



FOR PSA MEMBERS: **MPUMALANGA**

03-09-2026

## Victory for PSA member: GPSSBC dismisses employer's jurisdictional point in disciplinary matter

The PSA, representing a member, successfully opposed a jurisdictional challenge raised by the Office of the Chief Justice in Mpumalanga at the General Public Service Sectoral Bargaining Council (GPSSBC) on 26 August 2026. The dispute involved unfair disciplinary action (section 186(2)(b) of *Labour Relations Act 66 of 1995*) following a written warning issued to the member. The member duly submitted an appeal on 30 January 2026 in terms of PSCBC Resolution 1/2003 and followed up twice via email. The employer failed to respond to or process the appeal within the required 30-day period, later claiming at the hearing that the Court Manager had misplaced and forgotten about the application.

At arbitration, the employer argued that the dispute was premature, claiming that the internal appeal process had not been concluded, and the warning was not yet active on the member's file. The Commissioner dismissed the employer's jurisdictional objection on 2 September 2026, ruling that:

- The member followed all necessary internal procedures to address the grievance.
- The employer failed in its administrative duty to process and respond to the appeal.
- The GPSSBC has full jurisdiction and mandates to hear and resolve the dispute.

The employer's jurisdictional application was set aside. The matter has been set down to proceed on merits for formal arbitration on 12 and 13 November 2026.

The PSA is committed to defending members' rights and ensuring fair labour practices in the public service. The PSA will continue to challenge any procedural misconduct, administrative delays, or unfair treatment by employers to ensure that members receive the legal protection and justice they deserve in the workplace.

Reuben Maleka  
GENERAL SECRETARY