

MEDIA STATEMENT - FOR IMMEDIATE RELEASE

NEHAWU RESPONSE TO PHENDLA V/S UNIVERSITY OF VENDA JUDGEMENT

Tuesday October 17, 2017

The National Education Health & Allied Workers' Union (NEHAWU) hereby notes the judgement delivered by the Honourable Judge GN Moshwana in the Johannesburg Labour Court under Case No JS1145/12 on the 12th October 2017.

We are disappointed at the outcome of this judgement delivered by the Labour Court with regards to above-mentioned matter. We condemn the abuse of state funding by the management and Council of the University of Venda (UNIVEN) in frivolous litigation aimed at silencing and victimizing staff. We condemn the alleged utilization of R18m by Prof Mbatlana in frivolous litigation aimed at silencing staff members at the Univen.

Prof Phendla was unfairly dismissed from her position at UNIVEN as Dean of School of Education in November 2011 because the Vice-Chancellor of University of Venda, Prof Peter Mbatlana fabricated charges of misconduct when she allegedly refused to continue to be his sex slave. Instead of reinstating Prof Phendla, UNIVEN is dragging its feet and wasting public funds in fruitless and wasteful litigation battles hoping to wear Prof Phendla down financially.

Irrespective of a High Court order ordering the UNIVEN Council and management to follow its own internal policies and within 30 days, charge the UNIVEN Vice-Chancellor, Prof Peter Mbatlana for alleged sexual harassment in line with its own internal policies, Prof Mbatlana has yet to be charged nor face any Tribunal in respect of the above-mentioned allegations.

To date, UNIVEN Council refuses to charge Prof Mbatlana for alleged sexual harassment, while several Lecturers at UNIVEN have been expelled for allegedly harassing students. Prof Mbatlana remains untouchable at the UNIVEN whilst Prof Phendla's Labour Court case has been postponed multiple times whilst she remains unemployed without a salary for nearly 6 yrs.

As NEHAWU, we will immediately demand an urgent meeting with the VC of the university. We refuse to stand idle while wasteful expenditure is the order of the day at the university. We are more angered by the fact that this wasteful expenditure is meant to frustrate our members who are victims of marginalization. This is extremely out of order considering that students mostly from poor and working class background are victims of financial

exclusion while the university management spends money on frivolous legal fees. We call on the Minister of Higher Education to look into this matter as soon as possible.

We also have it in good authority that the university is now contemplating suspending and preferring charges against our shop stewards as part of an agenda to render NEHAWU useless. We want to warn the university to desist from union bashing tactics which dates back many years ago in this university. Nehawu will not spare any effort in defending itself as well as its shop stewards who are being targeted for defending the interest of members and exposing corruption in the university. NEHAWU does not take kind to the victimization of both our members and workers. We confront head on anyone who victimizes workers and create horrible working conditions just to further their own selfish needs. If Univen does not commit to end the victimization of workers then they will have a huge fight in their hands.

Failure to resolve these issue in the next 14 days will leave us with no option but to pick a fight with the university in defense of our members and workers in general.

Issued by NEHAWU Secretariat

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