

PUBLIC SECTOR COORDINATING BARGAINING COUNCIL MEETING

REPORT 19 OF 2025

Parties to the Public Service Coordinating Bargaining Council (PSCBC) convened a normal council meeting on 08 September 2025, and discussed the following matters:

DRAFT AGREEMENT PICKETING RULES FOR THE PUBLIC SERVICE

The Employer indicated that the provisions they provided as per their initial submitted draft agreement are not contra to the Code of Good Practice in the public service and relevant legislation, and therefore the initial draft agreement as tabled should be retained without amending it as per organised labour's inputs.

The draft agreement was also not different from the previous picketing rules as provided for by processes in the PSCBC and the Labour Relations Act.

Labour noted the position by the Employer and emphasised that the Employer should provide its position in the form of a written response.

The Employer indicated that it would provide its position in written format as requested by organised labour. Parties agreed to retain the matter on the agenda of the Council, pending its finalisation.

DISCLOSURE OF INFORMATION: COST OF LEGAL REPRESENTATION

The Employer tabled a report on the matter. **See attached Annexure 1.**

The respective annexure can be found on the Hospersa website – www.hospersa.co.za

The Total cost for legal representation in the different national and provincial departments, for the past financial year (i.e., 2024/25) in terms of the attached annexure 1.

The Employer indicated that the costs for legal representation for national departments were sitting at around R8.8 million and for provincial departments legal representation costs R33 million.

Labour noted the presentation by the Employer and sought the following clarities and provided the following comments on the issue:

- Whether the Department of Public Service and Administration (DPSA) provided a guideline to departments in terms of the information that was sought?
- That the Employer share a consolidated report, reflective of all the departments, given that some provinces had not

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provided their cost breakdown for legal representation.

- The Employer should interrogate its own report to assess what is happening in departments regarding legal representation costs, in ensuring that the reporting provided and what is practically taking place in terms of legal representation costs tallies.
- There was supposed collusion with certain legal firms as a high-cost driver regarding legal representation.

Labour further indicated that the report that was provided by the Employer was not a true reflection of what was happening in departments.

The provision of a consolidated report would therefore afford organised labour an opportunity to respond properly instead of responding in a piece meal manner.

The Employer responded that it had provided a circular to departments sensitising them regarding the use of legal representation and the costs thereof, and such a circular was provided in a previous Council meeting.

The Employer further indicated that departments at national and provincial levels do not report to the DPSA.

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Therefore, the complexity of how government works, made it difficult in collating the information on the matter.

The Employer indicated that were there was suspicion on departments colluding with legal firms such claims should be corroborated with the necessary information for the Employer to investigate, but for now it had not received any such information.

It would continuously share the outstanding information from the departments that had not yet submitted their legal representation costs.

Labour indicated that the issue of the collusion that was happening with departments and certain legal firms was not an allegation but a reality that was happening.

Parties agreed to retain the matter on the agenda of council.

STATUS REPORT: GEHS

Labour indicated that it was currently engaging with the Employer outside of council processes, and once the parties were ready in terms of their mandating processes, they would revert to Council for proper engagement.

The Employer indicated that a status report on the matter was tabled in the previous Council meeting, and the report thereof was accepted by all parties apart for NEHAWU, specifically.

The work of the committee is continuing regarding GEHS issues, and once another status report was

for tabling, such a report would be tabled in the next Council meeting.

Parties agreed to retain the matter on the agenda of Council.

TRADE UNION MANAGEMENT SYSTEM

The Office of the General Secretary (OGS) reported that the requested workshop would be convened on 26 September 2025 to take parties through the electronic system that would be dealing with trade union membership.

ESSENTIAL SERVICES COMMITTEE (ESC) – MINIMUM SERVICE AGREEMENT

Labour sought clarity regarding the way forward based on the response letter that was received from the ESC Chairperson.

The OGS indicated that the issue was being dealt with via ExCo processes, in trying to come up with proposed modalities in dealing with the matter of a minimum service agreement.

Modalities were also in determining how the sectors are to deal with the minimum service issue, especially taking into consideration how different sectors were.

Once the ExCo was ready, such modalities would be presented for concurrence by parties to the Council.

Labour raised a concern regarding the urgency of the matter and the deadlines thereof especially given that sectors were not dealing with the agenda item at the current moment.

The Employer indicated that at sector level, the same parties who sit at PSCBC level also sit in the same sectors, and it is imperative for parties to sensitise the ESC to the processes that are currently underway at the PSCBC on the minimum service issue in avoidance of having any disjuncture between the two processes.

Parties agreed to retain the matter on the agenda of Council.



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