

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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Acceptance & Mindfulness Treatments for Children & Adolescents Laurie A. Greco, Steven C. Hayes, 2008 The essays in *Acceptance and Mindfulness Treatments for Children and Adolescents* which are edited by two luminaries in the field of third wave behavior therapy offer a much needed adaptation of these revolutionary techniques for young people and their families, providing a wealth of new approaches to therapists, counselors, and other helping professionals.

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.

Journal of the House of Representatives of the United States United States. Congress. House, 2010 Some vols include supplemental journals of such proceedings of the sessions as during the time they were depending were ordered to be kept secret and respecting which the injunction of secrecy was afterwards taken off by the order of the House.

Copyright Infringements (audio and Video Recorders) United States. Congress. Senate. Committee on the Judiciary, 1982

Congressional Record United States. Congress, 2000 The *Congressional Record* is the official record of the proceedings and debates of the United States Congress. It is published daily when Congress is in session. The *Congressional Record* began publication in 1873. Debates for sessions prior to 1873 are recorded in *The Debates and Proceedings in the Congress of the United States* 1789-1824, the *Register of Debates in Congress* 1824-1837, and the *Congressional Globe* 1833-1873.

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 Committee on the Judiciary,1987 *United States Code* United States,2018 **Mindfulness for Two** Kelly G.
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Overview and Compilation of U.S. Trade Statutes United States, United States. Congress. House. Committee on Ways and Means, 2001

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Table of Contents Act Practice In The Us Tutorial

1. Understanding the eBook Act Practice In The Us Tutorial
 - The Rise of Digital Reading Act Practice In The Us Tutorial
 - Advantages of eBooks Over Traditional Books
2. Identifying Act Practice In The Us Tutorial
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Act Practice In The Us Tutorial
 - User-Friendly Interface
4. Exploring eBook Recommendations from Act Practice In The Us Tutorial
 - Personalized Recommendations
 - Act Practice In The Us Tutorial User Reviews and Ratings
 - Act Practice In The Us Tutorial and Bestseller Lists
5. Accessing Act Practice In The Us Tutorial Free and Paid eBooks
 - Act Practice In The Us Tutorial Public Domain eBooks
 - Act Practice In The Us Tutorial eBook Subscription Services

- Act Practice In The Us Tutorial Budget-Friendly Options
- 6. Navigating Act Practice In The Us Tutorial eBook Formats
 - ePub, PDF, MOBI, and More
 - Act Practice In The Us Tutorial Compatibility with Devices
 - Act Practice In The Us Tutorial Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Act Practice In The Us Tutorial
 - Highlighting and Note-Taking Act Practice In The Us Tutorial
 - Interactive Elements Act Practice In The Us Tutorial
- 8. Staying Engaged with Act Practice In The Us Tutorial
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Act Practice In The Us Tutorial
- 9. Balancing eBooks and Physical Books Act Practice In The Us Tutorial
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Act Practice In The Us Tutorial
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Act Practice In The Us Tutorial
 - Setting Reading Goals Act Practice In The Us Tutorial
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Act Practice In The Us Tutorial
 - Fact-Checking eBook Content of Act Practice In The Us Tutorial
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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