

SCHEDULE 8 OF THE LABOUR RELATIONS ACT (LRA): CODE OF GOOD PRACTICE ON DISMISSAL

Key Guidelines for Dismissals

Fair Reason for Dismissal:

Must be based on misconduct, incapacity, or operational requirements. Automatically unfair dismissals (e.g., discrimination, protected strikes) are prohibited.

Progressive Discipline:

Employers should use warnings, counselling, and training before dismissal unless the misconduct is severe enough to justify termination.

Probation & Performance Management:

Employers must give reasonable time for improvement and provide counselling and retraining before dismissing for poor performance. Incompetency is also recognised as a form of incapacity.

Operational Requirements (Retrenchments):

Dismissals must result from valid economic or structural needs and follow a fair consultation process with objective selection criteria.

Industrial Action & Unprotected Strikes:

Unprotected strikes are misconduct but don't always justify dismissal. Employers must issue ultimatums and allow time for compliance.

Annexure A – Retrenchment Notice:

Standard template for severance pay, affected employees, and re-employment options.



Pending 2025 Draft Code Amendments

Consistency in Disciplinary Actions:

Minor inconsistencies don't automatically make a dismissal unfair.

Flexibility in Disciplinary Processes:

Small businesses may use simplified procedures, like verbal warnings, instead of formal hearings.

Expanded Fair Sanction Considerations:

Employers must assess the harm caused, rule importance, and employee acknowledgement before deciding on penalties.

Fairness in Misconduct Dismissals:

The process should allow employees to respond and seek assistance without being overly formal.

Recognition of Other Forms of Incapacity:

Factors like imprisonment require alternative considerations before dismissal.

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The Art and Science of Valuing in Psychotherapy JoAnne Dahl, Jennifer Plumb-Villardaga, Ian Stewart, Tobias Lundgren, 2009-07-01 *The Art and Science of Valuing in Psychotherapy* shows therapists how to help their clients discover and commit to their core values, a key process in acceptance and commitment therapy. ACT The book also presents the theory and research behind valuing in psychotherapy.

Complete Guide to Security and Privacy Metrics Debra S. Herrmann, 2007-01-22 This book defines more than 900 metrics measuring compliance with current legislation, resiliency of security controls, and return on investment. It explains what needs to be measured, why, and how to measure it, and how to tie security and privacy metrics to business goals and objectives. The metrics are scaled by information sensitivity, asset criticality, and risk, aligned to correspond with different lateral and hierarchical functions, designed with flexible measurement boundaries, and can be implemented individually or in combination. The text includes numerous examples and sample reports, and stresses a complete assessment by evaluating physical, personnel, IT, and operational security controls.

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