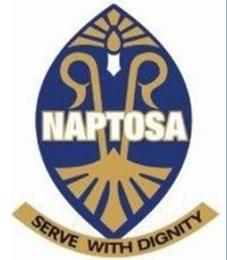




NATIONAL NEWS FLASH



SERVING EDUCATION SINCE 1904

Visit our website: www.naptosa.org.za

NNF 59 of 2020

1 December 2020

SALARY DISPUTE: COURT DATE IS HERE

In 2018 NAPTOSA was one of the signatories to the wage agreement concluded in the PSCBC (Resolution 1 of 2018) believing that it was the best possible deal at the time, because it bound the employer to a wage adjustment for a period of 3 years in a difficult economic climate.

This proved to be the right decision. Not only did it secure wage increases for members in 2018 and 2019 but it has also provided the legal basis for unions to the PSCBC, even non-signatories, to challenge the State as employer for renegeing on the wage increase for 2020.

Tomorrow, 2 December 2020, NAPTOSA and the other public service unions to the PSCBC will be up against the employer in the Labour Appeal Court to fight for the enforcement of clause 3.3 of Resolution 1 of 2018 (the agreed 1 April 2020 wage adjustment), and even more so to defend the very principle of collective bargaining that is under severe threat by the employer's actions.

Having shown total intransigence regarding the 1 April 2020 wage adjustment (allowing the date of implementation to pass without so much as a word that year 3 of the wage agreement would not be honoured) and in the run-up to the court hearing, the Minister of Public Service and Administration, in a last-ditch effort to avoid the case from proceeding, scheduled informal discussions with NAPTOSA and the other public service unions.

The Minister verbally proposed that the 1 April 2020 wage adjustment be replaced by the payment of a **non-pensionable** bonus to employees, to be funded to the tune of R 27 billion, by suspending the employer's contribution to the Government Employees Pension Fund (GEPPF) for a certain period. As with all verbal proposals the devil is in the detail. NAPTOSA therefore requested that the proposal be put in writing on the understanding that it had to be tabled in the PSCBC or alternatively be presented to the lawyers of the unions that are party to the legal action because the matter is *sub judice*. No such proposal, in writing, has been forthcoming.

There is a well-known saying "To rob Peter to pay Paul". The Minister's proposal, however, is tantamount to "Robbing Paul to pay Paul". In other words, the employer is proposing to utilize money that is rightfully the employees' (for their pension) to pay them bonuses. Apart from placing a burden on the GEPPF, the proposal will not be beneficial to employees, because it will not equate to an increase in their wealth in the long term. And who is to say that the employer, once successful

with a proposal like this, will not attempt to employ the same tactic in future, leaving members stagnant as far as their pension benefits are concerned.

According to the Minister, the employer will in future refund the shortfall that will be created by the proposed suspension of the employer's contribution to GEPF. How can we trust an employer who so easily walks away from a collective agreement, to honour such repayment to the pension fund?

NAPTOSA is confident in our case and believes that the outcome will be in the favour of the unions, albeit that judgement will in all probability not be delivered tomorrow, but hopefully soon after. We therefore reject the Minister's "proposal". We will see him and his department in court tomorrow.

BASIL MANUEL
EXECUTIVE DIRECTOR