

SOUTH AFRICA / JUDGMENT

Matjeke v Fidelity Security Services (Pty) Ltd and Another (J1330/16) [2018] ZALCJHB 158 (3 May 2018) [2018] ZALCJHB 158

COURT

Labour Court Johannesburg

BEFORE

Steenkamp

CASE / FILE NUMBER

J1330/16

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THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

JUDGMENT

Case no: J1330/16

In the matter between:

JOEL LESEGO MATJEKE Applicant and FIDELITY SECURITY SERVICES (PTY) LTD First
Respondent RODNEY JOUBERT Second Respondent

Heard: 16 February 2018

Delivered: 16 February 2018

Edited: 3 May 2018

STEENKAMP J

Introduction

- [1] On 16 February 2018, I dismissed an application to hold the second respondent, Rodney Joubert, in contempt of Court.
- [2] The contempt application arose from the alleged failure of the respondents to comply with an order of this Court making a settlement

agreement reached at the CCMA an order of Court. In terms of that order, Fidelity had agreed to set up a meeting with the applicant, Mr Matjeke, to discuss any grievances he had; and agreed to reinstate him.

- [3] When I dismissed the application on 16 February 2018, I provided brief reasons ex tempore. The applicant has now requested full reasons for the order. These are the reasons.
- [4] When the matter was called, I asked an attorney from the SASLAW pro bono clinic, Ms S Taylor-Bravi, to assist the applicant, who was unrepresented. The respondents were represented by an attorney, Mr C Crafford.
- [5] I stood the matter down for the parties to have a further discussion. When the matter was called after the adjournment, Ms Taylor-Bravi

informed the Court that Fidelity had undertaken to reinstate the applicant; and that he had to report for duty at 08:00 on Monday 19 February 2018. Mr Crafford confirmed those instructions from his client, Fidelity.

- [6] In those circumstances, I ruled that the applicant had not shown wilful and mala fide non-compliance by the respondents.
- [7] The application was dismissed.

Steenkamp J

Judge of the Labour Court of South Africa

APPEARANCES APPLICANT: Ms C Taylor-Bravi (attorney, SASLAW pro bono clinic).

RESPONDENTS: Mr C Crafford (attorney).

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