



RK Corporate Consulting (Pty) Ltd

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Disciplinary Hearing Checklist

For Employers – Prepared by RK Corporate Consulting

Date: 8 July 2025

▪ PRE-HEARING PREPARATION

- Investigate the allegation thoroughly
- Gather evidence (documents, CCTV, emails, logs, witness statements)
- Determine if the alleged misconduct warrants formal discipline
- Review the company's disciplinary code and prior warnings (if any)

▪ FORMAL NOTICE TO EMPLOYEE

- Draft a written Notice of Disciplinary Hearing
- Clearly outline the charge(s) with date, time, and place of offence
- Specify date, time, and venue of hearing (minimum 48 hours' notice)
- Advise employee of the right to representation (fellow employee or union rep)
- Appoint an impartial Chairperson and an Initiator

▪ PREPARATION FOR THE HEARING

- Organise all evidence and prepare the employer's case
 - Confirm attendance of witnesses
 - Ensure neutral, private space for hearing
 - Print necessary documents (attendance register, hearing record sheet)
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▪ CONDUCTING THE HEARING

- Open the hearing and confirm attendance
- Read the charge and confirm the employee's plea
- Present employer's evidence and allow cross-examination
- Allow employee to present their case and call witnesses
- Consider mitigating and aggravating circumstances

▪ OUTCOME AND SANCTION

- Chairperson determines guilt based on evidence
- If guilty, impose a fair and consistent sanction
- Deliver written outcome with reasons and right to appeal
- File all documentation in the employee's disciplinary record

▪ LEGAL COMPLIANCE NOTES

- Comply with Labour Relations Act (Section 188, Schedule 8)
- Maintain procedural fairness throughout
- Record minutes and retain evidence for future reference

Workplace discipline does not need to be a legal minefield. With the right tools, clear procedures, and professional support, you can manage misconduct confidently and in full compliance with South African labour law.

At **RK Corporate Consulting**, we help you:

- Draft valid notices and charges that stand up at the CCMA
- Chair or support hearings for neutrality and credibility

Chief Executive Officer: Rozanne van Heerden
Chief Operations Officer: Wilhelm Kuhn



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-
- Train managers on procedural fairness
 - Create consistent disciplinary frameworks tailored to your company

Whether you are dealing with a once-off hearing or looking to improve your overall approach to employee relations — **we are here to support you at every step.**

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🌐 www.rkcc.co.za

📌 Follow us on Facebook: <https://www.facebook.com/profile.php?id=61572572114476>

Navigating compliance with confidence — we handle the red tape so you can focus on growth.



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