



PUBLIC SERVICE COORDINATING BARGAINING COUNCIL MEETING

REPORT 12 OF 2025

Parties of the Public Sector Coordinating Bargaining Council (PSCBC) convened a normal council meeting on 10 June 2025 to discuss the following issues:

DRAFT AGREEMENT: PICKETING RULES FOR PUBLIC SERVICE

The Employer indicated that it had not yet finalised its mandating processes regarding the presentation that organised labour had tabled in the previous council meeting.

The Employer therefore proposed the item should be retained on the agenda of the council pending finalisation of its mandating processes.

Organised labour noted the response.

REPORT: MANAGEMENT OF TRADE UNION MEMBERSHIP

Organised labour proposed that a simulation workshop should be convened by the PSCBC to ensure that all parties are fully aware of the practicalities regarding the system before it is rolled out by the PSCBC.

The employer acceded to the proposal.

The Office of the General Secretary (OGS) would therefore communicate the date for the said workshop.

DISCLOSURE INFORMATION: COST OF LEGAL REPRESENTATION

The Employer indicated that it was not yet ready to provide the information as per labours request in the previous council meeting.

Different departments were informed to provide their information and once all the information has been collated, feedback would be provided in the next ordinary council meeting.

Organised labour noted the response by the Employer and indicated that it would await the information from the Employer.

Labour further reiterated that the legal costs incurred via the use of legal practitioners have a direct impact on the respective trade unions because once the employer utilises the service of legal practitioners, it is required for trade unions to also utilise legal practitioners to represent its members, which becomes a costly exercise over time.

Organised labour further indicated that the Employer should be capacitating its own employees to deal with dispute matters as opposed to making use of services by legal practitioners.

EARLY RETIREMENT PROGRAMME (ERP) WITHOUT PENALISATION OF BENEFITS

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Northern Cape (053-842-2001)

10 JUNE 2025

Organised labour tabled a presentation on the matter. **See attached Annexure 1** (also available on www.hospersa.co.za).

The Employer indicated that it had provided all the information that was requested by organised labour.

The Employer further indicated that the ERP is an employer employee exercise in terms of the law, and approval thereof lies with the Employer in terms of individual applications.

Sectors have not yet been segmented, because all the departments fall under the PSCBC.

The information that is being requested by organised labour as per the presentation can therefore be requested via the different sectors (through provincial chambers of the different sector councils) and not necessarily only be requested at the level of the PSCBC.

The number of jobs that will be created via implementation of the ERP has not yet been projected.

The Employer further noted organised labour's decline to conclude a collective agreement, however, reiterated the point that it would be prudent to conclude a collective agreement to outline the process that

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would be followed to implement the ERP.

The Employer implored on organised labour to review its position not to conclude a collective agreement.

Organised labour indicated that the responses by the Employer were not satisfactory and further confirms the position by labour not to conclude a collective agreement on the matter.

The sharing of information transparently so, forms the basis for the consultation process to be undertaken with the best interests of members.

The Department of Public Service and Administration (DPSA) is the custodian of the public sector and should be providing the information that is being requesting and not be that organised labour should be seeking information from the different departments.

Organised labour further indicated that the Employer should be sharing information regarding the budgetary provisions for the ERP, given that there is already information that is circulating in the media that the budget has been reduced regarding the ERP.

The Employer indicated that the incentives that are being provided for via the ERP are not provided for by any law, hence the collective agreement that needs to be concluded by parties.

Organised labour retains its position not to conclude a collective agreement on the process of the ERP but is very open to a consultation process.

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The Employer proposed that a special council meeting should be convened within seven (7) days to iron out issues of contention between parties.

Organised labour agreed to the proposal to convene

THE ESSENTIAL SERVICES COMMITTEE RULING: MINIMUM SERVICE DETERMINATION

The OGS indicated that ESC had not positively responded to the request for the committee to come and explain the recent minimum service ruling to parties to the PSCBC.

The OGS further indicated that based on the advice sought from the PSCBC legal counsel, the ESC was not responding to initial dispute as referred by the Employer.

The OGS further indicated that the ESC was currently doing determinations in different provinces, especially in health facilities and that was worrying, given that parties to the PSCBC were still awaiting the ESC to explain their ruling.

The OGS further indicated that it would wait for the ESC to respond to the request to come to the PSCBC and clarify its ruling.

Organised labour indicated its appreciation for the efforts that were being initiated by the OGS in attempting to address the confusion surrounding the recent ESC determination ruling.

The Employer indicated that the ESC ruling was placing a responsibility on parties to pave the way in terms of the

minimum service process regarding the public service.

The Employer further provided two possible options in addressing the matter; to convene a session outside of council processes in affording the ESC an opportunity to explain the ruling, alternatively parties should be advised from a legal perspective as to what the next process should be in addressing the matter.

Organised labour remained steadfast in terms of its position, that the ESC should honour the request to come and explain their ruling to parties to the PSCBC and further indicated that a formal legal opinion should be sought from the PSCBC legal counsel on what should be the options available in dealing with this matter.

The Employer, therefore, agreed to the proposed approach by organised labour for the OGS to continue efforts in getting the ESC to come and explain their ruling, and for the OGS in the interim to still pursue a legal opinion on what should be the way forward on the matter.

CORRESPONDENCES

The OGS tabled the following correspondence for sharing with members. **See attached Annexures.** (also available on www.hopersa.co.za).

- a. GEHS ILFS: DPSA Circular 5 of 2025
- b. Adjustment Housing Allowance: DPSA Circular 15 of 2025
- c. GEMS: Trustees Elections 2025

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