



REPUBLIC OF SOUTH AFRICA

IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

JUDGMENT

CASE NO: J2861-12

In the matter between:

DICHABA PHILIMON

Applicant

and

PHUMELA LABOUR SOLUTIONS

Respondent

Delivered: 4 May 2013

Judgment

Molahlehi J

- [1] This is an application in terms of which the applicant seeks an order making the arbitration award dated 10 August 2011, under case GAJB15132-11 made an order of Court in terms of section 158(1) (c) of the Labour Relations Act of 1995.
- [2] The arbitration award was consequent to the dispute which had been referred to the Commission for Conciliation Mediation and Arbitration, concerning the alleged unfair suspension of the applicant on 23 May 2011. The arbitrator found the suspension of the applicant to have been both procedurally and substantively unfair and accordingly made the following award:

- “16. The Applicant is to be compensated for ten weeks pay being the period from his unfair suspension to the date of the hearing being an amount of R 14287.50 (Fourteen thousand two hundred and eighty seven Rand and Fifty cents)
17. The Applicant should report for duty within fourteen days of receipt of this award.
18. Effect to be given to this award within two weeks of receipt of the award.”

- [3] The respondent has failed and/or neglected to comply with the arbitration award. And despite proper service, the respondent has failed and/or neglected to oppose this application.
- [4] I am satisfied that the applicant has made out a case, for making the arbitration award the order of Court.
- [5] In the circumstances, the arbitration award made under case number GAJB 15132-11 dated 10 August 2011, is made an order of the court in terms of section 158 (1) (c) of the Labour relations act of 1995.

Molahlehi J
Judge of the Labour Court of
South Africa

No appearance- matter considered in chambers.

LABOUR COURT