



**FOR PSA MEMBERS: NORTHERN CAPE DEPARTMENT OF TRANSPORT, SAFETY AND LIAISON**

16-09-2025

## Victory for PSA member

A PSA member at the Department of Transport, Safety and Liaison was charged with gross insubordination and approached the PSA for assistance. It emerged during the disciplinary inquiry that the member was on probation and could not have known that certain actions amounted to dismissible conduct. The PSA adopted a defense along the following key points:

- Nature of misconduct: Gross insubordination may be linked to inadequate induction from the employer when appointed rather than misconduct.
- Legal framework: The *Labour Relations Act* and *Employment Equity Act* require employers to investigate and accommodate inadequate inductions before dismissal.
- Duty to accommodate: The employer must ensure that proper induction is executed when an employee is appointed.
- Case law: Relevant cases emphasise the need for procedural fairness and accommodation of proper induction before dismissal.

The Chairperson ruled as follows:

- The disciplinary inquiry was concluded as the member was furnished with a final written warning.
- The employer was directed to subject the member to proper induction, and a timeline was put in place.
- The Chairperson warned the member not to continue with infringements of this nature as it can lead to dismissal.

The ruling aims to ensure fairness and compliance with legal obligations whilst balancing the rights of both parties.

The PSA will protect the rights of members at workplace. All non-PSA members are invited to join the PSA by contacting Racquelle Mabindisa on 063 686 7653 or Mhlanguli Madubela on 082 880 8982.

Reuben Maleka  
GENERAL MANAGER