

What is happening in SARS?

Wage dispute

The employer failed to implement the final leg of the three-year wage agreement. The PSA obtained a legal opinion on the matter and is of the opinion that it has good prospects of success to challenge the employer's non-implementation. The PSA wrote to SARS previously and demanded implementation as the employer was in breach of the collective agreement. Members were informed that the employer failed to implement the agreement and that the PSA is instituting legal action against the employer. The PSA has served SARS with the required notice of impending legal action. Once the time period lapses, the PSA will proceed to lodge its court papers. Members will be informed once the Court papers are filed and a clear explanation on the process to follow will also be published.

Leave encashment

The PSA declared a dispute as the employer failed to pay out members' unused leave days. Members were informed that the conciliation session at the CCMA took place and failed. The PSA applied for arbitration and has received a set-down date for 16 August 2021 for the matter to be arbitrated by the CCMA. Members will be updated on the outcome of the arbitration.

Debt

The debt dispute has been referred for arbitration to the CCMA. The employer raised a point *in limine* during the last arbitration session. The Commissioner has until 9 July 2021 to make a ruling on the point *in limine*. Once the ruling has been made, parties will have a clear indication from the CCMA on how the matter can proceed. Members will receive an update once the point *in limine* has been decided on.

Travel allowance

The PSA declared as dispute at the CCMA as the employer withdrew from the travel allowance policy. The employer raised a point *in limine* on jurisdiction for the 2015/2018 PSA members that were included in the dispute. Parties agreed to submit arguments to deal with the point *in limine* and oral arguments will be made on 6 July 2021. The arbitration will continue once the Commissioner has ruled on the matter.

Hay Grade

The Hay Grade dispute is currently in pre-arbitration phase. Parties were delayed with regards to the collection of evidence for all PSA applicants in the dispute. The PSA will approach the Commissioner once all relevant outstanding documentation has been obtained to conclude the pre-arbitration process.

and to start with the arbitration. A question was raised regarding the funding of the arbitration. Parties discussed the matter during a special FINCOM meeting and the previous agreement were confirmed. The confirmation will be presented during the coming NBF, which will then be used to draft a letter from the NBF Chairperson confirming the funding for the dispute. The confirmation will be used to conclude the pre-arbitration process and hopefully the arbitration process too. The PSA made proposals to the employer on how the arbitration can be fast tracked and finalised as quickly as possible, but the employer could not address the proposal until the funding confirmation was resolved. Members will be updated after the upcoming NBF meeting.

The PSA wants to take this opportunity to wish all employees who are unwell owing to COVID-19 a safe and speedy recovery.

GENERAL MANAGER