

MEDIA RELEASE	PSA welcomes Labour Court judgement against Department of Military Veterans for unlawful termination of member's employment
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The Public Servants Association (PSA) welcomes the judgement delivered by the Labour Court in Johannesburg on 30 March 2026 against the Department of Military Veterans (DMV).

The ruling once again lays bare the entrenched maladministration, unlawful conduct, and systemic governance failures that continue to plague the DMV. The Labour Court found that the DMV acted unlawfully and in breach of a public servant's contract of employment by summarily terminating the employment relationship without following mandatory and prescribed procedures. The Court declared the termination invalid, confirmed that it constituted a breach of contract, and ordered the DMV to retrospectively reinstate the employment relationship. The Court further reaffirmed a fundamental principle of public service employment. Employers are bound by individual employment contracts and collective agreements concluded under the auspices of the Public Service Coordinating Bargaining Council. These agreements are an integral part of employees' conditions of service and may not be ignored or selectively applied at the discretion of the employer.

The DMV's failure to comply with basic disciplinary requirements, including the right to be heard, the right to representation, and the right of appeal, was found to be unlawful and indefensible. The Court also rejected the DMV's attempt to recharacterise allegations of misconduct as matters of performance or incompatibility, confirming that semantic re-labelling cannot be used to circumvent established disciplinary processes. The judgement underscores that summary termination, particularly where it results in reputational harm and loss of livelihood, cannot be exercised arbitrarily or without due process.

The PSA regards this judgement as further confirmation of the persistent governance crisis in the DMV. As repeatedly highlighted by the PSA and echoed by Parliament's Portfolio Committee on Defence and Military Veterans, the DMV continues to suffer from leadership failures, disregard for labour legislation, and a deeply entrenched culture of unlawfulness. The victimisation of employees, unilateral decision-making, and chronic non-compliance with collective agreements have become defining features of the DMV's operations. This case follows a troubling and ongoing pattern where employees are subjected to unlawful conduct, only for the DMV to be corrected by courts at high financial and reputational cost to the state. Such actions undermine labour stability and divert scarce public resources from the DMV's core mandate of serving military veterans.

The PSA reiterates the Union's call for urgent and decisive intervention at the DMV, including placing the Department under administration.



Continued failure to uphold the rule of law, basic labour standards, and good governance principles clearly demonstrates that the DMV is incapable of self-correction under its current leadership arrangements.

The PSA is committed to defending the Union's members against unlawful conduct and will continue to pursue all appropriate legal and institutional remedies to ensure accountability, protect employees' rights, and restore stability, integrity, and lawful governance in the DMV.

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