

2026

THE PEOPLE  
FACTOR MAGAZINE

June | 2026





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# L&D CONFERENCE

## THEME **CAPABILITY 2030:** **BUILDING A FUTURE-READY WORKFORCE**

Building a Future-Ready Workforce Conference. This theme focuses on how organisations can strengthen learning cultures, develop agile leaders, and future-proof skills to remain competitive in a rapidly changing world of work. A conference hosted by the Learning and Development Committee.



**DATE:** 25 June 2026

**TIME:** 09:00-15:00

**LOCATION:** SABPP house, 1495 Setperk Road,  
Ruimsig, 1724

**FEES:** Member - R2500.00 (excl. Vat)  
Non- Member- R2900.00 (excl. Vat)  
Buffet Membership are eligible to attend

**CPD POINTS:** 6 CPD Points



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# ANNUAL PEOPLE FACTOR CONFERENCE

**PEOPLE STRATEGY FOR COMPLEX AI-LED REALITIES:  
FROM HYPE TO CO-CREATING IMPACT**

*An invitation to*

**CPOS, HR EXECUTIVES, CHROS & SENIOR PROFESSIONALS**



**3 - 4**

September 2026



**ICC**

Durban International  
Convention Centre



**11**

CPD Points



	FEE INCL GALA	GALA ONLY
MEMBER	R6 999.00	R1 350.00
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\*\*Excluding VAT



# ANNUAL PEOPLE FACTOR CONFERENCE 2026

**PEOPLE STRATEGY FOR COMPLEX AI-LED REALITIES:  
FROM HYPE TO CO-CREATING IMPACT**



*Giyaya ethekwini*

**PEOPLE STRATEGY FOR COMPLEX AI-LED REALITIES:  
FROM HYPE TO CO-CREATING IMPACT**

AN INVITATION TO  
CPOS, HR EXECUTIVES, CHROS & SENIOR PROFESSIONALS

We are entering a decisive chapter in the evolution of work one that places unprecedented responsibility on those entrusted with people, culture, and organisational stewardship.

Artificial intelligence is no longer a future consideration. It is already reshaping how organisations operate, compete, and create value. The era of experimentation is over. The defining question now is whether leadership will translate AI into meaningful, responsible impact or allow it to outpace governance, ethics, and human value.

We are moving decisively from hype to co-creating impact. This shift demands intentional leadership—leaders who take ownership, deliberately design how AI integrates into the enterprise, and ensure that efficiency never comes at the expense of trust, fairness, and long-term sustainability.

This moment requires decisive action.

Organisations must redesign workforce models, enable continuous human-machine collaboration, and ensure that decision-making remains accountable, transparent, and grounded in human judgment. For HR, the expectation is unequivocal: to act as a strategic authority and custodian of organisational integrity, ensuring that transformation is not only innovative, but lawful, ethical, and sustainable.

Impact is not accidental. It is designed, governed, and led with clarity and discipline.

## AN INVITATION TO LEADERSHIP

This event is an invitation to executive leadership:


- To move beyond reactive compliance and incremental change
- To position HR as a co-author of enterprise strategy
- To intentionally design workplaces that are resilient, principled, and future-ready

The future of work is already being shaped—through today’s governance choices, technology frameworks, workforce strategies, and leadership behaviours.

I invite you, as stewards of organisational integrity and performance, to join us in shaping that future with clarity, responsibility, and purpose.

Together, let us ensure that as our organisations become more intelligent, they also become more trustworthy, inclusive, and human.

 **3 - 4 September 2026**

 **Durban International Convention Centre (ICC)**

 **11 CPD POINTS**

## THE GATHERING

This gathering, taking place on **3–4 September 2026 at the Durban International Convention Centre (ICC)**, is convened with that responsibility at its core.

Over two days, senior HR leaders, CHROs, executives, academics, researchers, and consultants will engage in focused, future-oriented dialogue.

On the evening of Day One, we will host our **Gala Dinner Awards**, recognising HR and business leaders who demonstrate measurable impact, ethical leadership, and courageous innovation - leaders shaping the future of work rather than merely managing its consequences.

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**EARLY BIRD SPECIAL**

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Early Bird Booking & Payment Deadline: 30 June 2026

*Xolani L Mawande*  
Chief Executive Officer  
Clarity-Seeking Leadership

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## Ethics in Action: Re-centering Leadership and Corporate Governance in HR Practice

By: Vuyisile Nomvalo Ethics Com Member, SABPP | Leadership Facilitator & Director, Stars ProLife Coaching

Peer reviewed by Dr. Elizabeth Cornelia (Liné) Rudolph, Ethics Com Member, SABPP | Senior Lecturer, UNISA

### Introduction

In an environment where organisations continue to face increasing ethical challenges, the role of Human Resources (HR) professionals as custodians of ethical conduct has never been more critical. Despite the presence of HR functions across organisations, cases of unethical behaviour remain prevalent.

This paradox formed the basis of a session led by Dr. Simo Lushaba at the SABPP Ethics Conference (26 March 2026), challenging HR professionals to reflect on accountability, courage, and professional responsibility. Hence, this article argues that HR's ethical mandate extends beyond compliance and policy administration toward courageous ethical leadership and active governance.



## **Purpose of the Conference**

The conference aimed to equip HR professionals with the knowledge and practical wisdom required to manage unethical behaviour. It also posed a critical question: Why do unethical practices persist where HR professionals exist?

Beyond creating awareness, the conference challenged HR professionals to critically reflect on how ethical leadership, accountability, and governance can be translated into everyday organisational practice through deliberate and courageous action.

## **Ethics as a Foundation of Trust**

Ethics is fundamentally about trust. Trust determines whether individuals can be entrusted with responsibility. Without it, governance structures lose effectiveness.

**Professional reflection:** As HR practitioners, we often speak about competence, capability, and performance, yet trust remains the invisible currency that sustains leadership credibility and organisational legitimacy. When trust is compromised, even the most sophisticated governance frameworks can become symbolic rather than functional.

**Professional insight:** Building trust requires consistency between organisational values, leadership behaviour, and HR decision-making. Employees observe not only what leaders say, but also how decisions are made, who is rewarded, and what behaviours are tolerated.

## **Governance and Assumed Trust**

The session questioned whether organisations assume trust without verification. HR must ensure rigorous recruitment, vetting, and continuous ethical assessment.

**Professional reflection:** As HR practitioners, we often speak about competence, capability, and performance, yet trust remains the invisible currency that sustains leadership credibility and organisational legitimacy. When trust is compromised, even the most sophisticated governance frameworks can become symbolic rather than functional.

**Professional insight:** Building trust requires consistency between organisational values, leadership behaviour, and HR decision-making. Employees observe not only what leaders say, but also how decisions are made, who is rewarded, and what behaviours are tolerated.



## Building an Ethical Culture

HR professionals were challenged on whether they are doing enough. Are they turning a blind eye? Is fear limiting action? The issue lies not in policy absence, but in inconsistent application.

**Professional reflection:** One of the greatest threats to ethical culture is not the absence of policy, but the silent acceptance of inappropriate behaviour when intervention feels uncomfortable or politically risky.

**Professional insight:** Ethical cultures are built when employees experience consistency, fairness, and psychological safety. HR professionals must model courage by addressing misconduct early, irrespective of organisational hierarchy or positional influence.

## Accountability and the Role of HR

Organisations with ethical failures often have HR structures. This raises questions about action taken, consistency, and courage to act.

**Professional reflection:** The existence of HR systems does not automatically translate into ethical accountability. The real measure of HR effectiveness emerges when difficult decisions must be made under pressure.

**Professional insight:** HR credibility is strengthened when disciplinary processes, investigations, and ethical interventions are applied consistently, transparently, and without favour, even when influential stakeholders are involved.

## Values and Societal Context

Organisational ethics reflect societal behaviours. HR must reinforce ethical standards beyond compliance.

**Professional reflection:** Organisations do not operate in isolation from society. The values, pressures, and moral tensions present in broader communities inevitably find expression in workplace behaviour.

**Professional insight:** HR must actively shape organisational values through leadership development, socialisation processes, recognition systems, and behavioural accountability to ensure that organisational ethics remain intentional rather than reactive.



## Global Perspective

Was highlighted as an example where discipline and leadership contributed to strong performance and ethical culture.

**Professional reflection:** Global examples such as South Korea remind us that sustainable organisational performance is often rooted in cultural discipline, shared accountability, and leadership consistency rather than technical capability alone.

**Professional insight:** While organisational contexts differ, HR professionals can learn from international practices that prioritise collective responsibility, continuous improvement, and ethical leadership as strategic business drivers.

## Translating Policy into Ethical Action

The problem is not policy but implementation. Enforcement, leadership example, and HR courage are key.

**Professional reflection:** Many organisations possess comprehensive policies, codes of conduct, and governance frameworks, yet policy documents alone do not shape behaviour— people do.

**Professional insight:** Policies become meaningful only when leaders embody them, managers reinforce them, and HR ensures they are integrated into performance management, succession planning, and everyday decision-making.

## *Did you Know*

“  
**SABPP  
FACTS**”

SABPP has a WhatsApp channel to keep members updated on all activities. To join please use the link below: Follow the SABPP (SA Board for People Practices) channel on WhatsApp: Please click [here](https://whatsapp.com/channel/0029Vb5vAL57tkj0a6KKM10i) or <https://whatsapp.com/channel/0029Vb5vAL57tkj0a6KKM10i>

## Ethical Dilemmas and Courage

HR professionals must navigate dilemmas requiring integrity and courage, especially when dealing with senior stakeholders.

**Professional reflection:** Ethical leadership often requires making decisions that may be personally uncomfortable, professionally risky, or politically unpopular. Courage, therefore, becomes a professional competency, not merely a personal virtue.

**Professional insight:** HR professionals strengthen their influence when they anchor difficult decisions in evidence, policy, professional standards, and organisational values, particularly when engaging senior leadership.

## Technology and Ethics

AI in recruitment may reduce bias, but it does not replace ethical judgment.

**Professional reflection:** As technology increasingly influences people's decisions, HR must guard against assuming that automation automatically equates to fairness or objectivity.

**Professional insight:** Ethical use of AI requires human oversight, transparent algorithms, ongoing bias audits, and accountability for decisions that affect people's careers, livelihoods, and dignity. Technology should enhance human judgment—not replace it.

## Implications for HR Professionals

HR must move from compliance to ethical leadership, strengthen accountability, enforce policies consistently, and build ethical cultures. Moving from ethical awareness to ethical action requires deliberate and sustained intervention. To embed ethics as a lived organisational practice, HR professionals should consider the following practical actions:

- Conduct regular ethical climate assessments.
- Integrate ethics into talent and leadership development.
- Create psychologically safe whistleblowing channels.
- Hold leaders accountable through ethical KPIs.

## Conclusion

The future of HR depends on the courage to uphold ethical standards. HR professionals are custodians of organisational integrity.

## Bibliography

Lushaba, S. (2026, March 26th). Ethics, accountability, courage, and professional responsibility in HR practice [Conference presentation]. SABPP Ethics Conference, South African Board for People Practices.

## **Author Bio**

Vuyisile Nomvalo is an HR professional, leadership facilitator, and member of the SABPP Ethics Committee. With over three decades of corporate experience, he specialises in leadership development, ethical transformation, and organisational effectiveness through his practice, Stars ProLife Coaching. He also works as a high-performance and life coach, supporting individuals in navigating real-life workplace and personal challenges by strengthening mindset, discipline, and accountability to achieve lasting behavioural change.

## **Peer Reviewer Bio**

Dr. Elizabeth Cornelia (Liné) Rudolph is an accomplished Industrial and Organisational Psychologist, Human Resources Management Professional and Senior Lecturer at the University of South Africa. She specialises in Human Resource Management, research ethics, and academic leadership, with a passion for employee well-being, career development, and ethical leadership. She chairs the College of Economic and Management Sciences (CEMS) Ethics and Research Committee, leads the Khulisa Abantu engaged scholarship project, and serves on the Unisa Talent Optimisation Programme coaching team, guiding ethical scholarship, professional growth, and purposeful flourishing in academia and beyond.

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## Youth Day 2026: Why Youth Day Still Matters

By; Pumelele Falita, HR Professional and SABPP HR Citizen Committee Member



Every 16 June, we pause to remember the courage of young people in 1976—young people who challenged a system that limited their future through unequal education. It's a powerful story. But in 2026, Youth Day should do more than remind us of the past. **It should make us ask: what has really changed for young people today?**

Because if we are honest, many of the barriers have not disappeared, they have simply evolved.

Let's start with the facts. Youth unemployment in South Africa remains staggeringly high—around 45% for those aged 15–34. That means nearly one in two young people who want to work simply cannot find opportunities. But this is not just a youth issue, it's an inequality issue. Race still plays a major role. Black African youth face significantly higher unemployment than their white counterparts, reflecting deep historical and structural inequalities that remain embedded in the labour market. Youth Day, therefore, cannot be race neutral. It must acknowledge that access to work is still shaped by who you are and where you come from.

Now add gender to the mix.

Young women are consistently more likely to be unemployed than young men, and more likely to leave the workforce entirely due to caregiving responsibilities and limited opportunities. As HR professionals, this should concern us deeply. We often talk about gender equity at leadership level, but the real challenge begins much earlier—at the point where young women are trying to enter the workforce for the first time. Youth Day should remind us that inequality compounds. A young Black woman without access to opportunity faces a very different reality from a young person entering the labour market with privilege.

**Education** was at the heart of the 1976 protests—and it remains critical today.

Young people without matric face the highest unemployment rates, while those with tertiary education are more likely to find work. But here's the uncomfortable truth: education is no longer a guarantee. Even graduates struggle, many qualified young people remain trapped in cycles of unemployment and short-term work. This tells us something important. We haven't just created an education gap—we've created an opportunity gap.

From an SABPP HR Citizenship perspective, Youth Day is not just symbolic—it is deeply practical.

It asks whether our systems—education, labour markets, and workplaces—are actually enabling young people to participate. Because if young people remain excluded, then the future of work in South Africa is already compromised.

Youth Day reminds us that inequality is not abstract. It shows up in hiring decisions, in internship programmes, and in who gets that first chance.

## A Call to Action for HR Professionals

So, what can we, as HR professionals, do? We need to move from awareness to action:

- **Redesign entry-level hiring:** Stop requiring experience for roles meant for first-time entrants.
- Invest in structured pathways: Internships, learnerships, and apprenticeships must become core, not optional.
- **Target inclusion deliberately:** Focus on young Black (African, Coloured & Indian) talent and young women in recruitment pipelines.
- **Partner with education institutions:** Help bridge the gap between qualifications and workplace readiness.
- **Adopt an HR Citizenship mindset:** Recognise that talent development is not just an organisational issue, it's a societal one.

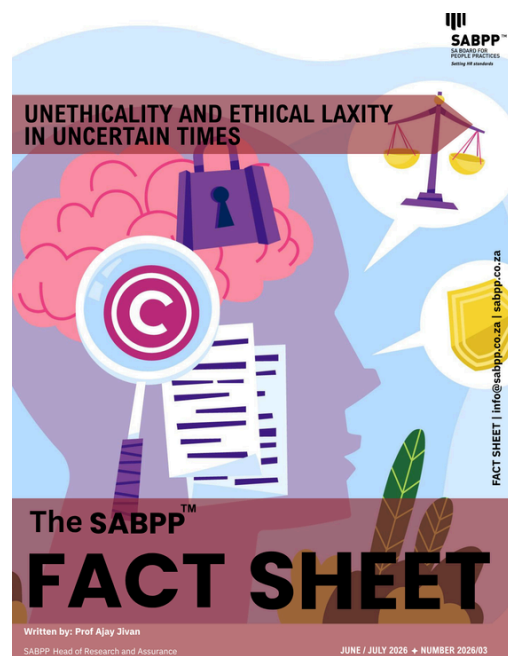


In 1976, young people demanded access to education because they understood it was the gateway to opportunity. In 2026, young people have more access to education—but not enough access to work. Youth Day remains relevant because it asks a difficult question:

**Are we honouring the legacy of 1976 by creating opportunity—or are we simply remembering it while inequality continues?**

As HR professionals, we cannot solve everything. But we cannot afford to stand on the sidelines either. If Youth Day feels uncomfortable, then perhaps it is doing exactly what it was meant to do.

The author would like to hear from you, please click [here](#) to share your feedback with us...



## FACT SHEET JUNE/JULY 2026

*Prof. Ajay Jivan*  
**SABPP Head of Research and Assurance**

This brings us to the question of unethically. In this Fact Sheet, we explore how people who would ordinarily not engage in unethical behaviour may nevertheless do so in difficult and uncertain situations, whether knowingly or unwittingly. It may be tempting to label such persons as ‘bad apples’ and to attribute unethical conduct to individual character or traits alone. However, the literature suggests a broader view that considers ‘bad apples’ (individual factors), ‘bad barrels’ (organisational factors), and ‘bad cases’ (situational factors) that may contribute to ‘apples going bad’. This framing is drawn from the title of a meta-analysis by Kish-Gephart et al. (2010)<sup>1</sup>.

[Read more..](#)

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## From Wellness Programmes to Wellness Systems: The Leadership Shift Organisations Can No Longer Ignore

By: A leadership perspective emerging from a recent CPD-accredited workplace wellness webinar hosted by Workplace Wellness Association Southern Africa (WWASA) and the Foundation for Professional Development (FPD).

Across South Africa, organisations are investing more in workplace wellness than ever before. There are more Employee Assistance Programmes (EAPs), more mental health interventions, more digital wellness platforms, more coaching services and more awareness campaigns than at any previous point in corporate history.

Yet despite this growth, the core organisational outcomes are not improving at the same pace. Burnout continues to rise. Employee disengagement remains stubbornly high. Mental health challenges are increasing. Organisational cultures are becoming strained under economic pressure, workforce uncertainty and growing complexity.

This uncomfortable reality formed the centre of a recent CPD-accredited leadership discussion hosted by Workplace Wellness Association Southern Africa and the Foundation for Professional Development.



Facilitated by Steve Rogers, the Chief Executive Officer of Right People Right Job and a registered WWASA service provider and ambassador, the discussion brought together healthcare executives, wellness practitioners, leadership specialists and organisational development professionals to explore a critical question:

“If organisations are doing more wellness than ever before, why are the outcomes not improving?”

The consensus from the panel was clear: the problem is not a lack of wellness activity. The problem is fragmentation, poor integration and insufficient leadership.

## **The Leadership Gap Behind the Wellness Crisis**

Dr Vuyokazi Mpongoshe, healthcare executive and board director of WWASA, opened the discussion by challenging organisations to rethink the way they understand workplace wellness.

“We are seeing more wellness activities than ever before,” she explained. “More programmes, more providers, more platforms — and yet outcomes are not improving.”

According to Dr Mpongoshe, organisations often assume the answer lies in adding more interventions. However, this creates a cycle of activity without measurable systemic change.

“The problem is not the servicing,” she argued. “The problem is the leadership.”

Her insight reflects a growing reality across many organisations: wellness is still being managed as a disconnected operational function rather than as an integrated organisational strategy.

Most organisations already have access to wellness providers, mental health professionals, coaches, occupational health practitioners and digital tools. What is often missing is coordination.

This creates what Dr Mpongoshe described as “a system-level problem being addressed with service-level thinking.”

The result is predictable: siloed interventions, duplicated effort, inconsistent messaging and limited long-term impact.

## **Wellness Does Not Fail Because of a Lack of Talent**

Building on this point, Keshni Mathi, corporate wellness specialist and chairperson of ASCHP, argued that the wellness sector itself is rich in expertise but poor in integration.

“The wellness sector does not fail because of a lack of talent,” she explained. “It fails because of a lack of coordination.”

“Data connects wellness to performance,” she stated.

When organisations understand where their real risks, frustrations and engagement gaps exist, interventions become more targeted and budgets become easier to justify.

Importantly, the discussion moved beyond traditional return-on-investment (ROI) thinking toward broader concepts of value-on-investment (VOI), including culture, retention, engagement, leadership trust, productivity and organisational sustainability.

## **The Service Provider of the Future**

Dr Gloria Maimela, Chief Executive Officer of the Foundation for Professional Development, expanded the discussion by introducing what she described as the “Provider Evolution Model.”

According to Dr Maimela, the wellness industry is entering a new phase where providers must evolve beyond programme delivery toward strategic organisational influence.

She identified four broad levels of provider maturity:

- Product seller
- Programme provider
- Integrated solution partner
- Strategic wellness advisor

The first two levels focus largely on transactional service delivery. The real strategic shift occurs when providers begin operating at levels three and four — integrating systems, aligning with organisational strategy, using data intelligently and influencing executive decision-making.

“Organisations do not pay premium fees for activities,” Dr Maimela explained. “They pay for insight, integration and outcomes.”

This shift requires entirely new leadership capabilities, including systems thinking, governance understanding, financial literacy, analytics and organisational transformation capability.

## **Why Leadership Matters More Than Ever**

As the discussion progressed, a broader organisational challenge became increasingly clear.

The workplace wellness crisis is occurring at the same time that organisations are navigating economic uncertainty, technological disruption, workforce fatigue and declining trust in leadership.

Dr Maimela described this as a widening “global leadership gap.”

“The complexity of the world has increased faster than leadership capability has evolved,” she warned.

This observation resonated strongly throughout the discussion.

Wellness, therefore, is no longer merely about individual health support. It is increasingly about organisational resilience, leadership capability and strategic sustainability.

## **Wellness as a Competitive Advantage**

In his concluding remarks, Chris Luyt, Chief Executive Officer of WWASA, positioned workplace wellness as a strategic organisational advantage rather than a support function.

“Wellness is no longer a support function,” he argued. “It is a performance lever.”

Luyt emphasised that the market is moving away from fragmented service delivery toward coordinated wellness ecosystems.

This creates both risk and opportunity for service providers and employers alike.

The organisations that succeed in the future will be those that integrate systems, align wellness with strategy, measure impact, collaborate across disciplines and use data to drive leadership decisions.

Similarly, providers who continue competing in fragmented silos may increasingly struggle to remain relevant in a market demanding integration and measurable value.

“This is not about doing more work,” Luyt concluded. “It is about positioning your work differently.”

## **The Future of Workplace Wellness**

One of the strongest insights emerging from the webinar was that workplace wellness is entering a significant transition period.

The industry is moving:

- From fragmentation to coordination
- From activity to measurable impact
- From providers to leaders

The question facing organisations is no longer whether this shift will happen.

The real question is whether leaders, employers and wellness professionals are prepared to evolve with it.

Because ultimately, organisations cannot solve system-level problems with disconnected wellness activities alone.

The future of workplace wellness will belong to integrated systems, measurable outcomes and leadership capable of connecting wellbeing directly to organisational performance.

<https://youtu.be/o9lrxQ0GXDQ?si=ZpQo13n1dAPpPo>

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## NAVIGATING THE DISCOVERY OF A CRIMINAL RECORD IN THE EMPLOYEE SCREENING PROCESS: A GUIDE FOR EMPLOYERS

By: Jenny Reid, Founder, [www.ifacts.co.za](http://www.ifacts.co.za) 011 453 1587

As employers in South Africa engage in the critical practice of employee screening, one of the primary concerns that arise is how to handle candidates who present with a criminal record. Understanding the implications of employing individuals with criminal backgrounds, alongside the relevant labour law references, is essential for ensuring both compliance and fairness in the hiring process.



Recent statements from the Minister of Correctional Services have brought attention to the complex issue of recidivism in South Africa. More than 18,000 parolees reportedly reoffended in the past three years, which included serious offences such as murder and rape. This pressing issue raises questions about the risk posed by individuals with criminal records and how employers should approach hiring decisions concerning these candidates.

Recidivism, the tendency of released prisoners to commit crimes again, is often reported to range between 55% and 95%, depending on the source. This variability indicates a lack of standard definitions and consistent measurements of recidivism rates in the country. Employers must navigate this uncertain landscape when considering applicants with criminal records.

When a criminal record check reveals a candidate has a criminal history, the immediate question arises: should they be automatically excluded from consideration? The answer is not straightforward and involves a nuanced understanding of labour laws as well as the specific circumstances surrounding each case.

**1.Labour Law Considerations:** In South Africa, the Labour Relations Act (LRA) and the Employment Equity Act (EEA) provide guidelines on fair and unfair dismissal, which includes considerations for hiring individuals with criminal records. The law stipulates that discrimination against individuals based solely on their past convictions could be seen as unfair, particularly if the historical offence is not relevant to the job being applied for.

**2.Relevance to the Position:** Employers should consider the nature of the crime in relation to the job role. For example, a candidate with a theft conviction may be deemed unsuitable for a position in financial services or areas involving handling cash. On the other hand, for roles that do not involve trust-sensitive responsibilities, disqualifying a candidate solely based on a criminal record may overlook potential talent and contributions to the workplace.

**3.Rehabilitation and Change:** The concept of rehabilitation is crucial in the context of recidivism. Many individuals who re-enter society strive for a fresh start and may have undergone significant personal change. Conducting thorough interviews and understanding the candidates' experiences since their conviction can provide deeper insights into their readiness to contribute positively to your organisation. There are also specific psychometric assessments that can be done to determine the level of rehabilitation and how likely they are re-offend.

**4.Individual Assessment Approach:** Rather than adopting a blanket exclusion policy, employers are encouraged to take a case-by-case approach when evaluating candidates with criminal records. This method involves assessing the relevance of the offence, the time elapsed since the conviction, the steps taken towards rehabilitation, and the candidate's qualifications and fit for the role.

To effectively navigate the complexities of employing individuals with criminal records while ensuring compliance with legal frameworks, employers can implement the following best practices:

**1.Clear Hiring Policies:** Develop transparent and inclusive hiring policies that outline how criminal records are assessed in the screening process. Ensure that these policies comply with the Labour Relations Act and the Employment Equity Act.

**2.Training for Hiring Managers:** Equip employees involved in the hiring process with training on understanding recidivism, the implications of criminal records, and the importance of equitable hiring practices. This knowledge fosters a fair assessment of each candidate.

**3.Utilise a Holistic Screening Process:** Conduct comprehensive background checks alongside psychometric assessments, interviews and skill assessments. This multi-faceted approach will provide a clearer picture of the candidate's abilities, helping to inform hiring decisions beyond criminal history.

**4.Supporting Rehabilitation:** Consider partnering with programmes that support the reintegration of formerly incarcerated individuals into the workforce. This initiative demonstrates corporate social responsibility and creates opportunities for meaningful employment.

**5.Regular Policy Reviews:** Reevaluate the effectiveness of your screening and hiring policies regularly. Monitor their impact on diversity and inclusion within your workforce, ensuring that fair access to opportunities is maintained.

The issue of handling candidates with criminal records presents both challenges and opportunities for employers in South Africa. With the complexities surrounding recidivism and the evolving landscape of employment law, it is vital for organisations to approach the subject with sensitivity and a commitment to fairness.

By implementing robust screening processes, developing inclusive hiring policies, and promoting rehabilitation, employers can effectively navigate the intricacies associated with employing individuals with criminal histories.

In doing so, they not only protect their organisations from potential risks but also play a crucial role in creating inclusive workplaces where all individuals have the opportunity to contribute positively, regardless of their past. As we strive for an equitable future, let's work together to build a hiring environment that prioritises second chances and values people for their potential.

**The author would like to hear from you, please click [here](#) to share your feedback with us...**



The HR profession continues to evolve in response to shifting career paths, workplace demands and increasing emotional pressures.

To better understand these experiences, Claudette Govender is conducting an academic research study focused on HR practitioners in South Africa. She is a HR Consultant, Industrial and Organisational Psychologist (Supervised Practice), and MCom Industrial and Organisational Psychology candidate at UNISA.

If you are currently employed in an HR or HR-related role, you are invited to share your experience by participating in this survey. Your insights will support research aimed at understanding career changes, emotional demands, perceived stress, and adaptability within the profession. The survey takes approximately 15–20 minutes to complete and is voluntary, anonymous, and confidential.

Survey link: <https://cg25.limesurvey.net/279822?lang=en>



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## MISUNDERSTANDING THE OBJECTIVE TEST CAN MEAN A TIGHTROPE DISASTER

By: Ivan Israelstam, Chief Executive of Labour Law Management Consulting.

When arbitrators and judges decide on whether a dismissal was for a fair reason they are required to apply what is called 'the objective test'. That is, they must establish whether a reasonable person would have decided unemotionally that the employee's conduct merited dismissal.



This test is difficult to apply because determining what a 'reasonable person' is in itself a matter of individual judgement. Nevertheless, employers need to understand this rigid principle because the courts are bound to apply it when deciding whether the employer has acted fairly.

In the matter of the Commercial Stevedoring Agricultural and Allied Workers Union obo Vuyani Qomoyi Vs Namaqua Wines (Pty) Ltd (Lex Info 08 April 2026. LAC case no CA 18/2024) the Labour Appeal Court provided a clear explanation of 'the objective test' principle, which makes a summary of that case outcome useful.

In that case Mr Meyer, a manager summoned Mr Qomoyi, a shop steward to a meeting to witness Mr Meyer firing one of Mr Qomoyi's black colleagues. Mr Qomoyi was later fired for having told Mr Meyer in that meeting that he was a 'white racist' who was firing black workers. Both the CCMA arbitrator and the Labour Court agreed that Mr Qomoyi's statement had been racist.

On appeal the Labour Appeal Court (LAC) took a different view. While, subjectively, Mr Qomoyi's comment could have been viewed as racist the law requires arbiters to apply the objective, reasonable person test. This involves looking objectively at the context of the employee's conduct, it's intention and what provoked it.

The Court proceeded to apply the objective test by delving into the management-employee relations circumstances at the Namaqua workplace, at the incident that had provoked Mr Qomoyi's outburst and at Mr Qomoyi's mindset at the time. Mr Qomoyi had observed the manager firing a black worker, apparently without a disciplinary hearing. As the fired employee had not, to Mr Qomoyi's knowledge, been proved to have committed a dismissible offence, Qomoyi interpreted this to mean that the manager had fired him, not for good cause, but because he was a white racist.

While the manager, Mr Meyer testified that he had been hurt by the Mr Qomoyi 'racist' remark nobody else testified that they had found the remark to be racist. This left the only interpretation of the remark to be Meyer's subjective view.

The Court therefore found that Qomoyi had objectively and for good reason believed that Meyer's actions had been racist and had merely expressed this objective view as opposed to having made a racist comment.

The Court further stated that the employer should, instead of firing Mr Qomoyi, have investigated the allegations of management racism that Qomoyi had made. The LAC ordered the employer to reinstate Mr Qomoyi with 55 months backpay.

***This is yet another case where a misguided employer had breached the law and had to go through the very long and extremely costly process of adjudication at the CCMA, Labour Court and Labour Appeal Court. This means that all managers need to be trained to understand that the laws against racism exist primarily to protect members of previously disadvantaged groups and that failing to implement 'the objective test' could prove very costly.***

The innovative video series WALKING THE LABOUR LAW TIGHTROPE assists employers to provide their managers with very inexpensive training that allows the managers to achieve crucial labour relations knowhow at times suitable to their very busy schedules. **Its 48 chapters, averaging 10 minutes in length each, can easily be watched at junctures when the manager has time.** This greatly informative yet very engaging and practical video series provides crucial and user-friendly learning through the use of a stimulating, animated case study that runs throughout the 48-chapter series. Each chapter contains clear and important advice needed by workplace management on the basics of labour law over a very wide range of topics

**A further advantage is that the manager can, for a full year, easily go back to any of the 48 videos for purposes of refresher training or in order to access information on how to deal with a current workplace issue.** This solves the problem of managers forgetting what they have learned. This video series helps management to walk the shaky labour law tightrope and to run the workplace productively without falling into the labour law abyss.

To access our groundbreaking video series: WALKING THE NEW LABOUR LAW TIGHTROPE please go to [www.labourlawvideos.co.za](http://www.labourlawvideos.co.za) or contact Ivan on [ivan@labourlawadvice.co.za](mailto:ivan@labourlawadvice.co.za)

**The author would like to hear from you, please click [here](#) to share your feedback with us...**

## Provincial Highlight



## Western Cape Regional Visit

During the month of May, the SABPP CEO conducted an official visit to the Western Cape Region as part of the organisation's ongoing commitment to strengthening its presence and impact across South Africa.

The visit included a strategic engagement with the SABPP Western Cape Regional Committee, where key priorities, regional initiatives, and opportunities for growth were discussed. This was followed by a series of company visits and stakeholder engagements aimed at strengthening relationships with employers, HR professionals, and industry leaders within the region.

The visit was well received and provided a valuable platform for meaningful dialogue, relationship building and the advancement of the HR profession in the Western Cape. The engagements reinforced SABPP's commitment to working closely with regional stakeholders to elevate professional HR standards and contribute to the growth and development of the profession.

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