

SOUTH AFRICA / JUDGMENT

General Industries Workers Union of South Africa (GIWUSA) and Others v Document Warehouse (Pty) Ltd (J1524/13) [2013] ZALCJHB 138 (15 July 2013)

[2013] ZALCJHB 138

COURT

Labour Court Johannesburg

BEFORE

R Lagrange

CASE / FILE NUMBER

J1524/13

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REPUBLIC OF SOUTH AFRICA

THE LABOUR COURT OF SOUTH AFRICA,

IN PORT ELIZABETH

JUDGMENT

Case no: J 1524/13

In the matter between:

GENERAL INDUSTRIES WORKERS UNION OF SOUTH AFRICA ('GIWUSA') First Applicant THE PERSONS LISTED IN ANNEXURE "A" Second to Further Applicants and THE DOCUMENT WAREHOUSE (PTY) LTD Respondent

Heard: 12 July 2013

Delivered: 15 July 2013

Summary: (urgent application- interim interdict of a lockout – first lockout unprotected – second lockout protected).

LAGRANGE, J

Having heard both parties' representatives and having considered the matter, the following order is made:

Order

The lock out imposed by the respondent against the second to further applicants on 1st July 2013 did not comply with Chapter 4 of the Labour Relations Act, 66 of 1995

The respondent must allow the second to further applicants to return to work with immediate effect.

The respondent must pay the applicants' costs.

The order in paragraphs [2] and [3] above shall operate as an interim order pending the return day on 30 August 2013 when the

respondent is called upon to show good cause why the order should not be made final.

R LAGRANGE, J

Judge of the Labour Court of South Africa

APPEARANCES

APPLICANT: L Hlatswayo of Phungula Inc.

FIRST RESPONDENT: W Bank instructed by Singhs Attorneys

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