DA SILVA
ATTORNEY

CURRICULUM VITAE

EMPLOYMENT LAW & CONFLICT DYNAMICS, ACCREDITED MEDIATOR

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Curriculum Vitae

José da Silva [BPROC] [ADLL] | [CSL] | [CPFL]

PERSONAL

Full Names	José Carlos Mendes da Silva
Date of birth	1965/01/18
Nationality	South African
Identity Number	650118 5089 08 4

EDUCATION

2018	Conflict Dynamics accredited mediator
2004	Certificate in Pension Funds Law (with distinction) – UNISA
1999	Certificate in Sports Law - University of Cape Town
1996	Advanced Diploma in Labour Law - Rand Afrikaans University
1990	Admitted as Attorney of the High Court (27 years' Post admission experience)
1988	B Proc - University of Pretoria
1983	Matriculation - Hoërskool Patriot

EMPLOYMENT

Present position	Sole proprietor
Date employed	August 2019
Employer	Da Silva Attorney

EXPERIENCE

1. José was admitted as an Attorney of the High Court of South Africa during February 1990. He served his articles at the (then) Friedland Hart & Partners before joining prominent Pretoria law firm Weavind and Weavind, where he was appointed as Director in 1994. In 1997 he joined Gildenhuys Malatji Inc (at that stage known as Gildenhuys van der Merwe Inc) as a Director and established their Employment Law Practice, which through the years built up a reputation for service excellence in all aspects of Employment Law. José headed this practice until July 2019 when he resigned to establish "Da Silva Attorney", a boutique law firm specialising in all aspects of employment law, including pension funds law.

2. He takes part in the organised profession, regularly acting as a member of the Disciplinary Committee of the (then) Law Society of the Northern Provinces.

3. José specialises in Labour Litigation before the CCMA, various Bargaining Councils and the Labour Court. In addition to Labour Litigation, he also drafts Recognition Agreements and Contracts of Employment, provides advice on labour implications of mergers and acquisitions and the labour implications of corporatisation of State-Owned Enterprises.

He regularly advises on restructuring of businesses and transfers or sale of businesses as going concerns and advice on retrenchments, rationalisations, as well as on the Employment Equity Act and other employment related legislation, including Pension Fund issues.

4. José is also a member of SASLAW (South African Society for Labour Lawyers) and has presented seminars on topics relating to Labour Law.

5. Key clients that José has advised include Afgri Operations Ltd, Auditor-General of South Africa (AGSA), Armscor, Assupol Holdings Ltd, Aurecon (Pty) Ltd, , Bonitas Medical Fund, Equra Health (Pty) Ltd, Business Enterprises at UP, City of Tshwane Metropolitan Municipality, Consulta Research (Pty) Ltd, SYSPRO (Pty) Ltd, Mango Airlines (SOC) Ltd, fastjet Africa (Pty) Ltd, Health Professions Council of South Africa (HPCSA), South African Revenue Service (SARS), South African Bureau of Standards (SABS) and the University of South Africa (UNISA).

6. José conducts and chairs Disciplinary Inquiries and leads investigations on behalf of employers relating to various forms of misconduct and has conducted disciplinary investigations in the work place. José also conducts wage negotiations with Trade Unions on behalf of clients.

7. Being proficient in Portuguese has also ensured that José assists clients in foreign jurisdictions, such as Mozambique, Angola and Portugal. One of his most notable recent achievements to date is that he forms part of the international legal team that is defending a claim of US$ 300 million against a South African Parastatal company before the civil courts in Lisbon, Portugal.

8. José has advised clients on disputes relating to Pension Funds Law, including assisting clients with complaints lodged with the Pension Funds Adjudicator.

9. José has also assisted clients with complaint lodged with the Competition Commission.

FIELDS OF EXPERTISE

Employment law

Pension Funds law

Conflict Dynamics Accredited mediator