



The Labour Court Review Application Process Simplified

Presented by Henk Wissing Attorneys

1 Day Course

Module 1

- 1.1 The differences between a rescission application and a review application
- 1.2 The legal standing of an arbitration award
 - Compensation awarded
 - Reinstatement awarded
- 1.3 Review of arbitration awards and rulings
 - Section 145 of the LRA review
 - Section 158 of the LRA review
 - Section 158(1)(B) of the LRA Interim Rulings (before arbitration is completed)

Module 2

- 2.1 Notice of Motion explained
 - Review the award
 - Substitute the award
 - Founding affidavit / initial grounds for review application
- 2.2 The review test
 - Is the award reasonable
 - In jurisdictional Reviews the "correctness" test is used
- 2.3 Reviewable irregularities
 - 2.3.1 Gross irregularity by commissioner:
 - 2.3.2 Misconduct by commissioner:
 - 2.3.3 Excess of powers (correctness review):
 - 2.3.4 Award Improperly obtained:
- 2.4 How to "stay" execution of an arbitration award pending review
 - 2.4.1 Security
 - 2.4.2 Form of Security:

Module 3

- 3.1 Process and timeline for filing all relevant documents
- 3.2.1 Labour Court Practice Manual – important timelines

About the presenter:

Henk Wissing is an attorney with 24 years of experience specializing in labour law, regularly appearing in the Labour Court obo National and International Companies.

Purpose of the course:

This course will provide step-by-step guidance on when and how to initiate review proceedings at the Labour Court, demystifying the process.

Upon completion of the course, delegates will:

- Understand under which circumstances an arbitration award or ruling made at the CCMA or a Bargaining Council may be referred to the Labour Court to be reviewed.
- Understand the various steps and timelines as outlined in the Rules of the Labour Court and the Labour Court Practice Manual.



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The course will be useful for:

- HR and IR Officials
- Employers' Organization Officials and Office Bearers
- Trade Union Officials and Office Bearers
- Labour consultants/practitioners
- Legal Practitioners considering expanding their practices to include dealing with Review Applications

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