



FOR PSA MEMBERS: DEPARTMENT OF AGRICULTURE LAND REFORM AND RURAL DEVELOPMENT

03-04-2025

Victory for PSA member

The PSA successfully assisted a member from the Department of Agriculture, Land Reform and Rural Development with a dispute relating to unfair labour practice in terms of *section 186(2)(a) of the Labour Relations Act* pertaining to promotion.

The member applied for the position of Registry Clerk (Supervisor) as he met all the requirements of the post. The member was not shortlisted nor invited for interviews. The member, feeling aggrieved, lodged a grievance with the Department. In the outcome of the grievance, the Department indicated that due to many candidates, the panel of the shortlisting agreed to change the criteria or requirements of the advertised post.

The member found the outcome unfair and, with the assistance of the PSA, referred a dispute with the General Public Service Sector Bargaining Council. During the arbitration, the PSA submitted that the panel/shortlisting committee had no authority to change the requirements or selection criteria. The commissioner agreed with the PSA and stated in the favourable award that *"in failing to shortlist the applicant after he had met the requirements of the advertised post...the Respondent arbitrarily changed the selection criteria/requirements of the post."*

As a result, the Commissioner found that the Department committed an unfair labour practice against the member and ordered the Department to pay compensation equivalent to 5 months' salary. The member expressed satisfaction with the PSA's support and successful resolution to the matter.

Employees who want to join the PSA can visit the PSA's website or contact PSA Provincial Offices.

Reuben Maleka
GENERAL MANAGER