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FOR PSA MEMBERS: **NORTHERN CAPE DEPARTMENT OF HEALTH**

19-07-2024

Northern Cape Health MEC faces contempt of court

In 2019, PSA members at Department of Health raised a complaint about the non-payment of their EPMDs. The PSA declared an Unfair Labour Practice dispute relating to benefits. At the arbitration on 5 February 2019, the PSA and Department of Health reached a settlement agreement. The agreement was made an arbitration award and thereafter certified by the PHSDSBC and the Commission for Conciliation, Mediation, and Arbitration (CCMA) in 2019.

Since then, the PSA has been requesting the Department to implement the award. However, all communication was ignored, including the letter to the MEC, which also failed to yield results. The PSA had no other choice but to refer the matter to the Labour Court for contempt of court. The PSA will be holding both the MEC and HOD liable for failure to perform a specific task. The matter is expected to be heard on 25 July 2024 in the Johannesburg Labour Court. The PSA followed the prescribed procedure to have the settlement agreement certified. The PSA's request to the Court is that the MEC and HOD give account for their conduct, alternatively for them to be incarcerated, should the Court find them guilty. The initial amount, as stipulated in the arbitration award of 2019, has accrued interest in terms of the *Rate of Interest Act* and is therefore substantially more.

Members will be informed of the outcome. The PSA will continue to protect and promote members' rights and interests.

Reuben Maleka
GENERAL MANAGER