



Accredited Africa Training Institute for Capacity Development

Unit FO409, Hatfield Plaza · 1122 Burnett St, Hatfield 0028 · Pretoria, Gauteng · South Africa

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COURSE BROCHURE

Analyse And Interpret Unfair Dismissal In Dispute Resolution Training

Business, Commerce and Management Studies / Human Resources

Unit Standard 119944 · NQF Level 6 · 10 Credits · 7 Days

COURSE OVERVIEW

This course equips learners with the knowledge and skills to analyse and interpret unfair dismissal disputes within the South African labour law framework. Participants will gain a deep understanding of the Labour Relations Act, procedural and substantive fairness, and the dispute resolution process. The course prepares learners to effectively handle dismissal cases and contribute to fair labour practices.

Category	Business, Commerce and Management Studies
Subfield	Human Resources
Unit Standard	119944
Accreditation	SAQA Accredited · NQF Level 6 · 10 Credits
Duration	7 days
Training Method	Online, On-Campus, In-House
Certificate	Issued via AATICD LMS – verifiable online

LEARNING OUTCOMES

- Analyse the legal framework governing unfair dismissal, including the Labour Relations Act and relevant case law.
- Evaluate the procedural and substantive fairness of dismissal cases using established legal principles.
- Apply dispute resolution mechanisms, including conciliation, arbitration, and the CCMA process, to unfair dismissal disputes.
- Interpret evidence and arguments to determine the validity of unfair dismissal claims.
- Demonstrate the ability to prepare and present a case in a dismissal dispute resolution forum.

WHO SHOULD ATTEND

- This course is ideal for HR practitioners, labour relations officers, union representatives, managers, and anyone involved in disciplinary hearings or dispute resolution within the workplace.

COURSE OUTLINE

Day 1: Foundations of Unfair Dismissal Law

- Overview of the Labour Relations Act (LRA) and its purpose.
- Definition of dismissal and categories of dismissal.
- Automatically unfair dismissals: grounds and examples.
- The concept of fairness: substantive and procedural.
- The role of the CCMA, bargaining councils, and Labour Courts.
- Introduction to the Code of Good Practice: Dismissal.
- Key terms: employee, employer, unfair labour practice.
- Overview of dispute resolution processes: conciliation, arbitration, and adjudication.

Day 2: Substantive Fairness in Dismissal

- Substantive fairness: the employer's reason for dismissal.
- Misconduct: rules, standards, and the test for fairness.
- Incapacity: ill health, injury, and poor performance.
- Operational requirements: retrenchment and restructuring.
- The concept of a 'valid and fair reason'.
- Case law examples of substantively unfair dismissals.
- The role of the employer's policies and disciplinary code.
- Practical exercise: analyse a dismissal scenario for substantive fairness.

Day 3: Procedural Fairness in Dismissal

- Procedural fairness: the process leading to dismissal.
- The disciplinary hearing: notice, representation, and evidence.
- The right to be heard and the right to appeal.
- Common procedural errors: lack of investigation, bias, and inadequate notice.
- The Code of Good Practice: Dismissal – procedural guidelines.
- Distinction between procedural and substantive unfairness.
- Consequences of procedural unfairness: reinstatement, compensation, or re-employment.
- Practical exercise: draft a disciplinary hearing procedure.

Day 4: Automatically Unfair Dismissals and Protected Rights

- Section 187: automatically unfair dismissals.
- Discrimination as a ground: race, gender, disability, etc.
- Dismissal for participation in protected strikes.
- Dismissal for union membership or activity.
- Whistle-blowing and other statutory protections.
- Burden of proof: employer must prove dismissal not automatically unfair.
- Remedies for automatically unfair dismissal: higher compensation.
- Case law examples: automatically unfair dismissals.

Day 5: Dispute Resolution Processes at the CCMA

- Referral of disputes: forms, time frames, and jurisdiction.
- Conciliation process: role of the commissioner, mediation techniques.
- Arbitration: pre-arbitration conferences, opening statements, evidence.
- Rules of evidence: relevance, admissibility, and burden of proof.
- Arbitration awards: types and enforcement.

- The role of legal representatives and witnesses.
- Practical exercise: role-play a conciliation meeting.
- Practical exercise: prepare for an arbitration hearing.

Day 6: Remedies and Enforcement in Unfair Dismissal

- Remedies under the LRA: reinstatement, re-employment, compensation.
- Reinstatement: conditions and exceptions (e.g., intolerable relationship).
- Compensation: calculation, caps, and deductions.
- Factors affecting remedy: length of service, contributory fault.
- Enforcement of awards: compliance orders, contempt proceedings.
- Variation and rescission of awards.
- Review of CCMA awards to the Labour Court.
- Practical exercise: calculate compensation for unfair dismissal.

Day 7: Integration, Case Studies, and Assessment

- Integration of substantive and procedural fairness.
- Complex case studies: misconduct with discrimination, retrenchment with procedural flaws.
- Simulated dispute resolution: conciliation and arbitration role-plays.
- Strategies for employers and employees in dismissal disputes.
- Review of key legal principles and recent case law.
- Summative assessment: written test and practical exercise.
- Feedback and course evaluation.
- Certification requirements and next steps.

ASSESSMENT & CERTIFICATION

Delegates are assessed through exercises and a final test. A mark of **50% or above** earns an **AATICD Certificate of Completion**, issued digitally with a unique verification code. This course carries **10 NQF credits** at **NQF Level 6**.

PRICING (PER DELEGATE, EX-VAT)

Delegates	Training Method	Price per Delegate	Total
1	Online	R 31,000.00	R 31,000.00
1	In-House	R 40,400.00	R 40,400.00
1	On-Campus (Pretoria)	R 46,500.00	R 46,500.00

UPCOMING SESSIONS

Start	End	Method	Venue
07 Aug 2026	17 Aug 2026	On-Campus	Dubai, UAE
10 Aug 2026	18 Aug 2026	On-Campus	Abu Dhabi, UAE
11 Aug 2026	19 Aug 2026	On-Campus	Durban, South Africa
11 Aug 2026	19 Aug 2026	On-Campus	Mauritius
12 Aug 2026	20 Aug 2026	On-Campus	Cape Town, South Africa
13 Aug 2026	21 Aug 2026	On-Campus	Dubai, UAE
14 Aug 2026	24 Aug 2026	On-Campus	Pretoria, South Africa
17 Aug 2026	25 Aug 2026	On-Campus	Durban, South Africa

Contact us if no suitable date is listed – on-demand sessions can be arranged for groups.

HOW TO GET A QUOTE OR APPLY

1. **Get an instant quotation online:** visit www.aaticd.co.za, open the page for this course (Unit Standard 119944) and click **Get A Quote / Apply**. Select your training method and number of delegates – your quotation is generated immediately and emailed to you with the course brochure attached.
2. **Apply by email:** send the course title, your preferred training method (Online, In-House or On-Campus Pretoria), the number of delegates and your preferred dates to apply@aaticd.co.za – our team will reply with a formal quotation.
3. **Apply by phone or WhatsApp:** call +27 12 004 8389 or WhatsApp +27 65 077 6310 and we will prepare your quotation and reserve your seats.
4. **Confirm your booking:** accept the quotation and settle the invoice. As soon as payment is confirmed your delegates are enrolled and receive their AATICD LMS login details by email, along with joining instructions for their chosen training method.

Group discounts apply automatically – the more delegates you enrol, the lower the price per delegate. No payment is required to request a quotation.

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