

MEDIA RELEASE	PSA condemns repeated appointment of legal representatives by Home Affairs
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The Public Servants Association (PSA), representing Public Service workers across South Africa, is deeply concerned and disappointed over the Department of Home Affairs' (DHA), flagrant disregard for Public Service Coordinating Bargaining Council (PSCBC) Resolution 1 of 2003. This Resolution, a cornerstone of labour relations in the Public Service, outlines the principles governing disciplinary processes. The DHA's recent practice of appointing external firms to conduct internal disciplinary hearings not only undermines the principles of this resolution but also imposes exorbitant costs on the public purse.

PSCBC Resolution 1 of 2003 was crafted with the fundamental objective of ensuring fair, transparent, and equitable disciplinary procedures for public servants. It represents a critical pillar of our collective bargaining process, aimed at safeguarding the rights and interests of our dedicated public service workers. The PSA is shocked by the DHA's blatant disregard for the principles enshrined in this Resolution. The appointment of external firms to handle internal disciplinary hearings raises serious concerns about due process, fairness, and accountability. Such actions not only go against the spirit and intent of the Resolution but also erode trust between employers and employees within the Public Service.

The PSA recognises the importance of maintaining a robust and accountable Public Service, which includes addressing misconduct and upholding high standards of professionalism. However, these objectives must be achieved within the framework of the law and negotiated agreements, as explicitly outlined in the Resolution 1 of 2003 and the Code of Good Practice contained in the *Labour Relations Act*. The PSA firmly believes that the engagement of external firms for internal disciplinary matters is counterproductive and financially burdensome. The costs incurred by the DHA in hiring these firms place an unnecessary strain on the already limited resources of the public purse. These funds could be better directed toward essential public services, such as healthcare, education, and social development, which are in dire need of additional support.

The PSA demands that the DHA immediately ceases this practice and takes the necessary steps to ensure that its employees are subjected to fair and transparent disciplinary processes in line with the intentions of the PSCBC resolutions and the Code of Good Practice.

The PSA calls on the DHA to:

1. **Respect PSCBC Resolution 1 of 2003:** The DHA must adhere to the principles outlined in the resolution, which emphasise fairness, due process, and transparency in disciplinary proceedings.
2. **Uphold the Collective Bargaining Process:** Collective bargaining agreements, such as PSCBC resolutions, are the result of negotiations between labour and management. The DHA's actions undermine this crucial process and disrupt the delicate balance achieved through negotiation.



3. **Promote Accountability:** While the PSA acknowledges the need for accountability, it must be achieved through lawful and fair means. DHA should work collaboratively with its employees to address any misconduct issues.
4. **Minimise Financial Burden:** The excessive costs associated with external firms conducting internal disciplinary hearings divert resources that could be utilized for essential public services. DHA should seek cost-effective alternatives.

The PSA stands ready to engage in constructive dialogue with the DHA to address these concerns and find a resolution that aligns with the principles of fairness, transparency, and financial prudence. The PSA believes that a united effort between labour and management is essential to maintaining the integrity of our Public Service and upholding the rights and well-being of its employees.

The PSA reiterates its firm stance against the DHA's practice of appointing external firms for internal disciplinary hearings, a practice that undermines the principles of Resolution 1 of 2003 and the collective bargaining process. The PSA urges the DHA to heed our call for immediate corrective action to ensure that the rights and dignity of public servants are upheld and that the public purse is used responsibly for the betterment of our nation.

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