

# Chairing Disciplinary Hearings

**This two-day seminar gives delegates a grasp of how to manage disciplinary hearings effectively while still complying with the many and strict provisions of labour law**

**For the full details about this workshop and for online bookings go to [www.ees.co.za](http://www.ees.co.za)**



## By the end of the seminar the delegates will understand:

- ◆ What is meant by dismissal and unfair dismissal
- ◆ The key aspects of the laws of discipline and dismissal
- ◆ The requirements of substantive and procedural fairness
- ◆ The steps to follow when chairing a disciplinary hearing
- ◆ How to arrive at a disciplinary decision that fits the evidence heard and complies with labour law requirements

## About your expert presenter

**IVAN ISRAELSTAM** is a labour law and industrial relations specialist with an honours degree from The University of the Witwatersrand and an IPM diploma in Personnel Management and in Training. In addition to his 24 years of hands-on work in this field, he is a regular labour law columnist for a number of newspapers and journals including "The Star" newspaper's "Workplace".

Ivan was appointed in 1996 as a part time commissioner with the Commission for Conciliation, Mediation and Arbitration. He speaks regularly on television and radio and at conferences and seminars on subjects including labour law, Affirmative action, discipline, union negotiations and conflict management. Ivan is currently on SACOB's Labour Affairs Committee and the main author of the "Labour Law for Managers Practical Handbook".

In recognition of his distinctive contribution in this field Ivan has been included in the book "Who's Who in Southern Africa".

## Quotes from previous Chairing Disciplinary Hearings workshops

**"I thought I had ample knowledge, but the workshop proved otherwise i.e. I gained a lot of knowledge!"** *A. Manamela, Bader S.A.*

**"Mr Israelstam knows his subject very well and is a skilful trainer. We were not only taught what and how to prepare and conduct a hearing but we also became aware of how little attention hearings get in the workplace."** *Kobie McKechnie, Exclusive Books Library Division*

**"Clear, easily understood presentation. Excellent examples given. Practical exercises very beneficial to general understanding. Facilitator is very knowledgeable in the field."** *Bianca Mackenzie, SASFIN*

**"Great insight into labour relations as a whole! I feel I have got more out of this course than I expected."** *Tony Theobald, Afrimix Readymix Concrete*

**"Good training material, with practical applications to the working environment, and a very qualified and experienced presenter. I got what I came for and more. Thank you Ivan, you were great!"** *Attendee*

**"Very interactive with the opportunity to ask questions as we went along. Ivan has a lot of knowledge on the topic which he doesn't mind sharing. The course showed me all the areas that we seriously are lacking in our company and it gave me the knowledge to ensure that our processes are rectified and done correctly. I believe this course will give me the knowledge to ensure that our losses at the CCMA will become less."** *Lucelle De Meyer, Komatsu S.A.*

**"Loads of information. Great course."** *Gerhard Erasmus, Sodexo S.A.*

**"Experienced facilitator – thorough and knowledgeable. Well delivered material – pertinent and to the point. Friendly staff and nice venue."** *Gregory Pooke, Teljoy*

**"I came to this workshop not having chaired a disciplinary hearing, but now I have all that it takes to chair a disciplinary hearing."** *Victor Majola, Mokothwa Construction*

**"Being able to see the process and making sense of all the steps one has to take. Just to be in the same room with Ivan was a positive. The gentlemen is a GURU."** *Luyanda Maratha, Matlejoane Staffing Service*

**"The venue is accessible and appropriate. The course is interesting and exceeded my expectations. Keep it up."** *Lindelo Matya, Intersite Property Management*

### Day 1

#### KEY PROVISION OF THE LABOUR RELATIONS ACT (LRA)

- ◆ Procedural and substantive fairness
- ◆ Employer becomes the accused
- ◆ Reinstatement and compensation

#### DISCIPLINARY AND APPEAL HEARINGS

- ◆ The accused's procedural rights
- ◆ The hearing process
- ◆ Evidence that is not permissible
- ◆ Questioning methods allowed and prohibited
- ◆ Appeals
- ◆ Practical exercises

### Day 2

#### FAIR REASON FOR PENALTY (SUBSTANTIVE FAIRNESS)

- ◆ What is a fair reason for discipline?
- ◆ Rules of conduct
- ◆ How to arrive at a fair decision
- ◆ The scales of justice
- ◆ Mitigating/aggravating factors
- ◆ The corrective action or penalty
- ◆ Practical exercises

### Who should attend this workshop?

- ◆ Industrial Relations Managers
- ◆ HR Managers/Directors
- ◆ Operations Managers
- ◆ Financial Managers/Directors
- ◆ Senior Supervisors
- ◆ Line Managers
- ◆ Personnel Managers
- ◆ Legal Advisors
- ◆ Collective Bargaining Officials

#### WE OFFER THE FOLLOWING DISCOUNTS AND SPECIAL OFFERS (BUT NOTE THAT YOU CANNOT COMBINE DISCOUNTS 1, 2 AND 4!)

1. Full payment **seven working days from the date of your invoice** gets you a 10% discount!
2. Should you be interested in attending a specific workshop that is not presented in your area, and you need to fly and stay over, we offer you 20% discount on that event.
3. Register three delegates for an event and a **fourth delegate may attend free of charge.**
4. A 35% discount to NGOs.



Name of workshop/seminar: \_\_\_\_\_

Date of workshop/seminar: \_\_\_\_\_

Fees per delegate: \_\_\_\_\_

**Delegates' details**

No	First name	Surname	Designation	Cell phone number	Email Address
1.					
2.					
3.					
4.					

**WE OFFER THE FOLLOWING DISCOUNTS AND SPECIAL OFFERS (BUT NOTE THAT YOU CANNOT COMBINE DISCOUNTS 1, 2 AND 4!)**

1. Full payment seven working days from the date of your invoice gets you a 10% discount!
2. Should you be interested in attending a specific workshop that is not presented in your area, and you need to fly and stay over, we offer you a 20% discount on that event.
3. Register three delegates for an event and a fourth delegate may attend free of charge.
4. A 35% discount to NGOs.

Organisation: \_\_\_\_\_

Email: \_\_\_\_\_

Vat registration: \_\_\_\_\_

Special dietary requirements: \_\_\_\_\_

Postal address: \_\_\_\_\_

Disabilities: \_\_\_\_\_

\_\_\_\_\_ Code: \_\_\_\_\_

Contact person: \_\_\_\_\_

Tel: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

I have accepted the conditions printed below (please tick):

FAX THE COMPLETED REGISTRATION FORM TO RYAN AT (011) 726 2400.  
 ENQUIRIES: Phone Ryan (011) 726 3040 or e-mail him at [ryan@ees.co.za](mailto:ryan@ees.co.za)

**PAYMENT (PLEASE NOTE THAT FEES ARE PAYABLE PRIOR TO THE START OF THE WORKSHOP):**

**Electronic Transfers:**

**Bank:** FNB **Branch:** Northcliff **Branch Code:** 253 705 **Account No:** 62063883964

**Account Holder:** Equity Compliance and Solution (Pty) Ltd

**Cheques** to be made payable to *Equity Compliance and Solution*.

Once payment has been made, please fax through proof of payment. Please do not mail any payments.

**TERMS AND CONDITIONS**

1. **Cancellations:** Should you be unable to attend, we will accept your written cancellation by no later than 7 working days prior to the start of the workshop, in which event a cancellation fee of 25% will be charged. Thereafter, we regret we are unable to refund any fees, although in such cases we would be happy to welcome a colleague who would substitute your attendance or keep the credit for a following workshop with the same monetary value. Please note that the cancellation fee of 25% will still apply in such event. All cancellations must be confirmed in writing. 'No shows' on the dates of the workshop are still liable for the full payment. This clause also applies where we have received your registration form, invoiced you and awaiting your payment.

2. **EES-SIYAKHA** cannot guarantee that all events will go ahead as advertised, and as a result is not liable for any transportation or accommodation costs incurred related to the prospective attendance of an event that does not go ahead on the advertised date, in the absence of written confirmation from **EES-SIYAKHA** of the course proceeding on the relevant date (which will be furnished upon request in such event).