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SERVICE EXCELLENCE

FOR PSA MEMBERS: LIMPOPO DEPARTMENT OF HEALTH

04-07-2024

Arbitration update: Payment of performed overtime

Members will recall that it was reported that there are about 970 affected members who performed overtime in excess of 30% for the 2017/18- financial year. The matter was tabled at the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC) after the employer failed to honour the said overtime. The employer reported that the Head of the Department approved the payment and further made a submission to Provincial Treasury for payment. The employer committed to have this paid before the end of the financial year once the final approval was received from Treasury. Consequently, Provincial Treasury declined the request for approval of the payment of overtime on the basis that it would be a contravention of Regulation 49(b) and (c) of the Public Service Regulations. Subsequently, the PSA and other unions declared a dispute with the Public Service Coordinating Bargaining Council (PSCBC).

The PSCBC set the matter down for conciliation on 14 March 2024, where the employer raised a point *in limine* that the dispute was referred as an interpretation of the collective agreement and the employer conceded that it owed the affected members, hence the matter must be an unfair labour practice rather than interpretation. The Commissioner directed that the employer must submit arguments on or before 20 March 2024 and for PSA and others to respond by 27 March 2024 and such that the arguments were submitted by the employer and the PSA as directed.

The Commissioner ruled that the matter be referred to the PHSDSBC with the list of affected members. The set down date for the arbitration was 24 July 2024. Members will be updated once an arbitration award has been received.

The PSA will protect members' rights and promote their interests as practicing service excellence is an important value of the PSA. Members needing assistance with their cases can contact the PSA Provincial Manager at john.teffo@psa.co.za or WhatsApp 079 513 9856.

Employees who wish to join the PSA should contact Paulina Moloto (082 880 8957), Lawrence Muvhango (082 880 8995) or the PSA Provincial Office on (015) 295 0500.

Reuben Maleka
GENERAL MANAGER