



The New Code of Good Practice on Dismissal

DATE: 6 February 2025

VENUE: Virtual via Zoom

TIME: 13h00 - 15h00

PRICE: R950 excl. VAT

All online courses are subject to minimum delegate numbers

Unlock Workplace Discipline Mastery: Join Our Exclusive Labour Law Pop-Up Webinar

Discover the game-changing Code of Good Practice on Dismissal, recently published under the Labour Relations Act, and learn how to align your workplace policies with the latest legal standards.

Why Attend?

This webinar provides a comprehensive understanding of the newly published Code, which reshapes workplace discipline and dismissals across all three categories:

- **Misconduct**
- **Incapacity**
- **Operational Requirements**

Learn how this Code promotes a **decriminalised approach** to workplace discipline, moving beyond outdated formalities to foster efficient and fair procedures.

What You'll Gain:

- **Expert Insights:** Understand the nuances of the Code, including its emphasis on dialogue, reflection, and flexible processes for dismissal.
- **Actionable Takeaways:** Identify policy, practice, and procedural changes to align your organisation with legal requirements while making processes more expedient.
- **Guidelines on Implementation:** Practical advice for negotiating out of onerous contractual provisions and amending disciplinary codes to embrace flexibility.

Topics Covered:

1. The shift from the 'criminal justice model' to the 'decriminalised approach' in workplace discipline, highlighting:

- Movement toward principle-based guidelines from rigid procedures
- Enhanced emphasis on corrective approaches
- Integration of progressive discipline principles
- Focus on reasonable standards over specific timeframes
- Reduced emphasis on court-like procedures

2. The reduced necessity for formal enquiries and hearings in specific cases, incorporating:

- Flexibility in procedural requirements
- Recognition of informal resolution methods
- Emphasis on principle-based approaches
- Balance between fairness and efficiency
- Contextual consideration of circumstances

3. The flexibility to tailor dismissal procedures based on the employer's size and the nature of misconduct, featuring:

- Special provisions for small businesses
- Recognition of limited HR resources
- Reduced administrative burden
- Accommodation of operational realities
- Maintenance of fairness principles

4. Insights into dismissals due to operational requirements and the inclusion of Annexure A, addressing:

- Integration of consultation requirements
- Structured approach to retrenchments
- Clear selection criteria guidance
- Enhanced protection through proper process
- Comprehensive documentation requirements

5. Key judgments supporting this transformative approach to workplace discipline, including:

- Precedent-setting cases on fairness principles
- Development of consistency requirements
- Evolution of procedural standards
- Integration of business context considerations
- Balance between employer and employee rights

6. Practical guidance for interpreting the Code and implementing policy changes, encompassing:

- Consolidated guidance in single document
- Clearer decision-making framework
- Enhanced documentation requirements
- Improved probation management
- More effective performance management
- Structured dispute resolution framework