



Information pack

This document details the Practical Labour Law course presented by GetSmarter and the University of Cape Town.

The Professional Development Project of the Faculty of Law, University of Cape Town, in conjunction with GetSmarter, is pleased to offer the **UCT Practical Labour Law course**. The course meets the high and exacting standards of the University of Cape Town.

Need for the course:

Labour legislation in South Africa is one of the biggest challenges facing businesses in all industries today. There is a maze of labour legislation governing correct practices and procedures that changes on a regular basis. Implementing unsound or outdated human resource practices in the workplace can result in costly and time-consuming battles with staff down the line.

About GetSmarter:

GetSmarter is a specialist online training company that works together with top universities and industry experts to present professional short courses throughout South Africa.

About the course:

This highly practical 8-week online course, presented in English, deals extensively with all facets of applicable South African labour law. The course focuses on the practical application of good business practice, procedure and governance in the workplace, which helps you get the best out of your staff and ensures that you avoid the Commission for Conciliation, Mediation and Arbitration (CCMA) and labour courts in the future.

About the Course Convener:

Carol Tissiman is an authority in the field of South African labour law. For the past 28 years, Carol has acted as an HR consultant to large and medium-sized businesses, consulting firms, local authorities, franchise operations, NGOs and public sector entities. Carol's thorough and practical understanding of labour legislation has led to her compiling and producing operating policies and procedure manuals, as well as staff recruitment processes and performance management.

Who should attend:

The course is suitable for anyone who deals with employment law issues in the workplace. This includes small-business owners and managers, HR personnel, supervisors, foremen, managing partners of professional firms, franchise owners and managers and factory managers.

Course modules:

The following modules are covered during the course:

- Module 1: Introduction to labour law
- Module 2: The employment contract, basic conditions of employment and termination of employment
- Module 3: Workplace discipline and automatically unfair dismissals
- Module 4: Dismissal for misconduct and poor performance or incapacity
- Module 5: Dismissal for operational requirements, closures, mergers and sale of business
- Module 6: Unfair labour practice and employment equity

Module 7: An introduction to collective labour law and industrial action
Module 8: Dispute resolutions and CCMA procedures

*See Appendix A for a detailed overview of each module.

Entry requirements:

Students must have a current email account, must have access to a computer, and must be able to read documents in Adobe PDF, create documents in Microsoft Word and access the internet. A matric certificate is recommended, but is not required.

Course delivery:

The course is conducted online through the **GetSmarter Learning** website. (<http://www.getsmarter.co.za/learning>)

Each module is divided into the following components:

- Course notes
- Video lectures
- Discussion forum
- Online multiple-choice quiz
- Module assignment
- Further reading and references

For the duration of the 8-week course, a new module is released to the student group each Monday. Students complete each week's module by working through all of the components listed above. Proactive support is provided to all students by the Course Convener, Carol Tissiman, and the Course Coordinator, Arlene Lanser.

Award of the certificate:

Certificates can only be awarded to those students who obtain a combined final mark of at least 50% for the assignments. Successful students will receive the University of Cape Town's (Law@Work) Certificate in Practical Labour Law.

Course dates:

Registrations close: 27 August 2010
Course starts: 6 September 2010

A course calendar is available on request.

Payment details:

Course fee: R6,500 (excl. VAT)
Payment deadline: 27 August 2010

A 10% discount is offered to groups of 3 or more when arranged with GetSmarter staff.

How to register:

Four-step registration process

1. Visit www.getsmarter.co.za.
2. Click "Practical Labour Law" on the left menu and then click "Register Now".
3. Complete the online registration form.
4. You will receive confirmation of registration by email and SMS within 24 hours.

Payment details:

The following payment options are available:

- 1. Once-off payment**
R7,410 on registration or by 27 August 2010
- 2. Two-month payment plan**
R3,800 on registration or by 27 August 2010
R3,800 by 30 September 2010

GetSmarter accepts payments by direct deposit, electronic funds transfer (EFT) and credit card (Mastercard and Visa). Students opting to pay by credit card will be contacted by phone to obtain their credit card details. Students opting to pay by direct deposit and EFT are required to use their name and surname as a reference.

Non-South African students should contact GetSmarter for payment details.

Banking details:

Account name: GetSmarter
Bank: Standard Bank
Branch: Claremont
Branch code: 025109
Account number: 07 251 0684
SWIFT code: SBZAZAJJ

Contact details:

Should you have any queries, please contact Abby at GetSmarter:

Contact: Abby
Tel: 021 685 4775
Fax: 021 685 4883
Email: abby@getsmarter.co.za

Appendix A

The table below describes each of the 8 modules covered in the course.

Module 1: Introduction to labour law
This module provides an understanding of the background to and origins of labour law in South Africa. It introduces the key acts affecting employment and includes key aspects and implications of the Occupational Health and Safety Act (OHSA), Compensation for Occupational Injuries and Diseases Act (COIDA), Unemployment Insurance Fund Act (UIFA) and Skills Development and Levies Act (SDLA).
Module 2: The employment contract, basic conditions of employment and termination of employment
This module covers material dealing with the duties of parties in the employment relationship, the definitions of “employee” and “employer”, and the individual employment contract. It covers the application and enforcement of the BCEA, the regulations on remuneration, working hours, leave, and variation of basic conditions through sectoral determinations and collective agreements. It goes on to cover the methods of termination and introduces the issue of the right to fairness and the statutory definition of “unfair dismissal”.
Module 3: Workplace discipline and automatically unfair dismissals
This module covers material dealing with the role of discipline, rules, sanctions and workplace procedures. It covers the concept of automatically unfair dismissal (in particular Section 187 of the Labour Relations Act), infringement of freedom of association, participation in a protected strike in support of an employer’s demand, victimisation, pregnancy, family responsibility, discrimination, transfers of businesses and protected disclosures.
Module 4: Dismissal for misconduct and poor performance or incapacity
This module covers material dealing with the Code of Good Conduct, substantive fairness, particular disciplinary offences, and procedural fairness in handling cases of dismissal for misconduct. It also covers material dealing with the concept of poor performance, including probationary employees, unsuitability and incompatibility. This module will include material dealing with procedures for dismissal on the grounds of ill health or injury.
Module 5: Dismissal for operational requirements, closures, mergers and sale of business
This module covers material dealing with the concept of operational requirements. It deals with the requirements of consultation, disclosure of information, selection criteria, severance pay, and the requirements laid down in section 189 and 189A of the LRA for the large-scale dismissal by a large employer, and the resolution of disputes in this regard. It also covers material for dealing with common law and the obligations of employers and requirements of section 197 of the LRA in relation to transfer of business.

Module 6: Unfair labour practice and employment equity

This module covers material dealing with the relevance and definition of “unfair labour practice”, “unfair conduct”, “promotion” and “demotion”, “provision of benefits”, “disciplinary action short of dismissal”, “unfair conduct relating to probation”, “training”, “variations on conditions of service” and “refusal to re-instate”. It includes remedies for and resolutions of unfair labour practices. It also covers material dealing with prohibition of unfair workplace discrimination and affirmative action.

Module 7: An introduction to collective labour law and industrial action

This module covers material dealing with freedom of association, organisational rights, bargaining councils, collective bargaining, bargaining forums, and the bargaining process and collective agreements. It goes on to cover material including strikes and protest action.

Module 8: Dispute resolutions and CCMA procedures

This module covers material dealing with the requirements and extent of protection, options for employers, the dismissal of unprotected strikers, and rights and requirements with regard to lock-outs. It also covers material dealing with preparation for disciplinary enquiries, presenting evidence, and procedures for dispute resolution, the CCMA, and the Labour Court.

We hope to welcome you to the course!