

## Unlawful deductions from salaries of employees

The Constitutional Court on 7 December 2017 declared section 38(2)(b)(i) of the *Public Service Act* unconstitutional. The implications of this is that section 38(2)(b)(i) of the *Public Service Act* can no longer be utilised in the Public Service to recover monies paid to employees incorrectly unless the employee has consented.

Despite this, the KwaZulu-Natal Department of Education continues to deduct monies from employees' salaries without their consent. The PSA brought this to the attention of the Department at the GPSSBC Sub-Committee Meeting, but the Department continues with this unlawful practice.

Members who have experienced this problem should urgently contact the PSA for assistance. The PSA, in the *interim*, will seek legal advice to prevent the Department from illegally deducting monies from the salaries of members.

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GENERAL MANAGER