GLOBAL **BUSINESS** SOLUTIONS

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ANNUAL LABOUR LAW UPDATE

The Tipping Point

Eight laws. One AI revolution.
The decisions employers make now will define the next decade of work.

#ALLU2026

THE MOST COMPREHENSIVE LABOUR LAW UPDATE.

INSIGHT. IMPACT. INNOVATION.

EXCLUSIVE VALUE ADDS FOR ALL REGISTERED DELEGATES

- A carefully curated electronic compilation of more than 200 Labour Law cases
- A professionally bound set of presentation slides
- Free Access to our Update BotBuddy for 6 months
- Access to our GBS WhatsApp Community
  Also **6 APSO CPD Points / 8 SABPP CPD Points**
- One month free access to our CPD Webinars
- Free access to our Employment Equity Tool
- Various policy templates

ALL TO THE VALUE OF

OVER R30 000!

★★★★★

BotBuddy

All registered delegates will receive access to the new **BotBuddy**, a practical AI-powered value-add uploaded with all the cases covered in the MLLU and ALLU programmes since 2023.

The BotBuddy will help you:

- Search relevant labour law cases by topic
- Generate case summaries
- Draft practical checklists and policy clauses
- Export useful responses for future reference

It is designed to help you apply the learning long after the session has ended.

THE DEFINITIVE LABOUR LAW UPDATE.
Stay informed.
Stay compliant.
Stay ahead.

EXPERT INSIGHTS.
PRACTICAL SOLUTIONS.
Better decisions.
Stronger workplaces.

ESSENTIAL KNOWLEDGE.
APPLICATION THAT LASTS.
Lead today.
Succeed tomorrow.

SHAPING THE FUTURE OF WORK.
TOGETHER.

Why Attend the Annual Labour Law Update (ALLU)?
South Africa's labour law landscape continues to evolve rapidly, presenting both challenges and opportunities for employers. As court decisions reshape existing legislation and new regulatory requirements emerge, organisations must stay ahead to ensure compliance, manage risk, and foster positive workplace relations. The Annual Labour Law Update (ALLU) is your essential guide to navigating this changing environment.

Led by **Jonathan Goldberg**, Chairman of Global Business Solutions and one of South Africa's leading labour law authorities, ALLU provides expert insights into the latest legal and workplace developments. Drawing on his experience as Labour Market Chamber Convenor at NEDLAC and Ministerial appointee to the National Minimum Wage Commission, Jonathan offers a unique perspective on the forces shaping labour policy and employment relations in South Africa. Supported by **Thembi Chagonda** and **John Botha**, past and present Employment Equity Commissioners.

1. Extensive Learning Resources
Participants will receive comprehensive presentation slides covering all key learning points, together with a carefully curated compilation of **more than 200 Labour Law cases**. During the programme, approximately **40 of the most significant cases** will be analysed in detail, providing practical workplace guidance and actionable insights.

2. Labour Law Review – Major Changes Emerging from NEDLAC
Gain a practical understanding of the significant labour law amendments arising from NEDLAC negotiations and current legislative proposals. These developments will be unpacked alongside current and anticipated case law, highlighting their impact on workplace policies, employment relations, compliance obligations, workforce strategies, and costs.

The review includes proposed amendments to the **LRA, BCEA, UIF Act, NMW Act and EEA**, together with critical developments relating to AI and digital workplace misconduct, foreign nationals, the Employment Services Amendment Bill, and Employment Equity lessons one year into the 5 year dispensation. A dedicated session will also address the contemporaneous implications of the new **Code of Good Practice on Dismissal** and the review of disciplinary policies and procedures. In addition, the **Fair Pay Bill** will be analysed in terms of its impact on job advertising, employee rights to discuss remuneration, and grading.

3. Stay Ahead of the Employment Relations Curve
Explore the latest decisions from the Labour Appeal Court, Labour Court, Constitutional Court, and key arbitration awards shaping workplace practices across South Africa.

These rulings provide valuable guidance across the entire employment lifecycle, including recruitment, employment contracts, assessments, remuneration, skills development, succession planning, misconduct, incapacity, and operational requirements dismissals, discrimination and harassment, strikes and lockouts, retirement, abscondment, and other workplace rights. Understanding these trends before they impact your organisation provides a significant strategic advantage.

4. Comprehensive Legislative and Regulatory Update
ALLU includes focused coverage of the most important statutory developments affecting South African workplaces, including:
- Labour Law Review (LRA, BCEA, UIF Act, EEA and NMW Act)
- Code of Good Practice on Dismissal
- Employment Equity Amendment Act and Ministerial Targets, one year into the 5 year dispensation
- Employment Services Amendment Bill
- Fair Pay Bill
- COID Amendment Act and Regulations
- Digital workplace governance and AI-related challenges
- Protected Disclosures Amendments and the impact on disciplinary and grievance processes

This update brings together the most significant labour law developments expected to impact workplace policies and compliance requirements in 2026 and beyond.

South African Labour Law Update: Key Developments

- **Demotion vs remuneration changes** – distinction between true demotion (rank/status/responsibilities/salary signalling diminished position) and mere restructuring of pay (basic vs allowance), and how this affects unfair labour practice jurisdiction under section 186(2).
- **Transfers and demotion** – when transfers without consultation, and reductions in status/prestige/responsibility (even at same rank/salary), amount to demotion and can be reviewed/set aside.
- **Limits of Labour Court intervention in disciplinary processes** – clarification that there is no general power to stop hearings or stays of dismissal via urgent applications; need to plead a conferring statute and to use section 191 unfair dismissal routes instead.
- **Mootness and appropriate remedies after dismissal** – when urgent relief becomes moot once dismissal is implemented, and why the correct remedy is referral of an unfair dismissal rather than urgent interdicts.
- **Urgent applications as "Stalingrad" or abusive tactics** – judicial criticism of using urgent process to delay discipline and the growing willingness to grant adverse costs for such strategies.
- **Review standard and evidence evaluation** – the consistent emphasis that review is about reasonableness on the totality of the record, not appeal; importance of credibility, probabilities and avoiding speculative findings in arbitration awards.
- **Procedural management of misconduct hearings (postponements, in absentia hearings)** – how repeated postponements, clear conditions and warnings justify proceeding in an employee's absence without rendering the process unfair.
- **Dishonesty in financial and benefit claims** – treatment of dishonest reimbursement/travel claims, falsified documents, and overtime fraud as trust-destroying misconduct justifying dismissal even for senior or long-serving employees.
- **Parity principle and consistency in sanction** – when alleged inconsistency in prior sanctions fails, and how courts assess whether comparators are truly similarly circumstanced or earlier leniency was mistaken/distinguishable.
- **Gross negligence with technical/asset damage** – evidentiary requirements in technical negligence cases (expert reports, physical evidence like oil volumes) and how they support dismissal for high-value asset damage.
- **Irregular expenditure and PFMA/SCM responsibilities** – executives' accountability for contract value monitoring, irregular expenditure and compliance, and how poor arbitration analysis in such matters is treated on review.
- **Protected disclosures and section 188A(11) elections** – scope of PDA protection for disclosures to legal representatives, when internal discipline becomes an unlawful occupational detriment, and how a good-faith 188A(11) election compels CCMA pre-dismissal arbitration.
- **Whistle-blowing vs confidentiality breaches** – distinguishing genuine confidentiality misconduct from retaliation against whistle-blowers and required policy/disciplinary adjustments.
- **Mutual separation and "full and final" CCMA settlements** – interpretation of broad settlement clauses and the risk that an unfair suspension settlement compromises later dismissal claims unless expressly carved out.
- **Shift changes as work practice vs contractual terms** – when employers may unilaterally change rosters after consultation, the line between operational prerogative and contractual rights, and appropriate responses to refusal (gross insubordination/unauthorised absence).
- **Operational retrenchments and consultation duties** – themes around section 189/189A consultations, union engagement/refusal, direct consultation with employees, and intertwined procedural and substantive fairness.
- **High Court vs Labour Court jurisdiction** – employees' ability to frame unlawful termination disputes in contract/constitutional legality in the High Court rather than being confined to LRA unfair dismissal remedies.
- **Employment Equity discrimination: pregnancy, disability and equal pay** – requirements to plead specific listed/arbitrary grounds, application of pregnancy protection under BCEA/EEA, disability-based discrimination in transfers, and limits of "any other arbitrary ground."
- **Off-duty misconduct, nexus and sanction** – when off-duty conduct (DUI, social assaults, misuse of vehicles) is disciplinable; need to prove an operational/reputational nexus and to apply progressive discipline and consistency.

ALLU is more than a legal update—it is a strategic opportunity to understand where South African labour law is heading before it impacts your organisation. Join **over 1,000 HR professionals, labour relations practitioners, executives, attorneys, and business leaders** to gain the knowledge and practical tools needed to remain compliant, reduce risk, and stay ahead of the curve in South Africa's dynamic labour environment.

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F U T U R E **T H I N K I N G** N O W

Jonathan Goldberg is the Chairman of Global Business Solutions and has been a business leader in the changing labour law landscape over the past thirty-five years, heading negotiations at plant, industry and NEDLAC levels and assisting clients to navigate the dynamic regulatory environment. Jonathan is a sought-after advisor and speaker, leading from the front in social partner negotiations as well as in respect of business strategy. Several of the key roles he fulfils include being a Commissioner on the National Minimum Wage Commission, the Labour Market Convenor at NEDLAC for business as well as a representative on the Employment Services Board. He is a Chartered Director of the Institute of Directors South Africa. He also recently lead the business delegation at NEDLAC on amendments to labour legislation.

Thembi Chagonda is the Joint CEO of Global Business Solutions and a leading Human Resources consultant on BBBEE and Employment Equity. She holds a Degree in Social Science, as well as a Post Graduate Diploma in Labour Law. Thembi is also an accredited Assessor and Moderator. Thembi is a key advisor to several national and multi-national organisations on their employment equity strategies, policy development and compliance. Thembi is involved in a number of initiatives to promote transformation in the workplace and education. She has served as board member of various entities and served in sub-committees for Remuneration, Social and Ethics and Nomination committees.

John Botha is the Joint CEO of Global Business Solutions and the CEO of Circle and Square. His previous record includes serving as the Group Executive HR Director for the largest JSE-listed workforce solutions business in South Africa at age 33. He has also been appointed by the Minister of Employment and Labour to the Employment Equity Commission for the period 2026 to 2030 and previously the Essential Services Commission. Additionally, John has been the lead negotiator for BUSA at NEDLAC's labour market committee on non-standard employment and served as a BUSA delegate to the International Labour Organization / ILC in Geneva for three years.

21 October 2026	East London
10 November 2026	Johannesburg
11 November 2026	Durban
13 November 2026	Virtual - Zoom
18 November 2026	Cape Town
19 November 2026	PE/Gqeberha
24 November 2026	Virtual – MS Teams
1 December 2026	Cape Town (2nd date)

R3 990 (excl. VAT) per delegate (live seminar)
R2 990 (excl. VAT) per delegate (virtual seminar)

VENUES: TBC
DURATION: 09H00 – 15H30

apso federation of african professional staffing organisations
6 CPD Points

SABPP SA BOARD FOR PEOPLE PRACTICES Setting HR standards
8 CPD Points

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Our standard procedure is to acknowledge receipt of registration in writing.
If you have not received same, please contact us to confirm we have received your registration before incurring any additional expenses

Course Name:	ANNUAL LABOUR LAW UPDATE	Date:	October/November 2026

EL: 21 OCT		JHB: 10 NOV		DBN: 11 NOV		ZOOM: 13 NOV		CT: 18 NOV/1 DEC	PE/GQ: 19 NOV		TEAMS: 24 NOV	

Company Name :		Tel No:
		Fax No:
Postal Address:		Disability assistance needed:
Physical Address:		Dietary requirements/ allergies: *Additional costs may be incurred
Vat no:	Purchase Order:	

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Course Name: ANNUAL LABOUR LAW UPDATE – VIRTUAL EVENT (ZOOM OR TEAMS)	R2 990 (excl. VAT)	
SABPP e-Certificate	R 55 (excl. VAT)	
APSO e-Certificate (only available to APSO members)	FREE	
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