

**HELEN WILSENACH**

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Overview

Helen Wilsenach is a partner in our Johannesburg office Employment and Benefits Practice.

She specialises in employment law and advises on a range of issues including the employment and employee benefit consequences of commercial transactions; major restructurings and retrenchments; dispute resolution; disciplinary investigations and enquiries; dismissals for incapacity; employment discrimination; employment equity; and occupational health and safety. Her expertise extends to data protection and privacy; labour broking, fixed term employment and independent contractors; policies, procedures and employment contracts; collective bargaining; training; and recruitment. Helen has a particular interest in and expertise regarding restraints of trade.

She works closely with her corporate and tax colleagues on corporate transactions (sales of business, mergers etc.) and the establishment of share incentive schemes. Helen has extensive litigation experience from the CCMA level up to the Constitutional Court.

Helen's clients include a number of national and multinational companies stretching across various industries, including banking and finance, property, private equity, engineering, mining, healthcare, consulting, hospitality, retail, consumer goods, media, and professional services.

Helen is a member of the South African Society for Labour Law (SASLAW) and has spoken at a number of conferences and published in various publications, including as the contributing author for the South African chapter of XpertHR's international employment law guide.

She has BA and LLB degrees from Rhodes University.

Experience

- Advising on the employment aspects of a number of global transactions, including recently the carve-out of a global computer security software company's cybersecurity business and entry into a joint venture with a private equity firm.
- Advising a leading global manufacturer of trailers in relation to the application of the automatic employee transfer provisions in force in South Africa to a business in business rescue. Further, negotiating with the applicable trade union to expeditiously settle a pending labour dispute involving the potential reinstatement of some 300 employees.
- Advising a leading global IT/ business process solutions company with the establishment of a call centre in South Africa to provide English-language customer experience support services to global clients. In addition to providing general employment advice in relation to the establishment of the call centre, Helen assisted with the negotiation and drafting of the contractual arrangements governing the assignment of the South African call centre staff to the UK based client.
- Acting for a the largest, politically non-affiliated union in the South African public service, in a number of matters relating inter alia to the interpretation and application of collective agreements, including relating to the implementation of an amended occupation specific pay dispensation for correctional services officials.
- Providing employment advice to a global engineering consultancy company in relation to the cross-border

restructuring of its operations.

- Advising on multiple restraint of trade disputes, including the cross border enforcement of restraints.
- Helen has been recognised in *Who's Who Legal: Data 2019*, *Data Privacy & Protection and Information Technology*.
- *Chambers and Partners 2018* ranked Helen in Band 4 for Employment law.
- Helen was recognised by *Who's Who Legal 2018* in the category *Data: Privacy and Protection*.
- *Chambers and Partners 2017* ranked Helen in Band 4 for Employment law.

Helen Wilsenach has expertise in labour broking, employment contracts and training, in addition to other matters. Sources say: "We're especially pleased with her. She always responds quickly." - **Chambers and Partners 2018**

Helen Wilsenach attracts praise from clients for being "easy to work with" and for her "firm grasp of the issues." She is well regarded for her work in sector-related outsourcing and restructuring mandates. - **Chambers and Partners 2017**

Publications & Insights

- Fixed term employees - Stricter regulations
- Legislative soap opera introduces a changing labour landscape
- Non-permanent employees afforded greater protection