

FOR PSA MEMBERS: **DEPARTMENT OF HOME AFFAIRS (GAUTENG – JOHANNESBURG AREA)**

31-05-2023

Victory for PSA members

The PSA Provincial Office in Johannesburg received cases from members at the Department of Home Affairs and assigned Labour Relations Officers to take on these matters on behalf of the members as set out below:

- A member was charged with an allegation of misconduct in that her user ID and password were used to print fraudulent birth certificates. The employer attempted to link the fraudulent activities with the member since her credentials were used. The PSA argued that although her credentials might have been used, the employer failed to recognise that the date and time of the said activities coincided with the member's absence from work and the fraudulent activity could thus not have been committed by her. Owing to the employer's failure to prove that the member was at work on the said day and proof by the PSA that the member was not at work on the said date, the chairperson ruled in favour of the member. The member was issued with a written warning for failure to protect her password.
- A member was charged with misconduct because his user ID was used to register the death of two people who were still alive. The employer ignored the fact that the source document (*i.e.*, death certificates by the medical practitioner) was the genesis of the problem. The member had no way of verifying the truthfulness of the said document. He registered two deaths as per the document that was presented to him and could not be held accountable for the activity he was honestly conducted with a source document. The chairperson found the PSA's argument plausible and found the member not guilty.
- A member was charged with misconduct for issuing an identity document to an illegal immigrant. The action would have been looked at in the context of high corruption experienced in the public sector and such matters are taken seriously by the employer. The PSA argued on behalf of the member to prove that there was no malice on his side but only an honest mistake. Subsequently, the presiding officer found that although the member did not conduct the necessary security checks, meaning that he was negligent in the execution of his duty, there were mitigating factors in the case that did not warrant a dismissal but rather a final written warning. Albeit the written warning, the PSA considers this as a victory as the member was not dismissed.

Employees who want to join the PSA can visit the PSA's website (www.psa.co.za) or contact Sibusiso Ndzala - Sibusiso.ndzala@psa.co.za / 082 880 8964 (call/WhatsApp).

GENERAL MANAGER