



FOR PSA MEMBERS: NORTHERN CAPE

12-05-2025

Victory for PSA members: Northern Cape

Department of Correctional Services

A PSA was charged with rude and insolent behaviour. The then-Chairperson also declared that the employee abandoned his matter upon a walk out owing to an argument between himself and the representative. The case had been going on for close to a year. Three arbitrations hearings were postponed by the employer. When the matter finally sat, evidence was led, and the PSA obtained a favourable award. The arbitrator ruled that the member must be reinstated and further awarded R561 098.88

Department of Home Affairs

A member was charged with being absent without leave from work for different periods over a span of two years. The member faced nine separate allegations of misconduct related to absenteeism. The dates mentioned ranged from 2023 to 2024. At the outset, the PSA raised three detailed points *in limine* verbally but also submitted these in writing, namely non-adherence to the *audi alteram partem* rule; justice delayed, is justice denied; and double jeopardy. These points were raised to convince the Chairperson that the Department had waived its right to discipline. This matter has now been abandoned by the Department.

Statistics South Africa

A member complained about non-payment of an acting allowance. The PSA declared an unfair labour practice relating to benefits dispute. The member who worked in a higher position for a specific period was denied payment of an acting allowance based on a vetting process, which the PSA disputed. The Commissioner considered this aspect and ruled that the vetting process was not a requirement of the Policy on acting thereby awarding the member the acting allowance and ordering the employer to pay R39 595 for outstanding acting allowances and a further one month's salary in compensation for the unfair conduct towards the employee. The employer sought to rescind the award, which was objected to by the PSA. The rescission application subsequently failed. Upon numerous requests to the employer for implementation of the award duly certified, the PSA was forced to approach the Sheriff of the Court for attachment and sale of goods. After the Sheriff's first attachment listing, the employer promptly paid the member the awarded amount.

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GENERAL MANAGER