



Management



Practical Labour Law for South African Managers



2 Day Course



Classroom or Virtual Blended Training



Accredited Course

Aligned to Unit Standard 13952 (8 credits) in the Generic Management Level 4 Qualification.



About the Course

 **Classroom:** R 6,850 Excl. VAT | **Virtual Training:** R 6, 200 Excl. VAT

Successfully managing full time and contract staff under the strict South African labour law is an extremely delicate task. Both Line and HR Managers must be 100% certain that their actions are completely compliant, procedurally fair and equitable if they are to avoid costly compensation orders from the CCMA.



[View Public Dates](#)



2 Days



Accessible from any Location on any Device



Certificate of Attendance

When dealing with complex issues like: chairing disciplinary hearings, inefficiency, absenteeism, medical incapacity, tardiness, theft and any other challenging staff-related issue, managers need to adhere strictly to the labour law edicts, whilst still performing in a way that has the company's best interest at heart.

This practical, 2-day **Practical Labour Law for South African Managers** course, with a top South African labour law specialist, will provide HR and Line Managers with the critical information they must keep in mind when managing, hiring, disciplining, censoring, dismissing or retrenching staff. This course will also cover COVID-19 in the workplace and include topics such as Section 189, retrenchment, managing absenteeism and more.

 **Course aligned to Unit Standard 13952 (8 credits) in the Generic Management Level 4 Qualification.**

Unit Standard Assessment is optional but charged an additional fee of R 1, 450 Excluding VAT per delegate.

What you will learn

- Avoiding unexpected labour issues by understanding the definitions, limitations and legal position regarding temporary and contract workers in terms of 2015 amendments to the Labour Law
- Discovering the most efficient, compliant and effective ways of dealing with a multitude of staff related issues, including misconduct, poor performance and incapacity
- Establishing and maintaining a legally sound business relationship from the start by being mindful of procedures to follow when interviewing and hiring
- Looking into cautions, verbal and written warnings, suspensions, hearings and actual dismissals
- Avoiding opening your organisation to litigation by handling reports of discrimination or harassment according to best practice
- Discovering how to prepare for a CCMA or labour court hearing and knowing what to expect during the hearing
- The impact of COVID-19 in the Workplace and how to approach Section 189s, retrenchments and more.

Who should attend

Business Owners, Attorneys, Branch Managers, Bursars, CEOs, CFOs, Site Managers, Consultants, Directors, ER Managers, Facilities Supervisors, General Managers, Group Executives, HR Administrators, HR Managers, HR Officers, HR Practitioners, IR Consultants, Key Account Managers, Labour Consultants, Office Managers, Operational Directors, Operations Managers, Personnel Officers, Production Managers, Risk Administrators, Safety Officers, Section Heads, Supervisors and Training Managers



“The facilitator was extremely knowledgeable. I gained good insights into our local labour legislature and how to deal with the CCMA.”

- **Finance Manager,**
CCL Label SA

Course Programme Agenda

Current Labour Legislation in Place

- Why this legislation was needed
- The Labour Relations Act of 1995
- The Employment Equity Act
- The Basic Conditions of Employment Act

Working Conditions, Hours and Leave

- The law relating specifically to Hours, Overtime & Annual Leave
- The law and company Smoking & Alcohol Policies
- Arriving Late at work – what is an acceptable excuse and can you ask staff to make up the time?
- Employees taking excessive time off for family illness /problems

Interviewing and Hiring a New Employee

- The Law relating to the advert for the position
- Questions to avoid in job interviews that can be seen as “Discriminatory”
- Phoning references – what questions can and should you ask them?
- Recourse if an employee misrepresents during the interview phase
- Knowing the rights of Permanent or Temporary staff or Contractors
- Probation Periods – how long are these and what do they really mean in practice?

Issues Surrounding Sick Leave

- Sick Leave entitlement – Number of days, carry over & what happens when sick leave is all used up
- When can you ask for Medical Certificates and what is an acceptable medical certificate?
- Sick leave for Elective Operations
- How long is Maternity & Paternity Leave and when can you insist a person returns?
- Working within the SA Labour Law and the CCMA

Communicating with your Team

- Ensure your dealings with your staff are always seen to be just and fair
- Construed harassment / discrimination through inflammatory, abusive or insensitive comments
- How, when and where to chastise, criticize or discipline someone
- Avoiding things that can be considered as contributing to constructive dismissal
- Identifying and dealing efficiently with Insubordination and Insolence
- When to involve a Trade Union representative

Dealing with ‘Problem’ Employees

- The difference between Poor Performance, Misconduct and Incapacity
- Procedures to be followed when addressing poor performance, and specific time periods for performance improvement
- The impact of changing an employee’s job description or responsibilities
- Dealing with Disability, Incapacity, or a Temporary Inability to perform the job

Discrimination and Harassment in the Workplace

- Common forms of Discrimination and where and how they occur
- Understanding and avoiding what can be considered as Sexual Harassment
- The law regarding Religious and Age Discrimination
- Knowing your responsibilities when discrimination or harassment is reported – thereby avoiding company liability
- Discovering when harassment can be immediate grounds for Dismissal
- Harassment of your staff by an external person

Cautions, Warnings, Suspensions, Disciplinary Hearings and Dismissal

- Giving a verbal warning and the weight this carries
- Issuing a written warning and how long this lasts
- When to go to a final written warning and how to issue one to the employee
- The purpose of Disciplinary Hearings
- Representation at Disciplinary Hearings
- Avoiding accusations of “Constructive Dismissal”
- Setting up and issuing suspensions
- The various Dismissal Types with their specific Criteria and Implications
- Termination versus Resignation
- Understanding the terms Employer, Continued Employment, Intolerable and Onus of Proof
- Is your Employment Contract strong enough?



Course Programme Agenda

Understanding the Right Way to Assimilate Evidence

- What constitutes Evidence?
- The Concept of Balance of Probabilities
- What is Admissible Evidence?
 - Polygraphs
 - Expert witnesses
 - Audio and video recordings
 - Hearsay evidence
 - Who bears the onus of Proof?

Thorough Preparations for a CCMA Hearing

- Are Conciliation, Mediation and Arbitration separate functions?
- What role do Bargaining Councils play?
- The Standards of Proof
- The Notice of Enquiry
- Who has the right to appear at a hearing?
- Defining a Strategy for the CCMA hearing
- Obtaining or giving a Mandate to representatives
- What is Condonation?

Important Time Provisions you need to Know

- Date of Dismissal
- Referring Disputes for Conciliation
- Referring Disputes to Arbitration or the Labour Court
- Time limit for Rescission Applications
- Time limit for Review Applications
- Notifications for Conciliation and Arbitration
- Working within the SA Labour Law and the CCMA conditions
- Taking part in the CCMA Hearing

The Process of CCMA Hearings

- Conciliation/Arbitration
- Why are there pre-arbitration meetings?
- How do you deal with a Rescission?
- The legal effect of an award
- Can you appeal an award?
- What to do with a Certificate of non-resolution
- What are the other forums or processes that are available?

How to Prepare if the Case goes to Labour Court

- When and why are matters referred to the Labour Court?
- Can you use the same approach as you used at the CCMA?
- Who has the rights to appear?
- Defining a Strategy
- Obtaining or giving a Mandate to representatives
- Understanding the Labour Court Process
- The purpose of the Labour Court
- Is there a difference between Labour Court and Labour Appeal Court?
- Is there a higher authority in South Africa than the Labour Court?

Where to get Additional Information and References

- Books to use as References
- Applicable Case Law
- Table of Statutes

COVID-19 in the Workplace

- Managing Section 189s and retrenchments
- Vaccinations – Understanding your workforces rights and legal process your company is entitled to implement
- Managing staff absenteeism

Short Course Training Formats

We offer 2 Short Course Training Formats, to fit in with your staff development and upskilling objectives.



Public Training

Public training is the ideal choice to develop a specific skill, and it gives employers the opportunity to pre-plan staff training in advance. Every month, we pre-schedule various short courses for the public.

*Classroom training (Johannesburg only) and **Blended / Virtual Training** (nationwide) is available.



Onsite / In-House Training

Have a **group of delegates** and want a tailored organisation-specific training solution? Onsite training is the perfect choice! We can customise your staff training to meet your organisation's needs on a date and at a venue that suits you.

*Classroom training (nationwide) and **Blended / Virtual Training** (nationwide) is available.

Blended training is available on these popular platforms:



Benefits of this Short Course



Staff Acquire Vital Skills



Increases Efficiency and Productivity



Motivates and Empowers Staff



Future-Proofs your Workforce's Abilities



Immediate Impact on Job Performance



Can lead towards a Competitive Advantage



Can Count towards your B-BBEE Score



Staff can Earn Credits towards a Qualification*



Provides a Great Networking Opportunity

Features of this Course



Accessible from any Geographic Location



Expert Facilitators



Practical and Intensive Sessions



Researched to Meet Workplace Demands



Skills you can 'Plug-and-Play' into the Workplace



CBM On-Demand

Training when YOU need it!

No public training short course scheduled on a date when you need it most? No problem. With **CBM On-Demand** we can schedule any course you want, for as many delegates as you need, when YOU want to!

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Interested? Here's the Next Step



SIGN UP NOW AND SECURE YOUR PLACE

1. [Click here](#) to register online.
2. Select the training methodology you prefer and the date you would like to attend.
3. Click "make a booking" and fill out the quick online registration form.
4. Choose your payment method to finalise the booking and pay via EFT or credit card.

OR

Click on the buttons below to get a cost estimate before booking.

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HAVE ANY QUESTIONS?

Our professional customer support team is eager to assist and provide you with comprehensive advice and recommend effective skills training solutions.

[Click here](#) to start a live chat with an agent *(available during business hours only)*.

Alternatively, call us on +27 (0)11 454 5505 or email info@cbm-training.co.za.

ACCREDITATION AND B-BBEE



CBM Training holds full institutional accreditation status with the Services SETA – accreditation number 0057.



CBM Training has a B-BBEE Level 2 certificate. We have been evaluated and audited by the BEE Verification Agency.

GET IN TOUCH

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