

MEDIA RELEASE	R39 million in wasted expenditure - PSA denounces government's legal abuse to evade accountability for unfair dismissals
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EMBARGO	None
ENQUIRIES	communication@psa.co.za

The Public Servants Association (PSA) is extremely concerned and denounces the Mpumalanga Provincial Government's continued abuse of public resources to evade accountability for unlawful dismissals of employees.

This conduct reflects a systemic failure of governance and a blatant disregard for constitutional labour protection. The Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs has become the epicentre of public outrage following a portfolio committee report revealing a staggering R39.5 million in public expenditure incurred between 2024 and 2025. This amount includes R21 million in retrospective compensation paid to two senior officials whose dismissals were found by the Labour Court to be procedurally and substantively unfair. The Department was also ordered to reinstate the employees, with back pay calculated from 2009 to 2024.

In addition, the Department accrued over R30 million in legal costs defending the dismissals, including R1.5 million spent between October 2024 and March 2025. These funds were spent in futile litigation that the Courts ultimately rejected. The litigation served no public interest and undermined judicial integrity. The PSA condemns the Department's justification that these costs will not impact service delivery as the funds were drawn from the compensation of employees' allocation. This explanation is disingenuous and reflects a failure to understand the broader implications of reallocating employee-related funds to cover self-inflicted legal liabilities. Such diversions compromise human resource planning, impede staffing, and further deteriorate the Department's capacity to serve communities effectively.

Most alarming is government's pattern of litigating not to correct administrative errors, but to delay, suppress, and exhaust employees into abandoning their right to justice. These vexatious legal strategies are unethical and fiscally irresponsible. They erode public confidence in government's ability to uphold the rule of law and honour fair labour practices.

The PSA demands urgent and concrete interventions by the Premier of Mpumalanga. An independent forensic investigation must be done into all litigation costs incurred by the Mpumalanga Provincial Government related to unfair dismissal cases since 2019. Officials and legal representatives should be held accountable for authorising and perpetuating meritless litigation at public expense. There must be full compliance with arbitration and judicial awards, including immediate reinstatement and compensation, where ordered. The Premier must further institute regulatory reform to prevent the abuse of legal reviews as a tactic to avoid lawful enforcement of labour decisions.

The PSA also calls for accountability by the Office of the State Attorney and departmental legal units that continue to facilitate the misuse of legal mechanisms to protect poor governance decisions. The Mpumalanga abuse is not an isolated case and is indicative of a wider institutional culture of impunity that must be dismantled. The public purse is not a shield for misconduct. It must not be used to wage unwinnable legal wars against employees who

have been vindicated by competent legal bodies. The PSA is resolute in the Union's commitment to protect the rights of public servants and to hold government accountable for its financial and legal decisions that also impact on tax payers.

The PSA will continue to explore all legal and constitutional avenues, including oversight referrals and public interest litigation, to address this flagrant abuse of power. Justice delayed, is justice denied, and accountability deferred is democracy betrayed. The people of Mpumalanga and all South Africans deserve a government that acts within the law, respects court rulings, and manages public finances with integrity.

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