



FOR PSA MEMBERS: **MPUMALANGA**

06-07-2026

Victory for PSA members - Mpumalanga Province

Department of Public Works, Roads, and Transport

The PSA successfully represented a member in an arbitration concerning an alleged unfair dismissal. The employee was dismissed on 28 July 2025. During the arbitration, the employer raised a point *in limine*, arguing that the dismissal had in fact occurred in October 2018 and that the referral to the bargaining council was therefore late. The PSA opposed the preliminary point, submitting that the employee had never been served with a dismissal letter. The employee had been unable to attend the disciplinary hearing after being arrested, and the employer proceeded with the hearing in his absentia.

Upon his return to work, he was informed that he was on suspension and was not advised that he had been dismissed. The PSA further submitted that the outcome of the disciplinary hearing was only shared with the PSA in July 2025, when the member sought assistance. The employee had also previously approached an attorney for assistance, but the attorney failed to act on the matter and was subsequently found guilty of professional misconduct by the relevant Legal Practice Council disciplinary structures. These circumstances contributed significantly to the delay in referring to the dispute. After considering the evidence and submissions of both parties, the arbitrator dismissed the employer's point *in limine*, finding that the matter should proceed with arbitration. The arbitration was accordingly scheduled to continue the merits. This outcome demonstrates the PSA's commitment to ensuring that members are afforded access to justice and are not unfairly denied the opportunity to have their disputes heard because of circumstances beyond their control.

Department of Cooperative Governance, Human Settlements and Traditional Affairs (CoGHSTA)

The PSA successfully assisted a member by pursuing a grievance after the employer transferred the employee to another position without prior consultation. The transfer letter issued by the employer did not provide any reasons for the decision. During the grievance process, the employer was unable to justify the transfer or demonstrate that the decision was fair and lawful, and decided to withdraw the transfer, issuing a letter reversing its unlawful decision. This outcome demonstrates the PSA's commitment to protecting members' rights, challenging unfair labour practices, and ensuring that employers comply with the principles of fairness and procedural justice when making decisions affecting employees.

Join the PSA!!!

Employees interested in joining the PSA may contact: Sylvia Watkins at Sylvia.Watkins@psa.co.za / 082 880 8941 or Thandiwe Mziyako at Thandiwe.Mziyako@psa.co.za / 060 962 8512. Alternatively, contact the PSA Provincial Office in Mpumalanga on (013) 741 7500.

Reuben Maleka
GENERAL MANAGER