



Chairing a Disciplinary Hearing

Every chairperson must act as a neutral arbiter, balancing company policy against the substantive and procedural fairness the Labour Relations Act demands.

COURSE TYPE

Short Course

Value added · unaccredited

DURATION

2 Days

Four sessions

CERTIFICATE

Attendance

Issued by Amalga Training

WHO ATTENDS

Line Managers

First-line and middle

About this Course

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. The two days move from the legal framework and the chairperson's role, through initiating and preparing a hearing, into chairing the hearing itself and writing a defensible outcome.

Who Should Attend

Aimed at **first-line and middle managers** with limited formal HR training:

- ▲ **Managers asked to chair** a hearing for a department other than their own.
- ▲ **Supervisors and team leaders** who initiate discipline and must know what the chairperson needs.
- ▲ **Owner-managers and administrators** who run the disciplinary process without in-house HR support.

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

Know the framework

01

Understand the legal framework governing disciplinary hearings in South Africa.

Run a fair process

02

Conduct fair and legally compliant disciplinary processes.

Chair impartially

03

Chair disciplinary hearings impartially and confidently.

Write the outcome

04

Write clear and defensible outcomes.

COURSE PATHWAY ► TWO MODULES ACROSS TWO DAYS, THEN A CERTIFICATE OF ATTENDANCE

1 MODULE

Framework & Preparation

4 Topics

Sessions 1 and 2 — the law, the role and the notice.

2 MODULE

Chairing & Deciding

4 Topics

Sessions 3 and 4 — procedure, evidence, sanction and outcome.



FINAL

Certificate

Attendance

Issued on completion of the two days.

Four sessions in two modules

Sessions 1 and 2 build the legal ground and the preparation that has to be right before anyone sits down. Sessions 3 and 4 cover the hearing itself and the decision that comes out of it. Each session ends in a practical activity.

2
MODULES

4 sessions · 2 days

MODULE 1

Legal Framework & Preparing the Hearing

4 TOPICS

Sessions 1 and 2. Activities: a mini case study on unfair dismissal, and a group task drafting a compliant notice to attend.

- ▶ **The LRA & Schedule 8**
Overview of the Labour Relations Act and the Schedule 8 Code of Good Practice.
- ▶ **Substantive vs Procedural Fairness**
The two standards every disciplinary action must meet, and the rights of the employer and the employee.
- ▶ **Role of the Chairperson**
The role and responsibilities of a chairperson, tested against a mini case study on unfair dismissal (NUMSA v Fry's Metals).
- ▶ **Initiating & Preparing**
Initiating disciplinary action, what a notice of hearing must contain, preparing for the hearing, and understanding charges based on company policy and legal precedent.

MODULE 2

Chairing the Hearing & the Decision

4 TOPICS

Sessions 3 and 4. Activities: a role play chairing a simulated hearing from a provided script, and writing an outcome letter from a mock case.

- ▶ **Procedural Steps of a Hearing**
Opening, presenting charges, evidence, cross-examination and closing statements.
- ▶ **Evidence & Difficult Personalities**
Evaluating evidence (probability versus proof), managing difficult personalities and holding procedural fairness throughout.
- ▶ **Sanctioning Principles**
Applying the balance of probabilities, progressive discipline, and mitigating and aggravating factors.
- ▶ **Outcome, Records & Appeals**
Writing a disciplinary outcome, recordkeeping and appeal procedures.

Certification & Benefits

Assessment is by participation in practical activities and role-plays, an open-book scenario-based quiz, and a short personal action plan. Each delegate receives a certificate of attendance. As value added training, the course contributes to:

- ✓ Employee wellness
- ✓ Mandatory grant (MG) spend
- ✓ B-BBEE skills development