



FOR PSA MEMBERS: **BORDER MANAGEMENT AUTHORITY (BMA)**

24-06-2026

Clarification: Applicability of Labour Court judgement

It was brought to the PSA's attention that there seems to be a misinterpretation of the provisions in law when it comes to the application of the outcome of a recent Labour Court judgement, which affects OSD (Agriculture) translations in the BMA. Members should note that whilst the matter was litigated on behalf of specific employees, the Court's interpretation of the relevant OSD provisions cannot be ignored where other employees are affected in the same manner and occupy the same positions.

The PSA wishes to assure members that they will not be excluded simply because they were not individually cited in proceedings or because they belong to a different trade union. The PSA maintains that:

- Employees in the same circumstances should be treated consistently and fairly.
- The employer should apply the Court's interpretation uniformly to all affected employees.

Union affiliation should not determine whether an employee benefits from a correction arising from the judgement. Be aware of the correct facts and interpretation. The PSA is monitoring the implementation of the judgement and will take the necessary steps to protect the interests of all the Union's affected members.

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Reuben Maleka
GENERAL MANAGER