



FOR PSA MEMBERS: **MPUMALANGA DEPARTMENT OF HEALTH**

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11-08-2025

## Mpumalanga Department of Health: Jurisdictional challenge defeated

The PSA was approached by a member who had experienced unfair treatment during a recruitment process at the Mpumalanga Department of Health. The member, who is currently employed in Gauteng, applied for a post in the province. He met all advertised requirements but was neither shortlisted nor invited for an interview.

Feeling that the process was unfair, the member referred the dispute to the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC) on his own. When he received a date for arbitration, he requested the PSA's assistance to represent him in the matter. At arbitration, the employer raised a point in *limine*, claiming the referral was premature and that the PHSDSBC lacked jurisdiction to hear the dispute. The PSA argued that the dispute was about the member's exclusion from the selection process, not only the appointment itself. The PSA further submitted that it is the employee's right to request union representation at any stage of a dispute and that the member's initial self-referral did not disqualify him from later securing PSA assistance. The Commissioner ruled in favour of the member, dismissing the employer's jurisdictional challenge. This ruling ensures that the matter will proceed to be heard on its merits, protecting the member's right to a fair process. The PSA is awaiting the date for arbitration to continue with the case.

The PSA is committed to defending members against unfair labour practices and ensuring that their rights are upheld. Members are urged to report any similar incidents to the PSA immediately for urgent intervention.

Employees interested in joining the PSA are requested to contact Sylvia Watkins on 082 880 8941 / [Sylvia.Watkins@psa.co.za](mailto:Sylvia.Watkins@psa.co.za), Thandiwe Mziyako on 060 962 8512 / [Thandiwe.Mathabela@psa.co.za](mailto:Thandiwe.Mathabela@psa.co.za) or the PSA Provincial Office on **(013) 741 7500**.

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