



PUBLIC SERVICE WAGE NEGOTIATIONS UPDATE

APRIL 2021

Introduction

This bulletin serves to update members on the 2021/22 Public Service Wage Negotiations at the Public Service Coordinating Bargaining Council (PSCBC).

Update on PSCBC Resolution 1 of 2018 Dispute

On 15 December 2020, the Labour Appeals Court (LAC) declared the enforcement of clause 3.3 (which specifically speaks to salary increases) of Resolution 1 of 2018 unlawful for contravention of Sub-Section 213 and 215 of the Constitution of the Republic South Africa, 1996 and Regulations including 78 and 79 of the Public Service Regulations of 2016.

NEHAWU filed leave to appeal papers at the Constitutional Court on 27 January 2021. We took this decision because to us this is about defence of collective bargaining and hard won gains of workers which are being reversed through austerity measures. This austerity axe is narrowly focused on cutting the means of livelihoods of the coalface and largely low-income public servants under the PSCBC. The matter has been set-down for hearing on the 24th August 2021 at the Constitutional Court and we are confident that judges will agree with us that no person should be allowed under our democracy to just walk away from contractual obligations. The working class cannot be expected to shoulder the burden of the public debt, which has been caused by misguided policies, mismanagement and looting by the elite.

2021/22 Public Service Wage Negotiations

In the last communication issued by the national union in relation to the 2021/22 Public Service Wage Negotiations, we indicated on a process which would be embarked upon commencing with the pre-negotiations stages on the 16 -17 March 2021 at the Public Service Coordinating Bargaining Council (PSCBC).

Indeed the pre-negotiations process commenced as entrenched in the PSCBC Resolution 3 of 2017 and it was agreed that public service wage negotiations would start on 29th and 30th March 2021. When the negotiations began on the set dates (29 & 30 March 2021), the employer did not table any counter offer to our demands that labour submitted to them at the PSCBC on 1 March 2021 instead the employer reduced the session for clarity seeking questions (the questions that are being is why are we demanding CPI plus 4%?) and we view this as nothing but a delay tactic by the employer.

The delay tactic by the employer is part of the broader agenda of implementing austerity measures by National Treasury and this is evident with the announcement of R160.2 billion cut from the public service wage bill for 2020/21 to 2022/23 and also cuts in public health spending, social grants, education amongst many other cuts planned by National Treasury. If the employer feels emboldened by the misguided ruling that we are challenging from the Labour Appeal Court hence the arrogant conduct in the current negotiations then we will be left with no choice but



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to hold the bull by its horns. If they proceed with their antics at the end of the 21 days as per the PSCBC constitution we shall waste no time but declare a dispute.

It must be understood that the public service is the largest employer in the country, and its decisions about wages and employment levels therefore have a dramatic effect on other sectors as well as overall level of effective demand in the economy. Thus we will not allow this to happen with the proposed wage freeze and reversal of the collective bargaining gains of the public service, which are aimed at predetermining the outcomes of this round of PSCBC negotiations. This includes:

- Job cuts through measures to reduce headcounts through early retirement and natural attrition;
- The freezing or abolishing of the so called non-critical posts;
- The harmonisation of allowances and benefits;
- The revision of pay progression rules and the Occupational -Specific Dispensation, and;
- The abolishing some allowances and benefits.

Lastly, as a progressive trade union we understand that the public service remains the single most important agent of development in the country. For many citizens it is the provider of last resort, and its services or lack of them-often mean the difference between life and death. Therefore, its ability to perform this role is to a large extent bound up with quality of its labour relations which is currently compromised.

Conclusion

We call on all our shop stewards, leaders and activists to communicate to members the current developments as widely as possible as we prepare for a battle ahead. We will keep members informed on developments pertaining the 2021/22 Public Service Wage Negotiations and also on the Leave to Appeal process in relation to the Resolution 1 of 2018 Dispute.

We take this opportunity to wish all members and workers in general a good and enjoyable Easter holidays and further request them to keep safe and apply all health protocols as we are still living with COVID-19 pandemic.

END

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