

Victory for PSA member

Department of Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA)

The PSA successfully assisted a member employed at the Department of Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA), who was facing serious misconduct charges. The member was charged with absents himself from duty without permission from August 2025 to November 2025. During this period, he failed to report for duty and had no approved leave recorded on the system, while continuing to receive salary and benefits.

It should be noted that in terms of the *Public Service Act*, 1994 (Section 17(3)(a)), an employee who absents themselves from duty without permission for a period exceeding one calendar month is deemed to have been dismissed from the public service. This underscores the seriousness of the charges faced by the member, as he could have been automatically discharged. Despite this, the member pleaded guilty, and the PSA intervened on his behalf by presenting compelling mitigating factors, including demonstrating remorse and taking responsibility for his actions. The PSA further argued that the trust relationship had not irretrievably broken down and that dismissal would be too harsh under the circumstances.

Following these representations and negotiations, the employer exercised discretion and imposed a sanction of demotion instead of dismissal. The member accepted the outcome and expressed appreciation for the PSA's support, as he remains employed.

This matter highlights the PSA's continued commitment to protecting members' rights and ensuring fair and proportionate outcomes in disciplinary processes.

Reuben Maleka
GENERAL MANAGER