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FOR PSA MEMBERS: KWAZULU-NATAL DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT - PIETERMARITZBURG AREA

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PSA secures justice for whistleblower shop steward after years-long battle

Persistent representation by PSA overturns unfair dismissal and secures financial reimbursement for member

The PSA has secured a major victory for a member and PSA shop steward following a prolonged labour dispute against the KwaZulu-Natal Department of Agriculture and Rural Development. The PSA shop steward was represented throughout the matter by Mbongeni Mbanjwa, a Labour Relations Officer at the PSA Provincial Office in Pietermaritzburg, whose persistence and commitment resulted in justice prevailing for the member.

The matter arose after a PSA shop steward and whistleblower raised concerns regarding alleged abuse and misuse of the departmental resources by management. As a result of those disclosures, one of the implicated managers was reportedly suspended. Following these events, tensions escalated in management structures and the member maintained that management subsequently colluded to target and dismiss him. A shop steward was later charged with misconduct relating to alleged fraudulent dispensing of diesel and was dismissed following an internal disciplinary hearing. At the time, the member became aggrieved and expressed dissatisfaction and a lack of confidence in the representation process owing to the severe outcome. Despite these challenges, Mr Mbanjwa continued pursuing the matter tirelessly in the best interests of the member. The PSA challenged the outcome through the Department's internal appeal processes, where the dismissal sanction was overturned and replaced with a three-month suspension without pay and a final written warning.

Although member served the suspension, he consistently maintained his innocence. The PSA remained steadfast in defending the member and escalated the matter by referring an unfair labour-practice dispute to the relevant bargaining council. During arbitration proceedings, serious concerns emerged regarding the reliability of the employer's evidence. Testimony confirmed that the diesel pumps involved were faulty, obsolete, and known by management to be producing inaccurate readings for a considerable period. Inconsistencies also surfaced in the employer's documentation, including discrepancies in dates, alterations on forms, and uncertainty regarding the actual quantity of diesel dispensed.

Following the PSA's continued intervention and representation, the Council revoked the sanction and ruled in favour of the member, ordering that PSA shop steward be reimbursed for the three months' salary he had lost because of the suspension to the amount of R77 029.50.

This outcome represents a significant victory for the PSA shop steward and the principles of fairness, accountability, and the protection of whistleblowers in the public service. The PSA is committed to defending members against unfair labour practices and ensuring that justice prevails, even in the most difficult circumstances.

Reuben Maleka
GENERAL MANAGER