



VICTORY FOR WORKER'S RIGHTS

REPORT 1 OF 2024

In a significant victory for employee rights, Ms. M. Masango, a dedicated radiographer at KwaMhlanga Hospital, has finally received her rightful dues after a prolonged battle against bureaucratic negligence and injustice.

The case, championed by the Health & Other Services Personnel Trade Union of South Africa (Hospersa), underscores the importance of Collective Bargaining and unwavering advocacy in safeguarding the interests of workers.

Ms. Masango's ordeal began when Human Resources (HR) Department of KwaMhlanga Hospital omitted her name from the final report for the Performance Management Development System (PMDS) incentive bonus for the 2021/2022 financial year, despite her eligibility.

Despite reassurances from her manager and diligent follow-ups with HR Department, she found herself denied her rightful compensation. This injustice prompted her to seek assistance from her union, Hospersa in the Mpumalanga Province.

The Provincial Secretary, Johannes Mthombeni, swiftly intervened on her behalf. Despite Hospersa's formal

grievance lodged with the hospital and subsequent declaration of a dispute with the bargaining council, the matter remained unresolved for months.

However, after persistent efforts, the Department of Health acknowledged their mistake and committed to rectifying it by September 2022. Yet, as promises turned into further delays, Hospersa remained steadfast, escalating the matter to arbitration when the promised resolution failed to materialize.

The arbitration process faced its own hurdles, with the employer challenging the jurisdiction of the council and even attempting to derail proceedings by filing the matter in the labour court. However, Hospersa's legal team skilfully navigated these obstacles, securing a favourable ruling that reaffirmed the council's jurisdiction and upheld Ms. Masango's rights.

Finally, after more than a year of advocacy and legal battles, justice prevailed. The hospital acknowledged its obligations and, with Hospersa's persistent advocacy, secured the necessary funds to compensate Ms. Masango.

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In March 2024, she received her long-overdue PMDS incentive, bringing an end to a protracted struggle for fairness and recognition.

This triumph not only highlights the crucial role of trade unions like Hospersa in protecting workers' rights but also serves as a reminder of the systemic challenges and injustices that persist within bureaucratic structures.

It underscores the importance of vigilance, solidarity, and collective action in holding institutions accountable and ensuring equitable treatment for all employees.

As we celebrate this victory, let it stand as a testament to the power of perseverance and unity in the face of adversity, and a rallying cry for continued advocacy in the pursuit of justice and dignity in the workplace.

Viva Hospersa Viva!

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HOSPERSA OFFICES
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Why join Hospersa?

Individual indemnity cover of up to **two million rand** per member (exclusion apply)

Death benefit of **R5 846** for principal members after 6 months of membership

Professional legal assistance for labour-related issues at the CCMA and Labour Court

Collective bargaining **negotiating salaries** and other substantive conditions of employment.

Trained, democratically elected **shop stewards.**

Representation at **disciplinary hearings**, grievance procedures and incapacity processes

Representation on **various committees**, including Employment Equity and OHS

General Meetings with members

Bilateral **meetings with management**

Service provider benefits including **discounts on services** and stays at holiday resorts.

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