Unfair Dismissal (3 ed) (2006)

André van Niekerk & Kirsten Linströn, SiberInk CC, Cape Town, (3 ed) 2006, 165 pp and v, soft cover, price R195,00

The law of unfair dismissal forms a pivotal part of employment law, as is illustrated by the many sections of the Labour Relations Act 65 of 1995 that regulate and make provision for the possible fair dismissal of an employee. Accordingly, it is not surprising that various intricacies bearing on fair dismissals often establish a maze of legal principles which in turn make it difficult for individuals to understand the basic principles of this complicated but undeniably important aspect of employment law.
In *Unfair Dismissal*, this problem is addressed by means of a complete yet simple discussion of the applicable legal principles. Typically in the style of the SiberInk series, this book serves as a practical guide, written in plain language, and dealing with the important aspects of dismissals.

The book is divided into nine well-structured chapters arranged in a logical order. The following aspects are discussed: the prerequisites for a claim regarding an alleged unfair dismissal, the various forms of dismissal, aspects regarding the fairness of dismissals, procedures for dispute resolution, and the remedies available. A further valuable aspect of the book is the inclusion of two relevant Codes of Practice and two conventions of the International Labour Organisation which impact on the South African law of dismissals.

Two surprising but invaluable sets of guidelines are the following: First, an example of the model code of conduct for employees which should, without a doubt, be of assistance to employers seeking to draft their own codes within the parameters of the provisions of the Labour Relations Act. Secondly, there are the guidelines aimed at assisting the chairperson of a disciplinary enquiry in structuring such an enquiry which are most helpful, especially because they contain an easy-to-follow list of the different procedures required for a fair disciplinary hearing.

In my view, *Unfair Dismissal* is an excellent book for individuals either seeking to understand the legal principles of dismissals or involved in the application of the principles of labour-law matters. The book is highly recommended.

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