

Northern Cape: Individual assistance to PSA members

Department of Health

- A member attached to Emergency Medical Services in the Department of Health applied for leave. Inexplicably, he was denied leave even though he had leave credits. The PSA declared a dispute of an unfair labour practice relating to benefits. At arbitration, the employer settled the matter to the satisfaction of the member, in that his leave application was approved. The PSA applauds the member for following the grievance procedure timeously. This illustrates how important it is for members to start the grievance procedure in time to ensure that their dissatisfactions are addressed swiftly.
- Another member who obtained a requisite qualification related to the work being done, applied for the monetary acknowledgement as per the Improved Qualification Collective Agreement. The employer failed to pay the member accordingly. The member approached the PSA, and the Union declared a dispute noting the all-important adherence to timeframes. This matter was brought to an arbitration sitting after conciliation failed. The employer settled the matter by agreeing to pay the requisite amount to the member within a specified timeframe.
- A member complained about unequal treatment when her counterpart was awarded an acting position, and she was not considered. After lodging a grievance and liaising with the superiors, the PSA referred the matter to the CCMA for unfair discrimination. The argument was that the employer was discriminatory by not allowing all those who qualify to act on a rotational basis and that this amounted to indifferent treatment. The employer noted the set down for conciliation and settled the matter before the due date to the satisfaction of the member in question.

Department of Home Affairs

- A was charged for absenteeism owing to illness as she was seen away from her place of stay. The PSA argued that whilst she had been legitimately booked off duty by a medical practitioner it was not indicated that she was unfit to be away from home and she could therefore not have contravened any set rule known to any employee. The employer called two witnesses, and the member also testified that she was booked off but needed to be in court for a private matter. The chairperson found the member not guilty.
- Another member at the Department was charged with being absent without permission for different periods over a span of two years. The employer in its charge sheet presented nine separate allegations of misconduct related to absenteeism. The different dates mentioned ranged from 2023 to

2024, respectively. At the outset, the PSA raised three detailed points *in limine*. The PSA emphasized non-adherence to the *Audi Alterum Partem* rule and double jeopardy. The points raised were to convince the chairperson that the Department had waived its right to discipline. This matter has now been abandoned by the employer.

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