



THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not reportable
Case No: JS342/24

In the matter between:

MASILONYANE CRISPIN RAMATELETSE

Applicant

and

MARSHAL NIGHTS SECURITY SERVICES

Respondent

Considered: In chambers

Delivered: 7 May 2025 (This judgment was handed down electronically by circulation to the parties' legal representatives by email, publication on the Labour Court website and release to SAFLII. The date and time for handing-down is deemed to be 10h00 on 7 May 2025.)

JUDGMENT

PHEHANE, J

[1] This is a default judgment application in which the plaintiff seeks compensation for procedural and substantive unfairness arising out of his dismissal for operational requirements.

[2] The plaintiff referred an unfair dismissal dispute to the Commission for Conciliation, Mediation and Arbitration (CCMA). The outcome of his referral to the CCMA was a settlement agreement facilitated by the CCMA and concluded on 15 April 2024.¹

[3] In his statement of claim, the plaintiff avers that the settlement agreement does not compensate him for procedural and substantive unfairness.

[4] The settlement agreement is in full and final settlement of the plaintiff's unfair dismissal dispute referred to the CCMA. In the circumstances, the matter is *res judicata*.

[5] In view of the foregoing, the following order is made:

Order

1. The plaintiff's claim is dismissed.
2. There is no order as to costs.

M. T. M. Phehane
Judge of the Labour Court of South Africa

¹ Pleadings, pp 12 to 14.