

## What is happening in SARS?

Members have informed the PSA, that their names have been included into a dispute list which is being circulated without their knowledge or consent. It is also noted that a referral is being made to the CCMA on their behalf on the dispute to which they have not consented to. This was done without their knowledge, approval, or the participation of the PSA. The referral was made by previous representatives from KwaZulu-Natal. These representatives were suspended by the PSA from participating on its structures, and they have eventually cancelled their PSA membership. These individuals can therefore not act on behalf of any PSA member.

Members should be cautious that this is an attempt to try and weaken the PSA in SARS by introducing a new union. The PSA is one of two unions recognised by SARS in terms of a recognition agreement. SARS can therefore not engage in any Collective Bargaining or on other matters regulated in the recognition agreement, with any other union. They will also not be included in salary negotiations that are due to commence in November and therefore members need to consider this position when they are provided with false and misleading information. Members further indicated that they were misled with information pertaining to the Travel Allowance dispute. Communication shared reflects that they have successfully won the Field Workers allowance dispute for members in KZN. This is false information as the PSA represented the group of employees during the arbitration and appointed an attorney to represent these members when the employer took the arbitration award on review.

The PSA was further involved with every step of the negotiations when the employer settled the matter and through the PSA's involvement resulted in a more favourable settlement given to members that were accepted after they provided the PSA with a mandate to accept the settlement. Employees should therefore take great consideration if they want to join unions that are trying to lure them to join under such false pretences and with misinformation, which are led by a PSA representative that was suspended due to their lack of integrity and behaviour, whilst being a PSA representative.

The PSA categorically wished to state that the Travel Allowance is still being pursued by the PSA in the CCMA. Currently the CCMA ruled that they have jurisdiction to continue with the arbitration process for the group of employees from whom the allowance was withdrawn from 1 April 2021. The arbitration for this group of employees will therefore continue and a set down date will be shared with parties by the CCMA soon.

The PSA and its legal representatives are still busy with legal arguments as to why the CCMA still has the required jurisdiction, to also hear arguments for the group of employees who lost the Field Workers Allowance, through the soft-landing approach that started on 1 April 2016. The legal arguments are in process to be submitted to the CCMA after which a further ruling will be made in this regard. The PSA also wants to inform members that we have taken note of the communication sent out by employees in KZN to lure members and employees to the new union. Most of the communication was based on false information. References to PSA representatives were also made without their knowledge to give legitimacy to the communication. This too was done without the PSA representatives being aware or giving consent to the use of their names and information. They are personally seeking legal advice to ensure that their names are cleared, and the PSA is also looking into the legal implications and future recourse to be taken.

Any member that found that their names were placed on a list without their knowledge must please inform their respective FTSS as soon as possible. Members that included their names on the CCMA referral should take note that this might prejudice the new unions CCMA referral, as the dispute at hand was already referred to the CCMA by the PSA. The CCMA and our courts do not allow forum shopping in which members simply join another union and make the same referral in the hope that the CCMA or the courts will rule differently. Therefore, members need to consider this point clearly before they form part of another dispute.

The new union will also try and convince members that the PSA is not doing anything for them. We want to remind members of the following disputes that the PSA is currently attending to on behalf of members at SARS:

- Wage dispute: the matter has been referred to the High Court and the matter should be heard within the next couple of months
- Leave encashment dispute: the matter is set down for arbitration at the CCMA for 16 August 2021
- Travel Allowance dispute: waiting for set down date from CCMA
- Hay grade: only union fighting this matter. Parties agreed on the funding of the arbitration and the PSA and employer is busy finding a new commissioner that will arbitrate the matter. The arbitration should start soon
- Debt: the matter is at the CCMA which ruled in July that the pre-arbitration minutes can now be concluded between parties. These should be finalised soon after which the arbitration will begin
- Active discussions in the NBF and NCF on matters that affects members daily work live

The PSA is committed to represent members with individual matters and improve working lives through collective bargaining processes.

*The PSA wants to take this opportunity to wish all employees who are unwell due to the virus a safe and speedy recovery.*

GENERAL MANAGER