

**RANDALL VAN VOORE**

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Overview

Randall is based in the Cape Town office and leads a team of attorneys who specialise in employment law.

Randall specialises in employment law and has 17 years' post-admission experience as an attorney. He advises clients on individual and collective aspects of employment law. This includes advising clients on the employment law implications of the restructuring of an enterprise, take-overs and mergers, collective bargaining, unfair dismissal disputes and restraint of trade disputes. Randall advises clients involved in workplace-based negotiations and collective bargaining disputes such as changes to terms and conditions of employment and wage negotiations. In 2011 Randall served a term as an Acting Judge of the Labour Court.

Randall regularly represents clients in the Labour Courts, the High Court, the Commission for Conciliation, Mediation and Arbitration (the CCMA) and various bargaining councils. These clients have included the Irvin & Johnson Ltd, Pick 'n Pay Retailers (Pty) Ltd, Transnet Ltd, the University of Stellenbosch, Parliament of the Republic of South Africa and the University of Cape Town.

Randall has also assisted clients in investigations into serious allegations against executive and managerial employees. Many of these investigations involve advising the board of a private or public entity on how best to deal with executive / senior managerial misconduct efficiently and expeditiously.

Randall's private sector experience includes acting for clients in the retail, manufacturing, telecommunications, information technology, transport and the financial services sectors.

Randall's local government experience includes some 10 years of work in this area. Notably, Randall advised and represented the City of Cape Town in taking disciplinary action against senior employees involved in procurement irregularities. Randall also advised the City of Cape Town in disciplinary action against Metropolitan Police officers engaged in unlawful strike action (2008). He also advised the City of Cape Town on employment law aspects of the Cape Town (World Cup) Stadium.

Randall has extensive experience in representing clients, typically large institutions, in defending alleged unfair dismissal disputes. In this regard Randall regularly represents and appears for clients in arbitrations (both CCMA and private arbitrations) and in the Labour Court. Randall is regularly involved in urgent applications covering a range of areas including interdicting unlawful strike action, restraints of trade and ensuring the protection and security of clients' information pending the outcome of disciplinary action.

Since 2009 Randall has advised the University of Cape Town and the University of Stellenbosch. His advice includes assisting these large employers with changes to terms and conditions of employment affecting thousands of employees, disputes concerning the termination of fixed term contracts and retrenchments.

Experience

Experience in Negotiation: 15 years

As an employment lawyer, Randall regularly assists clients in negotiations with their employees and trade unions of which their employees are members. These negotiations include the following:

- restructuring and retrenchments;
- changes to terms and conditions of employment;
- employment contracts;
- wage agreements and other improvements to terms and conditions of employment;
- mutual separation agreements;

Indicative Experience in Employment Law

Some notable examples of employment law matters in which Randall has been involved include:

- Served a term as an Acting Judge of the Labour Court in 2011;
- Advising the Department of Trade & Industry on the Regulatory Framework for the establishment of Industrial Development Zones (1999);
- Advising Irvin & Johnson Ltd in a protracted and violent strike. The strike was interdicted by the Labour Court. In parallel advising Irvin & Johnson Ltd in arbitration proceeding concerning the interpretation and application of a collective agreement. The dispute concerned thousands of employees in deep sea fishing. The arbitrator ruled in favour of Irvin & Johnson.
- Advising the Jali Commission on employment law reform in the Department of Correctional Services and the Department of Public Service and Administration -2005;
- Training of Commissioners of the Commission for Conciliation, Mediation and Arbitration – 2006 to 2010;
- Training of the Industrial Relations Practitioners of Eskom – 2006 and 2007.

Teaching Experience

From 2002 until 2008 Randall taught at the University of Cape Town, teaching Labour Law to final LLB students and teaching on various post-graduate programmes in Labour Law as offered by UCT.

Papers and Presentations

- 'The New Retrenchment Procedure under the Labour Relations Act', 'Law, Democracy and Development' Vol. 6 (2002) 1;
 - A Review of Key Decisions in Labour Law 2001 – 2002: Butterworths Annual Labour Law Conference 2002;
 - A Review of Key Decisions in Labour Law 2002 – 2003: Butterworths Annual Labour Law Conference 2003;
 - Changing Terms and Conditions of Employment: 'Striking a Balance or Anything Goes': Butterworths Annual Labour Law Conference 2004;
 - A Review of Key Decisions in Labour Law 2004 – 2005: Butterworths Annual Labour Law Conference 2005;
 - Changing Terms and Conditions of Employment – Butterworths Annual Labour Law Conference 2006
 - Alternative Employment and the Right to Severance Pay – Butterworths Annual Labour Law Conference 2006;
 - Pay Discrimination – Butterworths Annual Labour Law Conference 2008; and
 - Incompatibility and the 'Difficult Employee' Butterworths Annual Labour Law Conference 2010.
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- Recognised by *Best Lawyers* 2017 for Labour and Employment law.

Publications & Insights

- [Labour Minister's view should be seen as warning](#)
- [The Employee Misconduct and Investigation Process](#)
- [Why investigate an employee?](#)