

MEDIA RELEASE	PSA condemns Border Management Authority for OHS violations, employee victimization, and resource deficiencies across KwaZulu-Natal
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The Public Servants Association (PSA) is deeply disturbed by ongoing non-compliance with occupational health and safety (OHS) regulations at critical workplaces under the Border Management Authority (BMA) in KwaZulu-Natal.

Of particular concern are the Customs and Excises Building at Durban Harbour at 50 Bay Terrace Road and John Ross Building, which houses BMA Agriculture staff. These violations endanger the lives of employees and undermine their constitutional and labour rights. A Labour Inspector, invited by the PSA to investigate the Customs and Excises Building, identified numerous breaches of the *OHS Act*. These include the absence of an incident investigator, mandatory safety equipment, and a competent first-aid officer. Risk assessments were not conducted before the building was occupied. Employees are forced to work in a poorly ventilated environment, riddled with mold caused by roof leaks and plumbing issues. The lack of monitoring for hazardous exposure places employees at risk. The building's infrastructure is further non-compliant with electrical safety standards, lacking certificates of compliance. Despite a notice to close the building by 4 November 2024, the BMA failed to act and instead resorted to victimizing employees who raise these critical issues. Such actions blatantly violate section 26 of the *OHSA*, which prohibits the victimization of employees for addressing workplace safety concerns.

The situation at John Ross Building is equally dire. An inspection in July 2023 revealed various OHS failures that remain unaddressed. Injury-on-duty cases are not properly investigated. The air-conditioning system is dysfunctional, blowing harmful black dust into workspaces. The building is plagued by frequent flooding in the basement, rendering it inaccessible during rains. For the past 24 months, no cleaners were on site, resulting in unsanitary conditions. Water leaks from pneumatic valves on the top floors caused damage to lower floors. Hazardous elevators frequently trap employees. The absence of a safety representative, a functional OHS committee, first-aid officers, and first-aid kits exacerbates the risks to employees.

In addition to these violations, employees at both sites are subjected to poor management practices, including autocratic leadership, underfunding of essential resources, and non-payment of third-party policies such as personal insurance. Many employees lack laptops, face double taxation by SARS, and are forced to work in understaffed environments. Grievance processes are being undermined by the BMA's excessive use of external legal services, resulting in unnecessary wasteful expenditure.

The PSA will not tolerate the disregard of employee rights and safety. The current conditions have severely impacted staff morale, contributing to deteriorating physical and mental health amongst employees. It is imperative that these violations are addressed without delay, and the rights of employees are upheld to ensure a safe and fair working environment. The PSA remains committed to protecting the interests of the Union's members and will pursue all necessary legal avenues to hold responsible parties accountable.

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