

LIMPOPO PROVINCIAL REPORT (13 Hours Dispute)

REPORT 1 OF 2019

06 FEBRUARY 2019

AS previously reported Hospersa is the only Union that declared a dispute with the Public Service Co-ordinating Bargaining Council (PSCBC) on the issue of 13 hours overtime for Emergency Medical Services (EMS) Personnel.

On 4 February 2019, we attended the arbitration on this matter and the following transpired:

Before the proceedings, the employer submitted an application for postponement citing that their legal council representative was appointed to act as a judge at the Mpumalanga High Court. Hospersa opposed this postponement and the Commissioner dismissed the employer's application.

The matter proceeded with one witness who testified as follows:

1. The working hours for EMS personnel are calculated as twelve (12) hours when they are on duty whilst they are calculated as eight (8) hours for any type of leave taken. This means that EMS personnel forfeit four (4) hours when taking any type of leave.
2. If any form of leave is taken, the employee forfeits any overtime worked for the rest of the month due to the

- averaging of the working hours.
3. The averaging of working hours was done without a collective agreement as per clause 9.5 of the PSCBC Resolution 1 of 2007: Agreement on Improvement in Salaries and other Conditions of Service.
4. The averaging of working hours was done unlawfully.
5. The double standard system that the employer is using to calculate working hours for EMS personnel was unfair.
6. EMS personnel work forty (40) hours per week and that there is no legal prescript that informs that the hours worked should be averaged.

The matter was concluded and all parties will submit their closing arguments no later than 11 March 2019 so that the Commissioner can issue an arbitration award.

Members will be kept informed.

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Why join Hospersa?

- 1) Individual indemnity cover of up to **two million rand** per member
- 2) Death benefit of **R4 392** for principal members after 6 months of membership
- 3) **Professional legal assistance** for labour-related issues at the CCMA and Labour Court
- 4) Collective bargaining **negotiating salaries** and other substantive conditions of employment
- 5) Trained, democratically-elected **shop stewards**
- 6) Representation at **disciplinary hearings**, grievance procedures and incapacity processes
- 7) Representation on **various committees**, including Employment Equity and OHS
- 8) **General Meetings** with members
- 9) Bilateral **meetings with management**
- 10) Service provider benefits including **discounts on services** and stays at holiday resorts

If you have not yet joined Hospersa, please contact your Shop Steward or the Provincial Office (see below).