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SOUTH AFRICAN LABOUR LAW REPORTS' 41ST ANNUAL SEMINAR PROGRAMME

August to September 2025

- 07h00 – 08h00: Registration
- Tea, coffee and welcoming snacks
- 08h00 – 08h05: Welcome and opening address by Adv Cameron Morajane, Director of the CCMA
- 08h05 – 08h10:
- SALLR published judgments, awards and rulings utilised during the seminar
 - SALLR seminar source material
- 08h10 – 08h30:
- SALLR earnings guidelines: corporate, formal, informal and non-corporate sectors
 - Stats SA earnings by level of education
- 08h30 – 09h30: SALLR delegates requested topics
- Principles governing confessions made during an internal disciplinary enquiry/investigation
 - The extent to which an arbitrator may deviate from the reason for dismissal relied upon by the employer when it conducted the internal enquiry/investigation
 - The entitlement to severance pay when the retrenching employer assists the acquiring employer
 - Income differentials in terms of s27 of the EEA (vertical pay differentials) as opposed to unfair discrimination claims in terms of s6(1) of the EEA (horizontal pay differentials)
 - Shortlisting for promotion (and appointment) limited to under-represented candidates and excluding the possibility of white males
 - Special leave utilised as precautionary suspension



Director: Brian van Zyl
Reg No: 2012/131276/07



SCAN TO VIEW FULL BROCHURE

- 09h30 – 09h50: Special features topics
- Draft Code of Good Practice on Dismissals
 - Anticipated amendments to the Labour Relations Act
 - Anticipated amendments to the Basic Conditions of Employment Act
- 09h50 – 10h00: Contractual rights and obligations
- An employer's vicarious liability for delictual acts of employees in deviation matters
- 10h00 – 10h30: Tea and coffee break
- Delegates posing questions on the *SALLR* WhatsApp group
- 10h30 – 10h45: Individual and collective misconduct
- Termination by operation of law
 - Employees dismissed for associating themselves with misconduct
- 10h45 – 11h00: Incapacity: injury
- Mental incapacity as a result of an injury on duty and the consequence thereof as to the applicability of the Prescription Act
- 11h00 – 11h20: Automatically unfair dismissals
- Dismissal on the basis of age, where the employee has reached the normal or agreed retirement age for persons employed in that capacity, but the employer continues to employ the employee
 - Requirements to be met to comply with the defence of inherent requirements of a job where dismissal takes place on the basis of religious belief
- 11h20 – 12h30: Collective bargaining, collective agreements, political parties, trade unions/ employers' organisations and trade union constitutions
- The right of individual employees to utilise s24 to refer disputes regarding interpretation or application of collective agreements to a bargaining council
 - Determining whether the high court or the labour court has jurisdiction over protest action where a political party is involved
 - The effect of a union constitution indicating that the union's scope includes any activity not so listed in the constitution (inclusive of industry or interest group) as determined by the national executive committee or national office bearers
 - How to deal with a union's constitution that has no limit to a specific region, sector or industry and simply refers to 'all workers in South Africa'
 - Guidelines to be used by the registrar when considering the registration of a trade union
 - The enforcement of collective agreements by bargaining councils



- Determining whether membership of a party to a bargaining council automatically terminates if the party fails to maintain the level of representivity required to be admitted

- 12h30 – 12h45: Industrial action
- Defective strike notice and the entitlement to an interdict prohibiting such strike
- 12h45 – 13h00: Non-standard employment
- Approach to be adopted to an employee employed on limited fixed-term contracts repeatedly extended and guidelines provided to arbitrators in this regard
 - The interpretation of s198D of the LRA
- 13h00 – 13h40:
- Lunch
 - Delegates posing questions on the *SALLR* WhatsApp group
- 13h40 – 14h10: *SALLR* panel of experts providing answers to burning questions raised on the *SALLR* WhatsApp group (041 373 4322)
- 14h10 – 15h20: Powers and functions of the CCMA, bargaining councils, labour and labour appeal courts
- Limitations on the remedies of reinstatement and re-employment
 - The scope of a pre-arbitration agreement, so limiting the entitlement of the parties and the powers of the arbitrator
 - Consideration of institutional bias when the CCMA appoints an arbitrator in enforcement proceedings initiated by a bargaining council and a non-party to such council objects to the said appointment by the council
 - Considerations applicable to the stay of arbitration awards pending the decision of the labour court if the applicant furnished security in terms of s145(8) of the LRA
 - A reconsideration of the consequences of archiving a review application
 - Review of demarcation awards
- 15h20 – 15h30: Local Government: Municipal Finance Management Act
- Liability on political office-bearers and municipal officials for fruitless and wasteful expenditure and unauthorised expenditure
- 15h30 – 15h40: Legislative summary covering the period 1 July 2024 to 30 June 2025
- 15h40 – 16h00:
- Closing remarks

