

THE PEOPLE FACTOR MAGAZINE

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IT WILL TAKE AGES TO STABILISE THIS TIGHTROPE

Post retirement age dismissals

By Ivan Israelstam, Chief Executive of Labour Law Management Consulting

Section 187(2)(b) of the LRA provides that a dismissal may be fair if the employee has reached the normal or agreed retirement age. This means that termination based on the employee's age might not constitute unfair discrimination if it can be shown that the employee has reached retirement age.



WALKING THE TIGHTROPE VIDEO SERIES

SA Labour Law Made Simple.

Unfair discrimination can take many forms. For example, where an employee is unnecessarily sidelined because he/she is disabled, this could be unfair discrimination. If an employee is sexually harassed this is a form of unfair discrimination based on sex. If a worker is paid less than his/her colleagues because he is male or she is female this would constitute prohibited gender discrimination. If a job applicant is unsuccessful because he/she is white this could be found to be unfair on the grounds of race.

For example, in the case of *Consolidated Billing vs IMATU* (1998, 8 BALR 1049) the employees were turned down for internal appointments because they did not fit the desired racial profile. Because the internal applicants had already been short-listed and were thus acknowledged to have been suitably qualified, the IMSSA arbitrator found the failure to appoint the employees to be unfair racial discrimination.

However, not all discrimination is unfair. For example, if the employer refuses to appoint a person aged 14 years this is discrimination based on age. However, it is not unfair discrimination because the law says that employers may not hire employees younger than 15 years old. **But, other than this, discriminating against an employee or job applicant simply because he/she is 'too young' or 'too old' will normally constitute unfair discrimination.**

But what is the situation when employers have allowed employees to stay on after the normal retirement age? Must the employer then allow the employees to stay on until they pass away? Section 187(2)(b) of the LRA that I outlined at the beginning of this article appears to answer this question by indicating that an employee who is 66 or 78, and whose normal retirement age was 65, may be fairly dismissed because he/she 'has reached the normal retirement age'. However, not even the Constitutional Court was able to agree on the meaning and application of this section.

In the case of Solidarity vs SITA (Lex Info 20 December 2024. Constitutional Court case number CCT 346/22) the judges were not all able to agree on the meaning and application of this section. In this case the six employees all passed their normal retirement age of 60. But were allowed to stay on. They agreed that their new retirement age would be 67. However, SITA retired them before they reached age 67. It appears that the employer relied on the argument that an agreement should not take precedent over the provisions of a statute and that section 187 effectively allowed them to retire the employees at any time after age 60.

The majority of judges found that the dismissals had been automatically unfair and ordered the employer to pay each of the employees 24 months' compensation. Even if the average remuneration of the employees was only R20 000 per month this award would have amounted to R2 880 000.

This outcome shows that the courts will not tolerate mistreatment of employees on the grounds of age, and that decision makers all need to be trained in the requirements of workplace law.

PROVINCIAL HIGHLIGHT



Vaal University of Technology (VUT) CERTIFICATE HANDOVER

The SABPP visited the Vaal University of Technology (VUT) on 17th November to hand over the SABPP university accreditation certificate. VUT was accorded full accreditation for 5 years by the SABPP. The accreditation was conducted by the SABPP Higher Education Committee.

The institution's following qualifications were accredited:

- Diploma in Human Resource Management
- Advanced Diploma in Human Resource Management
- Postgraduate Diploma in Human Resource Management
- Postgraduate Diploma in Human Resource Development
- Postgraduate Diploma in Labour Relations Management
- Master of Management in Human Resource Management
- Master of Management in Labour Relations Management
- PhD in Business Administration



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Learning Powered by AI

By Themba Nkuna (Managing Director InsydOUT)



Summary

The AI Era is here, an era where industries are disrupted, and jobs are displaced. Learning and Development (L&D) is no exception. Organisations that fail to adapt risk falling behind in a rapidly evolving skills economy.

The AI Revolution in Learning

Artificial Intelligence is not just a technological upgrade; it's a paradigm shift in how learning happens. Traditional L&D models—built on static content and one-size-fits-all approaches—are giving way to **dynamic, personalised, and data-driven learning ecosystems**.

Did you
know?

SABPP Accreditation

SABPP conducts the accreditation of universities through its Higher Education Committee. The accreditation panel comprises of academics from the Higher Education Committee and industry HR leaders from SABPP Regional Committees. The panel reviews the university and its qualifications in relation to ten standard SABPP criteria. The panel thereafter recommends full, provisional, or non-accreditation based on these ten criteria. The full accreditation is valid for five years. Thereafter, the university applies for reaccreditation and is reevaluated against the ten criteria.

Key Transformations in L&D

1. Personalised Learning at Scale

AI enables hyper-personalisation by analyzing learner data to recommend tailored content, learning paths, and micro-learning modules. Adaptive platforms adjust difficulty levels based on real-time performance, ensuring learners stay engaged and challenged.

Example: A sales professional struggling with negotiation techniques receives targeted simulations and coaching tips, while another focusing on product knowledge gets curated resources.

2. A case on Inclusion

We all learn differently and as such, learning should be customised and personalised to meet the different learning styles. Through the use of Generative AI, learning and development teams can personalise training and development.

Key Consideration: L&D teams can shift from content creation to strategic learning design, focusing on outcomes rather than production.

3. Real-Time Feedback

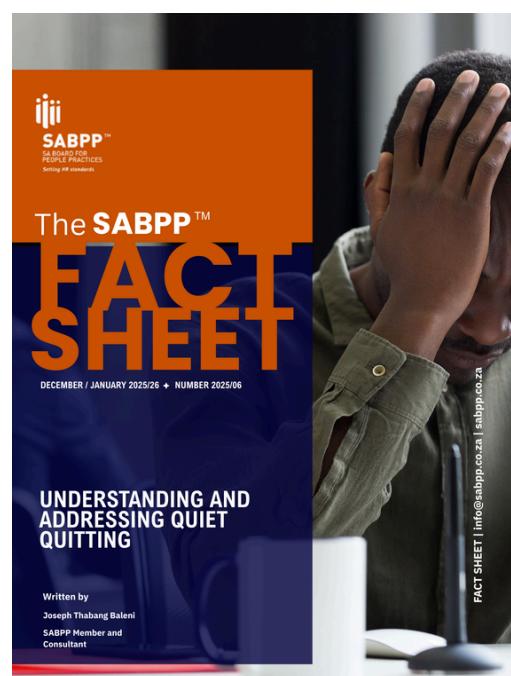
Using AI AI-driven systems to monitor learner progress and provide instant feedback, helping employees correct mistakes and reinforce knowledge immediately. This accelerates skill acquisition and retention.

FACT SHEET DECEMBER/JANUARY 2025/26

*Joseph Thabang Baleni
SABPP Member and Consultant*

Quiet quitting has rapidly emerged as a critical topic in the contemporary workplace. The term describes an employee's deliberate decision to fulfil only the minimum requirements of their job, consciously refraining from tasks or efforts that go above and beyond their formal job description. Unlike conventional resignation, quiet quitting involves employees remaining in their positions while psychologically and emotionally disengaging from discretionary contributions. They may prioritise personal well-being and establish healthier work-life boundaries.

[Read more](#)



The Current Skills Gap

According to **Gartner**, only 8% of HR leaders believe their managers have the skills to use AI effectively. This gap is not just technical—it's about **AI literacy**, ethical use, and understanding how to integrate AI into workflows.

Where to Start...

Build AI Literacy

- Introduce foundational AI concepts to employees and managers. Make AI less intimidating by showing practical applications.

Integrate AI into Learning Platforms

- Explore AI and Analytics driven Learning Management System (LMS).

Measuring Impact of Learning

- Using AI and Analytics, organisations can track learning outcomes, engagement, and Return on Investment (ROI).
- Key Question: how are you currently measuring the value of the learning initiatives?

Example of Future Trends

- Predictive Workforce Planning: this involves Using AI and predictive analytics to forecast skill gaps and design proactive learning strategies.

Next Steps

Are you ready to scale AI into your Learning and Development?

AI is not replacing L&D—it's amplifying its impact. The future belongs to organizations that embrace AI-driven learning ecosystems, empowering employees to thrive in a world where adaptability is the ultimate skill.

Note: The author used Microsoft's Copilot to enhance the tone and flow of this article.



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Starts: 23 March 2026

Cost: R250,000 (includes Spain travel, meals & materials)

Applications close: 08 Jan 2026

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How To Build Visibility At Work (Without Feeling Self-Promotional)

By Ursula Botha, Founder of Confident Voices (Pty) Ltd, Communication & Confidence Expert, Certified Coach

Introduction: The Silent Cost of Staying Invisible

There's a recurring story I hear in my coaching sessions with high-performing professionals. Many realise, often mid-career or in a career transition, that visibility makes them uncomfortable. The higher they climb, the more they're expected to be seen and that can feel exposing. Especially if you haven't practised the skill of being seen and heard.



Staying invisible, small or unseen comes at a cost: to your growth, your reputation and your potential.

This is especially true for women and professionals from underrepresented groups, who are rarely encouraged to strengthen what I call their visibility muscle. The blend of communication, presentation and connection skills that determine whether others recognise the value they bring.

Visibility isn't arrogance; it's awareness. It's knowing how to communicate your impact clearly, and where to show up so that others can recognise it. It starts now. Not when you get the title, not when someone gives you permission but the moment you decide to own your voice and presence.

When you understand the power of visibility and intentionally you don't just advance your career; you expand your influence, credibility, and the opportunities available to you.

Why Visibility Matters, Especially For Women

Being visible isn't contrary to humility or modesty. It's how you make your impact known. Even as a young professional, building thought leadership signals credibility, engagement and passion. That's how you get identified as a "high-potential" employee.

Mel Robbins captures it best:

"The company is responsible for culture, training, diversity, equity and inclusion. You are responsible for your own visibility."

Visibility means two things:

1. Are your contributions known by the people you work for?
2. Are your goals known by them?

According to Robbins, increasing your visibility is the single behaviour most correlated with a title or salary increase.

That's crucial because the data tells us the playing field isn't even. McKinsey's Women in the Workplace 2024 study found that for every 100 men promoted to manager, only 81 women were. Visibility plays a major role in that gap.

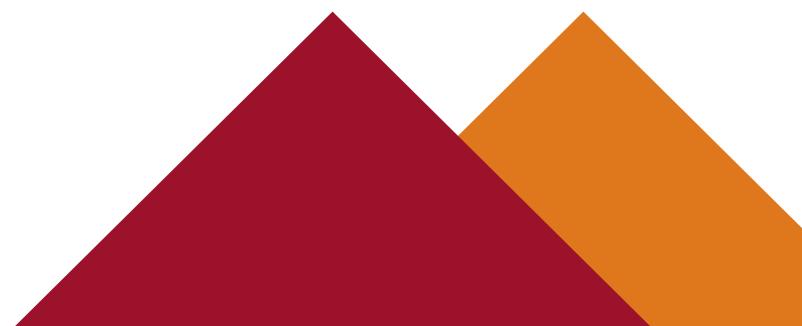
Women are strategic and capable, yet many of us were raised to believe that good work naturally gets rewarded. It doesn't. You get rewarded when you learn to speak for yourself, your work and your ideas.

The Visibility Equation: How + Where

Visibility has two sides:

1. How you show up: your communication, energy and credibility.
2. Where you show up: the rooms, platforms and networks where influence happens.

When you learn to master both, you begin to shift from unnoticed to undeniable.



1. How You Show Up: The Five Visibility Levers

1. Body Language

Taking up space signals confidence and authority. Your posture, gestures and facial expressions communicate credibility before you even speak.

2. Voice

Your voice is your instrument of influence. Learn to project warmth and strength. Women, especially, benefit from using tone intentionally to convey authority and speak in statements.

3. Listening

“Interesting people are interested.” Listening deeply builds trust and connection. You don’t need to dominate conversations because curiosity does more for credibility than talking ever could.

4. Messaging

Clarity is confidence. Drop the waffle, eliminate over-explaining and specialise in what you want to be known for. The more precise your language, the stronger your authority.

5. Self-Advocacy

Speak up for your ideas and own them. Articulate your signature strengths so others know what to come to you for. It’s your responsibility to advocate for yourself.

2. Where You Show Up: Your Visibility Ecosystem

Visibility isn’t one platform; it’s a system of touchpoints. It’s the rooms, channels and relationships that shape how others perceive you when you’re not in the room.

Think of it as your ‘Visibility Ecosystem’ your web of presence that reinforces your reputation.

The Three Visibility Zones

Zone	Description	Visibility Actions
Internal	Inside your team and organisation	Share updates, volunteer to present, highlight collaborators.
External	Industry and online presence	Publish LinkedIn posts, join panels, comment insightfully.
Interpersonal	One-on-one with leaders and mentors	Ask for feedback, express career goals, send thank-you notes.

Practical Strategies To Start Today

In Meetings

- Speak at least once in the first 10 minutes, even if it's a question.
- Reference others' points ("When Thabo mentioned earlier...") to show active listening and leadership.
- Volunteer to summarise next steps (the person who summarises owns the narrative).

In Digital Spaces

- Update your LinkedIn headline to reflect value, not just your title.
- Example: "Helping leaders communicate with clarity and confidence" instead of "Executive Coach."
- Post monthly reflections or lessons learned.
- Comment thoughtfully on industry posts because micro-visibility adds up.

In Your Calendar

- Monthly: Share a progress update.
- Quarterly: Publish a reflection post.
- Yearly: Refresh your portfolio, testimonials, and case studies.

Building Your Visibility Ecosystem

No one builds visibility alone.

- Mentors guide your growth.
- Sponsors advocate for you when you're not in the room.
- Peers amplify your voice.

Visibility also extends beyond work. Your LinkedIn presence, email signature and even your Zoom background shape your professional impression.

Audit tip: Google yourself every quarter. Do the first five results reflect the professional you want to be seen as?

Be Seen On Purpose

Visibility isn't about ego; it's about ownership. It's how you ensure that your talent, ideas and effort get the recognition they deserve.

If your work is great, let it speak through you.

When you are visible opportunities expand and your career accelerates. Let us reframe visibility not as self-promotion, but as self-responsibility.



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Opinion Piece: Why your next benefits strategy must be digital-first

By By Shaun Raizenberg, Employee Benefits Consultant at Essential Employee Benefits



For decades, employee benefits were straightforward; medical aid and retirement plans formed the backbone of most workplace offerings. While these benefits remain important, they no longer reflect the realities of today's workforce. Employees expect more than a safety net; they want support that improves their quality of life, reduces stress, and helps them thrive. The rise of digital innovation, Artificial Intelligence (AI), and health tech is pushing companies to rethink their strategies, offering smarter, more dynamic solutions that meet the evolving needs of a modern workforce.

AI and wearables: from passive cover to active care

One of the most striking changes is the way technology is transforming employee wellbeing. Wearable devices that track heart rate variability, sleep patterns, and stress levels are giving employers and employees unprecedented visibility into health trends. Instead of waiting for problems to arise, AI-driven platforms analyse this data in real-time to provide proactive recommendations. Imagine an employee receiving a gentle nudge to take a break because their stress indicators are climbing, or a personalised sleep improvement plan based on their wearable data. This shift from reactive to proactive care reduces the risk of burnout and empowers employees to take charge of their wellbeing.

Why forward-thinking providers matter more than ever

Globally, the benefits landscape is becoming more holistic, focusing on physical health, financial wellbeing, mental resilience, and work-life balance. South Africa reflects these same trends but with a local twist. With healthcare systems stretched by limited resources, workforce gaps, and rising disease burdens, businesses cannot rely solely on traditional solutions. Here, technology is not just an added perk, it can play a pivotal role in bridging systemic gaps. AI-enabled telehealth, for example, can expand access to medical expertise without requiring additional infrastructure, providing employees with quicker, more affordable care options.

The complexity of this evolving landscape means businesses cannot tackle it alone. Partnering with innovative benefits providers ensures companies have access to the latest tools, data, and insights. These partnerships allow organisations to deliver benefits that are not only competitive but also relevant. A company that offers an integrated, tech-enabled benefits package signals to potential hires that it values employee wellbeing as much as performance. This is no small factor in an era where talent retention is one of the most pressing business challenges.

Digital tools: democratising healthcare access

The promise of digital tools lies in their ability to make healthcare more affordable and accessible. Virtual consultations, personalised health apps, and AI-driven risk assessments reduce barriers to care, particularly for employees who might otherwise delay seeking help due to cost or location. Data-driven insights also help employers allocate resources more effectively. For instance, predictive analytics might reveal a trend of rising stress levels within a specific team, prompting early interventions such as wellness workshops or workload adjustments before absenteeism spikes.

Future-proofing benefits: what businesses can do now

Future-proofing employee benefits is less about chasing every new trend and more about building flexibility and resilience into strategy. Companies can start by gathering insights into employee needs through surveys, usage data, and feedback loops. From there, the goal should be to create benefit packages that are both personalised and adaptable. Offering flexible work arrangements, financial planning resources, and access to mental health support are no longer luxuries but essentials. Layering technology on top of this, AI-enabled health monitoring, digital claims processing, and predictive analytics, can streamline administration and make benefits more impactful.

From transactional to transformational

What separates the benefits strategies of the past from those of the future is impact. Transactional benefits such as points and cash back, were designed to provide short-term cover in specific circumstances. Today's employees want something more transformational, long-term strategies that promote health, stability, and growth. Investing in healthcare analytics, for example, allows companies to identify risk factors early and support employees in managing chronic conditions. Likewise, AI-driven wellness tools can encourage healthier habits and reduce the likelihood of long-term health issues. This evolution from transactional to transformational is not just good for employees, it is a business advantage.

Anticipating the next wave

Technology and AI are not passing trends in the employee benefits space; they are here to stay. Companies that anticipate workforce trends and adapt their strategies accordingly will be better positioned to compete for top talent and weather future disruptions. By integrating AI, wearables, and health tech into their benefits packages, employers can create a truly holistic support system that aligns with both global trends and local realities.

Businesses that continue to rely solely on traditional benefits risk falling behind, while those that embrace innovation can unlock new levels of engagement, wellbeing, and performance. The choice is not whether to adapt, but how quickly. Partnering with trusted, forward-thinking providers, investing in technology, and focusing on long-term wellbeing are all essential.

By embracing this new era of benefits, companies can move from simply offering cover to truly empowering their workforce. In doing so, they will not only attract and retain the best talent but also foster healthier, more resilient organisations ready to thrive in the digital age.

