



**TO: ALL MEDIA  
FOR IMMEDIATE RELEASE**

**10 SEPTEMBER 2024**

**FREE STATE PROVINCIAL GOVERNMENT STATEMENT ON PERTINENT MATTERS IN THE PUBLIC DOMAIN**

**On the Court Order involving the Premier of the Free State**

The Free State Provincial Government (FSPG) has noted that the matter scheduled in the High Court of South Africa, Free State Division, on the 5<sup>th</sup> of September 2024, affecting the Premier of the Free State, MaQueen Letsoha-Mathae and two Heads of Department (HODs), has been struck off the roll.

This effectively means that the Premier did not have to appear before court, as previously scheduled on the set date. Effectively the status quo remains in that the HOD for Human Settlements, Mosa Masemene, and the HOD for Social Development, Adv T.J Phahlo, continue in their original positions or posts. The new court order which has been struck off the roll, followed representations made by affected parties.

The Premier, as pronounced in the Opening of the Legislature, is committed to strengthening the government and ensuring its effectiveness, and will thus continue to provide political and strategic leadership to ensure that government responds to the needs of the people of the province.

## **On the matter of non-renewal of employment contracts in the Office of the Premier**

On the matter of non-renewal of employment contracts in the Office of the Premier (OTP), which has since been taken out of context on social media platforms, the FSPG reaffirms the widely known legal datum that fixed-term contracts **have a start date**, and subsequently **end at a specified time**.

The contracts widely reported on social media are essentially coming to an end due to the effluxion of time, which is 30 September 2024. In terms of the newly enacted Regulation 57 of the Public Service Regulations (PSR), **no executive authority should extend the appointments** additional to the establishment after they have expired, without the necessary due diligence.

The Department of Public Service and Administration (DPSA) has consequently advised government to manage perpetual contract renewals and consider the potential risk of creating legitimate expectations for continued employment under Section 186(1)(b) of the Labour Relations Act, making it crucial to maintain records documenting the justifications for employment and contract extensions.

This aforementioned regulation and recommendations, which by all intent and purposes, binds the government, **came into effect in 2023**. The FSPG further wishes to clarify, categorically, that there is no witch-hunt or purging of employees, as purported in widely circulated social media propaganda.

This misguided assertion is meant to taint the image and person of the Premier. Furthermore, the FSPG wishes to clarify the fact that the notices were issued by the incumbent Acting Director General, and ratified by the incumbent Premier is a pure coincidence, as this process of the end of contracts of employees has come during their tenure.

It is, therefore, a legal and procedural requirement, which has no bearing on individuals tasked with implementation but has everything to do with efforts to regularize the Public Service.

Moreover, the Premier, in her wisdom, is also considering a range of solutions to address this matter of perpetual contracts, including initiating a process of advertising

the vacant and funded posts which would compel and encourage **those who meet the inherent requirements**, to apply following the relevant processes.

Utilising Regulation 57(2)(e) of the PSR 2023 and 198B of Labour Relations Amendment Act, where applicable and feasible, will redress the plight of some of the affected employees who have genuinely added value to the work of the OTP, and by extension, the FSPG.

Premier MaQueen Letsoha-Mathae has made it clear, unequivocally, that this process should ordinarily, following processes of fairness and transparency, save the jobs of those who are genuinely and meaningfully engaged and have been dedicatedly performing their duties.

As indicated in her recently delivered Budget Vote, Premier Letsoha-Mathae remains committed and resolute, that the 7th Administration will bring about long-lasting solutions to prevalent challenges that face the province.

“As previously indicated, our government remains steadfast in unleashing our potential to create jobs, reduce poverty and lessen inequalities. We intend to grow the economy while building a developmental, capable, and ethical state”, said Premier Letsoha-Mathae.

The Premier furthermore intends to engage relevant labour unions and organisations, in order to arrive at mutually beneficial outcomes which will be made available to the public.

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***Issued by the Free State Provincial Government Communication Services***

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