



InformUS



FOR PSA MEMBERS: **NORTHERN CAPE**

02-04-2026

Victory for PSA members

Three PSA members from the Department of Rural Development and Land Reform approached PSA for assistance in relation to Unfair Labour Practice: Promotion dispute in terms of *LRA 66/1995 Section 186 (2)(a)*. The employer advertised vacant posts of Deputy Director: Land Development Support in the Provincial Shred Services Centre NC Frances Baard and John Taolo Gaetsewe District. Inexplicably, the Department did not follow their Recruitment and Selections policy as they opted to fill the position by way of transfer. The employer was, therefore, in breach of their own Recruitment and Selection Policy, the *Public Service Act* and Public Service Regulations.

The PSA challenged this practice and the Commissioner ruled that Department committed an act of Unfair Labour Practice by:

- Failing to adhere to their own Recruitment and Selection Policy and
- Filling the promotional position by transferring incumbents into the position, thereby prejudicing the applicants in relation to promotion.

Consequently, the Commissioner ordered the Department to pay compensation of (6) six months according to the *LRA 66/1995 Section 193*, to the three PSA members to the total sum of R875 812.92. The amounts are to be paid into the applicants back accounts on or before the 15 April 2026. Failure to comply with the Award the amounts, will accrue interest in line with the provisions of Section 143 (2) of the *Labour Relations Act 66/1995*.

Every Public Servant is encouraged to join the PSA by contacting Mhlanguli Madubela on 082 880 8982.

Reuben Maleka
GENERAL MANAGER