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FOR PSA MEMBERS: KWAZULU-NATAL DEPARTMENT OF HEALTH

11-08-2023

Victory for PSA member at Ngwelezane Hospital

A member at Ngwelezane Hospital who is employed as a Medical Practitioner, was charged with misconduct, and dismissed on 28 June 2018. The PSA referred an unfair dismissal dispute to the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC), challenging his dismissal on both procedural and substantive grounds. The arbitration was in favour of the member and the Commissioner ruled that he be reinstated into the same or similar position and on the same or similar terms and conditions of employment that prevailed immediately prior to his dismissal on 28 June 2018.

Following the issuing of the favourable arbitration award, the KwaZulu-Natal Department of Health refused to fully implement the award. The PSA then submitted the award to the CCMA for certification, whereafter the Sherriff of the Court served an order (contempt of court) on the MEC and HOD. Notwithstanding the lengthy process, the State Attorney advised on 6 July 2023 that the employer had instructed that the member resume his duties as Head of General Surgery. He received full payment of his salary and benefits retrospectively. The PSA is committed to ensuring justice for members, despite protracted legal processes.

Members can submit enquiries or requests for information on joining the PSA to the following PSA Provincial Organisers: Xolani Dlamini - 073 813 9645, Cynthia Mbali - 082 880 8994 or Nkosephayo Zulu - 082 880 8994.

GENERAL MANAGER