

**MEDIA RELEASE** Steers Menlo Park incident: PSA warns regarding workers' rights

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The Public Servants Association (PSA) noted with concern a recent viral video and the subsequent public debate arising from an incident in which *Steers* employees at a shopping centre in Menlo Park, Pretoria, were instructed to perform gardening duties.

Although the matter occurred in the private sector, the PSA believes that the issues raised are of broader significance and speak directly to workers' rights, occupational health and safety, and compliance with South Africa's labour laws across all sectors. The PSA noted *Steers'* public admission that the instruction issued by the manager was unacceptable and not part of standard operating practice.

Whilst corrective steps were announced, including the issuing of a formal notice and retraining of managers, the response does not sufficiently address the seriousness of the matter. The incident reflects a deeper concern about the extent to which employees may be instructed to perform duties that fall outside the scope of their employment. South African labour law is clear that employees may only be required to perform work that is reasonably linked to their job description, skills, and conditions of service. Whilst employers are entitled to issue lawful and reasonable instructions, such instructions must not fundamentally change the nature of the employee's work or amount to an unfair labour practice.

Instructing fast-food employees to perform gardening or grounds maintenance duties, for which they were not appointed or trained, falls outside these legal parameters. Equally concerning are the occupational health and safety implications of such conduct. Gardening and grounds maintenance activities may involve the use of tools, exposure to environmental hazards, and physical risks that employees in the fast-food sector are not trained or equipped to manage. In terms of the *Occupational Health and Safety Act*, employers have a duty to provide a safe working environment and to ensure that employees are adequately trained for the tasks they are required to perform. Assigning duties outside an employee's scope of work significantly increases the risk of injury and contravenes this duty of care.

The PSA cautions regarding legal and financial consequences that may arise should an employee sustain an injury whilst performing duties outside the scope of appointment.



Such incidents can result in disputes regarding compensation, questions of employer liability, and prolonged legal processes, all of which place the affected worker at risk of financial hardship and uncertainty. Employees should never be placed in a position where their entitlement to compensation or protection is unclear because they were instructed to perform work beyond their designated role.

Beyond legal considerations, this incident raises major concerns about the dignity of workers and the principle of decent work. Employees must not be treated as interchangeable labour, nor should operational challenges be resolved at the expense of workers' rights, safety, and dignity. Power imbalances in the workplace must not be used to exploit or compel employees to comply with unsafe or inappropriate instructions.

The PSA calls on all employers, both in the public and private sectors, to respect clearly defined job descriptions, adhere strictly to occupational health and safety legislation, and ensure meaningful consultation and proper training before any changes to work practices are introduced. This incident must serve as a clear reminder that workers' rights are protected in law and that deviations from lawful and safe work practices carry serious risks and consequences.

The PSA is committed to defending the rights, safety, and dignity of workers and will continue to speak out against practices that undermine labour protection and the principle of decent work in South Africa.

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