



ARBITRATION AWARD

Panellist: LUFUNO RAMABAUANA
Case No.: PSHS492-11/12
Date of Award: 20 MARCH 2012

In the matter between:

Maria C Vaz Msomi
(Applicant)

And

Department of Health: Gauteng
(Respondent)

DETAILS OF THE HEARING AND REPRESENTATION

1 The arbitration hearing was heard at the respondent's premises in Johannesburg on the 09/03/2012. Both parties attended the arbitration and the matter proceeded well and was completed on the same day.

ISSUES TO BE DECIDED

- 2 The only issue to be determined was the unfair labour practice or conduct as claimed by the applicant.
- 3 In her referral applicant cited unfair treatment at work and deductions of salaries, she further states she is not being treated like any other employees of the respondent.

THE APPLICANT'S VERSION

4 At the arbitration applicant referred to a lowering of her salaries that occurred in 2006 and various salary deductions made on her salary.

5 She further informed the arbitration she tried to resolve these matters at the work place but to no avail.

SUBMISSIONS BY THE RESPONDENT

6 The respondent did not call any witness but impressed the matter being claimed falls outside of the jurisdiction of the bargaining council and should be dismissed

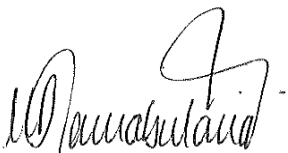
ANALYSIS OF EVIDENCE AND FINDINGS

7 It is evident the submission applicant s claims falls outside the ambit of the bargaining council. Applicant is claiming illegal deductions these claims are entertained by the Department of Labour. It also appear the dispute arose in 2006 and is way out of time with no condonation having been applied or granted.

RULING

8 **Applicant's claim falls outside the jurisdiction of the bargaining council.**

Done and dated at Pretoria on this the 14th Day of March 2012.



Lufuno Ramabulana

Panellist: PHSDSBC