

DEBBIE COLLIER

ABRIDGED CURRICULUM VITAE

Debbie Collier is currently Associate Professor in the Department of Commercial Law at the University of Cape Town.

ACADEMIC QUALIFICATIONS AND PROFESSIONAL ADMISSIONS

BA (Law) LLB (Rhodes) LLM (UCT) PhD (UCT)

Admitted as an Attorney of the High Court, 1998

Admitted as an Advocate of the High Court, 1994

ACADEMIC APPOINTMENTS

Associate Professor (UCT) Department of Commercial Law (since 2012)

Senior Lecturer (UCT) Department of Commercial Law (2007)

Lecturer (UCT) Department of Commercial Law (2003)

Assistant Lecturer / IT Co-ordinator at the Law Faculty (UCT) (2001 – 2003)

PUBLICATIONS

Peer-reviewed journal articles and book chapters

- Collier, D ‘Discrimination et égalité au travail en Afrique du Sud’ and an English translation (‘From apartheid to affirmative action: an overview of equality law in the South African Workplace’) published in 2015 in *Revue de Droit comparé du Travail et de la Sécurité sociale* (2015/2 and 2015/3).
- Collier and Shaw ‘Gambling with industrial peace: non-disclosure of business information and the decision in *National Union of Public Service and Allied Workers obo Mani & others v National Lotteries Board* 2014 (3) SA 544 (CC) (2015) *ILJ* 2503-2515.
- Collier and Benjamin ‘Chapter 9 Measuring labour market efficiency: indicators that fuel an ideological war and undermine social concern and trust in the South African regulatory process’ in Merry, Davis and Kingsbury (eds) *The Quiet Power of Indicators: Measuring Governance, Corruption and Rule of Law* (2015) Cambridge University Press.
- Fergus and Collier ‘Race and Gender Equality at Work: The Role of the Judiciary in Promoting Workplace Transformation’ (2014) *SAJHR* 484 – 507.
- Collier, D and Bamu, P ‘Linking trade and labour: a promising synergy or a double-edged sword?’ in Le Roux, R and Rycroft (eds), *A Re-inventing Labour Law: Reflecting on the first 15 years of the LRA and future challenges* (2012) 326-347 (Juta).
- Collier, D, ‘Technology and Law: Complex, Complacent and Complicit in Compromising development: A Case Study from the Developing South’ (2012) 21 *Griffith Law Review* 245-287.
- Collier and Glazewski, Chapter 8 ‘Climate change and possible legal liability’ in Parnell, S; Oelofse, G; Cartwright, A; Price, P & Ward, S *Climate Change at the City-scale: Impacts, Mitigation and Adaptation in Cape Town* (2012) Routledge 147-162.
- Glazewski and Collier, Chapter 13 ‘South Africa’ in Jutta Brunnée, J; Goldberg, S; Lord, R QC; and Rajamani, L (2012) *Climate Change Liability: Transnational Law and Practice* (Cambridge University Press) 319-348.

- Collier, D ‘Employer negligence in the promotion process: when should the arbitrator intervene? A comment on *SAPS V SSSBC, Robertson NO & Noonan*’ (2011) *Industrial Law Journal* 2378-2384.
- Collier, Idensohn and Adkins ‘Income inequality and executive remuneration: assessing the role of law and policy in the pursuit of equality’ (2010) 34 *SAJLR* 84 – 109.
- Collier, D ‘If the unfair failure to promote is ongoing, should the employee’s claim prescribe?’ (2010) 31 *ILJ* 1575-1578.
- Collier and Moitui ‘Africa’s regulatory approach to biotechnology in agriculture: an opportunity to seize socio-economic concerns’ (2009) 17 *African Journal of International and Comparative Law* 29-56.
- Collier D, Chapter 21 ‘Machine-generated evidence and related matters’ in Schwikkard et al, *Principles of Evidence* (3rd edition), Juta, 2008 at 410-418.
- Collier, D ‘Access to and control over plant genetic resources for food and agriculture in South and southern Africa: how many wrongs before a right?’ (2006) Vol 7 *Minnesota Journal of Law, Science & Technology* at 529 - 564.
- Collier, D ‘Freedom of expression in Cyberspace: Real limits in a virtual domain’ (2005) Vol 16 *Stellenbosch Law Review* at 21 – 44.
- Collier, D ‘The right to legal representation at the CCMA and at Disciplinary Enquiries’ (2005) *Industrial Law Journal* at 1 – 16.
- Collier, D ‘The right to legal representation under the LRA’ (2003) April *Industrial Law Journal* at 753 – 770.
- Collier, D ‘Workplace Privacy in the Cyber Age’ (2002) Vol 23 *Industrial Law Journal* at 1743 – 1759.

Books

- Massie and Collier with Crotty *Executive Salaries in South Africa: Who should have a say on pay?* (2014) (Jacana Media Pty Ltd)
- Collier-Reed, D and Lehmann K (eds) *Basic Principles of Business Law* (revised 2009) (2nd ed 2010) (Butterworths LexisNexis)

Recent Reports

- ‘Future of Work Initiative: South Africa’, LEP and SLP, Report to the ILO, February 2017.
- ‘A National Minimum Wage for South Africa’, NMW Panel Report to the Deputy President, November 2016.
- Collier and Godfrey ‘Review of Labour Legislation in Lesotho: Issues Paper – June 2014’
- South African Law Reform Commission Discussion Paper 131, Project 126, The Review of the Law of Evidence, 2015.
- Glazewski and Collier ‘The law of delict and climate change: legal implications for City Council’ (2010/11) for City Council Climate Change Think-Tank, City of Cape Town, 1 - 21.
- Von Braun, Collier and Glazewski ‘The Blyde Hydro-Power Project: Ownership & Beneficiation Study’ (2010) for Natural Justice, Environmental NGO, 1 - 39.
- Collier, DW ‘Opportunities for public participation: Maximising public influence’ (2006/07) for Biowatch, Environmental NGO, 1 - 45.

Other Publications

- Collier, D ‘Unlocking labour laws’ various columns in SA Labour Bulletin (2010-2013)
- Collier, D and Idensohn, K ‘Negative growth and retrenchments: regulating work hours and executive remuneration’ *Law Review* (September 2009) at 11-13.
- Collier, D W ‘e-Mail and SMS Contracts: Lessons from the Labour Court’ (2008) 16 *Juta’s Business Law* at 20-22.

TEACHING AND SUPERVISION AT UCT

Undergraduate and LLB teaching

I am involved with the supervision of final year LLB student research papers and am or have been involved in teaching the following undergraduate courses:

- Labour Law LLB
- Commercial Regulation and Governance
- Law, Development, Labour and Social Policy
- Labour Relations (Organisational Psychology Honours students in the School of Management Studies)
- Business Law 1
- Electronic Law

Postgraduate teaching

I am involved with the supervision of LLM minor dissertations, LLM research dissertations and PhD research degrees and am or have been involved in teaching the following postgraduate courses:

- Workplace Discrimination and Equality Law
- Developmental issues in IP Law
- Individual Labour Law

CONFERENCE PRESENTATIONS AND INVITED LECTURES

Conferences and invited presentations

- “Income Inequality” at the “Proportionate Income Differentials: A Long Walk to Social Justice” Mandela Initiative Dialogue and action to overcome poverty and inequality, April 2017.
- “Theme 4: The Governance of Work”, ILO Future of Work Initiative, NEDLAC Constituencies, April 2017
- “Executive Salaries: Who Should Have a Say on Pay?”, The Federation of Swaziland Employers and Chamber of Commerce, Mbabane, Swaziland, May 2016.
- “Transforming the Wage Structure” at the National Minimum Wage Symposium, 2-3 February 2016, School of Economic & Business Sciences, University of the Witwatersrand.
- Invited Panel member from UCT at the Thomas Piketty Lecture, UCT, October 2015.
- ‘ILO technical assistance in an LDC: The making of labour law for the Lesotho labour market’ (with Shane Godfrey) at the ILO Regulating Decent Work (RDW):Developing

- and Implementing Policies for a Better Future at Work Conference, Geneva, ILO headquarters, 8-10 July 2015.
- “Mind the gap”: Widening income inequality in South Africa – an institutional failure or mission impossible?’ at the Labour Law Research Network (LLRN) 2nd Conference, Amsterdam 25-27 June 2015.
 - ‘Executive Salaries in South Africa,’ at the 27th Annual Labour Law Conference (August 2014)
 - ‘Law and corporate governance as complementary strategies to transform South Africa’s society’ co-authored and presented with Emma Fergus at the Regulating for Decent Work: Regulating for Equitable and Job-Rich Growth, 3-5 July 2013, ILO Geneva.
 - ‘Discrimination and Equality Law: Emerging Trends in the South African Context’ co-authored and presented with Emma Fergus at the Labour Law Research Network – Inaugural Conference, Faculty of Law, Pompeu Fabra University (UPF), Barcelona, 13-15 June 2013.
 - ‘When is the employer’s decision about promotion reviewable? Rethinking the *Noonan* judgment’ at the 24th Annual Labour Law Conference (June 2011)
 - ‘Linking trade and labour: a promising synergy or a double-edged sword?’ co-presented with Pamhidzai Bamu at a colloquium on the Future of Labour Law (March 2011)
 - ‘Is South Africa ready for worker participation and a convergence of company and labour law?’ co-presented with Kathy Idensohn at the Society of Law Teachers of Southern Africa (January 2011)
 - ‘Income inequality: Executive salaries and pay discrimination’ co-presented with Kathy Idensohn at the 23rd Annual Labour Law Conference (August 2010)
 - ‘Labour market regulatory practices: would short-time work and curbed executive pay add value?’ Universities of the Western and Eastern Cape Seventh Annual Law Conference at Nelson Mandela Metropolitan University, Port Elizabeth (January 2010)
 - ‘Protecting your identity – managing personal data in the workplace’ 22nd Annual Labour Law Conference at Sandton, Johannesburg (August 2009)
 - ‘Agricultural biotechnology: exploring Africa’s ‘traffic-light approach’ 11th International Conference on Agricultural Biotechnologies: New Frontiers and Products – Economics, Policies and Science, hosted by the International Consortium on Agricultural Biotechnology Research (ICABR) at Ravello, Italy (July 2007)

Other lectures / seminars training and teaching outside of the UCT Law Faculty

- ‘Women in the Workplace: A legal perspective’ a workshop for the South African Women in Science and Engineering (SA Wise) (June 2012)
- ‘Intellectual Property Rights’ EEU (UCT) and ABS Capacity Development Initiative for Africa, Training course to build African capacity in Access and Benefit sharing, Cape Town (January 2010)
- ‘Introduction to patent law. Main concepts and principles’ WHO, UNDP Training Course on Intellectual Property Rights and Public Health: Towards an Intellectual Property Regime that Protects Public Health, A Course Directed at Policy Makers in the WHO African Region (Course director: Carlos M Correa), Cape Town (22-26 June 2009).
- ‘Diversity in the workplace’, guest lecture to postgraduate students in the Sociology Department, UCT (2010, 2008)
- Facilitator for ‘HIV/AIDS : Rights in the Workplace’ – HIV in the Workplace 2010 Programme – GSB, UCT (June 2007)

LEADERSHIP, ASSOCIATIONS, EDITORIAL AND ADMINISTRATION

- Deputy Dean: Postgraduate Studies (July 2013 – July 2016) and *ex officio* member of numerous faculty committees and Chair of the SALS Exco
- Member of the UC Berkeley, Comparative Discrimination Law Study Group (2015 -)
- Coach for the UCT team in the Copenhagen Competition on Access to Food (2011)
- Acting Director of the Institute of Development and Labour Law (IDLL) (2007) and Deputy Director of IDLL from mid-2008 to 2012.
- I am associated with the Labour and Enterprise Policy Research Group (LEP) and collaborate with the Group on certain research issues.
- UCT Senate member (from July 2013)
- UCT Mediator (from 2011)
- Ongoing external examination for various Universities at LLB, LLM and PhD level.
- Regular peer-review of articles submitted to peer-reviewed journals (for example *Industrial Law Journal*) and peer-review of a scholarly book on affirmative action.

SOCIALLY RESPONSIVE ACTIVITIES

- Member of the National Minimum Wage (NMW) Advisory Panel by the Deputy President, Cyril Ramaphosa (2016-2017)
- Member of the Labour and Enterprise Policy Research Group appointed by the ILO as consultants to prepare briefing documents for South African stakeholders in the Future of Work Initiative (2016-2017)
- Consultant to the Lesotho Ministry of Labour and Employment appointed by the ILO to assist in a review of Labour legislation in Lesotho (2014-2015) and in 2014 prepared an Issues Paper (67 pages) (for discussion by the multiple stakeholders in Lesotho)
- Project leader for International Labour Organisation (ILO), a specialised United Nations Agency: project: *addressing the implementation deficits: assisting the constituents in Botswana, Lesotho, Namibia and South Africa (BLNS) to implement the comments of the committee of experts on the application of conventions and recommendations (CEACR)*. I headed up the drafting of the report on the CEACR Comments 2008 – 2013 as they relate to South Africa (2013), 50 pages
- South African Law Reform Commission (SALRC) researcher on Project 126 Review of the Law of Evidence, researched and wrote the Commission Paper xxx/2014 *Discussion Paper on the Review of the Law of Evidence* (2012 – 2014) 106 pages.
- Ongoing advice to Cotton SA / Wheat SA on agri-patents and the impact of the expiry of certain patents.
- Co-ordinated the IDLL response to the Department of Labour proposed amendments to various employment law statutes (February 2011)
- Co-ordinated the Labour Law for HR course presented to UCT HR (Nov 2010/Feb 2011)
- Member of South African Labour Law Association (SASLAW) and a committee member from May 2011 – May 2013.
- Advisory Board Member of Abalimi Bezekhaya (Farmers of home) since 2008. Abalimi is a Non-Governmental Organisation (NGO) working to empower the disadvantaged through urban agriculture and environmental programmes and projects. I assist with legal matters such as the organisation's HR, BEE, tax and lotto matters.
- Advisory Board member of the Tourism and Business Institute of South Africa (TBISA) since 2009. I assist largely with curriculum design of HR and para-legal training courses.

- Co-authored (with Professor Jan Glazewski) a report ‘The law of delict and climate change: legal implications for City Council’ (2010/11) for the City Council Climate Change Think-Tank.
- Co-authored with Von Braun and Glazewski ‘The Blyde Hydro-Power Project: Ownership and Beneficiation Study’ (2010) for Natural Justice, Environmental NGO.
- Regular contributor to the ‘Unlocking labour laws’ column in the SA Labour Bulletin
- Commentary requested and provided to the South African Law Reform Commission (SALRC) on project 113: *The Use of Electronic Equipment in Court Proceedings* (2009)
- Project committee member of the SA Law Reform Commission: Project 25. Appointed as a committee member to review legislation administered by the Department of Agriculture (2007)
- External advisor / examiner for on-line practical labour law course (since 2010)
- Report for Environmental NGO (Biowatch): Collier, DW ‘Opportunities for public participation: Maximising public influence’ (December 2006 / January 2007).