

Victory for PSA members in North West

Department of Health

- In 2016, a member was dismissed owing due to absenteeism. The matter was referred for arbitration in terms of an unfair dismissal. The employer argued that it was an action in terms section 17(3) of the *Public Service Act*. There was, however, no evidence that the employee received a letter informing her of the said provisions. The Commissioner found that Council did not have jurisdiction to hear the matter, whereafter the matter was referred to Labour Court. On 6 June 2024, the Court ruled in favour of the applicant to be reinstated. The employer is compelled to pay backdated remuneration from date of dismissal and the respondent is also to pay cost of the application.
- A senior official was charged with multiple acts of financial misconduct, which amongst others, included lateness and non-payment of suppliers. The PSA represented the member. Representations were made to dispute the charges, which were successful. Another parallel investigation was instituted, and the member was removed as a precautionary measure from his substantive position, whereafter the PSA on behalf of the member made representations, which were successful. The investigation was subsequently withdrawn and nullified all the charges that were instituted against the member.

Department of Social Development

A member qualified for a performance bonus for the period 2020/21 and the Department had been refusing to effect payment. The member lodged a grievance and the Department failed to deal with this to the member's satisfaction. The member approached the PSA, and a dispute was declared. The Department settled the matter at the arbitration stage. The member received R11 665 as a performance bonus.

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GENERAL MANAGER