



FOR PSA MEMBERS: GAUTENG DEPARTMENT OF COMMUNITY SAFETY

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PSA victory: Labour Court orders in favour of PSA member

In a significant ruling, the Labour Court of South Africa confirmed an arbitration award in favour of a PSA member who was dismissed in 2017. The Court ruled that the dismissal was unfair and ordered the employer to reinstate the member with back pay and legal costs.

The PSA member was dismissed in 2017 following a dispute with the employer regarding alleged misconduct. The member referred the matter to arbitration, where the arbitrator ruled in his favour, finding that the dismissal was procedurally and substantively unfair. The employer challenged the arbitration award in the Labour Court, arguing that the arbitrator had erred in the decision. The Court, however, upheld the arbitrator's ruling, confirming that the dismissal was indeed unfair. The Court ordered the employer to reinstate the member with full back pay and to cover the legal costs incurred by the PSA.

This ruling underscores the importance of fair procedures in disciplinary actions and the role of arbitration in resolving labour disputes. It also highlights the Labour Court's commitment to upholding the rights of employees and ensuring that employers adhere to fair labour practices. The PSA member's victory serves as a reminder of the protections available to employees under South African labour law and the effectiveness of arbitration in safeguarding these rights.

Employees who want to join the PSA can visit the PSA's website, send an email to ask@psa.co.za, or contact PSA Provincial Offices.

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