

The pursuit of workplace equality

Held in honour of
Judge Andre van Niekerk
and Judge Kate Savage



30 September | Opening Session (Old Main Building) | 17h15 for 18h00
1 - 2 October (STIAS) | 08h45
2 October | Conclusion & departure lunch | 13h00
Cost | R3000

[REGISTER HERE](#)

PROGRAMME

Day 1 | Wednesday 30 September

17h15 for 18h00	Session 1 Opening and setting the scene <i>Stellenbosch Law Faculty, Old Main Building, corner Van Ryneveld and Victoria Streets, Room 1023</i>
18h00-18h10	Word of welcome Prof Juanita Pienaar <i>Acting Dean Faculty of Law, Stellenbosch University</i> Chair Judge Avinash Govindjee Judge of the High Court of South Africa, Eastern Cape Division
18h10-19h00	Keynote 1 Is there a future for equality? Manuela Tomei <i>Former Assistant Director General and Director of Conditions of Employment and Equality, ILO</i>
19h00-19h50	Keynote 2 What equality law can and cannot do: a comparative reflection Prof Shreya Atrey <i>University of Oxford</i>
20h00	Finger supper Cocktails <i>Old Main Building, Faculty of Law</i>

Day 2 | Thursday 1 October

Stellenbosch Institute for Advanced Study

Session 2 | The Constitutional Context

Chair | Judge Andre van Niekerk | *Judge of the Labour Appeal Court*

08h45-09h30	Equality Successes and failures in our highest court Prof Cathi Albertyn <i>NRF South African Research Chair in Equality, Law and Social Justice, University of the Witwatersrand</i>
09h30-10h30	Panel Discussion The constitutional right to equality and the promotion of systemic substantive equality in the world of work Chair and facilitator Prof Debbie Collier-Reed <i>University of the Western Cape</i> Panel <i>Laura Macfarlane Director, Deney's</i> <i>Dr Nyoko Muvangua Counsel, Johannesburg Bar</i> <i>Sibonile Khoza Counsel, Cape Town Bar</i> <i>Prof Kitty Malherbe University of the Western Cape</i> <i>Judge Molatelo Makhura Judge of the Labour Court</i>
10h30-11h15	Tea
11h15-12h00	The "inarticulate premise" made explicit Race, history and judicial responsibility in the South African workplace Prof Marius van Staden <i>University of the Witwatersrand</i>
Session 3: Employment Discrimination	
12h00-13h00	Panel Discussion Reflecting on sexual harassment Chair and facilitator Tanya Venter <i>CEO, Tokiso</i> Panel <i>Judge Kate Savage Judge of the Constitutional Court</i> <i>Judge Avinash Govindjee Judge of the High Court of South Africa, Eastern Cape Division</i> <i>Eric Nwedo Counsel, Johannesburg Bar</i> <i>Sarah Saunders Counsel, Johannesburg Bar</i>
13h00-14h00	Lunch
14h00-15h10	Panel discussion on challenges in discrimination litigation Chair and facilitator Craig Bosch <i>Counsel, Cape Bar</i> Panel <i>Hayley Galgut Public Interest Litigation Specialist</i> <i>Johan Botes Partner, Baker & McKenzie</i> <i>Siphile Hlwatika Senior Associate, ENS</i> <i>Riaz Itzkin Counsel, Johannesburg Bar</i> <i>Talita Laubscher Partner, Bowmans</i>
15h10-15h30	Tea
15h30-16h30	Panel discussion on the 'forgotten grounds': sexual orientation, religion, age, language, family responsibility and disability Chair and facilitator PAK le Roux <i>Executive consultant, ENS</i> Panel <i>Nadeem Mahomed Director, Cliffe Dekker Hofmeyr</i> <i>Ruben Orton Director, Snyman Attorneys</i> <i>Prof Andre Louw Stellenbosch University</i> <i>Prof Wilhelmina Germishuys-Burchell UNISA</i> <i>Laetitia Fourie University of the Free State</i>
16h30-17h15	Panel discussion on equality with people I care about Chair Prof Christoph Garbers <i>Stellenbosch University</i> <i>Dr Aisha Adam Post-Doctoral Fellow, Stellenbosch University</i> <i>Dr Riana Conradie STADIO</i> <i>Raffaella Clegg Doctoral student, Stellenbosch University</i> <i>Kaylee Krige Masters' student, Stellenbosch University</i> <i>James Haw Doctoral student, Stellenbosch University</i>
18h45 for 19h00	Dinner to pay tribute to the contributions of Judges Andre van Niekerk and Kate Savage <i>Venue: tbc</i> Words of welcome Prof Theo Broodryk , <i>Acting Vice-Dean, Research and Internationalisation, Faculty of Law, Stellenbosch University</i> Tribute to Judge Andre van Niekerk Prof Halton Cheadle Tribute to Judge Kate Savage Judge President Edwin Molahlehi

Day 3 | Friday 2 October

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Session 4 | Broader perspectives on equality

Chair | Prof Ockert Dupper | *Stellenbosch University*

8h45-9h30	Discrimination in the South African social security system, with an emphasis on gender-related discrimination: Shortcomings, responses and the way forward Prof Marius Olivier <i>Honorary Professor, Faculty of Law, Nelson Mandela University (South Africa); Extraordinary Professor, Faculty of Law, North-West University (South Africa); Adjunct Professor, School of Law, University of Western Australia</i>
9h30-10h15	Affirmative Action The State of the Nation Shamima Gaibie <i>Director, Cheadle, Thompson and Haysom Inc</i> Jeremy Phillips <i>Director, Cheadle, Thompson and Haysom Inc</i>
10h15-10h45	Respondent on affirmative action Greta Engelbrecht SC <i>Senior Counsel, Johannesburg Bar</i>
10h45-11h15	Tea
11h15-12h45	Panel discussion Reflecting on labour law as a mechanism to promote equality: successes, failures, limitations, hopes and expectations Chair and facilitator: Prof Dennis Davis <i>University of Cape Town</i> Panel <i>Prof Halton Cheadle University of Cape Town</i> <i>John Botha Joint CEO, Global Business Solutions; CEO, Circle and Square; Ministerial appointment to the Employment Equity Commission; Previously business negotiator at the NEDLAC Labour Market Chamber.</i> <i>Matthew Parks Parliamentary Coordinator, COSATU</i> <i>Prof Paul Benjamin University of the Western Cape; Director, Cheadle, Thompson and Haysom Inc</i> <i>Balindile Shezi Executive, ENS</i>
12h45-13h00	Conclusion Prof Christoph Garbers <i>University of Stellenbosch</i>
13h00	Departure lunch