

# CHAIRING A DISCIPLINARY HEARING

US 10985 / NQF Level 6 / Non-Credit Bearing

## ***Conduct fair and legally defensible disciplinary hearings***

A poorly chaired disciplinary hearing can be costly, leading to overturned decisions, CCMA disputes, and reputational damage for your organisation. A fair and procedurally sound disciplinary process is not just a legal requirement but a key component of workplace justice.

This course provides the knowledge and practical skills needed to confidently chair disciplinary hearings that uphold fairness and compliance with labour legislation.

Gain insight into the legal principles, procedural steps, and decision-making factors that ensure your hearings stand up to scrutiny.

### **WHO SHOULD ATTEND**

- Managers, business owners, and HR professionals responsible for employee discipline
- Team leaders and supervisors involved in disciplinary procedures
- Anyone required to chair disciplinary hearings or ensure adherence to labour legislation

### **HOW YOU WILL BENEFIT**

- Ensure compliance with Labour Relations legislation to avoid costly legal disputes
- Gain confidence in handling disciplinary matters professionally and fairly
- Reduce time spent at the CCMA by following correct procedures
- Approach disciplinary hearings as structured management tasks rather than reactive crises
- Develop the skills to make fair, well-documented, and legally defensible decisions

**Continued...**

*One-day course 08:30 - 16:00*

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## **WHAT WILL BE COVERED**

### **Understanding the legal framework for Disciplinary Hearings**

- The Labour Relations Act and Schedule 8: Code of Good Practice
- Defining substantive and procedural fairness in disciplinary hearings
- Grounds for fair dismissal: misconduct, incapacity, and operational requirements
- The disciplinary process: from transgression to final decision
- Common mistakes that lead to CCMA overturning decisions

### **Preparing for and conducting a Disciplinary Hearing**

- The role and responsibilities of the chairperson
- Preparing the necessary documentation and ensuring procedural compliance
- Structuring the hearing: opening statements, evidence presentation, and questioning
- Employee rights, representation, and procedural safeguards
- Managing witnesses, cross-examinations, and hearing dynamics

### **Making legally defensible decisions**

- Evaluating evidence and applying the balance of probabilities
- Determining appropriate sanctions: mitigating, aggravating, and extenuating factors
- Documenting decisions: writing clear, justified, and legally sound findings
- Communicating outcomes and handling appeals effectively
- Best practices to ensure decisions stand up to CCMA scrutiny