

# JUTA'S ANNUAL LABOUR LAW SEMINAR

THE BENCHMARK LABOUR LAW

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John Grogan ■ Barney Jordaan ■ Puke Maserumule ■ Avinash Govindjee

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## about the presenters

**Barney Jordaan** was professor of Law at Stellenbosch University until 1997 when he left full-time teaching to co-found Maserumule Consulting, a leading labour law and labour relations consulting and training practice, and part of the Maserumule Group. He also holds appointment as professor extraordinaire at the Graduate School of Business of Stellenbosch University and is a teaching fellow at the UCT Graduate School of Business. He has been active as a mediator and arbitrator for many years, co-trained the first group of CCMA commissioners and served as part-time senior commissioner of the CCMA and various bargaining councils for a number of years. He has written extensively on labour law and is co-author of, and contributor to, a number of books and publications on the subject. Barney has taken up a full-time 6-year position as professor of negotiation and mediation at Vlerick Business School, Belgium effective from 1 September 2014.

**John Grogan** is one of the most respected writers on labour law in South Africa. He is the author of four leading labour law texts, *Workplace Law, Employment Rights, Dismissal, Collective Labour Law and Labour Litigation & Dispute Resolution* (Juta Law). Dr Grogan has been involved in the practice and teaching of labour law for more than 20 years. He left his position as head of the Department of Law at Rhodes University for private practice as a labour lawyer in 1997. Apart from practicing in the labour courts, Dr Grogan conducts private arbitrations and continues to publish and lecture. He also edits a number of leading publications, including *Employment Law*. He has been a part-time senior commissioner of the CCMA, a panelist on a number of bargaining councils, and has acted as a judge in both the Labour and High Courts.

**Puke Maserumule** is a Director of Maserumule Incorporated and Maserumule Consulting. He has acted as a Labour Court Judge periodically since 1997 and has also acted as a High Court Judge. In his capacity as Acting Judge of the Labour Court, he has been involved in interpreting labour legislation and building the new labour jurisprudence. He is also a member of the legal team that drafted amendments to the Labour Relations Act and Basic

Conditions of Employment Act. He is an accredited mediator and arbitrator of Tokiso. Puke also presents the monthly labour law line on Talk Radio 702 and Cape Talk 567.

**Avinash Govindjee** is Professor of Law and Deputy Head of the Labour and Social Security Law Unit at the Faculty of Law, NMMU, Port Elizabeth. Avinash is an Attorney of the High Court of South Africa, practicing as a consultant to the firm Burmeister de Lange Soni Inc in Port Elizabeth. He serves the Commission for Conciliation, Mediation and Arbitration on a part-time basis as a Senior Commissioner. As a consultant to the Institute for Social Law and Policy (ISLP), he has been involved in a range of labour and social-security related projects for various South African government departments and agencies, most recently in relation to the introduction of return to work arrangements in South Africa. Avinash, who is an NRF-rated researcher, has published widely in South Africa and abroad on themes broadly related to human rights, with specific emphasis on labour, social security and equality law (most recently, Olivier, Dupper and Govindjee (eds) *The Role of Standards in Labour and Social Security Law* (Juta, 2013). Avinash was included in the Mail & Guardian's List of "200 Young South Africans" during 2013.

## REGISTRATION FORM 2014 LABOUR LAW SEMINAR (Please complete one form per delegate)

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## Terms & conditions of registration

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- An invoice will be forwarded to you on receipt of this registration form. If you do not receive an invoice, please contact Carmen Timm on 021 659 2338 or email: seminars@juta.co.za.
- Payment is required before or on the date of the seminar. Note: Entrance to the seminar will only be granted once payment is received in full, or on receipt of an official government or company order.
- If paying by EFT transfer or direct deposit, please quote the reference number provided on your invoice.
- Delegates paying by credit card will receive confirmation of registration once the payment has been processed and approved.

### CANCELLATIONS

- The registration fee (less a 10% administration charge) will be refunded provided that written cancellation is received at least 14 working days prior to the event.
- No cancellations will be accepted within 14 working days of the seminar. However, substitute delegates are most welcome.
- Please note that if written cancellation is not received by us, delegates will be liable for the full fee. All conference materials will be supplied in this instance.

PLEASE TICK THE APPROPRIATE BLOCK

CAPE TOWN  
09 SEPTEMBER 2014  
CTICC

PORT ELIZABETH  
10 SEPTEMBER 2014  
Radisson Blu Hotel

DURBAN  
11 SEPTEMBER 2014  
Hilton Hotel

JOHANNESBURG  
30 SEPTEMBER 2014  
The Forum/The Campus, Bryanston

PRETORIA  
1 OCTOBER 2014  
CSIR Convention Centre

BLOEMFONTEIN  
2 OCTOBER 2014  
CR Swart Building, Faculty of Law, UFS

"Excellent as always"  
Department of Labour

"Value for money. Excellent seminar"  
Eskom

"The seminar was excellent. Keep it up"  
Pretra Diamonds

# JUTA'S ANNUAL LABOUR LAW SEMINAR

YOUR YEAR-ROUND LABOUR LAW

20  
UPDATE  
14

Also  
covering  
**NEW**  
labour  
legislation  
changes

## THE TRUSTED ALL IN ONE ANNUAL LABOUR UPDATE

Keeping abreast of important developments in the ever-changing area of labour law is a prime concern for labour law and HR practitioners. Juta's Annual Labour Law Seminar, now in its 13th year, is a comprehensive one day update, bringing you practical information about current developments in all the critical areas of labour law. Our expert and experienced team of speakers will highlight key developments and potential pitfalls and provide you with the information needed to ensure that your IR and HR practices are up to date and compliant.

They will discuss the most recent important case law and statutory developments affecting the employment relationship, including latest developments regarding labour brokers, temporary employment, new anti-discrimination provisions and employee privacy.

Delegates will also receive an electronic newsletter service during the course of the year incorporating key case law and commentary, written by the panel, keeping you up to date with the law affecting your business all year round.

## dates and venues

■ 09 SEPTEMBER 2014	CTICC, Cape Town
■ 10 SEPTEMBER 2014	Radisson Blu Hotel, Port Elizabeth
■ 11 SEPTEMBER 2014	Hilton Hotel, Durban
■ 30 SEPTEMBER 2014	The Forum/The Campus, Bryanston
■ 01 OCTOBER 2014	CSIR Convention Centre, Pretoria
■ 02 OCTOBER 2014	UFS, Bloemfontein

## seminar topics

- Dismissal for misconduct, incompetence, incompatibility and ill health
- Group misconduct
- Using polygraph evidence
- New developments regarding temporary contracts and temporary employment services
- Discrimination in employment: the effect of the EEA amendments
- Equal pay for equal work
- New defences against claims of unfair discrimination
- Affirmative action: beyond *Barnard v SAPS*

- Measuring compliance with the EEA: the effect of the new s 42
- Sexual harassment in the workplace
- Outsourcing and s 197 of the LRA
- Changing terms and conditions of employment: the death of *NUMSA v Fry's Metals*?
- What counts as a fair reason for retrenchment?
- Dismissal for strike-related misconduct
- Holding unions liable for the wrongful conduct of their members
- New LRA & BCEA provisions regarding organisational rights
- The Employment Services Act: how does it impact on employers?
- The difference between insubordination and mere exercise of rights by employees

## comprehensive reference material

All topics highlighted during the seminar will be comprehensively covered in *Juta's Annual Labour Law Update* print and CD-ROM publications, featuring handy section breakdowns including case law, Legislation, Commentary and an overview of key points. The handbook also includes a useful chapter on pension and social security law by Stuart Harrison of ENS.

## who should attend?

**Human resources and labour relations practitioners**

**Legal Practitioners**

**CCMA Commissioners**

**Bargaining council and private arbitrators**

**Line Managers responsible for a HR/LR function**

**Academics**

**For further information:** Please contact Carmen Timm on 021 659 2338/2300 or email: [seminars@juta.co.za](mailto:seminars@juta.co.za)

## provisional programme

08h00	Registration, tea & coffee	13h00	Lunch
08h30	Welcome and introduction	14h00	Strikes, lockouts and collective bargaining
08h35	Individual employment law	15h00	Panel discussion and Q & A
09h45	Dismissal	15h45	Tea Break
10h45	Tea Break	16h00	Q & A continued
11h00	Retrenchments, restructuring and business transfers	16h30	End
12h00	Employment equity and unfair discrimination		