

**GRAHAM DAMANT**

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Overview

Graham Damant is a partner in our Johannesburg office Employment & Benefits Practice.

He has significant expertise in the management of strikes, restructuring and retrenchments, transfers of business, changes to terms and conditions of employment and dismissals. He specialises in employee benefits and has particular expertise in pension funds and pension benefits including disputes between employers and pension funds, the conversion of Defined Benefit to Defined Contribution Schemes, and changes to Retirement Arrangements. He has assisted a number of employers in disputes pertaining to their post-retirement medical aid obligations or in capping their liabilities in respect of such obligations. He also specialises in Executive Remuneration and Benefits including share option schemes.

In the pension's field, Graham has been involved in advising a number of employers and pension funds in relation to all aspects of the law pertaining to pension funds. He has been involved in a number of significant disputes between employers and pension funds and between pension funds and their service providers. He has advised Pension Funds in relation to death and disability benefit disputes as well as disputes pertaining to Investment Performance.

He has acted as a judge in the Labour Court and assisted with the drafting of our labour legislation.

He has B.Com and LLB degrees as well as a Higher Diploma in Company Law from the University of the Witwatersrand and an LLM from the London School of Economics.

Experience

- Advised a number of employers and executives through executive separation processes.
 - Acted for Pick 'n Pay Retailers (Pty) Ltd for the past 30 years dealing with strikes, retrenchments and Labour Court reviews.
 - Acted for a number of employers in Section 197 transfer disputes.
 - Represented Transman in the Supreme Court of Appeal in a matter determining the ability of High Courts to review dismissal procedures.
 - Advised one of the parties in the highly publicised "Ghavalas" surplus stripping saga and procured a favourable settlement.
 - Represented an employer in the Constitutional Court in a significant claim brought against it by the pension fund in which it participates.
 - Assisted a number of mining houses in a conversion of their defined Benefit Pension Schemes to define Contribution Schemes.
 - Assisted a number of employers in capping or eliminating their Post-retirement Medical Aid obligations.
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- Ranked by *Legal 500* in 2018 as a leading lawyer for Employment.
 - *Chambers and Partners 2018* ranked Graham in Band 1 for Employment law.
 - Graham was recognised by *Who's Who Legal 2018* in the categories Employment & Benefits: Pensions &

Benefits; and Employment & Benefits: Labour & Employment.

- Recognised by *Best Lawyers* 2017 for Employee Benefits Law and Labour and Employment Law.
- Chambers and Partners 2016 and 2017 ranked Graham in Band 1 for Employment.
- Graham is recommended as a leading employment lawyer in Legal 500 and in “Best Lawyer”.

Graham Damant is one of the most recognisable and respected names in the market, and widely thought of as “the number-one pensions lawyer in the country.” He also has significant experience in employment issues arising from corporate restructuring, executive dismissals and transfers of business. Career highlights include providing guidance on the drafting of South African labour legislation. – Chambers and Partners 2018

Graham Damant attracts praise from market commentators for his leading proficiency in this sector, with one source describing him as a “real doyen” of this space. Clients value his expertise in employee benefits concerns as he is recognised as a “real leader in the field when it comes to pension funds.” – Chambers and Partners 2017

“Graham Damant is described by his peers as “one of the doyens of employment law” and is particularly noted for his experience advising senior executives on complex employment mandates. Sources say: “He really is an impressive character and has been at the forefront of ideas in labour law.” – Chambers and Partners 2016

Publications & Insights

- [A Review of Labour Law in 2014 – No Good News for Employers](#)
- [Collective effort and culture change can curb violent strikes](#)
- [Executive share schemes and founder shares: The trend of increased malus and clawback](#)
- [Pension benefits and the employment contract](#)
- [The Pension Promise: Pension Benefits and the Employment Contract](#)
- [The Pension Promise: Regulating Employer Conduct](#)
- [Unfair Dismissal – Operational Requirements](#)
- [Unpacking the New Agreement on Collective Bargaining and Strikes](#)