Reinventing Labour Law

About this Publication:

Since the passing of the Labour Relations Act 66 of 1995 the dynamics of the labour market in South Africa and elsewhere have changed dramatically, and many of the assumptions on which the Act was founded no longer apply. Reinventing Labour Law is devoted to a critical review of the first 15 years of the 1995 Act, but it also asks whether the Act is capable of responding to the demands of, and the processes associated with, the modern workplace. Thus, while in many ways this volume reflects on the past, it also tracks the future of labour market regulation in South Africa.

The contributing authors include those who were present when the 1995 Act was first negotiated as well as members of the emerging generation of labour law intellectuals.
Contents Include:

- Editors' preface
- Is South African labour law fit for the global economy? - Bob Hepple
- Labour law beyond employment - Paul Benjamin
- The new unfair labour practice - Rochelle le Roux
- Prisoners of a paradigm: Labour broking, the 'new services' and non-standard employment - Jan Theron
- The relational contract of employment - Tamara Cohen
- Dismissal for misconduct – Ghosts of justice past, present and future - André van Niekerk
- Labour dispute resolution under the 1995 LRA: Problems, pitfalls and potential - Anton Steenkamp and Craig Bosch
- Precedent, separation of powers and the Constitutional Court - Tembeka Ngcukaitobi
- Refining review - Emma Fergus and Alan Rycroft
- The necessary evolution of strike law - Darcy du Toit and Roger Ronnie
- The state of centralised bargaining and possible future trends - Shane Godfrey and Pamhidzai Bamu
- The prohibition of unfair discrimination and the pursuit of affirmative action in the South African workplace - Ockert Dupper and Christoph Garbers
- The evolving relationship between labour law and social security - L G Mpedi
- People with disabilities inside (and outside) the South African workplace: The current status of the constitutional and statutory promises - Marylyn Christianson
- Changing the role of the corporation: A journey away from adversarialism - Dennis Davis and Michelle le Roux
- Linking trade to labour standards: A promising synergy or a double-edged sword? - Debbie Collier and Pamhidzai Bamu
- Reception of international labour standards in common-law legal systems - Halton Cheadle
- Index

Of Interest and Benefit to:

- Academics, South African and foreign
- Labour lawyers
- Judiciary
- Law libraries, South African and foreign