



FOR PSA MEMBERS: **KWAZULU-NATAL - PIETERMARITZBURG AREA**

12-09-2025

## Victory for PSA members

### Department of Correctional Services

- A member was charged with misconduct relating to one count of gross negligence. The alleged misconduct occurred on 6 November 2024. The allegation was investigated by the employer, an investigation report was submitted and approved by the acting Area Commissioner on 13 March 2025. The member received the notice of disciplinary hearing on 12 August 2024, five months later and in contravention of GPSSBC Resolution 1/2006. The PSA submitted to the Presiding Officer that the employer failed to adhere to the collective agreement regulating the procedure and the agreement is clear in that, the employer has 60 days from the date of finalisation of the investigation to finalise the disciplinary hearing. It further stipulates that the without good reason, if employer fails to institute disciplinary proceedings within a period of four months after the completion of the investigation, disciplinary action shall fall away. The charges were withdrawn against the member owing to time frame lapse.
- A member was charged with two counts of misconduct, i.e., unauthorised absence from work, and gross insolent behaviour. It was alleged that the misconduct took place on 16 and 18 May 2024. Firstly, the PSA argued the matter should not have been subjected to a formal disciplinary hearing as it should have been handled in an informal process. The PSA represented the member well, called witnesses to support the member who indicated that allegations against the member were a ploy and a deliberate attempt to paint the member in a bad light. The PSA representative submitted the closing arguments in time and the Chairperson waited for more than two months for the employer representative to submit arguments. Subsequently, the Chairperson issued a ruling and acquitted the member from all charges levelled against him.

### Department of Education

- A member was placed on precautionary suspension by the Department pending an investigation into allegations of misconduct relating to using vulgar language against the supervisor and allegedly circulating sensitive confidential information to principals of a certain circuit. The PSA represented the member in a disciplinary hearing. The member was given a sanction of one month's suspension without pay, which she appealed. The appeal was submitted to the employer in terms of PSCBC Resolution 1/2003 stating that the "Department must finalise appeals within 30 days, failing which, in cases where the employee is on precautionary suspension, he/she must resume duties immediately

and wait the outcome of the appeal while on duty". The member tried to resume duties on several occasions but was blocked by the employer, indicating that it was still waiting for an outcome of appeal from the HOD's office. The PSA declared a dispute of unfair labour practice. During arbitration proceedings, the employer settled the dispute by lifting the suspension and the member reported for duty to a directorate of her own choosing.

- The PSA successfully assisted a member who was charged with one count of misconduct related to failure to discharge her responsibilities by administering or approving unauthorised/fraudulent subsistence and travelling claims on Persal, which resulted in financial loss for unknown reasons. The PSA represented the member and argued that the member was requested to assist in good faith and all the claims that she approved and authorised had supporting documents, which were legit, and followed the Departmental policies in performing her functions. The PSA submitted persuasive and fortified mitigation circumstances to the Chairperson of the disciplinary hearing. The Presiding Officer was convinced by the PSA's arguments and instead of issuing sanction suspension without pay, the member was sanctioned with a written warning.

The members expressed gratitude and appreciation for the PSA's support and assistance in their matters. The PSA is committed to providing solid representation in all PSA members' matters.

Employees who would like to join the PSA can reach Zweli Msane, Organising/Marketing Officer on 082 880 8944 / [Zweli.Msane@psa.co.za](mailto:Zweli.Msane@psa.co.za) or Zinhle Manyoni - 063 400 1036 / [Zinhle.Manyoni@psa.co.za](mailto:Zinhle.Manyoni@psa.co.za).

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