



FOR PSA MEMBERS: **EASTERN CAPE - MTHATHA AREA**

09-09-2026

Victory for PSA member

The PSA secured a significant victory for a member at the Department of Justice and Constitutional Development following a successful application to give full effect to an arbitration award that reduced an excessive unpaid suspension.

The member was initially subjected to two months' suspension without pay. Following arbitration, the Commissioner found the sanction excessive and replaced it with two weeks' suspension without pay. But the battle did not end there. The original award did not specify the amount of salary that had to be reimbursed for the six weeks of suspension that had effectively been overturned. The PSA stepped in and pursued a variation application in terms of section 144 of the *Labour Relations Act*, ensuring that the financial consequences of the successful arbitration award were properly recognised.

The Commissioner then varied the award and ordered the employer to pay the member R75 765 less applicable statutory deductions. The amount represents six weeks' salary arising from the reduction of the unpaid suspension from two months to two weeks. The employer has been directed to make payment within 14 days of receiving the ruling.

This victory demonstrates the PSA's unwavering commitment to defending members against unfair treatment and ensuring that justice does not end with an arbitration award - it must translate into a tangible benefit for the member.

Join the PSA!

For labour-related support or to join PSA, contact the PSA Provincial Organising/Marketing Officers: Zizipho Shukuma – zizipho.shukuma@psa.co.za / WhatsApp 082 880 2936 or Zingisile Mgxaji – zingisile.mgxaji@psa.co.za / WhatsApp 082 880 8959.

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