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News

[Does the employer's duty to provide a safe working environment extend to violence emanating from inter-union rivalry?](#)

An employer's obligation to provide a safe and healthy working environment for its employees, especially during violence emanating from inter-union rivalry, recently came under the microscope before the Labour Appeal Court (LAC). The court acknowledged that the Mine Health and Safety Act 29 of 1996 (MHSA) is not confined to threats or safety hazards arising at the coalface. Violence arising from inter-union rivalry is a regrettable feature of life in the mines. Whilst employees have the right to leave a workplace if the violence perpetrated by their colleagues poses a danger to their safety, requiring a mine to provide a guarantee of safety prior to returning to work went beyond the mine's duty under the MHSA.

[A retrospective on the Economic Freedom Fighters' involvement in labour matters](#)

The imposition of the Economic Freedom Fighters (EFF) has become a common occurrence in the South African workplace. The Labour Court has, however, already taken a strong stance against the EFF in two reported judgments being that of *Calgan Lounge v EFF and Others* (2019) 40 ILJ 342 (LC) a matter in which Cliffe Dekker Hofmeyr (CDH) represented Calgan Lounge in 2018, and *Gordon Road Spar v The Economic Freedom Fighters and Others* (2021) 42 ILJ 1953 (LC). CDH reported on these judgments in the 12 November 2018 and 4 October 2021 Employment Law Alerts.

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Location

Johannesburg

Language

English