

Sneller Verbatim/DM

IN THE LABOUR COURT OF SOUTH AFRICA

HELD AT BRAAMFONTEIN

CASE NO: JS205/01

2002-02-06

In the matter between

HARRY EMMANUEL

Applicant

and

KGB SECURITY SYSTEMS

Respondent

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J U D G M E N T

Delivered on 6 February 2002

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REVELAS J:

1. The applicant was dismissed by his former employer, KGB Security Systems, apparently for what his employer described as operational requirements. The employee alleges that he does not know the reason for the dismissal. However, on the facts, it appears that in the opinion of the commissioner at the Commission for Conciliation, Mediation and Arbitration ("the CCMA"),

it was a dismissal for operational requirements.

2. In the certificate of outcome of the matter, the dispute is defined as an alleged dismissal for operational requirements.
1. 1. 3. The respondent has not opposed this matter, it has filed a letter with the registrar stating that it intended opposing the matter, yet no opposing papers were filed and a notice of setdown was duly faxed to the respondent at its correct fax number, as was provided by it to the Labour Court.
4. In the circumstances and on the applicant's uncontested version, the dismissal was both procedurally and substantively unfair. The applicant was dismissed on 28 December 2000 and earned R1 710,00 per month.
5. He is consequently entitled to compensation equal to 12 months salary, which would amount to R20 510,00 which the respondent is ordered to pay him.

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E. Revelas