

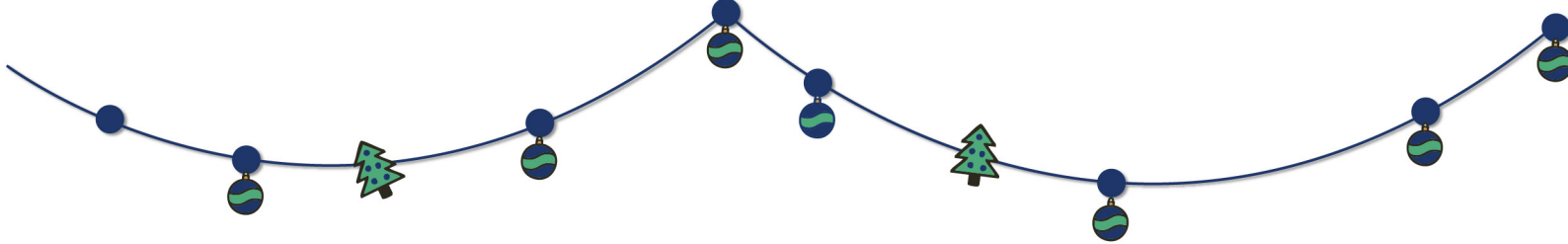
Newsletter

Festive Edition



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Season's Greetings



Frikkie de Bruin, General Secretary of the PSCBC

As we are about to bid farewell to the year 2025, I wish to express my sincere appreciation to all stakeholders of council for a year of meaningful progress, renewed collaboration and strengthened partnerships. This has been a year in which our collective efforts have continued to reinforce the PSCBC's role as a cornerstone of labour relations within the public service. Through commitment, teamwork, and shared purpose, we have advanced initiatives that supported the vision to influence and advance change in the labour market.

One of our most notable achievements this year was the successful capacitation of chambers across all nine provinces through our dedicated mental health workshops. These sessions played a significant role in equipping chambers with the tools needed to address mental wellness concerns in the workplace and they were met with strong participation and positive feedback. The success of these engagements reinforces our commitment to supporting the holistic wellbeing of public servants and strengthening the structures that enable effective labour relations.

We celebrated the continued success of our long standing training partnership with the PSETA and the GPSSBC. This annual collaboration has become an important pillar of capacity building in the public service, and this year's programmes further deepened our professional relationships while providing valuable skills development opportunities to participants.

It is through partnerships such as these that the PSCBC continues to empower stakeholders and contribute to a more capable and responsive public sector.

Another milestone for the PSCBC in 2025 was the successful implementation of the Enforcement of the collective agreement function. This addition reflects our on-going commitment to ensuring that the outcomes of our operational processes are upheld effectively.

As we look toward the new year, we remain dedicated to strengthening all our core functions, to serve public service with excellence while scaling our operations to meet the evolving needs of our stakeholders in an ever-changing labour environment. I also extend my heartfelt gratitude to all PSCBC staff, stakeholders, and partners for your dedication, professionalism, and steadfast commitment throughout the year. Your contributions have strengthened the work of the PSCBC and played an essential role in the progress we have collectively achieved in 2025.

The festive season is upon us, I wish to encourage everyone to take this time to rest, reconnect with loved ones and reflect on the meaningful impact you have made in the public service landscape. Many of us will be travelling to our different destinations, I wish you safe journeys, responsible festivities, and moments of peace and joy. May this season renew your energy and spirit and may the new year bring continued growth, and lasting progress.

Wishing you all a Merry Christmas and a Happy New Year!!

PSCBC Hosts An Event To Raise **Awareness** During **Breast Cancer Month**



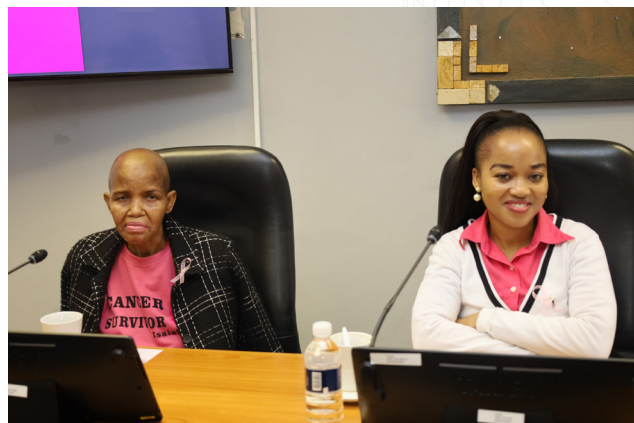
October is observed as month that raises awareness about Breast Cancer, it is a month where we join hands to share insights about breast cancer, honour those who survived and promote early detection and prevention.

In honour of this month the PSCBC hosted a Breast Cancer Awareness event for its staff members on the 31st of October 2025. The purpose of the event was to educate staff members about breast cancer and prostate cancer, emphasizing the importance of self-examinations, early detection, prevention, treatment and the possible health complications linked to the condition.

The event also featured Pastor Betty Siphonogo, a breast cancer survivor, who shared her inspiring journey of overcoming stage 4 breast cancer. Her testimony reinforced the message that every individual's experience is unique, and that early detection and timely treatment are essential for achieving positive outcomes.

The overall event was not only informative and inspiring but also impactful and enriching, serving as an important reminder of the importance of early detection, prevention, and proactive healthcare.

To ensure the success of the event, the PSCBC invited Ms Palesa Mashapa, a cancer awareness activist and palliative care counsellor from Healing Hands of Grace, who also serves as a Medical Chaplain at Charlotte Maxeke Hospital. During her presentation, Ms Mashapa explained how cancer starts and spreads within the body, highlighted dietary risk factors that may contribute to cancer, and emphasized the importance of regular medical check-ups as well as maintaining a healthy lifestyle to improve survival outcomes.



POPCRU Central Executive Committee Held At Birchwood Conference Centre



The PSCBC had the honour of attending the Police and Prisons Civil Rights Union Central Executive Committee conference at Birchwood conference centre from the 7th-10th October 2025. The conference was held under the theme "Building a Sustainable Organisation in Defence of Collective Bargaining." Representing the PSCBC at the conference was the Chairperson of the council Mr Magate Phala and the Senior Manager for Collective Bargaining, Ms Valencia Kola.

The event commenced with a welcome address by POPCRU President, Mr Thulani Ngwenya, who highlighted the power of unity within civil rights unions and stressed the urgent need to address the alarming rise in police killings through initiatives such as a dedicated police summit and the strengthening of alliance structures.

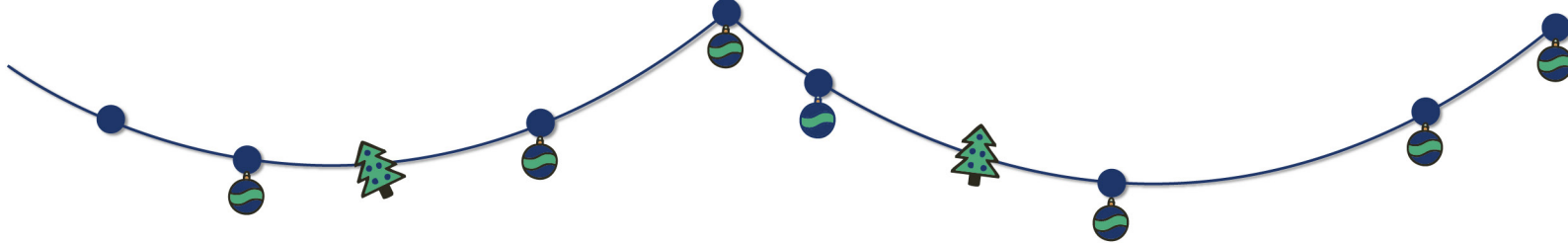
During the conference, POPCRU officially introduced its newly elected National Office Bearers, who were appointed by the Central Executive Committee. The council welcomes and congratulates the 2nd Deputy President, Mr Siphon Nkambule, General Secretary, Mr Xolani

Presente, and the 1st Deputy General Secretary, Ms Phuti Mabotja, all of whom are dedicated to strengthening the union, advancing its objectives, and promoting unity among its members.

Present at the conference was the Executive Director of the Safer South Africa Foundation, Ms Riah Phiyega, who highlighted that SSAF has launched the Communities and Justice Programme, targeting learners from Grade 8 to Grade 11. In her presentation, she stated that the programme's primary objective is to expose learners to the criminal justice system through visits to police stations, courts, and correctional facilities. She further explained that the initiative aims to raise awareness about how justice operates and the consequences of crime. Ms Phiyega also noted that the programme extends its reach to out-of-school youth across several provinces, fostering greater understanding and promoting responsible citizenship.

The PSCBC encourages all citizens to unite in preventing and fighting crime in our country for a safer and better South Africa.





PSCBC Exhibiting At The **Professional Educators' Unions** Elective Congress



On 1st of October 2025 the PSCBC proudly participated in the Professional Educators' Union Elective Congress held at the Kopanong Conference Centre in Benoni. The congress was guided by the theme, "Strengthening Servant Leadership in Pursuit of Membership Growth Towards Driving Quality Education for All."

Representing the General Secretary Mr Frikkie De Bruin was the Senior Manager for Collective Bargaining, Ms Valencia Kola, who delivered a message of support highlighting the importance of membership growth, unity in delivering quality education, and the crucial role of leadership in the workplace. In her presentation, she emphasised that by working together, we can be the force that drives meaningful change, advocates for fair policy, improves working conditions for educators, and promotes equal opportunities for all learners. She further noted that through the partnership between the PSCBC and PEU, we can ensure that quality education is not a privilege for a few, but a right enjoyed by all.

The conference was also graced by the presence of the Minister of Basic Education, Honourable Siviwe Gwarube, who delivered a powerful address highlighting the vital role teachers play in shaping South Africa's future. She reminded us that teachers remain the beating heart of every classroom. During her presentation, she noted that it is the government's responsibility to protect, invest, and uplift teaching conditions. She further emphasized that the Department of Basic Education is working closely with unions such as PEU to strengthen teacher development and expand opportunities for continuous professional training, ensuring that teachers are equipped with the necessary tools to succeed in an increasingly complex classroom environment.

"The Department is allocating funding to support the upskilling of 7 000 Grade R practitioners, allowing them to complete the qualifications needed to serve as fully qualified educators" she said.

The PEU Elective Congress was a resounding success, marking a meaningful step forward for the organisation and its future plans in the education sector.



NAPTOSA Hosted Its **8th National Congress** Under The Theme **“Believing, Planning, Caring And Fighting”**



The PSCBC actively participated in NAPTOSA's 8th National Congress, held from the 4th to 5th of November 2025 at the Emperors Palace Convention Centre in Johannesburg. The Congress was held under the theme “Believing, Planning, Caring and Fighting.” The primary objective of the congress was to provide a platform for leaders to discuss key issues affecting teachers and learners, support staff, special needs schools, as well as Technical and Vocational Education and Training and Community Education and Training institutions.

The congress began with welcome address by the President of NAPTOSA Mr Thabo Manne who noted that the congress serves as a platform to pause and reflect on the journey of advancing the rights and interests of workers in the education sector, celebrate the achievements and renew the strength, purpose and unity of the organisation.

The PSCBC's General Secretary, Mr Frikkie De Bruin, in his virtual message of support stated that the theme of the congress brought genuine excitement and it is from the long philosophical statements that never came to fall. He noted that he hopes this excitement would be evident in the commissions and deliberations, and the resolutions that are to come. He further indicated that he is looking forward to the hard work as it continues to shape the direction and strength not only of NAPTOSA, but also of the PSCBC. He also extended his best wishes as NAPTOSA members elected their national office bearers, stating that NAPTOSA's leadership has always been exemplary and that he was confident the election outcomes would once again affirm that.

The Minister of Basic Education, Ms Siviwe Gwarube, also conveyed a message of support, noting that South Africa has recently concluded Teacher Appreciation Month. She emphasised that the recognition of educators' work should not be limited to October, stating that it must remain a continuous commitment to appreciate educators. She further mentioned that the education sector was operating under significant constrain and confronted with various challenges, including issues of safety in schools, bullying, and educators' wellbeing.

In her address she assured stakeholders that the Department was working day and night, together with teachers, to ensure that the teaching and learning environment remains conducive not only for learners but also for educators. She emphasised that teachers are the backbone of the education system, and without them, there would be no system at all.

She extended her gratitude to all educators, thanking them for walking the journey with the Department, for holding hands as partners, and for helping to ensure the delivery of quality education to all learners in the country.

Amidst the congress, NAPTOSA reappointed its leadership. Mr Thabo Manne as the President, Mr Nkosiphendule Ntlantala who serves as the Deputy President and Ms Rene Marnse as Vice Presidents. The PSCBC congratulates and wishes them success in their leadership roles and in advancing the organisation's vision and mission.

The PSCBC reaffirm its commitment to supporting the organisation in its efforts to strengthen the voice and rights of workers in the education sector.



PSCBC/GPSSBC & PSETA **Public Service** **Dispute Management And Negotiation** **Skills Training**

The PSCBC and GPSSBC, in collaboration with PSETA, hosted a hybrid skills development training on Public Service Dispute Management and Negotiations for all chamber representatives across the nine provinces. The training was aimed to strengthen the knowledge, skills, and capacity of public service representatives in effectively managing disputes and conducting negotiations within the public sector.

The training sessions were facilitated by a well-equipped and experienced facilitators, Livhuwani Nengovhela, Gerald Maumbe, and Yolanda. The skills programme was focused on labour relations, conflict management, collective bargaining, negotiation skills, and included practical activities to equip our stakeholders with hands-on experience in managing dispute and negotiations processes.

We remain committed to fostering collaboration, promoting labour peace, and enhancing service delivery by continuously investing in capacity building initiatives that strengthen skills, knowledge, and effectiveness across the Public Service.



PSCBC Spends The Day At **Itereleng Disability Centre** As Part Of **National Disability Awareness Month**



In commemorating and honouring National Disability Awareness Month, the PSCBC, as part of its Corporate Social Responsibility programme, spend the day at the Itereleng Centre for the Disabled in Ga-Rankuwa. The primary objective of the event was to raise awareness about inclusion of disabled people, promote dignity and equal opportunities, and extend support to individuals living with disabilities.

Faith Mhlanga who is a centre manager at the facility gave a warm welcome and noted that this is a special day where people come together to raise awareness and support those individuals who live with disabilities. Also present at the event was the PSCBC ICT Senior Manager Mr Oomang Parag who in his message of support highlighted that disability does not mean inability but rather this ability because everyone has their own unique abilities.

He further emphasized that we are all built differently but we are same and that God shaped each person in a unique way to serve their purpose in life.

The PSCBC will continue its commitment in supporting and practising inclusivity by creating an environment where people living with disabilities are respected, empowered, and fully included.



PSCBC Celebrate with DPSA at the **Annual Batho Pele Excellence and Innovation Awards**



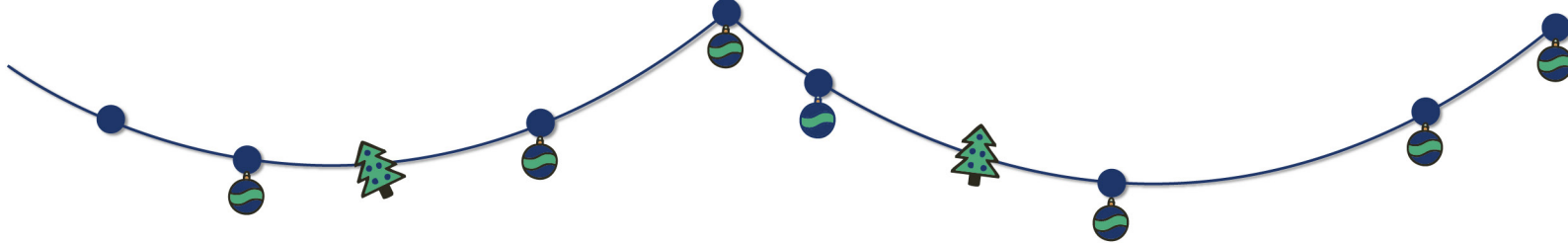
The Department of Public Service and Administration hosted its annual Batho Pele Excellence and Innovation Awards on the 28th of November 2025. The annual prestigious awards were held at Emperors Palace and are hosted to honour the excellence of public servants across the nation who continue to tirelessly serve within their areas of specialisation.

In attendance was Honourable Minister Nkosi Mzamo Buthelezi and Honourable Deputy Minister Pinky Kekana for Public Service and Administration. In his welcoming address, the minister spoke on the day's purpose, noting that the day's purpose is more than just the handing out of trophies, but a declaration of public service Excellence. He further noted that when public servants deliver excellence and innovation will be celebrated and that going the extra mile will never go unnoticed.

"We are not working in silos. We are one government with a vision to serve the public. We have strengthened intergovernmental relations, and we are not competing with one another but complementing one another for excellent service delivery," he said.

As part of a team for ensuring the success of the awards was the PSCBC Senior Manager for ICT Mr Oomang Parag, who is also the Chairperson of the Adjudication Committee for the Batho Pele Excellence Awards. In his welcome address, he praised the awards as a beacon for those who exemplify integrity, accountability, and the pursuit of the public good. He also noted that in an era of rapid change, our public servants have met challenges with resilience and creativity, showing that our sector is where responsibility meets innovation for the benefit of all citizens.

He further went on to congratulate the nominees and the winners for their exemplary contribution in the public service. The evening showcased the excellence and dedication that drive the public sector forward, reaffirming the principles of Batho Pele, putting people first. The awarded individuals and institutions serve as a powerful reminder that exceptional public service remains the foundation of a capable, ethical, and developmental state.



Council Finalises 2025 Agenda And Bids Farewell To **Retiring Council Members**



The PSCBC convened its final Council sitting for 2025 on 3 December at Kievits Kroon, closing the year with key resolutions and progress reports. The sitting reflected on various outstanding matters, including the review of the Levy Agreement, a positive overview of the PSETA/PSCBC training partnership project, and the ongoing discussions regarding the Government Employees Medical Scheme (GEMS) contribution increase. The Council reaffirmed its commitment to protecting workers' rights and strengthening social dialogue within the public service.

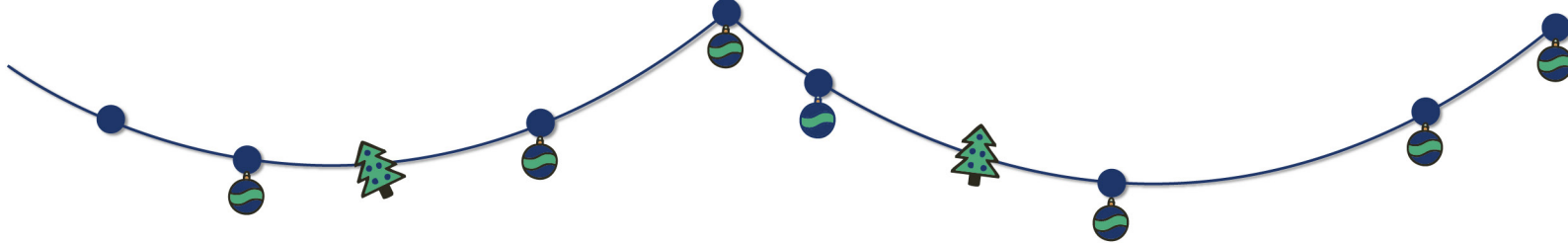
Also, part of the meeting agenda was the recent engagement between the PSCBC and GEMS where council reiterated concerns raised by both Labour and the Employer regarding the proposed GEMS 9.8% contribution increase scheduled for January 2026. Parties to council both rejected the increase and expressed dissatisfaction with the consultation process, urging GEMS to review its decision and improve stakeholder engagement going forward.

GEMS noted the concerns raised by parties to council and committed to address the issues raised in a formal sitting with council. Council further welcomed GEMS' commitment to provide a formal response and demonstrating continued dialogue and accountability in safeguarding the interests of public servants.

The meeting also marked a moment of gratitude and appreciation as the PSCBC bid farewell to three long serving Council members retiring from public service. Mr. Gregory Masondo, who served the Council since for eight years; Mr. Pat Mphela, whose service spans an exceptional 16 years; and Mr. Vuyani Sipambo.

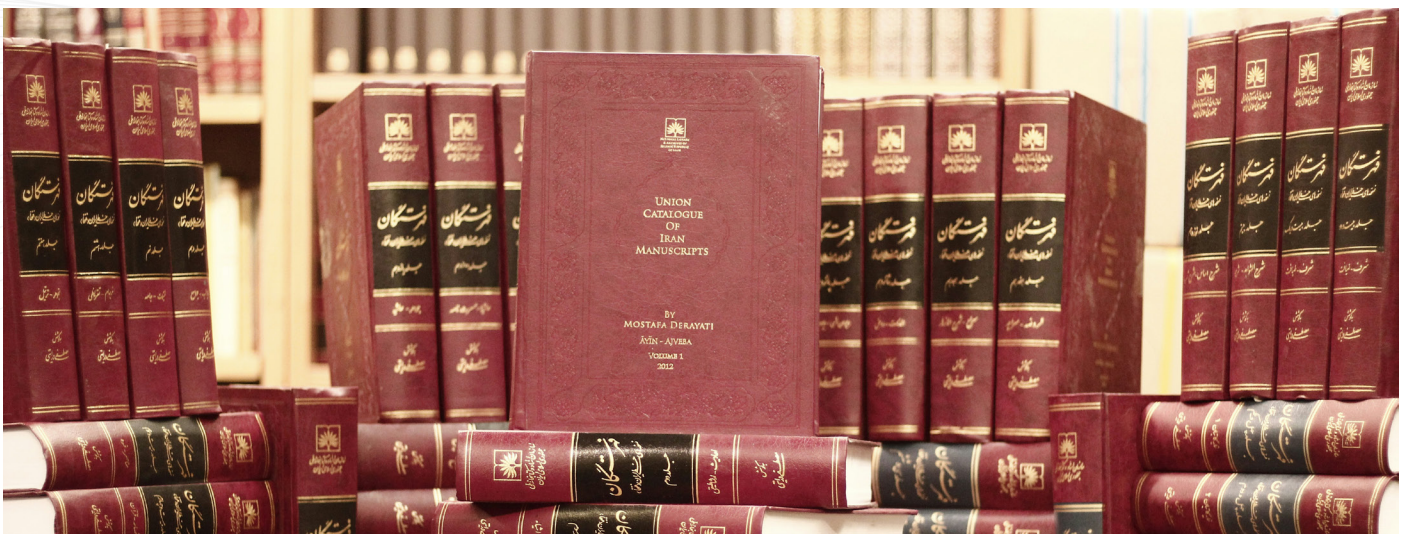
The PSCBC extended its best wishes to the retiring members, acknowledging their invaluable contribution to advancing workers' rights and strengthening collective bargaining. Their dedication and leadership leave a lasting legacy aligned with the Council's mandate to foster fair, transparent and progressive labour relations in the public sector.





Case Law

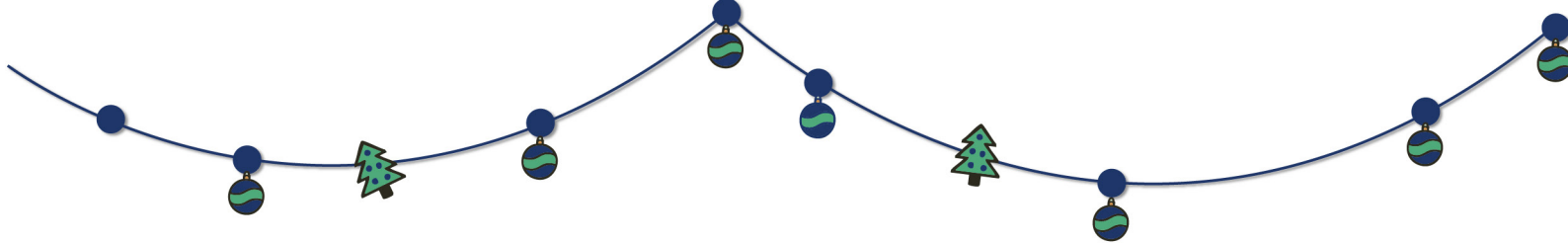
Case Citation: Psa Obo Randolph Van Wyk And Department Of Social Development: **Western Cape Provincial Government And Public Health And Social Development Sectoral Bargaining Council**



The dispute before the Labour Court concerned the dismissal of Mr Randolph van Wyk, represented by the PSA, following repeated absences from work. Although his employer, the Western Cape Department of Social Development, dismissed him on the basis of misconduct for unauthorised absenteeism, the Court was required to determine whether the true nature of the problem lay in misconduct or incapacity arising from alcoholism and mental health challenges.

The record showed that the employee had worked for the Department since 2008, had risen to the position of Administrative Officer, and had a long history of medical and psychological difficulties. Evidence presented to the arbitrator showed that Van Wyk suffered from alcohol dependency, major depressive disorder and the physical consequences of deep vein thrombosis and pulmonary embolism, conditions that contributed to his work absences. The employer was aware of these conditions, and Van Wyk had voluntarily undergone rehabilitation at Crescent Clinic in 2018, while receiving continued psychiatric care from Dr Paul Vos. Despite this, he continued to experience relapses, culminating in his absence in 2021. Although the employer had referred him to its Employee Wellness Programme (EWP), it chose to pursue a disciplinary route rather than an incapacity process.

The arbitrator nonetheless found that dismissal was substantively fair, concluding that Van Wyk had refused rehabilitation and was therefore responsible for his absenteeism. The Labour Court found this reasoning deeply flawed. The Court held that alcoholism is medically recognised as a disease, meaning that when an employee's conduct flows from the condition, the legal framework governing incapacity must be applied rather than misconduct.



Reliance was placed on *Transnet Freight Rail v Transnet Bargaining Council and Others* and *Naik v Telkom SA*, which affirm that alcoholism must be treated as incapacity and that employers have a duty to attempt counselling, rehabilitation and reasonable accommodation before terminating employment.

The Court criticised the arbitrator for ignoring crucial medical evidence, misrepresenting the EWP report, and failing to distinguish between fault-based misconduct and non-fault incapacity. The arbitrator's conclusion that Van Wyk had refused treatment was inconsistent with the evidence, which demonstrated voluntary rehabilitation, ongoing medical care and active engagement with support mechanisms. Moreover, the arbitrator acknowledged that the employer should have followed the incapacity route but still upheld dismissal on misconduct grounds.

This irrational contradiction rendered the award unreasonable, particularly in light of the *Gold Fields Mining* test, which requires a review Court to intervene when an arbitrator's outcome is one that no reasonable decision-maker could reach. Ultimately, the Court found that Van Wyk's absences stemmed not from wilful misconduct but from illness. Since the employer failed to comply with Schedule 8 of the Labour Relations Act by not exploring treatment, counselling, or accommodation, the dismissal was both substantively and procedurally unfair. The Court therefore set aside the arbitration award and ordered Van Wyk's reinstatement with retrospective effect, noting that no medical evidence prevented his return to work.





VISION

A bargaining council positioned to advance and influence change in the labour market environment.

MISSION

Promoting sound labour relations through collective bargaining and dispute management both locally and internationally.

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PUBLIC SERVICE CO-ORDINATING BARGAINING COUNCIL

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