

What is happening at GPW?

Victory for 28 contract workers

In 2019 the PSA engaged the employer on the insourcing of cleaning and security functions with the aim of securing decent and permanent employment for long-serving individuals who have been with the Department under various service providers for many years. The insourcing of security was finalised in 2019 and cleaners were offered fixed-term contracts of six months while parties were still engaging, and the employer was going through the process of creating posts on the structure. Approval for 18 cleaning positions was granted late in 2019. In line with the agreement between the employer and the PSA, the employer advertised the 18 positions internally to allow the 28 cleaners to compete amongst themselves for the 18 posts. However, a complaint was received through the Public Service Commission (PSC) from the minority union in the GPW, complaining about the posts being advertised internally. This was a great disappointment to the PSA as it divided labour in the course of opposing the exploitation of workers and wanting to secure decent employment for affected cleaners.

The internal advert was withdrawn, and the fixed-term contracts were terminated. The PSA declared a dispute of unfair dismissal on behalf of the 28 workers and the employer was given an opportunity to settle the matter in conciliation, which would have allowed it the opportunity to only employ 18 cleaners in line with the number of the approved posts instead of the entire 28. However, the employer refused to accept a peaceful settlement of the matter and opted for arbitration. Legal representatives were utilised by the employer and the PSA successfully proved that there was a reasonable expectation created to the employees and their dismissal was both procedurally and substantively unfair. The Commissioner issued the award in favour of the PSA, ordering the employer to reinstate the 28 employees and further compensate them with two months' salary.

The PSA celebrates this victory as it has ensured that 28 families are guaranteed of a stable income and benefits rather than the uncertainty of moving from one service provider to another.

GENERAL MANAGER