



NEHAWU WELCOMES LABOUR COURT JUDGEMENT IN THE MATTER OF OUR MEMBERS VERSUS SANC

MEDIA STATEMENT FOR IMMEDIATE RELEASE

Thursday March 26, 2026



South African Nursing Council
Regulating nursing, advocating for the public

The National Education, Health and Allied Workers' Union [NEHAWU] welcomes the Labour Court Judgement in the matter of our members versus the South African Nursing Council [SANC].

In 2011, our members were dismissed for participating in a strike by the South African Nursing Council [SANC], the matter was referred to the Commission for Conciliation Mediation and Arbitration [CCMA] for adjudication.

The matter ultimately ended up in the Labour Court in 2015, due to the incomplete record and the passing away of the commissioner the court ordered a remittal of the matter to arbitration de novo. In turn on SANC filed a superfluous leave to appeal which was dismissed in 2018.

The second arbitration proceeded in 2019 and ended in 30 November 2020 when the commissioner awarded in favour of NEHAWU granting our members employment and finding that the their dismissal was unfair occasioned by inconsistent treatment of workers in the same circumstances.

SANC filed a review application in 2021 which was purely a dilatory tactic and the Labour Court heard the matter on 15 July 2025. On 26 February 2026, the Labour Court delivered a judgement in favour of NEHAWU dismissing SANC's reinstatement application and simultaneously dismissing their review application.

The ultimate result is that the NEHAWU shopstewards have been granted employment and have been vindicated by the Labour Court. We would not be surprised if SANC launches another superfluous leave to appeal against this judgment.

END

Issued by NEHAWU Secretariat.

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