



MEDIA RELEASE	PSA initiates auction at Department of Home Affairs for non-compliance with arbitration award
DATE	22 July 2024
EMBARGO	None
ENQUIRIES	communication@psa.co.za

The Public Servants Association (PSA) has initiated an auction at the Department of Home Affairs following non-compliance with an arbitration award.

The PSA in 2017 declared an unfair dismissal dispute for one of the Union's members at the Department. The arbitration award was in favour of the member, ordering the member's reinstatement and quantifying the reinstatement amount payable to the member. The Department took the matter to the Labour Court for review. Its application for review was late, and without the necessary condonation application. The Labour Court initially ruled in favour of the Department, but the matter was successfully rescinded. The review application was archived owing to non-compliance by the Department in terms of the execution of the review application. The award was certified and made an order of court.

Consequently, the PSA's attorneys were instructed to proceed with contempt proceedings in the Labour Court as the member has yet to be reinstated. The attorneys also started with the writ of execution in respect of the monetary portion of the award. As the PSA's attorneys moved forward to enforce the monetary portion of the award, the Department responded by filing an urgent application at the Labour Court. Despite this, the PSA remains resolute and has instructed the attorneys to continue with auction proceedings to ensure compliance with the award. In addition to these efforts, the attorneys will be instructed to proceed with a contempt application, once the current process is finalised, to ensure the member's reinstatement.

The PSA will further seek to address the misuse of state funds in legal battles that appear to serve personal vendettas. The PSA will, going forward, request that personal costs be awarded against officials who misuse state resources to settle personal scores, emphasising the importance of accountability and responsible governance. The PSA remains dedicated to protecting the rights of its members and will continue to take decisive action to uphold justice and ensure compliance with legal and arbitration rulings.

END

