

FOR PSA MEMBERS: KWAZULU-NATAL (DURBAN AREA)

30-10-2024

Victory for PSA member in KwaZulu-Natal

Unfair precautionary suspension

The PSA discovered with grave concern the precautionary suspension imposed on a PSA member by the National Prosecuting Authority, executed in blatant disregard of established protocols in paragraph 7.2(c) of PSCBC Resolution 1/2003. This suspension reflected a flagrant violation of the principles of fairness and justice that underpin the labour-relations framework.

The member endured a precautionary suspension lasting 65 days, during which no disciplinary hearing was convened, nor was there a formal application for postponement in accordance with the stipulated code of conduct. This protracted absence from duty constituted a clear infringement of the member's rights. A PSA full-time shop steward at the PSA's Provincial Office in Durban assisted the member in referring an unfair suspension dispute and during the arbitration hearing. The PSA successfully demonstrated that the employer had subjected the employee to an unfair labour practice. The evidence presented underscored the lack of adherence to due process and the arbitrary nature of the suspension, highlighting the employer's failure to uphold the standards of equity and fairness. In a just and commendable decision, the Commissioner ruled in favour of the PSA, acknowledging the validity of the PSA's claims. As a result, the member's suspension was lifted, and he was awarded compensation of R54 193.50, serving as restitution for the distress suffered and as reaffirmation of the principles of justice and fairness in the labour-relations framework.

This case stands as testament to the PSA's unwavering commitment to defending members against unjust practices. The PSA remains resolute in its pursuit of fairness and equity for all workers. This victory underlines the PSA's commitment to ensuring justice and fairness in the workplace. To join the PSA, please contact PSA provincial organisers: Xolani Dhlamini - 073 813 9646 / xolani.dhlamini@psa.co.za OR Nkosephayo Zulu - 082 880 8994 / nkosephayo.zulu@psa.co.za. Alternatively, you can contact the full-time shop stewards:

- Ernest Mkhize - 081 016 5028
- Nondumiso Mvubu - 081 016 5024
- Jabulani Bukhosi - 063 737 8498
- Sthembile Ngcobo - 081 016 5085
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Reuben Maleka
GENERAL MANAGER