

JJ van der Walt

Counsel



JJ van der Walt is Counsel in our Employment Law practice. He advises both local- and multi-national clients in a diverse range of employment law issues.

About JJ

JJ joined CDH as a Senior Associate in October 2022. He left CDH in 2024 and rejoined in 2025 as Counsel in the Employment Law Practice.

Credentials

Education

- BCom Law (cum laude): University of Pretoria (2013)
- LL.B (cum laude): University of Pretoria (2015)
- LL.D: University of Pretoria (2018)
- Registered legal practitioner (attorney) with the Legal Practice Council

Memberships

- The South African Society for Labour Law

Experience

- **On a broad spectrum of employment law issues**

JJ advises clients on a broad spectrum of employment law issues and regularly represents clients in, and guide clients through, complex and important employment disputes, including, for example, urgent injunctive proceedings (e.g., executive disputes, disputes with organized labour, etc.) as well as restraint of trade, confidentiality, and unlawful competition proceedings.

- **Sensitive Investigations**

Extensive experience in conducting sensitive investigations (e.g., sexual harassment, unfair discrimination (inclining allegations of structural or systemic inequality) in a professional, pragmatic, and timeous manner whilst offering pragmatic recommendations and solutions beyond merely stipulating the legal position.

- **Bargaining Councils and Collective Agreements**

He also has gained experience over the years in guiding clients in respect of complying with the collective agreements of, becoming exempt from, or engaging in disputes with, bargaining councils.

Contact JJ

+27 (0)11 562 1111

jj.vanderwalt@cdhlegal.com

[JJ on LinkedIn](#)

Expertise

[Employment Law](#)

Corporate & White Collar Investigations

Location

Johannesburg

Language

English

- **Business Re-organisation**

Advises clients on re-organisation of their business (i.e., employee or employment (human capital) re-organisations) as well as small- and large scale retrenchments. Importantly, he can manage a client's implementation of large-scale human capital re-organisations beyond dispensing of advice on the legal position and associated risks.

- **Compliance and Regulatory Engagement**

Regularly advises clients on, and guides clients in respect of, employment equity and basic conditions of employment compliance issues and disputes with the Department of Employment and Labour.

- **Presiding Officer**

JJ is often approached by clients to preside over disputes.

News

[The decriminalised approach to workplace discipline and ghost employees](#)

In *Gauteng Department of Education v General Public Service Sectoral Bargaining Council and Others (JA141/2022) ZALAC 2 (22 January 2025)* the Labour Appeal Court (LAC) recently confirmed – for the umpteenth time – that disciplinary proceedings are not criminal or civil trials. This trite, yet widely ignored, legal position was confirmed in the Draft Code of Good Practice on Dismissal (Draft Code) published for public comment on 22 January 2025.

[The Constitutional Court, retirement age and uncertainty: Employers be aware](#)

The recent judgment of the Constitutional Court in *MISA and Another v Great South Autobody CC t/a Great South Panelbeaters ; Solidarity o.b.o. Strydom and Others v SITA SOC Limited*, which was handed down on 20 December 2024, creates legal uncertainty regarding the interpretation of the consequence of an employee reaching the normal retirement age or agreed retirement age.

[Boardrooms are not courts: The decriminalised approach to workplace discipline](#)

Misconduct is inevitable in every workplace, but not each instance of misconduct is always addressed as the disciplinary process can feel overwhelming.

[What happens when there are no employee/employment contracts transferred? Is the business still transferred as a going concern?](#)

The Labour Court recently had to decide whether the termination of a service agreement and the concluding of another service agreement with a new service provider to render the same or similar services constituted the transfer of a business as a going concern in terms of section 197 of the Labour Relations Act 66 of 1995 (LRA).

[The protection against self-help: Employers be aware](#)

The Labour Appeal Court recently confirmed that an employer may not deduct or withhold any amount from an employee's remuneration if the employee participated in an unlawful strike and the employer failed to implement the 'no work no pay' principle during the month in which the employee did not render services.

Podcasts

[Remote working in South Africa: The tax and employment law implications](#)

[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.

[The EEA Amendments & Draft Regulations: The impact and why employers must submit representations](#)

Imraan Mahomed led the discussion with JJ van der Walt on the expected, yet rather uncertain, impact of the imminent promulgation of the EEA amendments and the recently published draft regulations proposing eighteen economic sectors and numerical targets determined by the Minister.

[All news by JJ van der Walt →](#)