



# ARBITRATION AWARD

Panellist/s: Paul Kirstein  
Case No.: PSHS47-10/11  
Date of Award: 2-Nov-2010

In the ARBITRATION between:

**IN THE PUBLIC HEALTH AND SOCIAL DEVELOPMENT SECTORIAL  
BARGAINING COUNCIL (HELD AT KLERKSDORP)**

CASE NO: PSHS<sub>47</sub>-10/11

In the matter between

NEHAWU obo MOSIANE, A

Applicant

and

DEPARTMENT OF HEALTH AND SOCIAL  
DEVELOPMENT: NORTH WEST

Respondent

**ARBITRATION AWARD**

1.

The arbitration was set down on 1 November 2010 in Klerksdorp, Northwest Province. The applicant was represented by V Mjekula, an official of NEHAWU. The respondent was absent. A telephonic conversation was conducted with Mr Adoons, an official of the respondent in Mafikeng. Mr Adoons indicated that he has no objection to agree to an arbitration award in the following terms:

- The suspension of the applicant on 18 January 2010 constitutes an unfair labour practice;
- The suspension of the applicant was uplifted with effect from 6 September 2010.

The applicant requested that the abovementioned conditions be made an arbitration award.

## **AWARD**

1. The suspension of the applicant on 18 January 2010 constitutes an unfair labour practice in terms of Section 186(2)(b) of the Labour Relations Act, Act 66 of 1995.
2. The suspension of the applicant is uplifted with effect from 6 September 2010.

3. No order as to costs.

SIGNED AT PRETORIA ON THIS THE      DAY OF NOVEMBER 2010

A handwritten signature in black ink, appearing to read 'PH Kirstein', written in a cursive style.

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**PH KIRSTEIN**

**ARBITRATOR**