



07.01.2021

Dear Employer / Statutory Body / Bargaining Council / Council

RE: UIF COVID19 TERS UPDATE: DISPUTE RESOLUTION PROCESS

This communication is to update / assist Users to further overcome problems encountered with Covid19 TERS claims and related issues.

DISPUTE RESOLUTION PROCESS

Section 28 of the MOA between Employers and the UIF, and Section 20 of the MOA between Bargaining Councils and the UIF, makes provision for a dispute resolution mechanism, stating:

“Should any dispute pertaining to this Agreement or performance thereunder arise at any time between the Parties, the duly authorised senior officials of each Party shall meet within 5 (five) days, or such period as the Parties may agree, from the date on which the dispute was notified in writing by one Party to the other, to attempt to resolve the dispute amicably.”

Thus, the process for Users wishing to lodge a formal dispute relating to Covid19 TERS will be as follows:

- Complete the attached Dispute Form
- Attach any relevant supporting documents
- Email completed Dispute Form and supporting documents to andrew.simango@labour.gov.za
- Use subject line “Covid19 TERS Dispute and your UIF reference number”

The designated officials who will deal with disputes on behalf of the UIF are:

- Adv M Yawa
- Mr B Dingaen
- Mr A Ragavaloo

Enquiry or Dispute?

Users are requested to pay careful attention to the differences between an enquiry and a dispute, as only those issues deemed to be Disputes will be considered via the Dispute Resolution process.

Enquiries include, amongst others, operational issues such as:

- Failed bank verification
- Password reset / Access to TERS platform
- Payment to unverified Foreign Nationals
- CSV file failures, including for periods prior to the closure date (submit as per instructions provided)
- Declarations (must be done via uFiling, eDecs for Digital UI19 processes provided)
- Unprocessed claims where error messages have been provided, but corrective action not taken by employer

These enquiries should be handled via the established operational processes available, including via the Call Centre which can be reached on 0800 030 007. Users are reminded to review previous correspondence and FAQ available to guide them to resolve operational queries. Additional enquiries management channels are in development and will be communicated to Users shortly.



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Issues that will be deemed a “dispute”, and required to be lodged formally via this process, will include disputes pertaining to terms of the MOA.

These could include, amongst others:

- performance of the UIF in relation to the MOA
- benefits calculation and/or payment challenges
- failure of the employer to apply timeously (before closure dates) although it should be noted that negligence on the part of the employer will not be considered a valid reason

Users are requested to follow the instructions in regards the lodging of disputes, providing sufficient, detailed information to enable consideration of the dispute and determination of way forward.

Regards

Unemployment Insurance Commissioner