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| DISPUTE MANAGEMENT AND PREVENTION DEPARTMENTMay 2018 | **Database of available capacity building training material and presentations.**TDUDeveloped by the CCMA Training Development Unit |

**DISPUTE MANAGEMENT AND PREVENTION TRAINING MATERIAL AND PRESENTATIONS – 2018**

# INTRODUCTION

The Dispute Management and Prevention capacity building training material and presentations database serves to keep DM&P Commissioners and Administrators informed of available training material and presentations as well as forthcoming capacity building intervention material.

The database provides both a high level and a detailed description of available courses and presentations. Guidance is provided on the use of facilitators for amendments-related courses and on the relevant course material that forms part of the ‘training pack’ for each capacity building intervention concerned.

The latest version of the presentations and training course material are accessible on Sharepoint (via DM&P, National Office).

Wishing you all the best for the capacity building interventions.

 The Dispute Management Department and the Training Development Unit

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# Table One: High level overview of available ‘stand-alone’ slide presentations

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| **Name of Presentation** | **Amendments-related?** |
| 1. CCMA Rules
 | Amendments included. |
| 1. CCMA Guidelines on Misconduct Arbitration
 | Amendments included. |
| 1. Regulating non-standard employment relationships section 198 /A-D of the Labour Relations Act
 | Yes |
| 1. Statutory Labour Law Amendments – Employment Equity Act – General overview
 | Yes |
| 1. Statutory Labour Law Amendments – General overview
 | Yes |
| 1. Dealing with sexual harassment as a form of unfair discrimination
 | Amendments included. |
| 1. Equal pay for work of equal value.
 | Yes |
| 1. Interest Arbitration (not generally available – see Table Two)
 | No |
| 1. Overview of the new Code of Good Practice: Collective Bargaining, Industrial Action and Picketing [expected date of completion of draft – 30 March 2017]
 | Yes, subject to finalisation of the – 2016/17 NEDLAC process |
| 1. Conducting Disciplinary Hearings in the workplace
 | No |

# Table Two: High level overview of available training manuals

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| **Name of training course** | **Amendments-included?** |
| 1. Managing Workplace Discipline and Incapacity
 | yes |
| 1. Preparation for and Representation of Parties at Arbitration Hearings
 | yes |
| 1. Managing Conflict in the Workplace
 | No |
| 1. How to use the CCMA and the Law – Best practice resource manual for advice offices and shop stewards.
 | yes |
| 1. How to use the CCMA and the Law – Best practice resource manual for shop stewards (advanced) and union officials.
 | yes |
| 1. How to use the CCMA and the Law – Best practice resource manual for Employers.
 | yes |
| 1. Building Workplace Relationships
 | No |
| 1. Effective Negotiation Skills
 | No |
| 1. Dealing with Unfair Discrimination in the Workplace
 | Yes |
| 1. Dealing with Retrenchments (including amendments)
 | yes |
| 1. Regulating non-standard employment relationships section 198 /A-D of the Labour Relations Act (new course – available Feb 2016)
 | Yes |
| 1. Organisational Rights (including the amendments)
 | yes |
| 1. Conducting Disciplinary Hearings in the workplace
 | No |
| 1. Overview of the new Code of Good Practice: Collective Bargaining, Industrial Action and Picketing [expected date of completion of draft – 30 March 2017]
 | Yes, subject to finalisation of the – 2016/17 NEDLAC process |
| 1. Managing Diversity in the Workplace [expected date of completion – 30 March 2017]
 | No |

# Table Three: Description of available DM&P ‘stand-alone’ slide presentations

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| **PRESENTATIONS** |
| **Name of presentation** | **Brief description of the course / presentation** | **Course duration** | **Contents of training pack** |
| 1. CCMA Rules
 | This presentation provides an overview of the key CCMA Rules and highlights the 2015 amendments to the CCMA Rules. Participants are provided with a comparison between the pre-amended Rules and the amended Rules.The target group for the course includes trade union officials, HR/IR managers and employer’s organisation officials. | 1 day | Slide presentationResource manual |
| 1. CCMA Guidelines on Misconduct Arbitration
 | This presentation provides an overview of the CCMA Guidelines on Misconduct Arbitration and highlights the 2015 amendments to the Guidelines. The target group for the course includes trade union officials, HR/IR managers and employer’s organisation officials. |  | Slides |
| 1. Regulating non-standard employment relationships section 198 /A-D of the Labour Relations Act
 | A presentation that provides an overview of the content of sections 198A, 198B, 198C and 198D. The target group for the course includes trade union shop stewards and officials, HR/IR managers and employer’s organisation officials. | Half to full day. | Slide presentation.\**Facilitators need to form part of the specialist panel of s198/A-D facilitators.* |
| 1. Statutory Labour Law Amendments – Employment Equity Act – General overview
 | A presentation on the key amendments to the Employment Equity Act.  | 1 day | Slide presentationResource guide.\**Facilitators need to form part of the specialist panel of EEA facilitators.* |
| 1. Statutory Labour Law Amendments – General overview
 | Presentation that provides an overview of the key amendments to the labour statutes.  | 1 day | Slide presentationResource guide. |
| 1. Dealing with sexual harassment as a form of unfair discrimination
 | This slide presentation is designed to focus on sexual harassment within the workplace, providing users with an overview of the following – 1. What is sexual harassment?
2. Why sexual harassment is dealt with under the EEA.
3. The Code of Good Practice on the handling of sexual harassment cases in the workplace.
4. How to deal with sexual harassment in the workplace.
5. Dispute resolution.
6. Case law.
7. Remedies.

The target group for the course includes trade union shop stewards and officials, HR/IR managers and employer’s organisation officials. | 1 day | Slide presentation |
| 1. Equal pay for work of equal value.
 | This is a specialised presentation that focusses on the equal pay for work of equal value provisions in the EEA, the Code of Good Practice on Equal Pay for Work of Equal Value, case law and the EE Regulations of 1 August 2014.The target group for the course includes trade union shop stewards and officials, HR/IR managers and employer’s organisation officials. | 1 day | Slide presentationResource manual.Facilitator guide.\**Facilitators need to form part of the specialist panel of EEA facilitators.* |
| 1. Interest Arbitration
 | Specialised slide presentation that focusses on interest arbitration hearings. Please consult with NSC Collective Bargaining, Haroun Docrat should a request be received for this presentation.  | 1 day | Slide presentation\**Consult with NSC: Collective Bargaining Haroun Docrat before offering this presentation.* |
| 1. Who may represent workers at the CCMA?
 | Slide presentation initially developed for the domestic worker sector, but can be used generically for worker presentations.It includes the CCMA practice notes that deal with representation by persons/organisations not specifically listed under Rule 25 (e.g. Advice Offices). | 1-2 hours | Slide presentation |
| 1. Conducting Disciplinary Hearings in the workplace
 | A high-level overview of the key requirements for substantive and procedural fairness when conducting disciplinary hearings at the workplace. | One day | Slide presentation. |
| 1. Overview of the new Code of Good Practice: Collective Bargaining, Industrial Action and Picketing
 | A high level overview of the new (pending finalisation of the NEDLAC process) Code of Good Practice: Collective Bargaining, Industrial Action and Picketing.Participants are taken through the key areas of the Code on a step-by-step basis by experienced facilitators.  | One day | Slide presentation and resource guide. [available: Aug 2017] |
| 1. Managing Diversity in the Workplace.
 | This material has been designed with the SA workplace in mind and focusses on areas such as barriers to effective diversity management, understanding one’s own prejudice; diversity and communication patterns, etc.The aim is to contribute towards a spirit of tolerance and acceptance of diversity in the workplace and to help individuals to understand the negative impact that prejudice and intolerance may have on workers and the workplace as a whole. | One or two days. | Slide presentation and resource material.  |
| 1. Overview of Closed Shop Agreements
 | High-level overview of the nature of closed shop agreements, including the requirements for the conclusion of closed shop agreements, how they function within a workplace, and the requirements for termination of such agreements.  | Half day | Slide presentation.  |
| 1. Overview of the COGP and amendments to the LRA
 | High-level overview of the Code of Good Practice: Collective Bargaining, Industrial Action and Picketing and the related amendments to the LRA. | Half to full day | Slide presentation and resource guide. |
| 1. Overview of the NMW and amendments to the BCEA
 | High-level overview of the National Minimum Wage Bill and proposed amendments to the BCEA. | Half to full day | Slide presentation and resource guide. |

# Table Four: Description of available DM&P training course packs (includes slides and facilitator guide)

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| **DM&P COURSE MATERIAL** |
| **Course**  | **Brief description of the course / presentation** | **Course duration** | **Contents of training pack** |
| 1. Managing Workplace Discipline and Incapacity
 | This course material includes a preventative and a rights-based focus on procedural and substantive fairness associated with managing workplace discipline and incapacity. The target group for the course includes trade union shop stewards, officials, HR/IR managers and employer’s organisation officials. | 2-3 days | Resource manualSlide presentationFacilitator guide\**Updated version available from late-February 2017.* |
| 1. Preparation for and Representation of Parties at Arbitration Hearings
 | This course includes ‘best practice’ messages for representatives when preparing for and representing parties at arbitration hearings. The material covers the process of gathering and presenting evidence at arbitration hearings, as well as the relevant functions that representatives need to perform during the various phases of an arbitration hearing. The target group for the course includes trade union officials, HR/IR managers and employer’s organisation officials. | 3 days | Resource manualSlide presentationFacilitator guide |
| 1. Managing Conflict in the Workplace
 | The purpose of this training course, which takes the form of a workshop and a project thereafter, is to empower participants to effectively manage conflict both at an individual and organisational level.It provides participants with overview of the nature of conflict, the path that conflict follows and different aspects of conflict. This is followed by an exploration of how to manage and resolve conflict. | 3 days | Resource manualSlide presentation\**Conducted by members of the MCW panel*. |
| 1. How to use the CCMA and the Law – Best practice resource manual for advice offices and shop stewards.
 | This training course provides an overview of the SA dispute resolution system regarding workplace issues. This includes an overview of the dispute resolution structures, the labour statutes as well as some of the key disputes that get referred to the CCMA and bargaining councils. The course content includes theory and practical exercises.The target audience for this course is advice offices and shop stewards (entry level). | 3 days | Resource manualSlide presentationFacilitator guide |
| 1. How to use the CCMA and the Law – Best practice resource manual for shop stewards (advanced) and union officials.
 | This training course, although similar to the one developed for advice offices and shop stewards, provides a more in-depth overview of the SA labour dispute resolution system, dispute resolution structures, labour statutes as well as some of the key disputes that get referred to the CCMA and bargaining councils. The **2015** version of the manual includes the amendments to section 198/A-D and the EEA.The target audience for this course includes shop stewards (advanced) and union officials. | 3 days | Resource manualSlide presentationFacilitator guide |
| 1. How to use the CCMA and the Law – Best practice resource manual for Employers.
 | This training course is similar to the advanced shop stewards and union officials’ course. It provides a more in-depth overview of the SA labour dispute resolution system, dispute resolution structures, labour statutes as well as some of the key disputes that get referred to the CCMA and bargaining councils. The **2015** version of the manual includes the amendments to section 198/A-D and the EEA. | 3 days | Resource manualSlide presentationFacilitator guide |
| 1. Building Workplace Relationships
 | The focus of a BWR intervention in on building relations in the workplace between all role players involved. The interventions are intended to assist parties to clarify the nature of the relations wanted and then to design and implement systems to achieve this. | 2 days | Facilitator manual\**Conducted by members of the BWR panel.* |
| 1. Effective Negotiation Skills
 | The purpose of this course is to develop and improve practical skills in negotiation and to gain applicable negotiation theory to better understand:* The SA socio - economic and political context for negotiations / collective bargaining.
* The development of conflict and disputes (the conflict path and the circle of conflict).
* The different approaches to managing conflict.
* Personal styles of conflict engagement (Thomas Kilmann).
* The range of dispute resolution processes available.
* The pre-negotiation planning and preparation process.
* The mandate seeking stage.
* Choosing the negotiation team.
* Capacitating the negotiation team.
* The essential knowledge, skills and behaviours of effective negotiators.
* Different models of negotiation.

Best negotiation practice.**Target audience:** * Employer & Trade Union Negotiators / Negotiation Teams / Parties
* Sectors where there are multi-party negotiations
 | 3 days (or one day - not for novices) | Facilitator manualSlides*\*Specialist facilitators only.*  |
| 1. Dealing with Unfair Discrimination in the Workplace
 | This more in-depth specialist training material includes the following:1. An overview of unfair discrimination (includes diversity awareness raising, sensitivity associated with diversity and prejudice, and a soft skills component).
2. The legal framework applicable to unfair discrimination disputes.
3. Equal pay for work of equal value.
4. Sexual harassment as a form of unfair discrimination.
5. The CCMA hearing (conciliation and arbitration of unfair discrimination disputes).

The target group for the course includes trade union officials, HR/IR managers, employer’s organisation officials and practitioners who may represent parties at internal hearings and at the CCMA. | 3 days | Resource manualSlide presentationFacilitator guide\**Facilitators need to form part of the specialist panel of EEA facilitators.* |
| 1. Dealing with Retrenchments (including amendments)
 | A specialist course that deals with the following aspects related to the retrenchment process:1. International and local statutory context.
2. Dismissals for operational requirements.
3. Substantive fairness.
4. Meaningful joint consensus seeking process.
5. Small and large scale retrenchments.
6. Facilitation – the holistic integrated approach.
7. Post facilitation activities.

The target group for the course includes trade union shop stewards, officials, HR/IR managers and employer’s organisation officials. | 3 days | Resource manualSlidesFacilitator guide. |
| 1. Regulating non-standard employment relationships section 198 /A-D of the Labour Relations Act
 | A specialist course dealing with the key amendments to section 198 of the LRA. The material provides an overview and an interpretation of the content of sections 198A, 198B, 198C and 198D. The target group for the course includes trade union officials, HR/IR managers and employer’s organisation officials. | 2 days | Resource manualSlide presentationFacilitator guide\**Facilitators need to form part of the specialist panel of s198/A-D facilitators.* |
| 1. Organisational Rights (including the amendments)
 |  A specialist course that discusses the key aspects relating to acquiring organisational rights, including the 2014 amendments. The course content includes the following – 1. The constitutional and legislative framework.
2. Introduction to the 2014 amendments.
3. Organisational rights in detail (theory and practice).
4. Acquiring organisational rights.
5. Dispute resolution related to organisational rights.

The target group for the course includes trade union shop stewards and officials, HR/IR managers and employer’s organisation officials. | 2 days | Resource manualSlide presentationFacilitator guide\**Facilitators need to form part of the specialist panel of Organisational Rights facilitators.* |
| 1. Managing Capability (‘Capacity’) and Misconduct Procedures in the Workplace
 | A course that was specifically designed for ABSA/Barclays Bank in 2016. The course is designed to be very interactive with a focus on problem-solving skills linked to case studies on areas relating to ill-health and injury, poor work performance, incompatibility and misconduct.It will in time be adapted for general use. | 1-1.5 days | Resource manualSlide presentationFacilitator guide*\*To be adapted for general use.* |
| 1. Managing Workplace Discipline – for South African Police Services (SAPS)
 | A course on workplace discipline that has been aligned to SAPS regulations and related statutes. | 2-3 days | New resource manual and slide presentation. Available from Aug 2018. |
| 1. Overview of the Code of Good Practice: Collective Bargaining, Industrial Action and Picketing and the related Amendments to the Labour Relations Act
 | High-level overview of the Code of Good Practice: Collective Bargaining, Industrial Action and Picketing and the related amendments to the LRA. | Half- full day | Slide presentation and resource guide. |
| 1. Overview of the National Minimum Wage Act and the proposed amendments to the Basic Conditions of Employment Act
 | High-level overview of the National Minimum Wage Bill and proposed amendments to the BCEA. | Half- full day | Slide presentation and resource guide. |