

Victory for PSA members

Department of Education

- The PSA is pleased to report a favourable outcome in a disciplinary matter involving a member at a primary school. The member was charged with five allegations of misconduct related to intimidation and insubordination of the school principal, prejudicing the administration, discipline and efficiency of the school and conduct in an improper, disgraceful and unacceptable manner. The member pleaded not guilty to all charges. After due consideration, the Chairperson imposed a sanction of suspension without pay for fourteen days coupled with a final written warning. Importantly, the member was spared from dismissal, which was a real risk given the nature of the allegations. The outcome provides the member with a reprieve and an opportunity to continue employment. Furthermore, it was indicated that the member has since been moved to a different workstation, allowing for a fresh working environment and improved workplace relations. This outcome reflects the PSA's continued commitment to ensuring procedural fairness and protecting members from the ultimate sanction of dismissal.
- The PSA successfully represented a member who faced a serious charge of theft relating to departmental assets. The member explained that the assets were removed from the supervisor's office and taken to the allocated asset storeroom for purposes of compiling and submitting a spreadsheet. However, the assets were not returned to the supervisor's office where they were initially kept for safety. When the school premises were later broken into, the asset storeroom was left unattended. The member accepted responsibility for the negligence in leaving the assets in the storeroom without informing the supervisor. The member pleaded guilty, submitted mitigating factors including length of service, a clean disciplinary record, and acceptance of responsibility. The Chairperson issued a sanction of one month suspension without pay, coupled with a final written warning. Given that a charge of theft ordinarily attracts dismissal, this outcome is considered a significant victory. The PSA's representation ensured that the distinction between intentional theft and negligence was properly ventilated and that mitigating factors were given due weight. The member retained employment, which remains the primary objective in serious misconduct cases.

Reuben Maleka
GENERAL MANAGER