

Asylum seeker gets Labour Court Christmas gift

A Zambian asylum seeker has helped establish crucial legal protection for people working in SA but without a work permit. Joel Sithole was sacked after asking for protective clothing at work, with his bosses claiming his employment contract was invalid as he did not have the right papers. As legal writer Carmel Rickard points out in her **A Matter of Justice** column on the **Legalbrief** site, it was an odd basis to justify firing Sithole. It was even odder that the arbitration commissioner accepted the argument. This is because **a 2008 case made clear that foreign workers, even without the right papers, were still covered by SA's fair labour practice laws**. Finding in Sithole's favour, the Labour Court ordered the company to pay him four months' salary as a sanction for unfair dismissal. The payment must arrive just in time for Christmas.