
Adv Zoliswa Taba
(LLB GRADUATE) (admitted 07 October 2016 & passed pupillage)
(Nyukela Public Service SMS Pre- entry certificate holder)
(Part - time Commissioner at CCMA)
(Part - time Panellist at the Bargaining Councils – both private and public)
(Labour Law Practitioner)
(19 years' experience in Employment Law - since 2004)

Date of birth:
Country of birth: Republic of South Africa
Gender: Female
Race: African
Drivers licence: Code B

Profile Summary

Self-motivated and dependable while achieving high performance with no supervision. Analyst with extensive experience in employment law and in the application and interpretation of the Constitution of the RSA .

Proficiencies includes - leadership; report writing; presentation; analysing; problem solving; interpreting and organising complex factual material in order to come to an informed decision; Sound case management skills; sound understanding of different policies; Sound and unbiased orders; understanding of the Constitution of the Republic of South Africa and Law as a whole. Knowledge and ability to interpret highly technical terms; procedures and different legislations/ Acts.

EDUCATION (only studies and trainings relevant to the Law field are indicated below)

School leaving grade: Grade 12

Name of School: Kgomotso High School

Year completed: 1999

Professional Training**Study status - LLM**

Master of Laws in Labour Law (Coursework) (UNISA)- completed the relevant modules in 2017. Still to complete the dissertation.

Law degree (LLB)

The University of South Africa (UNISA)

(Completed studies in 2015 and graduated in 2016)

Admission as an Advocate

The High Court of the Northern Cape (Kimberly)

Admitted on 07 October 2016.

Pupillage Training

National Bar Council of South Africa (NBCSA)

Pupillage successfully completed with **Cum Laude** on 22 October 2018

Modules dealt with during the pupillage programme are the following:

- Motion Court and Procedure
- Legal drafting
- Trial Advocacy and Ethics
- Criminal Practice (High Court and Magistrate Court)
- Civil Procedure

Formally admitted at the Bar on 09 November 2018.

Commissioners training & Mentorship programme

Training provider: Commission for Conciliation, Mediation and Arbitration (CCMA)

April 2014 – December 2014

Accredited for the following:

- Social Justice;
- Ethics and Diversity;
- Substantive Law;
- Conciliation;
- Rulings;
- Managing Dismissals and Unfair Labour Practice;
- Dealing with evidence at arbitration;
- Arbitration and Legal drafting.

Specialised trainings attended and found competent

Training provider: Commission for Conciliation, mediation and Arbitration (CCMA)

Dealing with section 198A – D disputes

Conciliating & arbitrating Employment Equity disputes (DISCRIMINATION DISPUTES).

Training provider: Network Career Development/ CCMA
Mentoring and Coaching

Training Provider: Damelin Education Group
Course: Fundamentals of Microsoft Office 2000
Graduated on 28 February 2004.

OTHER TRAININGS ATTENDED/ CERTIFICATES OBTAINED/ACHIEVEMENTS

Training Provider: Law Society of South Africa
Course: LSSA LEAD Irish Rule of Law international/ Commercial Law Drafting
(dealt with drafting of commercial contracts)

Training Provider: School of Government
Course: Nyukela Public Service Pre Entry Programme
Date certificate issued: 11 January 2021

Training Provider: The Black Lawyers Association
Course: Dealing with evidence, Examination in chief; The art of cross examination; Re-Examination. (26 – 28 July 2018).

Training Provider: Education Labour Relations Bargaining Council (ELRC)
Course: Conducting Inquiry by Arbitrator processes in cases dealing with sexual misconduct between Educators and Learners.

Training provider: SHECON
Course: Introduction to risk assessment(23 March 2010)

Training provider: SASSETA
Course: Conducting Preliminary Investigations(28 October 2009)

Training Provider: Forensic investigation
HJN Training(15 September 2008 – 19 September 2008)

Learnership Programme

Institution: Department of Labour
Learner Inspector training (October 2004 – October 2005)

ACHIEVEMENTS

- Top achiever certificate (2013)
Issuer: National Department of Labour, Republic of South Africa
Reason for the certificate: recognition in high level of service excellence in Inspection and Enforcement Services and going beyond normal call of duty.
- National Panellist (Presiding officer) for redline matters.
- Mentoring & coaching new Commissioners
- Quality vetting of Commissioner's awards and rulings

- Panellist for cases of sexual misconduct against Learners
- Acted as a Legal head for the Commission for Conciliation, Mediation and Arbitration.
- Member of the National Silk Committee for the National Bar Council of South Africa.
- Was a nominee to serve on the Provincial Legal Practice Council.
- Chairperson for the Northern Cape South African women Lawyers Association (SAWLA”).
- Awarded a SAWLA Presidential award for the province I am leading.

PROFESSIONAL BODIES

Member of the South African Society for Labour Law (“SASLAW”) (since 2014).

Member of the National Bar Council of South Africa (“NBCSA”).

Member of the South African Women in Law Association (“SAWLA”)

Registered on the practicing Advocate’s roll with the Legal Practice Council (“LPC”).

RELEVANT WORK EXPERIENCE/ EMPLOYMENT HISTORY:

Employer : Department of Employment & Labour

Position Held : Learner Inspector

Duration : 01 October 2004 till 30 October 2005

Employer : Department of Employment & Labour

Position Held : Labour Inspector

Duration : 01 November 2005 till April 2014

DUTIES AS A LABOUR INSPECTOR

- **Promote, protect and monitor compliance of human rights in terms of section 23 of the Constitution of the RSA**
- **Ensure protection of rights of vulnerable workers (e.g child labour, farm workers, disabled employees, etc.**
- **Conduct inspections at workplaces to monitor and enforce compliance with the following legislations:**
 - Basic conditions of Employment Act**
 - Unemployment Insurance Act**
 - Occupational Health and Safety Act**
 - Compensation for Injuries and Diseases Act**
 - Employment Equity Act**
 - Skills development Levies Act**

- **Conduct investigations on cases referred**
- **Issue undertakings, compliance orders and prohibition notices were applicable.**
- **Conduct advocacy sessions with stakeholders.**

EXTRA DUTIES AS A LABOUR INSPECTOR:

- 1) I was part of the roving team around the Northern Cape province, visiting each region and conducting blitz inspections (specialized sector inspections chosen by the Minister of Employment & Labour). These inspections were done once a month for a week ensuring that employers comply with all labour legislations applicable to their workplaces.
- 2) I was also in the DG Review team in the Province focusing on Employment Equity Act. I focused mainly on the substantive part of the Employment Equity Act where I audited employer's documents to ensure that what was on paper corresponded with what was practically taking place in the organisation. These reviews were mostly done on companies listed on the JSE and Government Departments.
- 3) I acted as a supervisor on various occasions on behalf of my supervisor in his absence and did all the work that a supervisor did and at the same time ensured that my work was on par.
- 4) I was part of the National team which accompanied the Director General of the Department of Employment & Labour to CUBA in 2006 for an educational exchange programme. The team played a role in the changes which were brought within the inspection and enforcement department. Amongst other recommendations made by the team, the team recommended professionalisation of Inspectors and such recommendation was adopted.

LABOUR LAW PRACTITIONER (SELF EMPLOYED)

Offering Labour Law services as a Commissioner (since May 2014) at the following organisations:

- The Commission for Conciliation, Mediation and Arbitration (CCMA)
- The Education Labour Relations Bargaining Council (ELRC)
- The Government Public Service Sector Bargaining Council (GPSSBC)
- The Road Freight Bargaining Council (NCRFBC)
- The Metal & Engineering Industries Bargaining Council (MEIBC)
- The Safety & Security Sectoral Bargaining Council (SSSBC)
- The National Bargaining Council – Private Security Sector (NBCPSS)

DUTIES AS A COMMISSIONER

- Conciliate and arbitrate matters referred to the CCMA and Bargaining Councils.
- Issue binding rulings and awards.
- Interpret and apply different collective agreements.
- Interpret and apply employer's workplace policies.
- Attend monthly case law monitor discussions and present judgments from the Courts.
- Assist in pre-conciliation matters.

SPECIAL DUTIES AS A COMMISSIONER

- **Assist with mentoring and coaching of new Commissioners**
- **Do quality checks for rulings and awards of Commissioners (perusal/ vetting)**
- **Preside over specialised matters (employment equity disputes, section 198A-D of the LRA disputes; Inquiry by Arbitrator disputes;**
- **Preside over sexual misconduct against learners, applying the Children's Act and the Constitution of RSA in these matters**
- **Part of the panel providing workshops to stakeholders on workplace harassment and Employment Equity as a whole.**
- **Preside over red line matters (matters considered to have public interest or those capable of changing the status quo).**

ACTING LEGAL MANAGER

Employer: Commission for Conciliation Mediation & Arbitration

Job titles: Acting legal Manager – (fixed term)

Year: January 2022

Duties involved:

- Managing the Legal Unit staff
- Provide practical and legal advisory service
- Institute and defend legal actions or select firms to be used for litigation purposes
- Ensure all contractual authorisations (commercial and employment contracts)
- Providing ongoing support to Commissioners and monitoring reviews in the labour court.
- Involvement in recommending amendments to the LRA and the rules of the CCMA
- Involved in the review of the organisation's policies and standard operating procedures and propose development of new policies.

OF INTEREST

1. **Some arbitration Awards published online and on the bargaining council s' portals– GPBC197-19**
2. **Award I issued and was sent for review and the Labour Court upheld my decision.(Sishen Iron Ore Company LTD v CCMA & others – case no: JR 344/2018)**
3. **Article published on "The Star – the star early edition" - in November 2021 based on an award Issued. Under the auspices of the Education Labour Relations Council.**
4. Arbitration award published on 11 September 2022 in the "TimesLive" newspaper.

REFERENCES:

- 1) Dr Mathew Phosa
Mentor

- 2) Advocate Antony Osler
Mentor
Part Time Senior Commissioner: CCMA & Acting Judge of the Labour Court (now on retirement)

- 3) Advocate Bafobekhaya Momoti
Chairperson of the National Bar Council of South Africa

- 4) Mr. A.A Makape
Supervisor at the time I worked at the Department of Employment & Labour