

Value Added Training

Chairing a Disciplinary Hearing



Qualification Details

COURSE TYPE	Value Added Unaccredited Training
COURSE TITLE	Chairing a Disciplinary Hearing
TARGET AUDIENCE	First-line and middle managers with limited formal HR training
DURATION	2 days
CERTIFICATE TYPE	Attendance
BENEFITS:	Employee wellness, MG spend & B-BBEE

The South African Labour Relations Act (LRA) demands a dual standard for any disciplinary action: Substantive Fairness (a valid reason) and Procedural Fairness (a fair process). This workshop is engineered to ensure that every chairperson acts as a neutral arbiter, capable of balancing company policy with the stringent requirements of Schedule 8 of the Code of Good Practice.

By the conclusion of this programme, participants will be empowered to:

- **Understand the legal** framework governing disciplinary hearings in South Africa.
- **Conduct fair and legally** compliant disciplinary processes.
- **Chair disciplinary** hearings impartially and confidently.
- **Write clear** and defensible outcomes.

Session 1: Legal Framework & Role of the Chairperson

Topics Covered:

Overview of the **Labour Relations Act (LRA) & Schedule 8 Code of Good Practice**

Substantive vs. procedural fairness

Role and responsibilities of a chairperson

Rights of the employer and employee

Activity:

Mini case study on unfair dismissal (e.g. NUMSA v. Fry's Metals)



Assessment Method

- Participation in practical activities and role-plays
- Final quiz (open book, scenario-based)
- Submission of a short personal action plan

Session 2: Disciplinary Process Step-by-Step

Topics Covered:

Initiating disciplinary action

Notice of hearing: What must it contain?

Preparing for the hearing

Understanding charges (based on company policy & legal precedent)

Activity - Group task: Drafting a compliant notice to attend a hearing

Session 3: Chairing the Hearing – Skills and Procedures

Topics Covered:

Procedural steps of a hearing (opening, presenting charges, evidence, cross-examination, closing statements)

Evaluating evidence (probability vs. proof)

Managing difficult personalities and ensuring procedural fairness

Activity - Role play: Chairing a simulated disciplinary hearing with provided script

Session 4: Making and Communicating a Decision

Topics Covered:

Applying the balance of probabilities

Sanctioning principles (progressive discipline, mitigating/aggravating factors)

Writing a disciplinary outcome

Recordkeeping and appeal procedures

Activity:

Write a disciplinary outcome letter from a mock case



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