

(Provisional version translated from French)

4th STUDY COMMISSION

**SUBJECT: WHAT ARE THE RIGHTS OF THE DISMISSED EMPLOYEE?
COMPETENT JUDICIAL AUTHORITY AND PROCEDURE**

QUESTIONNAIRE

It should be noted that the questionnaire does not concern job dismissal for economic reasons, since this subject has already been examined.

- 1) What are the various rights of the dismissed employee according to your national legislation?
 - a) In case of dismissal due to negligence (whether gross or serious according to the distinctions made by your national legislation)?
 - b) In case of dismissal without any negligence?
- 2) What are the criteria for granting his/her rights (length of service or any other criterion, please specify)
- 3) Which are the competent judicial authorities in this field?
 - a) administrative judicial authorities?
 - b) ordinary judicial authorities?
- 4) Procedure
 - a) How is the case submitted to the competent Court?
(by a simple request, either in writing or oral, made directly by the employee or by his/her representative - lawyer or trade union representative).
Is there any other way of submission?
 - b) Is there a procedure preliminary to the submission to the Court?
 - c) Which are the most characteristic stages of the procedure up to the decision of the case?

PRESIDENT: MAMADOU MANSOUR SY

**THE ANSWERS SHOULD REACH THE FOLLOWING ADDRESS TOGETHER WITH
PROPOSALS FOR THE NEXT YEAR SUBJECT BEFORE JULY 31, 1997:**

**MR. MAMADOU MANSOUR SY
PRESIDENT DU TRIBUNAL DU TRAVAIL OF DAKAR
DAKAR - SENEGAL
Fax n. +221 22.87.75**

Français / French