



FOR PSA MEMBERS: **CAPE NATURE**

19-03-2025

Victory for PSA members at Cape Nature - Longstanding dispute with Cape Nature settled!

It was reported in a previous issue of the *Informus*, that the Commission for Conciliation, Mediation and Arbitration (CCMA) Commissioner's award in the above-mentioned matter was not in favour of members and the matter was taken on review in the Cape Town Labour Court. Judge Rabin-Naicker ruled on 4 June 2024 (*Case No C340/2022*) that the arbitration award (*WECT1862-21*) should be set aside and that the dispute be remitted to the CCMA before a different Commissioner. Subsequently, the matter was referred to the CCMA (*WECT22150-24*) and the PSA awaits a date for the Conciliation Board.

In the interim, the PSA and Cape Nature had discussions regarding a possible settlement to expedite this matter, as the initial case took more than four years to finalise. The PSA reiterated members' demand in relation to the reinstatement of the long-service recognition policy, with specific reference to those employees who completed ten years of service as well as the reimbursement of the leave days forfeited for the duration of this case from 1 July 2020 to date of conclusion of this case. After receiving a majority mandate from members to enter into an agreement with Cape Nature, parties signed a settlement agreement on 14 March 2025, which include the following:

- The Entity will provide all permanently employed employees with 24 days of annual leave per leave cycle or *pro-rata* on appointment dates as per the HR Policy.
- Employees who reach ten years of continuous service with the Entity will be afforded six days of additional leave in Recognition of Long Service (24 leave days + six additional leave days = 30 days leave in total).
- That the 30 days of long-service leave will be enjoyed by qualifying employees until the employment contract ceases on either resignation/retirement/termination.
- That the additional six days leave in Recognition of Long Service to qualify employees will be reinstated retrospectively as of 1 July 2020.
- Those employees who enjoy retrospective leave as of 1 July 2020, until date of signing this agreement, will be allowed to utilise the leave credits over a period of four years capped at six additional days per annum (30 days annual leave + six days of retrospective leave = 36 leave days per annum over four years).
- The retrospective long-service leave will lapse at the end of the four years and leave not used in the said period will be forfeited.

- No leave will be paid out and the six days per year retrospective leave cannot count towards a retirement and/or resignation payout, and
- To each employee who has retired since 1 July 2020 with ten or more years of service, a *Wild Card* for a couple, per year for the Western Cape Cluster will be granted. Proportionate to the number of years that the retired person would have been able to enjoy the long-service benefits from 1 July 2020 up to the date of retirement. For example, if the person retired in 2022, he/she would receive a *Wild Card* for a couple for two years, whereas a person who retired in 2024, would receive a *Wild Card* for a couple for a period of four years.

With this agreement, PSA members who sacrificed the six days additional leave for recognition of ten years continuous service with effect from 1 July 2020, are compensated by having their leave records credited with a maximum of six days. Whilst current employees as well as members whose services terminated since 1 July 2020 and are no longer in the service of the Entity are benefited. With this settlement agreement this matter is concluded. The PSA would like to thank members for their keen participation in this process as well as their prompt responses when called upon for a mandate.

Reuben Maleka
GENERAL MANAGER