



Suite 315 Rentbel Towers Building
14 Bureau Lane, PRETORIA.

1. Introduction of the Company

Farisanani & Associates currently carries professional consulting in the area of employee relations and labour law. The company has accomplishments in performing organizational development interventions, labour relations and labour law consultancy. It has extensive years of expertise and competence working with all levels of corporate and government sectors.

We work across a number of industries, in which we offer expertise across functional areas of Strategy Development, Operational Improvement, People & Organisational Optimisation, Economic & Skills Development and Research.

Of particular relevance to this engagement is our continued involvement in guiding organisations best structure their personnel as means to cascade strategic and operational plans through formalised performance management and evaluation formats.

We have worked with several clients in providing such a service.

Our team brings with it deep functional experience across several industries as well as a strong and technically adept network of subject matter experts that, when combined with the internal skills, work together to provide sound advice to our clients

One of our main objectives in the area of employee relations and labour law, is to assist companies in the creation of harmonious and productive workforces through firm, fair and best employee labour practices. We aim to achieve this by assisting our clients in avoiding claims and disputes that potentially could be lodged with the CCMA and protecting their rights as employers.

However should the matter be referred for litigation, we always ensure that we are able to assist through these processes as well.

We provide our clients with advice and direction in compiling, updating and ensuring simplicity in their codes and procedures, training their staff to manage hearings, chairing disciplinary hearings, appeal hearings, preparing for conciliations and arbitrations and assisting in preparing their cases in the event that there is a referral to the CCMA.

We have assisted companies through their wage negotiations and collective agreements and project labour agreements. In addition to dispute, conflict and diversity management we focus on the positive advancement of the employer through advice, education and training which in turn leads to a more harmonious workplace.

Some of our clients includes - South African Airways Technical Ltd; ESKOM; Transnet; Revlon SA (Pty) Ltd; SA National Blood Services; Small Enterprise Development Agency; Adcock Ingram; Gauteng Department of Economic Development; Department of Social Welfare (Northern Cape); Department of Trade & Industry (the "dti"); Emthanjeni Municipality (De Aar); Da Vinci Academy; Tala Resources (Pty) Ltd; Hewlett Packard SA (Pty) Ltd; Oracle SA (Pty) Ltd; SA Civil Aviation Authority, Dabchick Wildlife Reserve (Pty) Ltd, Office of the Premier (Northern Cape); MAKRO, Department of Justice & Constitutional Development, Murray & Roberts; Steffanutti; Department of Police; Department of Co-operation & Traditional Affairs (Cogta); Innovation Group; ADR Clinic, Puleng Technologies, Bantex (Pty) Ltd, Onderstepoort Biological Products (OBP), Clydemann Bergemann (Pty) Ltd, NOKENG Mine, LGSETA, AdaptIT; General Public Service Sectoral Bargaining Council, RobbenIsland Museum, AgriSeta, Kagiso Media, AdaptIt (Pty) Ltd, etc.

All our practitioners have an extremely high litigation success rate, which is often as a result of us assisting the company in putting mechanisms in place that then contribute to allowing our clients to win their cases.

2. LIST OF SERVICE OFFERINGS

2.1. POLICIES AND CODES

- Review and Drafting of Human Resource Policies & Labour Relations Codes and Procedure Manuals
- Drafting of Policy and Procedure linked to Job Descriptions and KPA's to ensure that employees meet Performance Standards and Delivery.
- Consultation and management of termination.
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2.3. RETRENCHMENT / RESTRUCTURING / GRIEVANCE & DISCIPLINE MANAGEMENT

- Assistance with the Planning and Executing Restructuring / Retrenchment Exercises either Individual or Collective.
- Assistance in Investigation, Formulation of Charges, Preparation of Complainant's Cases.
- Initiating disciplinary hearing
- Chairing disciplinary hearing
- Grievance management
- Conflict Handling

2.4. LITIGATION / NEGOTIATION / COLLECTIVE BARGAINING/ DISPUTE RESOLUTION PROCESS FACILITATION / TRAINING

- Assistance with Labour Court Interdicts and other Processes.
- Attending Conciliation, Arbitration at CCMA and Bargaining Councils
- Litigation at Labour Court
- Labour Law update of cases and applicable legislation
- Assistance with Collective Bargaining
- Facilitation of Agreements, Advice and Assistance in Dispute Resolution
- Strike Management
- Wage negotiations and facilitation of meetings.

- Facilitation of Relationships By Objectives

2.5. ORGANISATIONAL PERFORMANCE

- Performance Contracting
- Skills Audit
- Change and Diversity
- Strategy Development & Implementation
- Harassment (including sexual)
- Disability Management
- BBEE
- Employment Equity
- Policy Monitoring & Evaluation.

3. LEAD TEAM MEMBERS

Farisanani entire team of EXPERTS is drawn from corporate and legal sectors. Over and above this, the company has access to a number of specialized skills on adhoc basis to assist the company in extraordinary matters. The team is qualified and experienced in Labour law and employee relations (see their short resumes here below)

Magwayi Ben Mabena Chief Executive Farisanani: UNISA: Bluris; UNISA: DIPLOMA Labour Law. University of Cape Town (Graduate School of Business Studies): Management Development Programme. Bachelor of Laws Unisa.

Magwayi Ben Mabena has over 25 years' experience in Labour Law and Employee Relations; dispute resolution and conflict management, strategy development and process facilitation, etc. Magwayi Ben Mabena has worked in organizations such the Chamber of Mines, South African Airways, MSD SA, Consol Pty Ltd and Nissan South Africa in executive positions. He was a CCMA Commissioner and also a Commissioner at the National Bargaining Council for the Chemical Industry and the Road and Freight Bargaining. He is an accredited assessor and moderator with the Services SETA and the Safety Security SETA. He is a mediator and also a panellist with the General Public Sector Service Bargaining Council. He is a court-annexed mediator. He is a panellist at TOKISO. He is also a Commissioner of Oaths.

Ronelda Juries-van Staden: B.Proc; LLB

Ronelda is an Admitted Attorney, with both a B.Proc and a LLB degree from the University of the Free State. By serving as a Commissioner at the CCMA, she gained valuable experience in all processes, including Arbitration and Conciliation Matters of Mutual Interest Disputes. She has extensive experience in training both CCMA staff, shop stewards from various unions as well as managers and employees from corporate businesses such as Telkom. Ronelda is an accredited Facilitator and Assessor with the Services SETA.

DUMISANI NGWENYA: B Proc

Dumisani Ngwenya has been in the labour law field prior to the CCMA era. He was part of the first people to be trained as a CCMA Commissioners at the inception of the CCMA in 1995.

His experience in Labour Law spans across areas such as:

- Conciliation of labour disputes
- Arbitration of labour disputes.
- Quality control function in respect of awards issued by Commissioners, incl. editing awards and checking the enforceability of awards
- Participation in the pilot CCMA Mentorship Programme as a Mentor.
- Dispute facilitation
- Chairing of disciplinary hearings

He is a believer that with training, implementation of good practices, and lot of labour disputes can be avoided and companies can save lots of money if their staff is properly trained on labour relations.

OWEN NEMUGOMONI: B.IURIS, LL.B (UNIN); LL.M (in criminal law) (UNISA); Diploma in Criminal Law and Forensic Auditing (RAU), 2000. Admitted as Advocate of High Court in South Africa, 1998. Private Investigator and Security Services Grade B (Reg. No. 863020)

Owen is an admitted Advocate of the High Court of South Africa. He is an experienced practitioner with over thirty years of practical legal practise. He was appointed as a public prosecutor in 1980 (the position he held until 1985). In 1986 he was promoted to a position of a Senior Magistrate and served in that position until June 1990.

He was involved with the in-house training of the members of the Office for Serious Economic Offences Pretoria staff. He also received intensive training on the techniques and approaches on criminal investigation and prosecution in the Office for Serious Economic Offences. His practical experience in criminal investigation is augmented by formal training, which he received from RAU where he obtained a Diploma in Criminal Justice and Forensic Auditing, in 2000.

Owen brings to the team a thorough knowledge of criminal justice procedures, arrest laws, searches, witness interviewing and questioning which are fundamental in evidence gathering and preservation for disciplinary and court proceedings. He has the knowledge and intricacies in turning otherwise inadmissible evidence into admissible evidence.