

Successful outcomes in assisting members with individual labour matters

Department of Justice and Constitutional Development

- A PSA member approached the PSA for assistance after being charged with gross dishonesty, misrepresentation, and misuse of a state vehicle. The PSA represented the member during the disciplinary hearing, where a plea of not guilty was entered. The employer led evidence in support of the allegations. During cross-examination, the PSA rebutted the evidence and later submitted closing arguments. The PSA argued that the employer had failed to prove the allegations and that the evidence presented was irrelevant and insufficient to link the member to the alleged misconduct. The Chairperson found the member not guilty.
- Another PSA member referred an unfair labour practice dispute concerning alleged non-provision of benefits. The member contended that the employer had acted arbitrarily by failing to upgrade her in accordance with Resolution 2/2009. During arbitration proceedings, the PSA submitted that the member met the requirements for the upgrade in terms of the Resolution and had obtained satisfactory performance ratings over the preceding three-year period. The employer maintained that the member's annual assessment had been submitted late. In response, the PSA argued that timely submission was not a stipulated requirement under the Resolution. The PSA further submitted that insofar as late submission was required by internal circulars, the delay was attributable to the employer's failure to appoint a supervisor following the passing of the member's previous supervisor. In addition, human resources failed to advise the member, provide guidance regarding the timely submission of annual assessments, or institute disciplinary measures for any alleged non-compliance. The Panellist found that the employer's conduct constituted an unfair labour practice and ordered that the member be upgraded in accordance with the Resolution.

Department of Health

A PSA member appointed on a fixed-term contract approached the PSA for assistance in an unfair dismissal arbitration. The member had been employed by the Department on fixed-term contracts since 2022. Her most recent contract covered the period from 1 April 2025 to 31 March 2026. The member continued to perform her duties as usual, including submitting her annual performance plan and trip sheets for approval by the Chief Executive Officer. She repeatedly enquired about the status of her contract and was informed that the matter was receiving attention. However, on 15 April 2026, she

received a letter terminating her contract with immediate effect. The PSA further noted that, amongst 12 contract workers, only this member's contract was terminated. At arbitration, the employer conceded that it had acted unfairly. Parties concluded a settlement agreement providing for the member's reinstatement with retrospective effect from 14 April 2025, including all benefits and back pay. The employer also agreed to attend to the member's relocation at its own cost. The member is scheduled to resume duties on 14 July 2026.

The PSA is committed to building trust through open dialogue, fair practices, and transparency. Members are thanked for their dedication and encouraged to continue engagement to strengthen the workplace community. Employees who want to join the PSA can contact Lawrence Muvhango - Lawrence.muvhango@psa.co.za / 082 880 8995 and Paulina Moloto - Paulina.moloto@psa.co.za / 082 880 8957.

Reuben Maleka
GENERAL MANAGER