



MANDELA INSTITUTE

INDIVIDUAL LABOUR LAW PRACTICE

Postgraduate
Certificate Course

R12 500
INCLUDING VAT

7
DAYS

DAILY
LECTURES
08:30 – 16:30

16–23 JANUARY
OR
24 – 31 JULY

UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG



WITS
SCHOOL OF LAW

INDIVIDUAL LABOUR LAW PRACTICE

Description	The Individual Labour Law Practice postgraduate certificate course examines individual Labour Law rights in South Africa. To this end it focuses on common law contractual rights, the Constitution of the Republic of South Africa, 1996 ('the Constitution') and statutory protection in terms of the Labour Relations Act 66 of 1995, the Basic Conditions of Employment Act 75 of 1997, the Employment Equity Act 55 of 1998, the Skills Development Act 97 of 1998 and the Occupational Health and Safety Act 85 of 1993. This course can be taken on its own or as part of the Labour Dispute Resolution practice certificate course.	
Outcomes	<p>At the end of the course students should be able to:</p> <ul style="list-style-type: none"> • Discuss the history of the struggle for individual Labour Law rights and its provisions in the Constitution • Explain the various sources of Labour Law • Define and discuss the scope of basic rights and duties arising from the Labour Relations Act • Identify who an employee is • Appraise and distinguish key provisions and rights arising from the Basic conditions of Employment Act and the Skills Development Act • Appraise and distinguish the concept of employment equity and key provisions pertaining to affirmative action and unfair discrimination 	<ul style="list-style-type: none"> • Assess and evaluate the meaning of dismissal and the procedural and substantive requirements that need to be satisfied when dismissing an employee for misconduct, incapacity or operational requirements • Discuss, analyse and evaluate what an unfair labour practice is • Discuss, analyse and evaluate what an automatically unfair dismissal is • Distinguish between the relevant remedies that are available to an employee who has been unfairly dismissed, and • Discuss, analyse and evaluate the dispute resolution process applicable in individual Labour Law disputes.
Content	<p>The course consists of the following modules:</p> <ul style="list-style-type: none"> • Introduction to the systems and structures of Labour Law (including jurisdictional issues) • Distinguishing between individual & collective Labour Law • Individual Labour Law and the global context, individual Labour Law and the Constitution • Sources of Labour Law • The meaning of employee • The labour broker relationship • The meaning of dismissal, substantive and procedural fairness in unfair dismissal disputes 	<ul style="list-style-type: none"> • Dismissals on the basis of misconduct, incapacity and operational requirements • Automatic unfair dismissals • Distinguishing between misconduct, incapacity and operational requirements (including remedies and procedure) • Pre-dismissal arbitrations • Unfair labour practices • Dispute resolution processes in individual Labour Law disputes; • Individual employment rights and obligations arising from the Basic Conditions of Employment Act • Employment equity, affirmative action and unfair discrimination, and • The Skills Development Act.
Assessment	Research assignment and examination.	
Certificate Criteria	<p>The following certificates can be obtained:</p> <ul style="list-style-type: none"> • <i>Certificate of Competence</i>: To obtain a certificate of competence, students are required to attend and participate in 75% of the lectures and to complete the assessments as required in the course. • Please note that a Certificate of Attendance is not available for this course. 	
Accreditation	This postgraduate certificate course is accredited by the university in accordance with its statutory mandate. It does not lead to a qualification registered on the National Qualifications Framework. No credit may be granted towards the PG Dip in Law or LLM degrees.	
Course Dates	This is a block release course where participants attend daily lectures from 08:30 to 16:30 during the period 16 to 23 January 2021 OR 24 to 31 July 2021 (excluding the Sundays).	
Venue	Chalsty Teaching and Conference Centre, Oliver Schreiner School of Law, University of the Witwatersrand, Johannesburg, West Campus, Wits.	
Cost	R12 500 including VAT	
Covid-19 Arrangements	Courses will be delivered through online lecturing should lockdown regulations prevent contact classes. Students are required to have basic computer skills and stable internet connection.	

Detail	Information
Entry Requirements	<ul style="list-style-type: none"> A relevant <i>Bachelor of Laws</i> or <i>Bachelor of Commerce in Law</i> or <i>Bachelor of Arts in Law</i> or equivalent qualification is a prerequisite for admission to the postgraduate certificate courses; OR Applicants with any other undergraduate qualifications must complete the bridging course <i>Introduction to Law for Non- Lawyers</i> or equivalent courses first as well as have relevant legal work experience in the specific legal field before they would be considered for other courses. <p>You will be required to submit a copy of your Bachelors Degree, academic record as well as a copy of your identity document or passport. NB: ONLY applicants with an LLB qualification may apply for credit for MI short courses towards the Postgraduate Diploma or LLM degrees. Kindly note that all foreign qualifications must be submitted with a SAQA Evaluation Letter.</p> <p>Applications for the <i>Labour Dispute Resolution Practice</i> courses and applications based on <i>other undergraduate qualifications and work experience</i> need to include the following documents with the completed application form:</p> <ul style="list-style-type: none"> A detailed motivation on why the applicant wants to enrol for the courses A detailed Curriculum Vitae highlighting Certified copies of Qualifications and Academic Records Certified copy of Identity Document or Passport.
How to Apply	<ul style="list-style-type: none"> Complete the Online Application Form on the website. Kindly ensure that you provide all the correct details on the online application form and should your employer be responsible for the payment please complete the relevant section before submitting, as invoices cannot be amended afterwards for employer details. Please also submit all supporting documents as stipulated in the entry requirements with application form.
Application Dates	<p>1st Semester courses: 5 September 2020 to 5 December 2020 2nd Semester courses: 1 April 2021 to 30 June 2021 No late applications will be accepted</p>
Payment of Fees	<ul style="list-style-type: none"> ALL fees must be paid <u>10 days before</u> the start of the semester course or the start of the block release course. Registration is conditional on payment of full tuition fees. The tuition fees are the responsibility of the individual attending the course. For sponsored students, the individual need to ensure that the sponsor or sponsor organisation have enough time to process the payment. After the payment has been made, please ensure that the proof of payment is send.
Cancellation of Courses	<ul style="list-style-type: none"> Cancellation by registrant less than 10 calendar days before the start of the semester/course will result in liability for full payment of the fees. Cancellation by registrant more than 30 calendar days before commencement of the semester/course will result in an administration fee of 15% of the total course fee. Cancellation by registrant after commencement of the semester/course will result in liability for the full amount and forfeiture of all fees paid. The Mandela Institute from the School of Law, University of the Witwatersrand reserves the right to postpone or cancel a course due to lack of demand. In the event of cancellation, or reasonable postponement time, all fees paid will be refunded to the person/entity that made the original payment. Cancellation of Registration can only be done on a Cancellation of Registration Form. Please e-mail us on Mandela.Institute@wits.ac.za to request a Cancellation of Registration Form.
Registration and Enquiries	<p>Senteni Nsibande E mandela.institute@wits.ac.za T +27 11 717 8435 w www.wits.ac.za/mandelainstitute/short-courses/</p>