



**quickly**

↖ **finding answers to your  
questions**

**how?**

**by attending the hottest  
labour law, human resources  
and employee relations  
annual seminar**



WHITE BOARD MARKER

• Fine

• Non-toxic



## SOUTH AFRICAN LABOUR LAW REPORTS' 38<sup>TH</sup> ANNUAL SEMINAR 2022

- countrywide, in-person and face-to-face SALLR seminars  
or
- live broadcast of the in-person and face-to-face SALLR seminar to be held in Pretoria



## WHO SHOULD ATTEND?

- employee relations practitioners
- human resources practitioners
- CCMA and bargaining council commissioners
- conciliators and arbitrators
- advocates, attorneys and candidate attorneys
- government officials
- trade unions
- employers' organisations
- academics
- students

this year, we will  
**SUPPORT and SERVE**  
**YOU**

### by providing:

- paperless registration – the risks associated with pen and paper registration, including the risk of person-to-person contact, are eliminated by issuing QR ('quick response') codes
- a generous installment plan payment option
- substantially reduced registration fees



**this year we have PUBLISHED  
a stunning workbook for**

**YOU**

**by adding to our already famous formula:**

- the option of having access to the seminar workbook in an e-book format
- a more comprehensive legislative update
- a big increase in judgments and awards
- a more comprehensive table of cases, awards and rulings
- extensive cross-references to other publications
- the production of individually sanitised hardcopy workbooks



# SALLR SEMINAR PACKAGE OPTIONS

## OPTION 1

countrywide, in-person and face-to-face seminars

## OPTION 2

live broadcast of the face-to-face and in-person SALLR seminar in Pretoria on 15 November 2022

### date(s) and place(s)

Tuesday, 1/11/2022: **Gqeberha**  
Thursday, 3/11/2022: **Bloemfontein**  
Wednesday, 9/11/2022: **Johannesburg** (Sandton)  
Friday, 11/11/2022: **Cape Town**  
Tuesday, 15/11/2022: **Pretoria**  
Thursday, 17/11/2022: **Johannesburg** (Boksburg)  
Thursday, 24/11/2022: **Durban**

Tuesday, 15/11/2022: **Pretoria**

### venue(s)

**Gqeberha:** The Boardwalk Hotel  
**Bloemfontein:** Kopano Nokeng Hotel and Conference Centre  
**Johannesburg (Sandton):** The Maslow Hotel  
**Cape Town:** The Table Bay  
**Pretoria:** Time Square  
**Johannesburg (Boksburg):** Birchwood Hotel and OR Tambo Conference Centre  
**Durban:** Sibaya Casino

In the comfort of your office, home, etc.

### panel of experts

Our panel of experts, comprising Adv Feroze Boda SC, Shamima Gaibie, Amogelang Makuwa and Prinoleen Naidoo will provide answers to your burning questions during live streaming sessions.

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### user requirements

**Hardware:** computer, tablet or smart television with active internet.

**Software:** any up-to-date browser  
bandwidth: optimal usage at 10MBps stable internet connection with minimum requirement of 4MBps stable internet connection.





**OPTION 1****OPTION 2****technical support**

As we last year presented live studio broadcasts by means of streaming, we will again this year use this platform. As was the case last year, the *SALLR* team has secured an extremely competent crew, with vast technical experience, to provide the required technical support before and during the broadcast. Professional lighting, the utilisation of quality microphones and state-of-the-art video equipment will ensure an enhanced experience during the live broadcast.

**free live broadcast trial run**

This platform is something totally different from the webinars that most of you are used to. The best way to describe it is that it is just like watching television – last year's delegates can vouch for that. You will be provided with an opportunity to sample, for free, the *SALLR* live broadcasting option to make sure that you are impressed with our product, technical support and ease of user requirements – the trial run is currently scheduled for October.

**questions and queries during the *SALLR* seminar**

In order for the *SALLR* team to deal with your questions and queries, you are required to add *SALLR* to your WhatsApp address book (041 373 4322). Send us a 'hello' together with your name and surname.

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**paperless registration**

QR codes to be provided.

QR codes to be provided.



**OPTION 1****OPTION 2****workbook options**

Hard copy, PDF or e-book.

Hard copy, PDF or e-book.

**topics**

Slip and trip issues identified during the last 12 months that could lead to human resources, employee relations and labour law accidents – available on the *SALLR* WhatsApp group (041 373 4322).

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***SALLR* PowerPoint presentation**

To be provided electronically.

To be provided electronically.

***SALLR* team's answers to issues identified before and during the seminar**

To be provided electronically.

To be provided electronically.

**after seminar care by learner assistants**

Book your after seminar care session with one of our esteemed learner assistants to provide required assistance.

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**CPD points, etc****Delegates may claim and are entitled to:**

- 8 CPD points for attending this learning event (accredited by SABPP, IPM and APSO)
- further CPD points if an evidence file is compiled of various activities
- SABPP or IPM or APSO certificates recognising their learning efforts
- CPD points from other professional bodies where they are registered as members
- BBBEE skills development scorecard points in categories F and G
- costs as expenditure for SETA reporting requirements
- training costs to be taken into account as annual training spend

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**OPTION 1**

**OPTION 2**

BrainFood newsletter

Free for 12-month period.

Free for 12-month period.

SALLR website access

Free for 12-month period.

Free for 12-month period.

free SALLR library access

Unique user ID to be provided for 12-month period.

Unique user ID to be provided for 12-month period.





# SALLR SEMINAR PROGRAMME: OPTIONS 1 AND 2

## November 2022

- 07h00 – 08h00: registration  
live broadcast assistance (only Option 2)
- 08h00 – 08h05: welcome and opening address
- 08h05 – 08h10: SALLR published judgments, awards and rulings utilised during the seminar, etc  
• SALLR products and service development  
• SALLR seminar source material
- 08h10 – 08h30: SALLR earnings guidelines: corporate, formal, informal and non-corporate sectors  
• COIDA benefits  
• STATSSA earnings by level of education
- 08h30 – 09h00: contractual rights and obligations  
• claim for remuneration and interest from date of award to date of reinstatement  
• unlawful precautionary suspension
- 09h00 – 10h15: misconduct  
• consistency and the parity principle  
• employer's interference with original sanction  
• acts of misconduct outside the workplace and outside working hours  
• refusal to testify at arbitration  
• challenge to an employee's medical certificate  
• abscondment and desertion  
• doctrine of common purpose
- dismissals on the grounds of operational requirements  
• compensation and post-retrenchment medical aid benefits  
• calculation of severance pay: s41(2) of the BCEA  
• Unemployment Insurance Act 62 of 2001: reason for termination
- 10h15 – 10h45: tea and coffee break – dealing with questions posed on the SALLR WhatsApp Group (041 373 4322) – Options 1 and 2
- 10h45 – 11h00: dismissals ito s186(1)(e) of the LRA  
• employee's unpaid performance bonus constituting a benefit and not remuneration  
• resignation and disciplinary action



- 11h00 – 11h30: collective bargaining
- advisory award – s64(2) of the LRA
  - closed shop
  - employers' freedom of association versus unions' right to strike
- industrial action
- secondary strike
- 11h30 – 12h00: consequences of breach of mutual termination of employment agreement  
duty to disclose during job application and interview process  
termination of employment not at the instance of the employer
- 12h00 – 12h30: powers and functions of the CCMA and bargaining councils
- compilation of back pay where employee was employed during back pay period
  - no automatic right to a remedy
  - s138(5)(a) of the LRA: dismissal of a matter
  - s193(2)(b) of the LRA: exception to reinstatement where continued employment is intolerable
- 12h30 – 13h00: powers and functions of the labour court
- union ordered to pay costs on an attorney and client scale
  - attorney ordered to pay costs *de bonis propriis* on an attorney and client scale
  - stay of enforcement of arbitration award pending review and exoneration from provision of security
  - settlement agreement made an order of court
  - late filing of statement of case
  - application to dismiss a review application and application to reinstate a review application
- 13h00 – 13h45: Lunch
- 13h50 – 14h30: SALLR panel of experts: providing answers to burning questions raised on the SALLR WhatsApp group (041 373 4322)
- 14h30 – 15h30: powers and functions of the labour appeal court
- Employment Equity Act 55 of 1998
- discrimination on the basis of age in respect of retirement policy
  - equal pay for equal value
  - claim for damages ito s60 of the EEA
- 15h30 – 16h00: Promotion of Equality and Prevention of Unfair Discrimination Act 40 of 2000
- not shortlisting a white male solely on the basis of being white
- 16h00 – 16h30: Occupational Injuries and Diseases Act 130 of 1993
- injuries at work caused by negligence of senior manager(s)
  - pre-existing medical condition
  - the presumption in terms of s65 and s66 of COIDA



# THE SALLR PANEL OF EXPERTS



## Advocate Feroze Boda SC

Feroze qualified at Wits University with a BCom LLB (cum laude). He also obtained an LLM from such institution. He completed his articles with Hofmeyr Inc (previously Hofmeyr van der Merwe Attorneys) in 1995. Feroze was admitted as an advocate in 1996 and took silk in 2015. He also used to lecture part time at Wits University in income tax law, commercial law and the interpretation of statutes. He has been an acting judge of the labour court on various occasions. Feroze is often invited as a guest speaker at various labour law conferences and seminars.

## Shamima Gaibie

Shamima qualified at Wits University with a BA LLB and obtained an LLM from the London School of Economics and Political Science, in 1993. She is a senior director of Cheadle Thompson & Haysom Inc and specialises in employment law, commercial law, constitutional law and public sector law. Shamima has acted as a judge in the labour court and the high court and presents guest lectures for the LLM degree in labour law at Wits University. She has written numerous articles on labour law issues in various labour law textbooks and journals and has been a speaker at various conferences.



## Amogelang Makuwa

Amogelang is a senior associate at Cheadle Thompson & Haysom Inc. He holds an LLB degree from the University of the Witwatersrand and served his articles of clerkship at this firm. Amogelang has advised and represented national and provincial government departments as well as trade unions in a wide range of labour disputes before the CCMA and various bargaining councils. He has also represented members of trade unions in fatal accident inquiries held in terms of the Mine, Health and Safety Act. Amogelang regularly presents at seminars on a wide range of labour law issues.

## Prinoleen Naidoo

Prinoleen obtained her degrees, including an LLM, from the University of KwaZulu-Natal and is currently a director of Cheadle Thompson & Haysom Inc. She has extensive experience in both collective and individual employment law. Prinoleen has been a presenter at numerous conferences dealing with employment law and covered topics such as discrimination in hiring practices, employment equity and misconduct during strikes. She has also published numerous articles dealing with, amongst others, the payment of non-striking employees, the labour broker issue, the carrying of traditional weapons during strike action and suspension without pay.



## WHO IS THE PRESENTER?



Dr Brian van Zyl is the co-author of various publications, which include the following: *The Final Codes on Broad-Based Black Economic Empowerment: An Analysis, Part 1 and Part 2*, *The Business of Restructuring, Guide to the CCMA Rules*, 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> editions. Brian has recently published *Changes to Employment Laws*. In 2019, he produced the *CCMA Rules Including Rules of Various Courts*. Brian has been the presenter and chief architect of the *South African Labour Law Reports'* seminars since 1990. He regularly appears in the civil and labour courts, as well as the CCMA.

## OPTIONS 1 AND 2 PACKAGE RATES

*special package rates will be considered for bookings over 16 delegates*

**OPTION 1:** countrywide, in-person and face-to-face SALLR seminars

**OPTION 2:** live broadcast of the in-person and face-to-face SALLR live seminar to be held in Pretoria on Tuesday, 15 November 2022

Registration tier	Registration fee per delegate (excluding VAT)
Standard registration	R3 850.00
2 to 5 delegates	R3 650.00
6 to 10 delegates	R3 550.00
11+ delegates	R3 450.00
Non-profit organisations	R3 450.00



# OPTION 1

## REGISTRATION FORM

Post/E-mail/Fax to: Van Zyl, Rudd and Associates SA (Pty) Ltd  
P O Box 12758  
Centrahil 6006

Enquiries: Taryn van der Merwe  
Tel: 041-373 4322  
Fax: 041-373 4323



<input type="checkbox"/> <b>GQEBERHA</b> <b>THE BOARDWALK HOTEL</b> TUESDAY, 1 NOVEMBER 2022	<input type="checkbox"/> <b>BLOEMFONTEIN</b> <b>KOPANO NOKENG HOTEL AND CONFERENCE CENTRE</b> THURSDAY, 3 NOVEMBER 2022
<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....	<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....
<input type="checkbox"/> <b>JOHANNESBURG (SANDTON)</b> <b>THE MASLOW HOTEL</b> WEDNESDAY, 9 NOVEMBER 2022	<input type="checkbox"/> <b>CAPE TOWN</b> <b>THE TABLE BAY</b> FRIDAY, 11 NOVEMBER 2022
<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....	<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....
<input type="checkbox"/> <b>PRETORIA</b> <b>TIME SQUARE</b> TUESDAY, 15 NOVEMBER 2022	<input type="checkbox"/> <b>JOHANNESBURG (BOKSBURG)</b> <b>BIRCHWOOD HOTEL</b> THURSDAY, 17 NOVEMBER 2022
<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....	<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....
<input type="checkbox"/> <b>DURBAN</b> <b>SIBAYA CASINO</b> THURSDAY, 24 NOVEMBER 2022	<b>note:</b> Upon receipt of the completed registration form by VZR, the seminar fee <i>per</i> delegate will be due and payable.  <b>note:</b> Should a delegate register for a seminar and not be able to attend, for whatever reason, such cancellation must be in writing and received by VZR at least 15 calendar days before the date of the seminar. If such cancellation conditions are not met, the delegate will be held liable for the full seminar fee.
<b>DETAILS OF DELEGATE(S)</b> 1. Full name of delegate: ..... Email address: ..... Cell no: ..... 2. Full name of delegate: ..... Email address: ..... Cell no: ..... 3. Full name of delegate: ..... Email address: ..... Cell no: .....	

# OPTION 1

## REGISTRATION FORM



**Post/E-mail/Fax to:** Van Zyl, Rudd and Associates SA (Pty) Ltd  
P O Box 12758  
Centrahil 6006

**Enquiries:** Taryn van der Merwe  
Tel: 041-373 4322  
Fax: 041-373 4323

## PAYMENT DETAILS

### PAYMENT OPTION 1

☐ Please debit my credit card account number

Visa ☐

Master ☐

Expiry

CSV code

(three digits on back of card)

### PAYMENT OPTION 2

☐ EFT payment (note: VZR's banking details will be supplied with your invoice.  
Please use your invoice number as your payment reference)

### PAYMENT OPTION 3: INTEREST FREE INSTALMENT TERMS

☐ Registration fee amount to be paid in three equal instalments, interest free: first instalment due before 1 November 2022, second instalment due before 1 December 2022 and third instalment due before 9 January 2022. Note: In the event of non-payment, the delegate will be personally responsible for collection of the outstanding amount and legal costs incurred

Authorised signature:..... Name & surname of person signing: ..... Date:.....

## INDIVIDUAL, ORGANISATION & BILLING INFORMATION

**KINDLY INSERT YOUR VAT NUMBER IN RESPECT OF INVOICING:**

Banking details of Van Zyl, Rudd and Associates SA (Pty) Ltd: ABSA - Newton Park - Account No: 40 8094 0399 Branch code: 632-005

**KINDLY COMPLETE THE FOLLOWING SO THAT VZR WILL BE ABLE TO ISSUE THE RELEVANT INVOICE AND STATEMENT:**

Individual / Organisation: ..... Postal address:.....

ID no: ..... Company reg no: .....

Relevant order no: .....

Postal code: ..... Tel: ..... Fax:.....

Name and surname of person responsible for payment of this account: .....

Email address and landline of person responsible for the payment of this account: .....

Date:..... Name and surname: ..... Signature: .....



# OPTION 2

## REGISTRATION FORM



**Post/E-mail/Fax to:** Van Zyl, Rudd and Associates SA (Pty) Ltd  
P O Box 12758  
Centrahil 6006

**Enquiries:** Taryn van der Merwe  
Tel: 041-373 4322  
Fax: 041-373 4323

**NOTE:** UPON RECEIPT OF THE COMPLETED REGISTRATION FORM BY VZR, THE SEMINAR FEE *PER* DELEGATE WILL BE DUE AND PAYABLE.

**NOTE:** SHOULD A DELEGATE REGISTER FOR A SEMINAR AND NOT BE ABLE TO ATTEND, FOR WHATEVER REASON, SUCH CANCELLATION MUST BE IN WRITING AND RECEIVED BY VZR AT LEAST 15 CALENDAR DAYS BEFORE THE DATE OF THE SEMINAR. IF SUCH CANCELLATION CONDITIONS ARE NOT MET, THE DELEGATE WILL BE HELD LIABLE FOR THE FULL SEMINAR FEE.



### PRETORIA

#### TIME SQUARE

TUESDAY, 15 NOVEMBER 2022

#### DETAILS OF DELEGATE(S)

1. Full name of delegate: .....  
Email address: .....  
Cell no: .....
2. Full name of delegate: .....  
Email address: .....  
Cell no: .....
3. Full name of delegate: .....  
Email address: .....  
Cell no: .....
4. Full name of delegate: .....  
Email address: .....  
Cell no: .....
5. Full name of delegate: .....  
Email address: .....  
Cell no: .....
6. Full name of delegate: .....  
Email address: .....  
Cell no: .....
7. Full name of delegate: .....  
Email address: .....  
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8. Full name of delegate: .....  
Email address: .....  
Cell no: .....
9. Full name of delegate: .....  
Email address: .....  
Cell no: .....
10. Full name of delegate: .....  
Email address: .....  
Cell no: .....

#### DETAILS OF DELEGATE(S)

11. Full name of delegate: .....  
Email address: .....  
Cell no: .....
12. Full name of delegate: .....  
Email address: .....  
Cell no: .....
13. Full name of delegate: .....  
Email address: .....  
Cell no: .....
14. Full name of delegate: .....  
Email address: .....  
Cell no: .....
15. Full name of delegate: .....  
Email address: .....  
Cell no: .....
16. Full name of delegate: .....  
Email address: .....  
Cell no: .....
17. Full name of delegate: .....  
Email address: .....  
Cell no: .....
18. Full name of delegate: .....  
Email address: .....  
Cell no: .....
19. Full name of delegate: .....  
Email address: .....  
Cell no: .....
20. Full name of delegate: .....  
Email address: .....  
Cell no: .....

# OPTION 2

## REGISTRATION FORM



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Centrahil 6006

**Enquiries:** Taryn van der Merwe  
Tel: 041-373 4322  
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☐ Please debit my credit card account number

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Visa ☐

Master ☐

Expiry ☐

CSV code ☐

(three digits on back of card)

### PAYMENT OPTION 2

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