



FOR PSA MEMBERS: PUBLIC SERVICE COORDINATING BARGAINING COUNCIL (PSCBC)

14-04-2025

Feedback: PSCBC meeting - 9 April 2025

Draft Agreement: Picketing Rules for Public Service

Members are reminded that the employer previously presented a draft collective agreement regarding the establishment of picketing rules within the public service. These rules are essential for ensuring consistency across the public service and for promoting compliance during picketing activities. Labour had requested additional time to review the draft agreement and to consolidate their input.

Grade progression: Officials not covered by OSD

Members would recall that labour tabled this agenda item about the employer's failure to implement grade progression for employees not covered by the OSD. The employer then requested labour to provide information pertaining to the names of affected employees, to which labour obliged. The employer had acknowledged receiving such information but indicated that grade progression is an individualised process linked to post and their roles. It would thus be difficult to develop a generic response. Subsequently, it was suggested that labour should approach Human Resources in respective departments to address the concerns. Although labour did not agree with the employer's response and insisted that the matter be dealt with as Human Resources officials could not help therefore the matter was brought to the Council, the employer maintained that it is a rights matter and must be treated as such. Seeing that parties could not find each other, labour reluctantly agreed that the matter be removed from the agenda of the Council and will consider available remedies to assist affected members.

Disclosure of information: Cost of legal representation

Members are aware that labour has been against the use of legal representatives in internal disciplinary matters and requested information on how much the state is spending on legal representation. The employer indicated that the matter is being addressed and that the DPSA issued a directive to departments. Labour requested to be furnished with a copy of such Directive. In the meeting, labour reminded the employer that the initial demand was to be provided with information on the cost of legal representation, which the employer noted and will consult with the principals regarding the demand.

Review: Resolution 1/2003 - Disciplinary Code for the Public Service

The employer tabled the amendments to the Code as the current Code is outdated, it is not embracing innovation and technological advancements, and is not in line with legal developments. Amongst the

initiatives is the inclusion of paper-based (hearing based on written submissions with no actual sitting) and virtual hearings, and to introduce a sanction on reimbursement of costs as well as increasing the validity of the final written warning. Further, the list of misconducts was also added. Labour noted the presentation. The matter was deferred to the Collective Bargaining Committee for further engagement.

Early retirement without penalisation of benefits (ERP)

Members are aware that the employer tabled an early-retirement programme for public-service employees without the usual penalties on pension benefits, as well as an exit programme with financial incentives. The initiative was approved by Cabinet in April 2024 with the aim to address the problem of an aging public-service workforce. The employer has set aside R11 bn and is targeting only 30 000 employees to take the package over two financial years (2025/26 and 2026/27). Employees aged 55 to 59 years will get two weeks of salary per year for the first 20 years of pensionable service as well as one week per additional year after twenty (20) years of service whilst those aged 60 to 63 years will receive two weeks' salary per ten years of pensionable service and then one week per additional year. In the meeting, labour requested additional information, inclusive of a list of vacancies, skills audit report, financial breakdown of targeted employees, and criteria to be adopted, which the employer noted and would consider the requests. Labour requested the employer to provide the requested information within two weeks. The employer tabled the draft agreement for labour to consider, which labour is not in a position to comment on, pending receipt of the requested information. Upon receipt of the requested information, labour will consider the draft agreement and engage further to ensure that implementation of ERP does not prejudice employees.

Implementation: PSCBC Resolution 1/2025 and PSCBC Resolution 2/2025

Members would recall that parties concluded two collective agreements, PSCBC Resolution 1/2025 (improvement in conditions of service) and Resolution 2/2025 (matters referred to a further process for research investigation). Subsequently, parties resolved to establish two collective bargaining meetings, which will consist of an equal number of four representatives for both labour and employer respectively together with the Secretariat and Vice-Chairpersons.

Essential Services Committee (ESC) ruling: Minimum service determination

Members would remember that the employer referred the matter pertaining to the determination of minimum service in the public during industrial action to the CCMA. The ruling was received, which parties could not understand as it was confusing and did not provide clarity. Subsequently, parties agreed that the ESC should be invited to explain the interpretation and application of rulings. The General Secretary to facilitate the invitation.

Members will be informed of developments.

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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