



FOR PSA MEMBERS: **DEPARTMENT OF HOME AFFAIRS - WESTERN CAPE**

23-03-2026

Occupational health and safety: Department of Home Affairs – Malmesbury Office

It was brought to the PSA's attention that on 16 March 2026 that fumigation was carried out inside the Malmesbury Department of Home Affairs office whilst employees were present. Employees were not notified beforehand, and no evacuation took place. This is not the first time this has occurred. An employee who is asthmatic and pregnant was also exposed.

The incident violates key provisions of the *OHS Act 85 of 1993*, including:

- *Section 8(1): Employers must provide a working environment that is safe and without risk to employees. This requirement is violated when chemical fumigation occurs while staff are physically present in the office.*
- *Section 8(2)(b): Hazards must be eliminated or mitigated before. Allowing fumigation chemicals to be sprayed during working hours without any hazard mitigation violates this subsection.*
- *Section 8(2)(c): Safe handling and use of substances must be ensured. Fumigation is the direct handling and use of hazardous chemical agents and must be done safely, with employees removed from exposure.*
- *Section 8(2)(f): Employees may not work unless required precautions are taken. Staff were expected to continue working while exposed to fumigation chemicals, in clear contravention of this requirement.*
- *Section 8(2)(g): Employers must take all necessary measures to ensure compliance with the Act by every person on the premises. This includes contractors.*

The PSA addressed the concerns with the Department. Corrective measures must be implemented immediately to prevent recurrence. A safe and healthy work environment is not a privilege but a Constitutional right. The Department must take immediate steps to comply with legal safety standards. The PSA will continue to monitor the situation and provide updates as necessary. The PSA is committed to protecting the rights and safety of public servants and the communities they serve.

Reuben Maleka
GENERAL MANAGER