



FOR PSA MEMBERS: KWAZULU-NATAL DEPARTMENT OF HEALTH – DURBAN AREA

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02-07-2026

## Victory for PSA member at Ekombe District Hospital, KwaZulu-Natal

The PSA has secured another major victory for a member after successfully overturning an unfair written warning issued by the KwaZulu-Natal Department of Health at Ekombe Hospital. The member was represented by a PSA Full-Time Shop Steward, Mr J Bukhosini. The member was issued with a written warning in November 2025 for alleged misconduct involving patient care. Believing the sanction was unfair, the member turned to the PSA for assistance. Through dedicated representation by the FTSS, the matter was taken to arbitration. In a decisive ruling delivered on 17 June 2026, the Commissioner found that the Department had acted unfairly and failed to follow proper disciplinary procedures. The PSA argued that fairness must always come first. The Commissioner agreed and highlighted serious flaws in the employer's case, including the failure to give the member an opportunity to respond before issuing the warning, reliance on vague and incomplete patient complaints, and the use of untested hearsay evidence. Most importantly, the ruling confirmed that the employer violated the fundamental principle of *audi alteram partem* the right of every employee to be heard before disciplinary action is imposed. As a result, the written warning was completely set aside, restoring the member's professional record and reaffirming the importance of procedural fairness in the workplace.

This victory sends a clear message: Employers cannot bypass fair process. The PSA will continue to stand firm in protecting members' rights. Through commitment, persistence, and skilled representation of the FTSS, justice prevailed.

Employees who want to join the PSA can visit the PSA's website or send the *attached* application form to [Nobuhle.Ngongoma@psa.co.za](mailto:Nobuhle.Ngongoma@psa.co.za).

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