1. Record Nr. UNINA9910809328703321 Autore Parker Collins Titolo Labour law in Namibia / / Collins Parker Pubbl/distr/stampa Windhoek, Namibia,: University of Namibia Press, 2012 **ISBN** 1-280-87568-2 99916-870-3-3 9786613716996 99916-870-2-5 99916-870-4-1 Edizione [1st ed.] Descrizione fisica 1 online resource (332 p.) Disciplina 344.688101 Soggetti Labor laws and legislation - Namibia Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references (p. [301]-304) and index. Nota di contenuto Cover: Title page: Copyright page: Contents: PREFACE AND ACKNOWLEDGEMENTS; 1. INTRODUCTION; 1.1 WHAT IS LABOUR LAW?; 1.2 WHO IS AN EMPLOYEE?; 1.2.1 At Common Law; 1.2.2 Tests Applied in Identifying Employees; 1.2.3 Statutory Provisions; 1.3 WHO IS AN EMPLOYER?; 1.3.1 At Common Law; 1.3.2 Statutory Definition; 1.4 INTERPRETATION OF THE LABOUR ACT 2007: 1.5 APPLICATION OF THE LABOUR ACT 2007; 2. THE EMPLOYMENT RELATIONSHIP; 2.1 CONTRACT OF EMPLOYMENT; 2.2 ESSENTIAL ELEMENTS OF CONTRACT OF EMPLOYMENT: 2.2.1 Agreement: 2.2.2 The Parties: 2.2.3 Duties of an Employee; 2.2.4 Duration

LABOUR ACT 2007; 2. THE EMPLOYMENT RELATIONSHIP; 2.1
CONTRACT OF EMPLOYMENT; 2.2 ESSENTIAL ELEMENTS OF CONTRACT
OF EMPLOYMENT; 2.2.1 Agreement; 2.2.2 The Parties; 2.2.3 Duties of
an Employee; 2.2.4 Duration
2.2.5 Remuneration 2.2.6 The Employer's General Right of Control and
Supervision; 3. DUTIES OF EMPLOYEES; 3.1 INTRODUCTION; 3.2
PERSONAL SERVICE; 3.3 NOT TO BE ABSENT FROM WORK; 3.4
PUNCTUALITY; 3.5 OBEDIENCE TO REASONABLE AND LAWFUL
INSTRUCTIONS; 3.6 FURTHERING THE INTERESTS OF THE EMPLOYER;
3.6.1 Devotion of the Employee's Energy and Skill; 3.6.2 Using
Information Gained in the Course of Employment; 3.6.3 Employees'
Inventions; 3.6.4 Fiduciary Duties; 3.7 COMPETENCE AND EFFICIENCY;
3.8 ADAPTABILITY; 3.9 NOT TO BE GUILTY OF MISCONDUCT OR
IMPROPER BEHAVIOUR; 3.9.1 Introduction

3.9.2 Dishonest Act 3.9.3 Negligence; 3.9.4 Drunkenness and Use of Unprescribed Drugs and Substances; 3.9.5 Indolence; 3.9.6 Insolence; 3.9.7 Fighting and Similar Forms of Misconduct; 3.9.8 Fraud; 3.9.9 Damage to Property; 3.9.10 Unauthorized Use of Employer's Motor Vehicle; 3.9.11 The Rule in Hollington's Case; 3.10 DUTIES OF EMPLOYEE AFTER SEPARATION; 3.10.1 Restraint of Trade; 3.10.2 Using Trade Information after Separation; 4. DUTIES OF EMPLOYERS; 4.1 INTRODUCTION; 4.2 PROVISION OF WORK; 4.3 PAYMENT OF REMUNERATION: 4.3.1 Payment of Remuneration during Illness 4.3.2 Form and Method of Payment 4.3.3 Prohibited Deductions; 4.3.4 Permitted Deductions; 4.4 PROVISION OF MEDICAL SERVICES; 4.5 PROVISION OF CERTIFICATE OF SERVICE; 4.6 KEEPING OF PRESCRIBED RECORDS; 4.7 OBSERVATION OF PRESCRIBED HOURS OF WORK; 4.7.1 Ordinary Hours of Work; 4.7.2 Overtime; 4.7.3 Meal Intervals; 4.7.4 Daily Spread-Over and Weekly Rest Period: 4.7.5 Night Work: 4.7.6 Work on Sundays; 4.7.7 Work on Public Holidays; 4.8 GRANTING OF PAID LEAVE OF ABSENCE; 4.8.1 Annual Leave; 4.8.2 Sick Leave and Compassionate Leave: 4.8.3 Maternity Leave: 4.9 PROVISION OF **ACCOMMODATION** DUTIES COMMON TO EMPLOYEES AND EMPLOYERS 5.1 DISCRIMINATION: 5.2 DUTY TO BARGAIN IN GOOD FAITH: 5.3 HEALTH AND SAFETY AT THE WORKPLACE; 5.4 INDEMNITY; 5.5 SEXUAL HARASSMENT; 6. REMEDIES OF EMPLOYEES AND EMPLOYERS; 6.1 INTRODUCTION: 6.2 REMEDIES OF EMPLOYEES: 6.2.1 Termination of Contract by or without Notice: 6.2.2 Claim for Wages: 6.2.3 Damages: 6.2.4 Application for Reinstatement; 6.2.5 Interdict; 6.2.6 Strike; 6.3 REMEDIES OF THE EMPLOYER; 6.3.1 Dismissal; 6.3.2 Non-Payment of Wages; 6.3.3 Damages; 6.3.4 Specific Performance; 6.3.5 Interdict; 6.3.6 Lockout

Sommario/riassunto

Labour Law in Namibia is the first comprehensive and scholarly text to analyse labour law in the country, the Labour Act of 2007, and how it affects the common law principles of employment relations. Concise and extensively researched, it examines the Labour Act in detail in 16 chapters that include the employment relationship; duties of employers and employees; unfair dismissal and other disciplinary actions; the settlement of industrial disputes; and collective bargaining. Over 500 relevant cases are cited, including court rulings in other countries, and comparative references to the labour

6.3.7 Secret Profi ts and Commissions