

20 JULY 2020

# EMPLOYMENT ALERT

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### Updated retrenchment guideline

We find ourselves in unprecedented times. Owing to the current global pandemic, unemployment has risen to 30% and is expected to rise up to 50%. The World Bank has predicted a global recession, worse than we have seen in the last 80 years and the national treasury expects up to 2 million jobs to be lost due to the COVID-19 pandemic. As businesses suffer financial distress, retrenchments are becoming unavoidable. With remote work becoming the new way of life, many employers have also introduced technology to perform certain functions and therefore no longer require the staff component they had prior to lockdown.

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## Updated retrenchment guideline

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Employers are however subject to the same legal obligations and are required to follow the same retrenchment process as they ordinarily would before the COVID-19 pandemic. This situation has presented various challenges for employers.

To assist you in navigating the retrenchment process during these difficult times, CDH has updated our retrenchment guideline to answer all questions related to retrenchments more generally as well as other considerations applicable during this time. The retrenchment guideline seeks to answer questions related to, amongst other things, short time, temporary layoffs, whether an employer may be exempt from the payment of severance pay where it cannot afford to pay employees, as well as permissible selection criteria.

## RETRENCHMENT GUIDELINE



CLICK HERE for the latest thought leadership and explanation of the legal position in relation to retrenchments, temporary layoffs, short time and retrenchments in the context of business rescue.



## COVID-19 WORKPLACE HEALTH AND SAFETY ONLINE COMPLIANCE TRAINING

Information. Education. Training.

We have developed a bespoke eLearning product for use on your learning management system, that will help you strengthen your workplace health and safety measures and achieve your statutory obligations in the face of the COVID-19 pandemic.

To purchase or for more information contact [OHSonlinetool@cdhlegal.com](mailto:OHSonlinetool@cdhlegal.com).

EMPLOYMENT

### CASE LAW UPDATE 2019



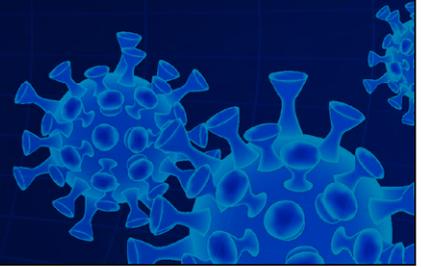
**CLICK HERE**  
to access CDH's Employment Law booklet to assist you in navigating the employment relationship during the current economic uncertainty.

Our Employment practice is ranked as a Top-Tier firm in THE LEGAL 500 EMEA 2020.  
Fiona Leppan is ranked as a Leading Individual in Employment in THE LEGAL 500 EMEA 2020.  
Aadil Patel is recommended in Employment in THE LEGAL 500 EMEA 2020.  
Gillian Lumb is recommended in Employment in THE LEGAL 500 EMEA 2020.  
Hugo Pienaar is recommended in Employment in THE LEGAL 500 EMEA 2020.  
Michael Yeates is recommended in Employment in THE LEGAL 500 EMEA 2020.  
Jose Jorge is recommended in Employment in THE LEGAL 500 EMEA 2020.

The  
**LEGAL  
500**  
EMEA

# CDH'S COVID-19 RESOURCE HUB

[Click here for more information](#) 



CHAMBERS GLOBAL 2014 - 2020 ranked our Employment practice in Band 2: Employment.

Aadil Patel ranked by CHAMBERS GLOBAL 2015 - 2020 in Band 2: Employment.

Fiona Leppan ranked by CHAMBERS GLOBAL 2018 - 2020 in Band 2: Employment.

Gillian Lumb ranked by CHAMBERS GLOBAL 2020 in Band 3: Employment.

Hugo Pienaar ranked by CHAMBERS GLOBAL 2014 - 2020 in Band 2: Employment.

Michael Yeates ranked by CHAMBERS GLOBAL 2020 as an up and coming employment lawyer.



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**BAND 2**  
Employment

The  
**LEGAL  
500**

EMEA  
**2020**

**TIER 1**  
Employment

The  
**LEGAL  
500**

EMEA  
**2009-2019**

**TIER 2**  
Employment

DealMakers  
**2019**

THE LEGAL DEALMAKER OF  
THE DECADE BY DEAL FLOW

M&A Legal DealMakers of the  
Decade by Deal Flow: 2010-2019.

**2019** 1<sup>st</sup> by BEE M&A Deal Flow.  
**2019** 1<sup>st</sup> by General Corporate  
Finance Deal Flow.

**2019** 2<sup>nd</sup> by M&A Deal Value.  
**2019** 2<sup>nd</sup> by M&A Deal Flow.

IFLR  
1000

2020

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### BBBEE STATUS: LEVEL TWO CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

### PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

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