with debt and personal loans.
- 17. Provides FREE financial assistance with funeral costs at a member's death.
- 18. Provides FREE professional indemnity insurance cover for its identified groupings of members (R1 million, per member, per year with no limitation in the aggregate).
- 19. Holiday Resort offers holiday accommodation at discounted rates
- 20. Magazine and workplacespecific newsletters are issued to members FREE of charge -Update your contact details with the PSA's Membership Section (updatemyinfo@psa.co.za) to ensure that you receive all news.



The PSA effectively represents the full spectrum of the South African population and lives by the values of LOYALTY, TRANSPARENCY, RESPECT, INTEGRITY CONSISTENCY and SERVICE EXCELLENCE

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### **Understanding** your PSA structure

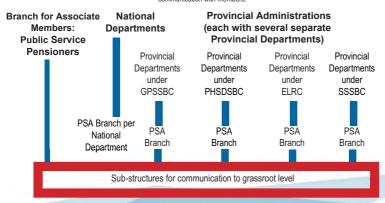
Country-wide member structures (on national and sectoral level) are the link between the PSA and its members. These structures mirror the current structures for collective bargaining and offer direction, thereby ensuring the protection and promotion of the rights and interests of members

The PSA's Board of Directors on 29 March 2017 resolved that in terms of the Labour Relations Act or an Organisational Rights agreement, a group will be entitled to elect five shop stewards. The Board may on good cause shown, established such as a group as a brunch.

These structures have been established in all provinces to promote the organisation of members, obtaining their mandates and improving communication with members.

Details of this extensive network of committees and branches are available from the PSA Head Office as well as any of the twelve PSA Provincial Offices

It is important to understand PSA member structures. In addition, you should be involved in these structures as active members can provide timeous, informed mandates and ensure that skilled workplace representatives are elected









### PSA membership application Public Servants Association of South Africa (NPC)

Reg No 1942/015415/08





INTO YOUR BANK ACCOUNT.

APPLICATION FOR MEMBERSHIP.

NOTE: THE PSA WILL ASSIST MEMBERS (REPRESENTATION, FINANCIALLY, OTHERWISE) ON CONDITION THAT THE CAUSE OF ACTION FOR WHICH ASSISTANCE IS SOUGHT AROSE AFTER THE PSA'S ACCEPTANCE OF

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WEEK NO\*

WEEKLY REPORT ID

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The Public Servants Association (PSA) in 2020 commemorated a century of service to public-sector employees.

The PSA cemented its legacy as being 'MORE THAN A UNION', especially during the COVID-19 pandemic by reaching out to members and communities and support ing workers who are the pillars of society.

It stood the test of time whilst remaining committed to protecting and promoting members' workplace rights and interests.

In 2021, the PSA renews its commitment to the values that guide its conduct aimed at achieving the Union's mission, namely loyalty, transparency, respect, integrity, consistency and service excellence.

\*The PSA's 12 Provincial Offices are presented in the accompanying posters.

In service of workers



### FREE STATE Provincial Manager Aubrey luvo.ntuping@psa.co.za aubrey.nappie@psa.co.za Mpho Nyakallo Sharon mpho.tlhalogi@psa.co.za nyakallo.moletsane@psa.co.za sharon.els@psa.co.za thandi.kgothule@psa.co.za Odie odie.odendaal@psa.co.za lynsie.pelser@psa.co.za nelson.mateza@psa.co.za Clement Clement.fandie@psa.co.za jantjie.jack@psa.co.za nceba.baardman@psa.co.za In service of workers

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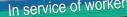
psa.bloem@psa.co.za

- Labour Relations Officer
  Members' Affairs Coordinator
- Organising & Marketing Officer
- Office Assistant
- Clerk



## EASTERN CAPE







- Labour Relations Officer Members' Affairs Coordinator
- Organising & Marketing Officer

63660, Greenacres, Port Elizabeth, 6057 12A Worrakker Street, Newton Park. Port Elizabeth

> **(041)** 501 6800 **(041)** 501 6812 psa.pe@psa.co.za

## EASTERN CAPE





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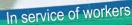
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- Labour Relations Officer
- Members' Affairs Coordinator
   Organising & Marketing Officer
- Office Assistant
- Clerk



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Provincial Manager



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- Clerk



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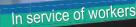
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- Members' Affairs Coordinator
- Organising & Marketing Officer



## WESTERN CAPE







- Labour Relations Officer
   Members' Affairs Coordinator
- Members Affairs Coordinator
   Organising & Marketing Officer
- Office Assistar
- Clerk

- № 1837, Cape Town, 8000
  6th Floor, 80 Strand Street, car Strand and Bree Street, Cape Town

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