

MEDIA RELEASE	PSA welcomes Department of Employment and Labour's decision on Mbombela High Court
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EMBARGO	None
ENQUIRIES	communication@psa.co.za

The Public Servants Association (PSA) welcomes the recent decision by the Department of Employment and Labour (DEL), regarding occupational health and safety (OHS) compliance issues at the Mbombela High Court in Mpumalanga.

After extensive meetings and inspections over the weekend, the Department of Justice and Constitutional Development (DOJCD), submitted a formal request to the DEL and the responsible Inspector to defer the current prohibition order, citing a full court roll for the coming week and a commitment to address the facility's shortcomings. The PSA has, however, noted that since COVID-19, all civil cases have been conducted on virtual platforms. Only four of twelve courtrooms were functional owing to issues with recording equipment. On 4 November 2024, the DEL responded, stating that the reasons provided by the DOJCD were insufficient to lift the prohibition order, reaffirming the need for immediate compliance.

The PSA emphasises the importance of strict adherence to the *Occupational Health and Safety Act (OHSA)*, especially by the Department of Justice and Constitutional Development, as it is responsible for upholding the laws of South Africa and should set an example. The PSA is therefore relieved that the prohibition order remains in place, mandating that the DOJCD must fully comply. The PSA is furthermore aware that the President has issued a proclamation calling for an investigation into the construction of the High Court building. The Special Investigating Unit is currently investigating alleged corruption linked to the project.

Despite the evacuation of the High Court office buildings, a decision was made to proceed with court operations, putting the employer in direct violation of the prohibition order. As a result, the PSA will file a case of non-compliance with the South African Police Service against the High Court Management. Additionally, the PSA has reported this non-compliance to the DEL Inspector who is now initiating action under *OHSA* section 30(2) to have the High Court premises fenced off and barricaded. The PSA will continue to monitor the situation to ensure the safety of employees and compliance with the law.

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