

MEDIA RELEASE	PSA condemns blatant disregard and abuse of disciplinary process by the Department of Defence
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The Public Servants Association (PSA) strongly condemns the Department of Defence (DOD) for its continuous unfair labour practices and ill-treatment of PSA members. Nearly a year after the conclusion of hearings in March 2024, the DOD failed to finalise disciplinary processes, causing significant prejudice to the three (3) affected employees.

PSA members faced serious allegations, including malicious damage to state property, contravention of after-hours standby service, and financial misconduct. These allegations stemmed from a break-in at the employer's premises in May 2021 during the COVID-19 lockdown, with claims that the members orchestrated events leading to the theft of money from the Finance Offices. At the disciplinary hearings, the PSA raised a preliminary issue about the DOD's undue delay of over 2 years and 6 months in initiating disciplinary proceedings. The PSA argued that this excessive delay irredeemably compromised the substantive fairness of the process.

During the proceedings, the PSA submitted the fact that a dispute regarding the prolonged precautionary suspension of these employees without charges being laid had previously been declared in 2002 where an Arbitrator ruled that the DOD should uplift the precautionary suspension and compensate the employees with two months' pay for unfairly suspending them for nearly 9 months, in violation of the disciplinary code for the Public Service as outlined in PSCBC Resolution 1 of 2003. The resolution stipulates that disciplinary hearings must be held within a month or, in complex cases, within 60 days. However, the DOD delayed an additional 10 months before initiating disciplinary hearings, even after the arbitration award. The employer lifted the precautionary suspension but did not allow the members to return to their offices in the Finance section, transferring them as a precautionary measure to another building pending disciplinary action.

In March 2024, the Presiding Officer ruled in favour of the PSA's preliminary arguments, withdrawing all allegations against the members and recommending that the members return to their posts in Finance. Despite this and relentless enquiries by the PSA which met with no response, the DOD has yet to formally communicate the disciplinary outcomes. Of even greater concern, on 3 January 2025 when the members reported for duty, they were denied office accommodation and instructed to report daily under a tree only to be sent home until office accommodation can be made available. The PSA is outraged at the inhumane and sadistic manner in which these members are treated where their psychological well-being, sense of purpose and confidence in the future have continued to be prejudiced.

The PSA's dispute regarding the DOD's failure to comply with the collective agreement on the Disciplinary Code (Resolution 1 of 2003) specifically the employer's failure to provide the members with the disciplinary outcome and the uplifting of the precautionary transfer has been set down for arbitration on 10 February 2025.

The PSA calls on the Minister of Defence and Military Veterans to urgently intervene and ensure the Department adheres to the principles of fairness, accountability, and respect for labour laws and collective agreements. The PSA remains steadfast in its commitment to protecting the rights and dignity of its members and ensuring justice is served.

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