



DEPARTMENT OF HEALTH

PROVINCE OF KWAZULU-NATAL

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FINDINGS OF TRIBUNAL ON DISMISSED NURSES

The Department of Health has made known the preliminary findings of the Tribunal set up to individually hear the cases of 728 nurses dismissed as a result of their participation in an unlawful strike from 22 January 2007 to 2 February 2007 at the following institutions: Ngwelezane and Benedictine Hospital, Lower Umfolozi hospital, Umphumulo Hospital, Ntunjambili Hospital, Appelsbosch Hospital, Prince Mshiyeni Memorial Hospital, GJ Crookes Hospital and Edendale Hospital.

The Tribunal was instituted when Organised Labour approached the MEC for Health Mrs. Neliswa Nkonyeni and asked for the concerns of their members to be heard individually.

The Tribunal, consisting of 6 experienced lawyers, eventually heard 1106 cases and found that some of the dismissed nurses were engaged in the strike action because of serious intimidation. Documented evidence of this was given. It was recorded that some of the nurses were on sick leave at the time, some of the nurses were off duty and some missed the ultimatum to return to work but had proof they had tried to return but were locked out.

The Tribunal recommended that 43 nurses will be reinstated, suspended pending disciplinary proceedings. 720 will be reinstated with final written warnings and 365 were found not guilty, will be reinstated and back paid. Institutions are expected to engage with the affected workers on Monday 16 April accordingly.

The Head of Department Dr. Busi Nyembezi said that “ the Tribunal has not compromised service delivery”. She is pleased that the Tribunal took a sensitive approach to each case because many of the nurses are bread winners. The Tribunal was instituted as a corrective measure rather than a punitive one. “We value our health care workers and this action was to not get rid of good health care workers, we must always keep service delivery in mind.”

ENDS.

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