



MEDIA STATEMENT

Update: Arbitration on PSCBC Resolution 1 of 2018

13 July 2020

An update on the arbitration of the wage dispute in the public service currently taking place at the PSCBC.

The employer failed to implement the salary increment as contained in clause 3.3 of PSCBC Resolution 1 of 2018. NEHAWU, SADTU, POPCRU, DENOSA and SAPU declared a dispute on the interpretation and application of the agreement and went through a lengthy conciliation process. The conciliation failed and NEHAWU, SADTU, POPCRU and DENOSA referred the matter to arbitration. SAPU opted not to pursue the dispute in arbitration.

Council scheduled the matter for arbitration.

In the interim PSA, NAPTOSA, HOSPERSA, SAOU and NATU lodged an application in the labour court alleging that the employer is in breach of the contract of employment due to the non-implementation of the salary increment. NUPSAW and SAPU also indicated that they will be lodging papers to be joined to the PSA and others labour court matter.

In the pre-arbitration hearing at the PSCBC, the employer indicated that they will bring an application to postpone the arbitration hearing until the Labour Court matter has been determined. NEHAWU, SADTU, POPCRU and DENOSA opposed the application. The arbitrator duly considered the submissions and refused the application for postponement.

The matter was set down for hearing in arbitration at the PSCBC on the 7th and 8th July 2020

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On the same matter at the Labour Court, the employer on the 6th of July 2020, lodged an urgent application in the Labour Court to have the process of arbitration stayed, until such time that the Labour Court matter of PSA and others have been heard. The application also required the court to interdict the arbitration hearing from continuing in the PSCBC on the 7th and 8th July 2020 until the urgent application could be heard. NEHAWU, SADTU, POPCRU and DENOSA opposed the urgent application and the relief sought by the employer.

On the 7th of July 2020, the Labour Court granted an interim order staying the arbitration hearing and directed parties to argue the matter on the 10th July 2020. The matter was heard on the 10th July 2020 and the Judge reserved judgement.

Council will await the judgment before deciding on setting the matter down.

This is going to be a prolonged process and updates will be given as and when progress is made.

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