

**LUWAY MONGIE**

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Overview

Luway Mongie is a partner in our Johannesburg office and a member of the Employment and Benefits practice.

He specialises in general employment law with a specific focus on corruption and fraudulent misconduct by employees. His clients range from both public entities to corporate clients. His service offering includes conducting investigations into various employment-related issues – including employee-related fraud and corruption, preparing and initiating disciplinary enquiries and CCMA matters on behalf of employers in respect of misconduct and incapacity issues, advising and representing clients in all types of labour-related litigation, chairing hearings, advising on various industrial action issues and restructuring and retrenchments, as well as advising clients on minimizing employee risk.

Luway has advised clients on various matters related to such enquiries, particularly in respect of misconduct and incapacity issues of employees and on how to limit the client's exposure to any claims of unfair dismissal following a disciplinary enquiry. He has also assisted with preparing all the necessary notices and documentation for such enquiries and acted as an initiator on behalf of clients. Luway has also chaired various labour-related hearings, including disciplinary hearings and grievance hearings.

Luway has advised clients on various industrial action issues, including advising clients on the best strategy for it to prevent threatened strike action taking place. He has also assisted in preparing interdicts on an urgent basis in this respect.

He has advised clients in respect of restructurings and retrenchments, to ensure that clients follow the correct processes to ensure that the business operates in accordance with its operational requirements, whilst also limiting its exposure to any disputes arising from such action.

Luway has conducted investigations on behalf of clients into various employment-related issues, drafting investigation reports for such clients where necessary and advising it of what action it should take in the circumstances. In particular, Luway has conducted investigations in which employee fraud, corruption and irregular employee conduct has been uncovered.

Luway is a member of the South African Society for Labour Law (SASLAW). He has also been requested to assist in the WITS Law School Student Mentorship Programme where he acts as a mentor for students. Luway also runs various employment training programmes at Bowmans.

He has B.Com and LLB degrees from the University of Cape Town.

Experience

- Advised and assisted parastatals and state-owned companies in respect of irregular tender processes and employee-fraud/corruption, including initiating disciplinary proceedings and tribunal and court litigation.
- Advised and assisted parastatals and state-bodies in high-profile litigation regarding senior Executives and CEOs.
- Conducted investigations and instituted disciplinary action measures against Executives and employees of

some of the world's leading nutrition providers as well as for various state-bodies and parastatals.

- Advised and assisted one of the largest healthcare and pharmaceutical companies in the world regarding internal restructurings.
- Conducted various court litigation for a range of clients, from JSE-listed companies to various government and state-owned companies.