



### Monique Jefferson

**Director**

monique.jefferson@dlapiper.com

### Johannesburg

T: +27 113 020 853

M: +27 64 880 8523

Monique provides advice to multi-national companies on various aspects of employment law including section 197 transfers, retrenchments and restructurings, merger-related employment advice, due diligences, unfair dismissal claims, unfair discrimination claims, compliance with employment equity legislation, how to deal with poor performance and incapacity in the workplace, protected disclosures, sexual harassment, and the deeming provisions in relation to fixed term contracts and temporary employment service employees. Monique also regularly drafts employment contracts, policies, employment equity plans and other employment-related agreements as well as pleadings in litigious matters.

Monique has conducted a number of investigations into workplace misconduct, sexual harassment, bullying and protected disclosures. She has also conducted training for a number of clients on employment equity, sexual harassment, chairing disciplinary enquiries and managing misconduct and poor work performance in the workplace.

She is a thought leader when it comes to data protection in South Africa and has provided training on data protection and the provisions of the Protection of Personal Information Act, 2013 (POPIA) for the Law Society of the Northern Provinces as well as for the South African Society of Labour Lawyers (SASLAW) and a number of clients. Monique was invited to participate as a panel speaker on a panel discussion with the chairperson of the Information Regulator, Adv Pansy Tlakula. She advises on all aspects of data protection and cybersecurity in South Africa as well as the GDPR. She regularly drafts and reviews contracts to ensure that they comply with the provisions of POPIA and the GDPR, where applicable. Monique has also advised certain biomedical and biotechnology companies introducing products into the South African market and has advised several companies in relation to the introduction of certain web-based applications and platforms in the South African market.

### RELATED SERVICES

- Data Protection, Privacy and Security
- Employment

### LANGUAGES SPOKEN

Afrikaans English  
French Sign

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## EXPERIENCE

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- Reviewing and amending consent forms and service provider agreements for a number of leading pharmaceutical companies.
- Assisting a number of multinational companies in implementing a compliance project to ensure compliance with POPIA and cybersecurity laws.
- Drafting and amending terms of use, policies and consent forms for internet service providers and various technology companies.
- Advising companies on data breaches and notification requirements and assisting with drafting relevant notifications.
- Advising high profile mining companies on data protection implications when sharing personal information and health information during litigation proceedings.
- Advising cloud platform providers on data protection requirements in South Africa.
- Advising banks on transborder flows of personal information from South Africa.
- Advising online education providers on data protection requirements and drafting appropriate policies and procedures.
- Advising companies on access control through the use of biometric information such as fingerprints.
- Advising companies on pre-screening checks such as criminal checks and polygraph tests during the recruitment process and drafting appropriate consents.

## CREDENTIALS

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### Professional Qualifications

- Attorney of the High Court of South Africa, 2011

### Education

- Rhodes University, LLB, 2009
- Volunteer at Rhodes University, Legal Aid Clinic, 2007-08
- University of the Witwatersand, BA, 2007

### Memberships

- Member of the South African for Labour Law (SASLAW)
- Legal Practice Council (LPC) (In terms of the Legal Practice Act, 2014)

## INSIGHTS

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### Publications

#### Update to the COVID-19 direction on health and safety in the workplace

8 June 2020

Our South Africa employment team discuss some key changes and obligations which should be considered by employers in terms of health and safety in the workplace.

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## South African data protection law and third-party processors

17 APR 2019

The EU General Data Protection Regulation (GDPR) and South Africa's Protection of Personal Information Act 2013 (POPIA) regulate the protection of data subjects' personal information. Some provisions of POPIA are already in force, and the rest are expected to come into effect over the course of this year. Though there will be a one-year grace period after the new legislation comes into effect in its entirety, businesses are advised to start complying with the provisions of POPIA as soon as possible.

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## South African M&A: The impact of data protection laws

5 NOV 2018

A practical guide to complying with South African and EU data protection rules during due diligence.

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- Author of Employment Law Update column in De Rebus magazine

## Events

Speaker at the South African Society for Labour Law (SASLAW).