FOR PSA MEMBERS: **EASTERN CAPE**

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PSA raises concern over increased terminations due to unauthorised absence

The PSA Mthatha Provincial Office has observed a concerning increase in cases involving members whose employment has been terminated in terms of section 17(3)(a)(i) of *the Public Service Act, 1994*, following prolonged absence from duty without permission.

The PSA reminds members that failing to report absence and comply with prescribed leave procedures can have serious consequences, including deemed dismissal from the Public Service.

What does section 17 provide?

An employee who absents himself or herself from official duties without permission for a period exceeding one calendar month is deemed to have been dismissed on account of misconduct.
Deemed dismissal operates automatically by law. It is not disciplinary hearing.
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What must members do to protect their employment?

In terms of the DPSA Determination and Directive on Leave of Absence, members are reminded of the following responsibilities:

- **Report your absence immediately:** Notify your supervisor or manager as soon as you become unable to report for duty. Where illness or hospitalisation prevents you from communicating personally, a relative, colleague or friend may notify the employer on your behalf.
- **Submit leave applications timeously:** Sick leave applications must be submitted within five working days after the first day of absence.
- **Provide medical certificates:** A medical certificate is required for three or more consecutive working days of sick leave. It may also be required for shorter absences where prescribed circumstances or patterns of absence justify it.
- **Apply for Temporary Incapacity Leave:** If your normal sick leave is exhausted and you remain medically unfit for duty, follow the prescribed Temporary Incapacity Leave (TIL) application process and submit the necessary medical evidence. Remember that submission does not automatically constitute approval. Members must continue to report their absence while awaiting a TIL decision.

- **Keep proof of communication:** Retain copies of leave applications, medical certificates, hospital records, emails and other correspondence submitted to your employer. Proof saves your job.

What if you receive a section 17 termination notice?

Do not ignore it or assume that your employment cannot be restored. Section 17(3)(b) provides for possible reinstatement by the relevant Executive Authority upon good cause being shown. Contact the PSA immediately for assistance. An application for reinstatement on good cause shown must be brought without undue delay.

A final word from the PSA

Your health and personal circumstances matter, but so does protecting your employment. Do not absent yourself from work without communication, and do not wait until you receive a termination notice before seeking assistance.

Report your absence. Submit your documents. Protect your job!

Reuben Maleka
GENERAL SECRETARY