

Non-payment of cash awards: 2019/20-financial year

As previously reported to members, after the unilateral decision by the employer to not pay cash awards to employees for the 2019/20-financial year, the PSA requested an urgent special Departmental Bargaining Chamber (DBC) meeting. At the special DBC meeting the employer failed to acknowledge that it was wrong for it to make such a decision without following DBC consultation processes and engage labour on the matter to have inputs from employees before concluding on its decision.

Based on the employer's failure to acknowledge its mistake and to provide rational reasoning for the decision, the PSA invoked clause 17 of the GPSSBC Governance Rules for Chambers, which provides for a facilitation process by the Secretary of the Council. During the facilitation, the PSA demanded that the employer should revoke its decision on the matter, issue a circular to employees informing them that the decision is suspended pending finalisation of the consultation process with labour. Then, the matter should be tabled at the DBC for consultation in terms of Chamber processes. This would afford labour an opportunity to engage the employer on its decision and reasons for this. It will further allow employees the opportunity to provide inputs through their respective unions for the employer's consideration before deciding on the matter.

The outcome of the facilitation was that the employer will consult labour through Chamber processes and share all relevant information that was considered for the decision. The PSA will be allowed the opportunity to interrogate the employer's reasoning and submit inputs to persuade the employer to arrive at a different decision. However, the employer could not commit to withdrawing the announcement that was made and inform employees about the consultation process that has been agreed to. A mandate to the withdrawal of that announcement will be sought and will be communicated in the first consultation meeting.

Should the employer not honour the facilitation outcome, the PSA's rights are reserved to pursue the matter further through dispute resolution processes. Members will be updated.

GENERAL MANAGER