

Kananelo Sikhakhane

Associate



Kananelo Sikhakhane is an Associate in our Dispute Resolution practice.

About Kananelo

News

[All or nothing: A note on the inadequacy of gambling as legal strategy](#)

In the betting community some bettors attempt to limit their exposure or reduce the risk of a wager by hedging their bets. Hedging occurs when a bettor places a second wager against their own bet as insurance if the original wager loses. This is a strategy that people apply in various facets of their lives. However, as confirmed by the Supreme Court of Appeal in *Park 2000 Development 11 (Pty) Ltd v Mouton and Others* (684/21) ZASCA 140 (06 October 2021), this strategy may be inappropriate in the litigation arena.

[Let the message be sent: "This is the protection which our Constitution affords" – the Constitutional Court's ruling on compensation in sexual harassment cases](#)

On 17 June 2021, the Constitutional Court (CC) handed down judgment in *McGregor v Public Health and Social Development Sectoral Bargaining Council and Others* (CCT 270/20) ZACC 14 (17 June 2021). The appeal relates to a compensation order handed down in relation to the misconduct of Dr McGregor, a senior employee, on four charges of sexual harassment. The victim of such behaviour was a recently admitted medical practitioner.

[An employer's quest to change the outcome of its own disciplinary hearing](#)

In the case of *M v Rhodes University and Another* 3 BLLR 306 (ECG), the High Court had to decide whether the employer, who was dissatisfied with the outcome of a disciplinary hearing handed down by an independent chairperson, could institute internal review proceedings, appoint an internal review body, and motivate that such outcome be set aside and possibly substituted with a different outcome on verdict and a far harsher sanction.

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Expertise

[Dispute Resolution](#)

[Construction & Engineering](#)

Location

Johannesburg

Language

English

[Let the people strike! Court guides State on the nature of guidelines](#)

In the case of Association of Mine Workers and Construction Union (AMCU) v The Minister of Employment and Labour (06 April 2021), the North Gauteng High Court (NGHC) set aside the Guidelines issued by the Minister of Employment and Labour (the Minister) providing for the system of voting contemplated in section 95(9) of the LRA. Paragraphs 9.1 - 9.6 of the Guidelines contained mandatory requirements for balloting before a strike could be called by a Trade Union.

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