

## **BASIC LABOUR LAW**

US 13952 / NQF Level 4 / 8 Credits

Understanding the legal context in which labour is engaged enables managers to maximise employee satisfaction levels and balance this with performance for the benefit of the business.

### **WHO SHOULD ATTEND**

- Team leaders
- Supervisors
- Managers
- Business owners
- HR Support staff

### **HOW YOU WILL BENEFIT**

- By understanding labour law, delegates will be able to confidently maximise employee performance without being exposed to falling foul of the law
- Delegates will grasp that labour law is not something to be afraid of, but rather to be embraced as it protects all parties
- Application of the law in the workplace will be more consistent and structured
- Staff will respect the fair and consistent application of HR principles

### **WHAT WILL BE COVERED**

- Legislation, and the various legislations affecting labour
- Fairness
- Managing performance
- Dismissals and the process involved
- The Labour Relations Act (LRA) including taking disciplinary action
- The CCMA and resolving disputes
- Conducting interviews – the process and what is permissible
- The Basic Conditions of Employment Act
- The Employment Equity Act
- The Skills Development Act – including Workplace Skills plans and ongoing learning

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Three Day Course  
8:30am – 4:00pm

Refreshments and a light, finger lunch will be served at our public course  
[sales@kznbtc.co.za](mailto:sales@kznbtc.co.za) or (031) 267 1229 for bookings and further information

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<p align="center"><b>Module 1</b></p> <p align="center">Identify the legislation that regulates employment issues</p>	<p align="center"><b>Module 2</b></p> <p align="center">Demonstrate understanding of the main aspects of the Labour Relations Act (LRA) (as amended) that relate to the management of a business unit</p>
<ul style="list-style-type: none"> <li>• Name the six main pieces of labour legislation and give an indication of who is covered by each Act</li> <li>• Analyse the six Acts and give an indication of how the six pieces of legislation interact and support the South African Constitution</li> <li>• Explain the scope and application of each Act at a basic level of understanding</li> </ul>	<ul style="list-style-type: none"> <li>• Explain the concept of freedom of association with reference to employers and employees</li> <li>• Explain organisational rights protected by the LRA with reference, where appropriate, to Trade Unions that are active in specific sector</li> <li>• Explain the concept of an unfair labour practice with examples</li> <li>• Graphically illustrate internal policies and procedures within an organisation that may be used to resolve a dispute or grievance</li> <li>• Explain the importance of handling internal conflict and grievances to prevent unfair labour practice disputes arising and give an indication of the consequences of unfair labour practice for the organisation</li> <li>• Explain the role of a workplace forum and give an indication of who should be represented in such a forum</li> <li>• Explain the function of the Council for Conciliation, Mediation and Arbitration (CCMA) with reference to its role in dispute resolution</li> <li>• Explain the concept of automatically unfair dismissal with examples</li> <li>• Explain the steps to be taken to ensure that dismissals are substantively and procedurally correct and fair with reference to the LRA and the Code of Good Practice on Dismissal and human resource policies of an organisation</li> <li>• Document evidence that could support a recommendation for dismissal in accordance with the human resources policies of a specific organisation</li> <li>• Describe the steps to be followed to ensure procedural fairness in cases of misconduct with reference to the LRA and the disciplinary process of a specific organisation</li> <li>• Describe the procedures to be followed at a disciplinary hearing with reference to the LRA and the policy of a specific organisation</li> </ul>

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<p align="center"><b>Module 3:</b></p> <p align="center">Explain the requirements of the LRA in respect of interviews</p>	<p align="center"><b>Module 4:</b></p> <p align="center">Demonstrate understanding of aspects of the Basic Conditions of Employment Act (BCOE) (as amended) that business unit managers might be responsible for implementing</p>
<ul style="list-style-type: none"> <li>• Identify the documents that are required to ensure that interviews are conducted strictly in accordance with the LRA and give an indication of how each document helps to ensure fair labour practice</li> <li>• Compose questions to be asked in an interview relating to work specific criteria for a specific position and give an indication of why it is necessary to prepare such questions before the interview</li> <li>• Explain the concept of discrimination with examples</li> <li>• Name the criteria that automatically indicate unfair discrimination and give an indication of how managers can inadvertently discriminate unfairly in an interview</li> <li>• List practices specifically defined as unfair in the LRA and give an indication of why each practice is considered to be unfair labour practice</li> <li>• Discuss questions that are unacceptable in any interview with a prospective employee and give an indication as to why such questions could be regarded as discriminatory</li> </ul>	<ul style="list-style-type: none"> <li>• Explain the concept of an employee and give an indication of how status as an employee is determined</li> <li>• Explain regulations relating to working hours and give an indication of how the requirements of the Act are applied in a specific organisation</li> <li>• Explain the policy in a specific organisation regarding payment for overtime and give an indication of the people in a business unit who qualify for overtime payment</li> <li>• Explain the regulations relating to breaks during hours of work and give an indication of when, if ever, the employees in a business unit may be required to work during a meal interval</li> <li>• Explain the leave entitlement under the Act and give an indication of how leave is affected in a specific organisation</li> <li>• Explain the conditions for termination of employment prescribed by the Act and apply it to a specific employment contract</li> <li>• Explain the consequences if a business unit manager provides information about employees to prospective employers or other persons and give an indication of the kind of information that is required in a certificate of service</li> </ul>

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<p align="center"><b>Module 5:</b></p> <p align="center">Demonstrate understanding of the Employment Equity Act (EEA) as it applies in a business unit</p>	<p align="center"><b>Module 6:</b></p> <p align="center">Demonstrate understanding of the Skills Development Act, 97 of 1998 and the Skills Development Levies Act as they apply in a business unit</p>
<ul style="list-style-type: none"> <li>• Explain the requirements placed on employers by the EE Act with reference to an organisation's employment equity plan</li> <li>• Explain the process to be followed in implementing employment equity with reference to the policy of a specific organisation and the role of managers in a business unit</li> <li>• Explain the role of the employment equity committee and give an indication of who should be represented on that committee</li> <li>• Analyse the employment policy and practices in a business unit and give an indication of how the business unit complies with the Act and the specific organisation's EE plan</li> <li>• Identify barriers that adversely affect disadvantaged people in a specific organisation and a business unit within that organisation</li> </ul>	<ul style="list-style-type: none"> <li>• Explain the requirements placed on employers by the Skills Development Act with reference to an organisation's workplace skills plan and annual training report</li> <li>• Explain the requirements placed on employers by the Skills Development Levies Act with reference to an organisation's workplace skills plan and the claiming back of levies for training purposes</li> <li>• Explain the process to be followed in contributing to an organisation's workplace skills plan with reference to the policy of a specific organisation</li> <li>• Explain the concept of learnerships and give an indication of how learnerships could be promoted in a specific business unit</li> <li>• Explain the concept of lifelong learning and give an indication of how learning can be facilitated in a specific business unit</li> <li>• Explain the role of the training committee with reference to the role of the committee in the skills' development process</li> <li>• Explain the role of the SETAs in terms of the legislated relationship between the SETAs and employers</li> <li>• Compile the reports that are required by a SETA in terms of the Skills Development legislation for incorporation into the organisation's report</li> <li>• Explain the levies/grant system of a selected SETA and calculate the levy that a business unit would be entitled to based on the submitted report and the rules of the relevant SETA</li> </ul>

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