

<b>MEDIA RELEASE</b>	PSA slams inadequate fine for employers of undocumented foreign nationals
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The Public Servants Association (PSA) expresses is extremely dissatisfied with the Department of Employment and Labour's (DEL) newly announced woefully inadequate penalty of R10 000 per undocumented foreign national found in the employ of non-compliant businesses.

According to media reports, this fine was announced following inspections in Ekurhuleni, where over 100 undocumented foreign nationals were arrested, and employers were warned of a R10 000 per worker penalty for violations. This penalty, particularly in the context of South Africa's severe unemployment crisis, is completely inadequate. The DEL itself acknowledged that the hiring and exploitation of undocumented foreign nationals is a contributing factor to local unemployment and the deterioration of labour conditions. A R10 000 fine per unlawfully employed worker is insultingly low and fails to send a clear message to employers who intentionally violate labour and immigration laws. Many of these employers benefit from cheap and exploitable labour, whilst avoiding providing contracts, payslips, leave benefits, and overtime pay.

This meagre fine will perpetuate the violation of the *Basic Conditions of Employment Act*. For employers who profit significantly from these exploitative practices, R10 000 amounts to little more than a cost of doing business. South Africa needs strict enforcement, not performative penalties. The PSA notes that the DEL has repeatedly emphasised the need for tough action against employers who break the law. The penalty implemented does not match that rhetoric. The Deputy Minister stated that employment of undocumented foreign nationals fuels unemployment and undermines local labour standards. If the DEL truly recognises the scale of the problem, it must introduce far harsher penalties, including substantial fines proportionate to company turnover, criminal charges for repeat offenders, confiscation of profits gained from illegal labour practices, and permanent blacklisting from public procurement opportunities.

The PSA is equally concerned that the current enforcement approach continues to punish vulnerable undocumented workers, who are routinely arrested and deported, whilst employers face minimal consequences. More than 100 undocumented workers were arrested during the latest operation, yet employers walk away with only a small monetary penalty. This imbalance is unjust, unethical, and ineffective. The DEL must strengthen workplace inspections and ensure consistent national enforcement and hold employers accountable for systemic labour exploitation.



South Africa's labour laws exist to protect workers and secure fair labour practices. These laws become meaningless when employers are allowed to violate them with minimal consequence. The PSA stands firm in the Union's position that a R10 000 fine is a mere reprimand, not a deterrent, and will do nothing to restore dignity, fairness, and accountability in the South African labour market.

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