



InformUS



FOR PSA MEMBERS: **DEPARTMENT OF CORRECTIONAL SERVICES – WESTERN CAPE**

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## Victory for PSA members

- A member at the Department of Correctional Services (DCS) lodged a dispute when the DCS failed to promote him to a position as he was to be the most suitable candidate. The PSA argued that although the delegated authority has a discretion in appointing employees or deciding to re-advertise the post, such decision cannot be arbitrary, but must be based on fairness, rationality and adherence to policies. The member was subsequently promoted to ASD: Inspectorate, backdated to 1 March 2022.
- Another member at the DCS lodged a dispute when she was unfairly disqualified from being promoted to the post of Section Head: Formal Education. She had gone through the interview process and was found to be the most suitable candidate but was at the end disqualified owing to allegedly not having sufficient years of experience. During the arbitration her true years of experience were proven and the Arbitrator found that she was subjected to an unfair labour practice and promoted her into the post with effect from 1 December 2025.
- A member at the DCS was required to act in a higher position for an extended period. She received the acting allowance for some of the months but was not paid for the rest as her supervisor never made the requisite request for approval for an acting allowance, even though she required the member to continue acting in the post. The arbitrator found that the DCS had committed an unfair labour practice relating to benefits and ordered that the member be paid for the period she did not receive the acting allowance.

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GENERAL MANAGER