

Victory for members in 2021!

Department of Higher Education and Training

The PSA assisted a member in a disciplinary hearing who was facing allegations of misconduct for gross dishonesty, dereliction of duties and misrepresentation. It was stated that the member failed to apply due diligence in the project management process before payment of a service provider. Upon refusal by the employer to withdraw the case, the PSA represented the member where he was advised to plead not guilty to all charges. Further, conducted an *inspection in loco* to improve the member's innocence hence **the chairperson ruled in favour of the member.**

Another case involved the misconduct for contravening the supply chain processes and dishonesty in the performance of duties. The PSA discovered during the consultation that the member was previously warned of the same matter hence a *point of limine* regarding the double jeopardy and the case was dismissed.

Department of Health

The PSA assisted a member after served facing allegations of misconduct for contravening Treasury Regulations and failing to adhere to PFMA regulations. The member was dismissed; however, the PSA appealed the decision which was replaced with final written warning subject to member paying back R98 000. Subsequently, the PSA challenged the deduction hence the employer wrote off the irregular expenditure and paid the member an amount of R100 000.

Another member was not translated, and the PSA declared dispute after the employer failed to deal with the grievance. The employer acknowledged misunderstanding of the Collective Agreement during arbitration hence they signed the settlement agreement to translate the member to the correct salary level and paid the member including the arrears.

Department of Justice and Constitutional Development

The PSA represented a member who was charged with unauthorised absence and fraudulently signing the attendance register. The PSA advised the member to plead guilty for failing to apply for annual leave but not guilty for fraudulent signing of the attendance register. The member got away with final written warning and unpaid leave despite the employer pushing for dismissal.

Occupational Health and Safety

The PSA ensured that employees continue to work in safe and conducive environments wherein:

- Several Department of Home Affairs offices were closed including Phalaborwa owing to safety concerns; Lebowakgomo and Senwamokgope were closed due to the non-provision of cleaning services; Modimolle due to dangerous building hence member had to temporarily move to the mobile office pending identification of alternative building.
- Upon intervention, the Musina Magistrate was closed forcing the department to renovate the building for the employees to work in the safe building.
- The dangerous building of the Department of Agriculture, Land Reform and Rural Development was closed after it caught the fire due to electrical connectivity. The employees have moved to a new and safe building.

The PSA successfully intervened in several departments where there was non-compliance with COVID-19 regulations including the non-rotation of staff; failure to decontaminate the buildings after COVID-19 cases; the shortage of the PPEs, water, thermometers, and scanners.

Members are urged to continue putting their trust in the PSA which will always prioritize the rights and interests of members. Members with long pending cases must email queen.seema@psa.co.za to ensure timeous intervention.

GENERAL MANAGER