

**CMAC Form 11**

Section 81(7)  
Industrial Relations Act  
2000 (as amended)

**REJECTION OF DISPUTE AT  
CONCILIATION**



**DATE: 16<sup>th</sup> SEPTEMBER, 2020**

**CMAC REF: SWMB 177/2020**

**TELEPHONE: 24050454/5**

**FAX: 24050456**

In the matter between:-

**APPLICANT:** Name: **GCINA MASEKO**

Address: **N/A**

Telephone: **N/A**

Cell: **76364103**

AND

**RESPONDENT:** **FIDELITY SECURITY SERVICES**

Address **P.O. BOX A207**

**SWAZI PLAZA MBABANE**

Telephone: **2404 5319**

Cell: **78657822**

**BE PLEASED TO TAKE NOTICE THAT** the dispute between the parties in the above matter is hereby rejected on the following grounds:-

1. The Parties were invited to attend conciliation on the **5<sup>th</sup> August, 2020** at **09:00hrs** at the Commission's offices in Mbabane and the Applicant was in attendance with Respondent failing to appear. The matter was postponed to the **12<sup>th</sup> August 2020** to enable service on the Respondent of the Invitation to Conciliation.

- 2.** On the **12<sup>th</sup> August 2020**, both the Applicant and The Respondent were in attendance and the matter was postponed to the **20<sup>th</sup> August 2020** at the instance of the Respondent. On the **20<sup>th</sup> August 2020** the Applicant failed to attend the Conciliation despite signing and being served with the agreement to postpone the conciliation on the **12<sup>th</sup> August 2020** the Case Management Officer having called and left a message with Mncedisi Vilakati who promised to convey the message to the Applicant, (since his cellular telephone was unavailable on the MTN Network). Eventually the Applicant was reachable on his cellular telephone and he promised to attend the Conciliation, explaining that he was committed in new employment. The matter was then postponed to the **27<sup>th</sup> August 2020** at **09:00am**.
- 3.** On the scheduled Conciliation date, the **27<sup>th</sup> August 2020**, the Respondent was in attendance and the Applicant failed to attend conciliation in spite of having been served with the invitations to conciliation. The matter was then postponed to the **9<sup>th</sup> September 2020** at **09:00am** in order for the Applicant to be re-invited for conciliation.
- 4.** On the **9<sup>th</sup> September 2020** the Respondent was in attendance and the Applicant failed to attend conciliation. Having satisfied myself that both parties were aware of the conciliation date, I rejected the dispute. The dispute is accordingly rejected in terms of Section 81 (7) (a) of the Industrial Relations Act, 2000 (as amended).

**DATED AT MBABANE ON THIS 23<sup>RD</sup> DAY OF SETEMBER,2020**

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**SICELO B. DLAMINI  
CMAC COMMISSIONER**