

DA, EFF to join Molefe Labour Court case

The EFF and the DA have succeeded in their application to be admitted as interested parties in former Eskom CEO Brian Molefe's bid to have the Labour Court set aside his firing.



Brian Molefe

Molefe has been embroiled in a complicated working relationship with Eskom following his resignation from it in December.

The DA said Molefe's application in the Labour Court was an act of desperation in that he was contending that he had been unfairly dismissed as a counter to a pending High Court review of his reappointment.

The EFF and the DA will argue in the High Court that Molefe's reappointment as boss of the power utility after he resigned - and then claimed that he had merely been on unpaid leave - was unlawful.

"The two cases, the High Court application and the present application [in the Labour Court], are clearly intertwined.

"The relief sought herein has an impact on the relief sought in the High Court. An order declaring that the dismissal of Molefe was unlawful and that he is entitled to relief clearly impacts on the relief sought by the EFF in the High Court application," said the EFF in its submission to the Labour Court.

Molefe's lawyers said that "neither the DA nor the EFF have the requisite legal right to demand that they be granted leave to intervene in what is effectively a private dispute between Molefe and his employer."

Arguing for the DA, senior counsel Paul Kennedy told the Labour Court yesterday: "The lawfulness of Molefe's reinstatement to Eskom is the very matter that is being challenged by the DA in a pending application before the High Court."

The DA wants the High Court to set aside Molefe's reinstatement by Minister of Public Enterprises Lynne Brown.

Source: BusinessLIVE / The Times

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