



FOR PSA MEMBERS: **EASTERN CAPE DEPARTMENT OF SOCIAL DEVELOPMENT**

---

08-09-2025

## PSA secures victory in arbitration: Social Worker declared eligible to serve as Full-Time Shop Steward

The PSA has secured a significant victory at the PHSDSBC in a matter involving the Department of Social Development (DSD) in the Eastern Cape, following the Department's refusal to confirm the appointment of a Social Worker in Lusikisiki as a Full-Time Shop Steward (FTSS).

The Department had argued that the Social Worker's position was "critical" and that releasing her would impact service delivery. However, the PSA successfully challenged this stance through arbitration. In an award issued on 30 August 2025, the Commissioner ruled that:

- The member's post is not a critical post as defined in Clause 3.1.5 of PHSDSBC Resolution 3/2011.
- The Department had no justifiable reason to refuse her release.
- The Department was ordered to immediately confirm her appointment as a PSA FTSS.

The Commissioner emphasised that Social Workers form the bulk of the Department's workforce and that the ordinary Social Worker role cannot be classified as critical. This award reinforces the rights of unions to nominate appropriate representatives and ensures fair application of collective agreements.

### Next steps

The PSA on 8 September 2025 dispatched a formal letter to the Department, requesting confirmation of the date on which Ms Madikane will be released. The Union is awaiting a response from the Department. The PSA will continue to monitor the matter and ensure compliance with the award.

Members who are affected are encouraged to approach the PSA Provincial Office in Gqeberha for assistance at (041) 5012500 / [Phumela.Qilingele@psa.co.za](mailto:Phumela.Qilingele@psa.co.za) / [Zingisile.mgxaji@psa.co.za](mailto:Zingisile.mgxaji@psa.co.za).

Reuben Maleka  
GENERAL MANAGER