

Taryn York

Senior Associate



Taryn York is a Senior Associate in our Employment Law Practice. She has extensive experience in various aspects of employment law, including advising and representing clients with disputes relating to unfair labour practices, unfair dismissals and retrenchments; reviewing, vetting and drafting contracts of employment, restraint of trade agreements, independent contractor agreements and workplace policies; and conducting due diligence exercises from an employment law perspective. Taryn has appeared in various forums, including the CCMA, MEIBC, MIBCO, the NBCRFLI and the Labour Court. Taryn also provides advice to clients on a wide range of immigration related matters.

About Taryn

Taryn was admitted as an attorney in 2018. She worked as an Associate at Howes Incorporated Attorneys before being appointed by CDH as an Associate in 2021. Taryn was promoted to Senior Associate in 2024.

Credentials

Education

- LLB, University of Johannesburg
- Advanced Programme in Labour Law (cum laude), University of Pretoria
- Registered with the Legal Practice Council

Memberships

- The South African Society for Labour Law (SASLAW)

Experience

Contact Taryn

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[Taryn on LinkedIn](#)

Expertise

[Employment Law](#)

Immigration

Location

Johannesburg

Language

English

- **General Employment Advice**

Providing clients with advice relating to dismissals for misconduct, incapacity and operational requirements.

Drafting charges for internal disciplinary hearings and chairing internal proceedings.

Assisting clients with initiating internal processes, including disciplinary hearings, grievance proceedings and incapacity enquiries.

Providing advice on a wide range of employment related matters.

Conducting due diligence exercises in order to identify non-compliance with applicable employment related legislation.

Reviewing and drafting employment contracts, restraint of trade agreements and workplace policies.

Reviewing independent contractor agreements and providing advice relating thereto.

Providing legal opinions related to a wide range of employment matters including mandatory vaccination policies, the difference between employees and independent contractors and the applicable rights associated with these relationships, and the enforceability of restraint of trade agreements.

- **Dispute Resolution**

Representing clients during arbitration proceedings at the CCMA and respective Bargaining Councils and negotiating the settlement of disputes.

Instituting proceedings and arguing disputes in the Labour Court, including review applications.

Assisting counsel in employment related proceedings at the CCMA and the Labour Court.

- **General Immigration Advice**

Verifying the validity of work-related visas.

Providing advice in relation to the appropriate work visas for employees, including intra-company work visas, general work visas and critical skills visas.

Assisting clients with compiling and submitting visa applications.

Providing legal opinions related to a wide range of immigration related matters including an employer's obligations in relation to the Immigration Act, and the consequences for failing to comply with the applicable legislation.

News

[Draft Second Amendment to the Immigration Regulations, 2014](#)

On 8 February 2024, the Minister of Home Affairs published the Draft Second Amendment of the Immigration Regulations, 2014 (Regulations) in order to make it easier for foreign nationals to travel to, work from, and conduct business within South Africa. The Regulations were open for public comment until 29 March 2024.

[Welcome announcement for foreign nationals in possession of a Zimbabwean or Lesotho Exemption Permit](#)

On 1 December 2023, Dr Aaron Motsoaledi, the Minister of Home Affairs (Minister), announced his decision to grant an exemption to Zimbabwean and Lesotho foreign nationals who are in possession of either a Zimbabwean Exemption Permit (ZEP) or Lesotho Exemption Permit (LEP). This exemption has been granted in terms of section 31(2)(b) of the Immigration Act 13 of 2002 (Act) which empowers the Minister to grant inter alia a category of foreigners the rights of permanent residence for a specified, or unspecified period, upon the existence of special circumstances which would justify such decision.

[Revised critical skills list](#)

The Immigration Act 13 of 2002 empowers the Director-General of the Department of Home Affairs to issue a critical skills visa to an individual who is in possession of "such skills or qualifications determined to be critical for the Republic from time to time", subject to meeting all the other requirements for the issuing of the visa. The skills and qualifications determined to be critical are published in a critical skills list issued by the Minister of the Department of Home Affairs (Minister) from time to time. A critical skills visa is issued based on compliance with the critical skills list and allows the holder to work in South Africa within a specific occupation listed on the critical skills list.

[South African citizenship is not an automatic right for the children of Non-South African citizens - even if they were born in South Africa!](#)

In the recent decision of Onai Muzore and Another v Minister of Home Affairs and another 4013/2021, the High Court dismissed a review application wherein the applicants challenged the Minister of Home Affairs' (Minister) decision not to confer South African citizenship on their children, who were born in South Africa. In doing so, the court considered how children who were born from Non-South African citizens obtained South African citizenship.

[The verdict is in: The decision to terminate Zimbabwean Exemption Permits was found to be invalid, unlawful, and unconstitutional](#)

On 28 June 2023, the High Court handed down a landmark judgment where the decision by the Minister of the Department of Home Affairs (DHA) not to extend the longstanding Zimbabwean Exemption Permit (ZEP) after 31 December 2021 was found to be invalid, unlawful, and unconstitutional.

Videos

[Zimbabwean Exemption Permits: What you need to know](#)

Deadline for holders of Zimbabwean Exemption Permits has been extended until 31 December 2023.

Podcasts

[Decriminalised approach to conducting disciplinary enquiries](#)

JJ van der Walt and Taryn York discuss the fact that in South African labour law there is no place for formal disciplinary procedures that incorporate all the accoutrements of a criminal trial.

[Warning! Zimbabwean Exemption Permits expire on 30 June 2023](#)

In just under 4 weeks, all Zimbabwean Exemption Permits ("ZEP") will expire. In just under 4 weeks, all Zimbabwean Exemption Permits ("ZEP") will expire. The expiry of these ZEPs will undoubtedly affect the lives of millions of Zimbabwean nationals who have contributed, and who continue to contribute so much to the South African economy.

[Be warned of the zero-tolerance stance of the employment of illegal foreign nationals](#)

CDH's Employment Law experts, Hedda Schensema and Taryn York, discuss the warning government has sent out to South African employers, in relation to the hiring of illegal foreign workers, during the recent global mobility conference, held by Xpatweb. During the conference, government announced that it is adopting a zero-tolerance stance on the hiring of illegal foreign workers in South Africa. The Department of Home Affairs is calling upon all employers to ensure that their expatriate staff are in possession of legally obtained work visas and have confirmed that it will be taking a 'no-mercy' stance in respect of employers who do not comply.

[All news by Taryn York →](#)