



**SAEFA**

SA ENGINEERS AND  
FOUNDERS ASSOCIATION

# Effective Workplace Discipline: Getting It Right, From Counselling to Dismissals

Avoid the mistakes which could potentially cost your business

Section 185 of the Labour Relations Act gives all employees the right not to be unfairly dismissed. Yet many employers still make fundamental mistakes when taking corrective action against their employees. As an employer, there is nothing more frustrating than having to compensate or reinstate an employee who has broken your rules. The key to successful workplace discipline starts with understanding the principles of progressive discipline and ensuring you know the procedural requirements to ensure fairness.

All too often, employers are ill prepared when taking disciplinary action against troublesome employees, particularly when it comes to conducting disciplinary enquiries. Even if you have experienced expert consultants available to chair such enquiries, things will not go your way unless you prepare thoroughly and present a well prepared, structured case to maximize your chances of success.

SAEFA, in association with Gordon Angus and Associates, is running a one-day workshop to guide employers through the discipline provisions of the Labour Relations Act.

## Topics covered

### Fair and effective discipline

- Management's disciplinary authority
- The role of discipline
- Employer and employee duties to a company
- Disciplinary rules and standards
- Sanctions
- Disciplinary procedures
- Issuing of warnings

### Dismissal and the Labour Relations Act

- What is a 'dismissal'?

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Executive Director ✉gordon@saefa.co.za 📞(011) 678 0021 / 083 412 1437

Registered Employer Organisation LR2/6/3/55  
59 Austin Road, Northcliff, Johannesburg, 2195



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- Fair reasons (substantive fairness)
- Fair procedure (procedural fairness)
- Onus
- Unfair dismissal, automatically unfair dismissal and remedies for both

## How to conduct a fair disciplinary enquiry

- Requirements of a fair hearing
- Preliminary investigation to collect evidence
- Notification
- Formulating the charge
- Employee rights
- Using checklists as a tool
- How to conduct a disciplinary enquiry – the process
- The key roles and characteristics of participants at a disciplinary enquiry
- Closing statements
- Verdict
- Mitigation and aggravation
- Penalty
- Testing fairness
- Appeal procedure
- Fair enquiry guidelines and consequences of unfairness

## Practical guidance on dealing with common disciplinary problems in the workplace

- Absenteeism and poor timekeeping
- Sick leave abuse
- Theft/unauthorised use or removal of company property
- Insubordination/refusal to carry out lawful and reasonable work instructions
- Assault
- Intoxication

### Presenter

The course will be facilitated by Gordon Angus and Chloe Hoffmann. Gordon has 16 years' experience in industrial relations and has trained and guided many companies on the implementation of effective discipline. Chloe received her Bachelor of Arts degree and LLB with distinction from Rhodes University and, thereafter, went on to complete a Master's of Law degree at Wits University, which she received *Cum Laude* in 2016. During her studies,



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she received numerous awards, including the Shirley Ritchie Award for best female student entering the final LLB year, the Brian Peckham Memorial Prize as the best student in Environmental Law, the Phatshoane Henney Incorporated medal awarded for obtaining an LLB degree with distinction, and the Rhodes Investec Top 100 for academic excellence. Chloe completed her articles at the Wits Law Clinic, where she worked closely with labour attorneys and gained invaluable experience in labour law and representing clients in labour disputes.

### Date and Venue

Wednesday, 21 August 2019, Birchwood Hotel & OR Tambo Conference Centre, Viewpoint Street, Boksburg.

### Times

08h00	Registration, tea and coffee
08h30	Start
10h30	Tea break
12h30	Lunch
15h00	Afternoon tea break
16h30	Finish

### Fee per delegate (Ex VAT)

R2 900	Members
R3 600	Non-members

For more information or to book, please contact Gordon at [gordon@saefa.co.za](mailto:gordon@saefa.co.za) or Charlene at [charlene@saefa.co.za](mailto:charlene@saefa.co.za)

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Wednesday, 21 August 2019

To make a booking, please complete the table below and email to [gordon@saefa.co.za](mailto:gordon@saefa.co.za) or [charlene@saefa.co.za](mailto:charlene@saefa.co.za)

Name:	Company:	Contact Number	Email Address:
Company Addresses (Postal and physical):			
1.			
2.			
VAT Number:			
Special dietary requirements (please specify):			
Names of Delegates:			
1.		2.	
3.		4.	
5.		6.	
Are you a SAEFA Member?		Yes	No