



FOR PSA MEMBERS: **LOCAL GOVERNMENT SECTOR EDUCATION TRAINING AUTHORITY (LGSETA)**

26-02-2025

LGSETA: Organisational redesign project facilitation process

Members will recall from the previous *Informus* (available on the PSA website or from PSA Provincial Offices) that parties are engaged in a facilitation process regarding the restructuring and retrenchment process at LGSETA. As part of this process, the PSA requested additional critical information from the employer to enable meaningful consultation and ensure transparency in decision-making.

The PSA specifically requested a feasibility study outlining the reasons for restructuring and retrenchments, a list of positions filled under the new structure, and a copy of the shareholder's compact or delegations of authority between the LGSETA Board and the Minister of Higher Education and Training. This was to confirm whether LGSETA can initiate a Section-189 process without first consulting the Minister. Additional requests included the audited performance outcomes for the past three financial years, a comparative study of the performance of other SETAs, a skills audit report, a moratorium on filling vacant positions, and both the old and new approved structures.

Despite the CCMA facilitator advising that the PSA's request for information was fair and should be provided, the employer has only provided the new structure and delegations of authority, withholding all other requested documents. On 24 February 2025, the PSA spent an entire day engaging in discussions on why the employer refuses to provide the necessary information. At the end of the session, the facilitator again instructed the employer to release the requested documents.

The Section-189 consultation period has a 60-day timeframe, which began when the employer issued Section-189 letters on 15 January 2025 and will end on 15 March 2025. Once this period expires, the CCMA facilitator will submit a report, after which both parties will have the right to take further action. At that point, the employer may proceed with retrenchments, whilst the PSA will have the option to approach the Labour Court for relief.

Members are now faced with two difficult options. The first is to engage in the retrenchment process without access to the required documents, which is unfair because the employer has not justified the need for retrenchments. The second is to continue demanding the information, but this carries the risk that the 60-day period will lapse, allowing the employer to proceed with retrenchments without our input.

The next meeting is scheduled for 6 March 2025, where the employer has once again committed to providing the requested information. However, given its consistent delays and reluctance to share key details, there is no guarantee that it will comply.

In view of these developments, the PSA requests a physical meeting with affected members before 6 March 2025. This meeting will allow members to discuss available options, explore legal remedies, and ensure a united approach moving forward. Members' input is crucial in deciding how to best protect their rights and interests in this process.

Employees who want to join the PSA can visit the PSA's website, send an email to ask@psa.co.za, or contact PSA Provincial Offices.

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