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FOR PSA MEMBERS: **SOUTH AFRICAN POLICE SERVICE (SAPS) - KWAZULU-NATAL
(DURBAN AREA)**

30-07-2024

Important notice: SAPS uniformed and non-uniformed employees

Union representation and misleading information

The Public Servants Association (PSA), the largest non-politically aligned union representing more than 245 000 public service and parastatal employees in South Africa, cautions SAPS members under the *Police Act* and *Public Service Act*, regarding the dissemination of misleading information by representatives of other unions. The PSA has always represented SAPS employees, ensuring that their rights and interests are protected.

A SAPS employee under the *Public Service Act*, was informed by a PSA member in KwaZulu-Natal about the Union's successful intervention in a grade-progression case in line with PSCBC Resolution 3/2009. Motivated by this success, the employee approached the PSA Provincial Office in Durban to join the PSA, aiming to seek assistance with her own grade-progression issue. The PSA Organising/Marketing Officer in Durban who was assigned to assist the member, received a call from a shop steward affiliated with another union, who falsely claimed that the PSA lacks recognition in the SAPS and therefore cannot assist the member. When asked how the PSA managed to successfully represent members in KwaZulu-Natal if it is not recognized, the shop steward failed to provide a coherent response. Despite being informed about the PSA's organisational rights, the shop steward persisted in repeating inaccurate statements disseminated by that union during meetings.

The PSA wishes to clarify to all SAPS employees, current members or potential members, the specific organisational rights it holds under the *Labour Relations Act 66 of 1995*, which include: Section 12 – Right to access SAPS premises for servicing and recruiting new members, and Section 13 – Right to authorise payroll deductions for membership fees from SAPS employees' salaries. These rights ensure that the PSA can provide comprehensive support and representation to its members in SAPS.

The PSA offers numerous benefits that make it the Union of Choice for SAPS employees. With a proven track record, the PSA consistently demonstrates its ability to effectively represent members in disputes with their employer, securing favorable outcomes in numerous cases. With a wealth of experience in labour relations, the PSA provides expert guidance and robust support in navigating complex workplace issues. PSA members benefit from access to legal advice, representation in disciplinary hearings, and assistance with grievances and disputes. The PSA also actively engages in negotiations on behalf of

members to ensure fair wages, benefits, and working conditions. The PSA firmly believes that if SAPS employees support the PSA's entry into the bargaining council, it will effectively address long-standing issues impeding employee progress in this sector. Members who have met the requisite 15 years of service, as stipulated by the relevant PSCBC Resolution, are eligible for grade progression from salary levels 4 to 5, 5 to 6, and 6 to 7.

The PSA has a solid history of winning cases for SAPS employees. A notable example is the case of *PSA obo Members v SAPS (2018)*, where the PSA successfully argued for the proper implementation of PSCBC Resolution 3/2009 regarding grade progression. The ruling mandated that the SAPS must honour agreed-upon grade progression criteria, resulting in several employees receiving overdue promotions and back pay. This case underlines the PSA's dedication to ensuring that the SAPS adheres to labour agreements, providing substantial benefits to members.

Another significant victory was *PSA obo Mkhize v SAPS (2020)*, where the PSA successfully represented an employee in a wrongful dismissal case. The Labour Court ruled in favour of the employee, ordering reinstatement and compensation for lost wages. This case highlights the PSA's commitment to defending members against unjust treatment and ensuring that their rights are upheld.

In an arbitration case, *PSA obo Members v SAPS (2019)*, the PSA successfully challenged the improper implementation of overtime pay regulations. The arbitrator ruled that the SAPS had to compensate affected employees for unpaid overtime, reinforcing the PSA's role in safeguarding fair labour practices.

SAPS employees in KwaZulu-Natal who have not yet chosen the PSA as their Union and wish to join are encouraged to contact the following Provincial Organisers for further assistance and membership enrollment: Xolani Dhlamini -073 813 9646 and Nkosephayo Zulu - 082 880 8994. By joining the PSA, SAPS employees can ensure they receive the professional support and representation they deserve.

Employees from other provinces can contact the relevant PSA Provincial Office for their province.

Reuben Maleka
GENERAL MANAGER