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Should you need any further information on these topics, please contact us at info@hrtorque.co.za.

1. What Employers Need to Know About the Current AA88 Surge in South Africa

Author: David van den Bergh

Over the past few weeks, many South African employers have seen a sharp increase in AA88 notices issued by the South African Revenue Service.

These notices are creating administrative pressure, confusion, and in many cases, tension between employers and employees. Understanding what sits behind these notices, and how to manage them correctly, is essential.

What is an AA88 Notice?

An AA88 is a legally binding instruction from SARS requiring an employer to deduct money from an employee's salary to settle an outstanding personal tax debt.

Once issued:

- The employer becomes the appointed collection agent
- Deductions must be processed through payroll
- Payments must be made to SARS within the required deadlines

This is not discretionary — it is a compliance obligation.

Why Are AA88 Notices Increasing?

The recent surge is largely driven by SARS enforcement, reconciliations, and improved data matching, not payroll errors.

In fact, in most cases:

AA88 balances are not caused by incorrect PAYE calculations.

Modern payroll systems calculate PAYE based on available inputs at the time of processing. Where those inputs are correct, tax calculations are generally accurate.

Instead, AA88 balances typically arise from issues outside of payroll, such as:

- Outstanding or late tax return submissions
- Administrative penalties raised by SARS
- Interest and investment income not taxed via payroll
- Retirement fund withdrawals, including two-pot system access
- Other additional income streams declared directly to SARS

These liabilities are often only identified after the fact, which is why they do not reflect in payroll at the time earnings are processed.

The Key Disconnect: Employee vs Employer Responsibility

While the tax debt belongs to the employee, the collection responsibility is placed on the employer.

This creates a common challenge:

- Employees often do not understand how the debt arose
- They may assume the employer made an error
- This can lead to disputes, mistrust, or HR escalations

From an employer perspective, this is not just a payroll issue — it becomes an employee relations and communication risk.

How SARS Identifies the Employer

AA88 notices are typically issued based on:

- The latest IRP5 certificate submitted to SARS
- SARS' internal taxpayer records

This means:

- The notice is not linked to your current payroll system
- You may receive notices for former employees

Even if the employee is no longer employed, your business may still be listed until SARS updates its records.

Why You May Receive Repeated Notifications

Employers often question why AA88 notices are sent multiple times.

This happens because:

- Your company remains the legally appointed party
- The AA88 remains active until SARS updates or closes it
- Payroll providers are required to continue notifying you while it is active

Even where the system has been updated to reflect that an employee has left, the notice may remain open for some time.

What Your Payroll Provider Can (and Cannot) Do

It is important to clarify roles in this process.

Your payroll provider can:

- Implement deductions in payroll
- Facilitate payments to SARS
- Update the AA88 portal (e.g., employee no longer employed)

- Request affordability adjustments

They cannot:

- Cancel or amend the AA88
- Correct SARS data
- Act as the legally appointed party

The legal obligation always remains with the employer.

A New SARS Contact Channel

In a notable development, SARS has introduced a contact point for AA88-related queries:

- EmployerTPA@sars.gov.za

Employers can use this channel to raise queries directly with South African Revenue Service.

What Employers Should Do

When you receive an AA88:

1. Act Immediately

Do not ignore the notice, it is legally enforceable.

2. Implement the Deduction

Ensure:

- Accurate payroll processing
- Correct reflection on payslips
- Timely payment to SARS

3. Communicate Clearly With Employees

Explain:

- The deduction is mandated by SARS
- The debt is personal, not payroll-related
- They must engage SARS for full details

4. Do Not Make Unauthorised Changes

Any adjustments, suspensions, or cancellations must come directly from SARS.

5. Keep Proper Records

Maintain a clear audit trail of:

- Notices
- Calculations
- Payments
- Communication

The Human Impact: Why Employee Awareness Matters

AA88 deductions can be financially and emotionally stressful for employees.

A key issue is lack of awareness:

- Many employees are unaware of their broader tax obligations
- They may not understand penalties, additional income taxation, or filing requirements
- This often leads to confusion when deductions suddenly appear

This is where proactive employers can add real value.

Creating awareness helps:

- Reduce conflict
- Improve financial literacy
- Strengthen trust in the employment relationship

How We Can Assist

Employee Awareness Sessions

- Explaining how personal tax works
- Clarifying why AA88 balances arise
- Guiding employees on how to engage with SARS

Employer Awareness Sessions

- Clarifying what AA88s are
- Why you are receiving AA88s (in some cases multiple times)
- What is and is not required by the employer
- What the employers role is and what to communicate to employees

Employer Technical Sessions

- Syncing e@syfile Employer, i.e. retrieving the AA88 Notices from Sars
- Trouble Shooting – What to do when the sync does not work
- Interpreting the AA88 Notice.
- Guiding employers on compliant implementation

Final Thoughts

The current wave of AA88 notices reflects increased enforcement by the South African Revenue Service, not a breakdown in payroll systems.

For employers, success lies in:

- Understanding the process
- Acting compliantly
- Communicating effectively
- Supporting employees through the impact

Handled correctly, this can shift from being a reactive compliance issue to a proactive employee engagement opportunity.

Need Support?

If you would like assistance with AA88 management, employee communication, or awareness sessions, you are welcome to contact: Sales@hrtorque.co.za

We can scope support based on your specific needs.

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2. HRTorQue is now ISO/IEC 27001:2022 Certified

Author: Jonathan Aitken

In today's digital environment, the protection of sensitive information is more critical than ever. Businesses are increasingly reliant on data to operate efficiently, and with that comes a growing responsibility to ensure that information is managed securely and responsibly.

We are proud to confirm that our organisation is certified to ISO/IEC 27001:2022, the internationally recognised standard for information security management systems (ISMS). This certification reflects our ongoing commitment to safeguarding the data entrusted to us by our clients.

What ISO/IEC 27001:2022 Means

ISO/IEC 27001:2022 is not simply a compliance exercise. It is a comprehensive framework that requires organisations to systematically assess risks, implement appropriate security controls, and continuously monitor and improve their information security practices.

Achieving and maintaining this certification involves rigorous independent audits and a commitment to ongoing compliance. It ensures that information security is embedded into our processes, culture, and daily operations.

How This Protects Our Clients

For our clients, this certification translates into tangible benefits and added peace of mind:

A structured approach to data security

All client information is managed within a formal, risk-based framework designed to identify, assess, and mitigate potential threats.

Reduced risk of data breaches

Through proactive risk management and robust controls, we minimise vulnerabilities and strengthen our resilience against cyber threats.

Strict access and confidentiality controls

Sensitive information is only accessible to authorised personnel, ensuring confidentiality and integrity at every stage.

Ongoing monitoring and improvement

Our systems and processes are continuously reviewed and enhanced to adapt to evolving risks and regulatory requirements.

Alignment with global best practices

Our certification demonstrates adherence to internationally accepted standards, giving clients confidence in our ability to protect their data.

Our Commitment to You

Information security is not a once-off initiative, it is an ongoing commitment. Our ISO/IEC 27001:2022 certification reinforces our dedication to maintaining the highest standards of data protection, transparency, and accountability.

As cyber risks continue to evolve, partnering with a provider that prioritises security is essential. Our clients can be assured that their information is not only managed efficiently but protected with the utmost care.

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3. Zero tolerance means zero for everyone

Author: Nicky Hardwick

A recent Labour Court ruling ordering the reinstatement of a municipal clerk dismissed over a 14-minute overtime claim serves as a powerful reminder that in labour law, fairness is often less about the amount involved and more about consistency.

At first glance, the employer's position appeared straightforward. The employee claimed 14 minutes of overtime that the employer believed had not been worked. The matter was treated as dishonesty and dismissal followed. Many employers would instinctively support such a decision. Dishonesty, however small, undermines trust.

Yet the Court reinstated the employee.

The decisive factor was not the 14 minutes. It was the fact that on the very same day, a supervisor had claimed nine minutes of overtime under similar circumstances and was not disciplined at all.

That difference proved fatal to the employer's case.

Employers are entitled to adopt a zero-tolerance approach to dishonesty. Our courts have repeatedly confirmed that even small amounts can justify dismissal where trust is broken. But zero tolerance must mean zero for everyone. It cannot be zero for 14 minutes and irrelevant for nine.

This is where the principle of consistency, often referred to as the parity principle, becomes critical.

Employees who commit similar misconduct must be treated similarly, unless there is a clear, rational, and defensible reason for differentiation. Where an employer disciplines one employee harshly but overlooks similar conduct by another, especially a more senior employee, the dismissal becomes vulnerable. Consistency does not require identical outcomes in every case. There may be legitimate reasons for different sanctions, such as differing disciplinary records or materially different facts. However, where no justifiable distinction exists, the inconsistency itself renders the dismissal unfair.

This case highlights an uncomfortable truth for employers: the fairness of a dismissal is not assessed in isolation. Courts will examine how rules are applied across the organisation. If supervisors are treated differently from clerks, or if policies are enforced selectively, the integrity of the disciplinary system is undermined.

Before imposing dismissal for dishonesty, employers would do well to pause and ask a few simple questions: Have similar cases been treated the same way? Have senior staff been disciplined consistently? Can we explain any difference in treatment objectively and convincingly?

In many instances, dismissals fail not because misconduct did not occur, but because the employer applied its standards unevenly.

The lesson is not that dishonesty should be tolerated. It is that fairness demands consistency. If an organisation chooses to take a firm stance, that stance must apply across all levels.

How we can help

HRTorQue assists employers by reviewing disciplinary histories, testing for consistency risks before action is taken, and ensuring that sanctions are defensible across your business - from junior staff to supervisors. [Contact](#) our HR team today and we will ensure all standards and disciplinary actions are applied evenly and fairly throughout your organisation.

4. The 10 HR and payroll questions that could cost your businesses money

Author: Candice Zulu

After years of working with business owners across industries, we have noticed something interesting.

The same questions keep popping up. Not because employers don't care, but because HR and payroll risks often sit quietly in the background, until they become expensive.

Below are the 10 questions we are asked most often, and why each one matters more than most businesses realise.

1. Can we just dismiss this employee? They are not performing.

This is usually asked in frustration, but under the Labour Relations Act, dismissal for poor performance requires a fair and documented process. No counselling? No written warnings? No opportunity to improve? That frustration can turn into a CCMA case. The cost:

- Legal time
- Management hours
- Possible compensation of up to 12 months' remuneration
- Reputational risk

Poor performance must be managed, not reacted to.

2. How much notice pay do we legally have to give?

Notice periods are governed by the Basic Conditions of Employment Act, but contracts often override the minimum. We frequently see:

- Incorrect notice calculations
- Payment in lieu errors
- Misalignment between contracts and legislation

Small payroll mistakes here can create large financial disputes. Compliance saves time, and accuracy saves money.

3. Do we need to follow the correct retrenchment process?

Retrenchment is one of the highest-risk HR processes. Dismissals for operational requirements require meaningful consultation, not simply the issuing of letters. When businesses shortcut the process, they face:

- Procedural unfairness findings
- Reinstatement orders
- Compensation awards

Retrenchment is not just a financial decision. It is a legal process that needs to be followed to the T.

4. Can we change an employee's salary or working hours?

In challenging economic conditions, businesses often need to restructure. But changing terms and conditions without proper consultation may be viewed as a unilateral change, opening the door to disputes or even constructive dismissal claims.

The risk is not in the change. Rather, it is in how the change is implemented.

5. How is severance pay taxed?

This is where HR and payroll intersect. Severance pay requires correct tax treatment and directives from the South African Revenue Service (SARS). We often see confusion between:

- Severance pay
- Leave pay
- Notice pay
- Ex gratia payments

Each has different tax implications. A payroll error here does not just affect the employee, it affects the employer's compliance standing as well.

6. What are our obligations when an employee goes on maternity leave?

Beyond compliance under the BCEA, employers must manage:

- UIF processes
- Temporary replacements
- Operational planning
- Policy alignment

Handled poorly, it disrupts workflow. Handled properly, it protects both employee rights and business continuity.

7. Is this a grievance or harassment?

This question often arises when workplace tension escalates. The difference matters. Failing to investigate harassment properly can expose an employer to liability, while over-formalising a simple grievance can damage morale.

Clear policies and structured processes protect both the employee and the organisation.

8. Can we deduct money from an employee's salary?

Deductions without proper written consent are unlawful, except in very specific circumstances. Common risks include:

- Over-recovering damages
- Incorrect garnishee handling
- Payroll system misconfigurations

A seemingly small deduction can result in a formal dispute.

9. Is this person really an independent contractor?

This is one of the most financially risky questions we encounter. Misclassification can result in:

- Retrospective PAYE liability

- UIF and SDL exposure
- Penalties and interest

What looks like cost-saving on paper can become expensive non-compliance.

10. Do we really need formal HR policies and proper employment contracts?

This question usually comes from growing businesses. And the honest answer is this: you only realise you needed them once something goes wrong. There is no doubt about it: policies and contracts create consistency, reduce disputes, protect leadership decisions, save management time, and strengthen compliance. They are not administrative paperwork. They are business risk management tools.

Most businesses only review their HR and payroll structures after something goes wrong: a CCMA referral, a SARS query, an internal dispute, a compliance audit. By then, the cost is already incurred. If your internal team is stretched, or you simply want peace of mind, partnering with an outsourced HR and payroll specialist may be the most cost-effective decision you make this year. Email us on info@hrtorque.co.za for more.

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5. Managing alcohol in the workplace: Balancing misconduct and incapacity

Author: Saadiqah Abdool Razak

Alcohol use in the workplace presents complex legal and ethical considerations, particularly when employers are required to distinguish between employee misconduct and incapacity due to ill health. South African labour law recognises that while intoxication at work may constitute misconduct, alcoholism is a medical condition that must be managed in accordance with the principles of fairness and support, as set out in Schedule 8 of the Code of Good Practice.

The Labour Court decision in *Transnet Freight Rail v SATAWU & Louw* illustrates when dismissal for misconduct is justified. A train driver reported for duty under the influence in a safety-critical environment, in clear breach of a well-communicated policy. With no medical evidence of dependency, the Court upheld the dismissal to protect workplace and public safety.

By contrast, *PSA obo van Wyk v Department of Social Development* demonstrates the risks of mischaracterising alcoholism as misconduct. The employee had a documented history of alcohol dependency and health challenges, yet the employer pursued a disciplinary process rather than an incapacity enquiry, neglecting counselling, rehabilitation, or any other support. The dismissal was challenged as unfair, highlighting the need for a supportive approach when incapacity due to ill health is present.

These cases emphasise that distinguishing between misconduct and incapacity is critical to both procedural and substantive fairness. Voluntary intoxication without medical dependency may justify disciplinary action, but where alcohol dependency exists or may exist and is medically supported, employers are legally and ethically required to follow an incapacity process. This process is not merely formal; it ensures that employees are treated with dignity and provided with an opportunity to address their health challenges before punitive measures are considered. Key elements include providing appropriate support measures (such as counselling or employee assistance programs), offering reasonable accommodations where feasible, and implementing structured rehabilitation plans. Following these steps helps ensure that decisions are fair, transparent, and defensible, reducing the risk of legal challenges and reinforcing a culture of ethical and responsible management.

Employers should therefore carefully investigate alcohol-related incidents, obtain relevant medical assessments, and distinguish clearly between voluntary misconduct and incapacity due to ill health. Documentation of the process, clear communication with the employee, and adherence to established policies are essential for procedural fairness. While safety-critical roles may warrant stricter standards due to the potential risk to colleagues, the public, or company property, Schedule 8 obligations still require that employees with health-related incapacity are treated fairly, supported appropriately, and not unfairly dismissed without first considering all rehabilitative and accommodating options. Proper application of these principles safeguards both workplace safety and the organisation's legal and ethical responsibilities.

At HRTorQue, we assist employers with navigating alcohol-related misconduct and incapacity matters, including policy development, disciplinary and incapacity processes, and employee support interventions. Our approach ensures compliance, fairness, and ethical decision-making in line with labour law requirements. [Reach out](#) to the team today for more information.

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6. 2026 Budget highlights

Author: Dave Beattie

Personal income tax brackets and relief

The personal income tax brackets and rebates have been adjusted for inflation for the 2026 / 2027 tax year (effective 1 March 2026).

2026 / 2027 tax table

Taxable Income (R)	Rates of Tax
0 - 245 100	18% of taxable income
245 101 - 383 100	44 118 + 26% of taxable income above 245 100
383 101 - 530 200	79 998 + 31% of taxable income above 383 100
530 201 - 695 800	125 599 + 36% of taxable income above 530 200
695 801 - 887 000	185 215 + 39% of taxable income above 695 800
887 001 - 1 878 600	259 783 + 41% of taxable income above 887 000
1 878 601 and above	666 339 + 45% of taxable income above 1 887 600

Tax rebates and thresholds

Rebates for Individuals (R)	
Primary	17 820
Secondary (65 years and older)	9 765
Tertiary (75 years and older)	3 249
Age	Tax Threshold (R)
Below 65	99 000
65 to below 75	153 250
75 and above	171 300

Reimbursive travel rate

No tax payable on reimbursive travel allowances up to **R4.95** per kilometre, regardless of vehicle value.

Travel allowance

Updated SARS per-kilometre cost table applies for 2026/27 (vehicle value bands adjusted accordingly).

Where the value of the vehicle	Fixed cost	Fuel cost (c/km)	Maintenance costs (c/km)
0 – 115 000	38 344	132,9	49,1
115 001 – 230 000	68 487	148,4	61,4
230 001 – 345 000	98 689	161,2	67,8
345 001 – 460 000	125 393	173,4	74,0
460 001 – 575 000	152 097	185,5	86,9
575 001 – 690 000	180 078	212,8	102,0
690 001 – 805 000	208 106	216,5	114,5
805 001 – 920 000	237 679	220,1	126,9
Exceeding 920 000	237 679	220,1	126,9

Medical Aid tax credits

Medical Aid tax credits received an inflationary increase:

- **R376** for each of the first two dependants covered
- **R254** for every additional dependant

Subsistence allowance

A slight inflationary increase:

- Meals and incidental costs – an amount of **R595** per day is deemed to have been expended
- Incidental costs only – an amount of **R184** per day is deemed to have been expended

Bursaries and scholarships

The annual remuneration threshold for tax exempt bursaries and scholarships has increased from **R600 000** to **R900 000**.

The updated annual exemption limits for employee relatives are as follows:

- Grade R to Grade 12 (NQF level 1-4) increases from **R20 000** to **R30 000**
- NQF Level 5-10 increases from **R60 000** to **R90 000**
- Disabled employee relatives (Grade R to 12 and NQF Level 1-4) – increases from **R30 000** to **R45 000**
- Disabled employee relatives (NQF Level 5-10) increases from **R90 000** to **R130 000**

Long Service / Bravery awards

The exemption relating to awards for bravery and long service increase from **R5 000** to **R16 000**.

Employee loans for immovable property

The qualifying property value for employer-provided loans used to purchase immovable property has been increased from **R450 000** to **R650 000**.

The associated remuneration threshold linked to these property acquisition loans has risen from **R250 000** to **R360 000**.

Compensation exemption – death in the course of employment

The tax-exempt amount payable to an employee's beneficiaries when death occurs as a result of, and during, the course of employment has been increased from **R300 000** to **R800 000**.

Retirement Fund contributions

The previous limit of **R350 000** was increased to **R430 000** for being the maximum now allowed. This is a welcome adjustment for those taxpayers who want to put more money away for retirement and maximise the tax benefit.

Accommodation benefit formula

The threshold used to calculate the taxable value of residential accommodation has increased from **R95 750** to **R99 000**.

Capital Gains tax amendments

The annual CGT exclusion increases from **R40 000** to **R50 000**.

The exclusion in the year of death rises from **R300 000** to **R440 000**.

The disposal of primary residence exclusion increases from **R2 million** to **R3 million**, with the same **R3 million** threshold applying where the proceeds from the sale of the primary residence do not exceed this amount.

Tax-free investments

The annual threshold of investments in tax-free investment financial instruments or policies by individuals has increased from **R36 000** to **R46 000**.

Value-added Tax (VAT) adjustments

The VAT rate remains unchanged at 15%.

The VAT compulsory registration threshold has increased from **R1 million** to **R2.3 million** per annum.

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7. Understanding SDL and how employers can claim back a portion

Author: Vishanya Deeplall

Many employers in South Africa contribute monthly towards the Skills Development Levy (SDL), yet remain unaware that a portion of these contributions can be claimed back and reinvested into their workforce. In terms of the Skills Development Levies Act, employers with an annual payroll exceeding R500 000 and who are registered with the South African Revenue Service (SARS) for PAYE are required to pay 1% of total remuneration as SDL. While payment of the levy is compulsory if the minimum threshold is met, claiming back grant funding is not automatic. Employers must actively participate in the system to

benefit; failure to submit the required documentation results in forfeiting the opportunity to recover any portion of the levy paid.

The purpose of the levy is to fund education, training, and skills development initiatives across the country and to encourage businesses to invest meaningfully in developing their employees. A percentage of the SDL paid can be reclaimed through engagement with the relevant Sector Education and Training Authorities (SETA) that governs the employer's industry sector. To access this funding, employers must register with the appropriate SETA and appoint a Skills Development Facilitator (SDF), who may be internal or external, to oversee the skills development process and manage submissions.

When registered and wishing to receive their grants, employers are required to submit a Workplace Skills Plan (WSP), which outlines planned training and development initiatives for the upcoming year, together with an Annual Training Report (ATR), detailing training implemented during the previous year. These submissions must be compliant, aligned with sector skills priorities, and supported by accurate training records and documentation. In addition, employers must remain up to date with their levy payments to SARS. The standard national deadline for WSP and ATR submissions is 30 April each year, although employers should confirm specific dates with their relevant SETA as requirements may vary.

Through compliance with these requirements, employers may access two types of grants: the Mandatory Grant and Discretionary Grants. The Mandatory Grant enables employers to claim back 20% of the SDL paid, provided they have submitted a compliant WSP and ATR within the prescribed timeframe and remain levy-compliant. Payments are generally made quarterly or as determined by the SETA. Discretionary Grants, on the other hand, are awarded based on SETA funding priorities and budget availability, and typically support initiatives such as learnerships, apprenticeships, internships, skills programmes, bursaries, and work-integrated learning. While discretionary funding can significantly offset training costs, it is competitive and subject to strict evaluation criteria.

If your organisation is paying SDL, you are already contributing 1% of your payroll each month. By ensuring compliant WSP and ATR submissions, you can recover at least 20% of those contributions and potentially secure additional funding to further develop your workforce. Skills development should not be viewed merely as a compliance requirement, but rather as a strategic investment in business growth, sustainability, and long-term competitiveness.

If your company requires assistance with your WSP and ATR submissions, please feel free to reach out to us at HRA@hrtorque.co.za.

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5. This month's highlights

Author: Candice Zulu

1. **Tax year end EMP501 annual reconciliation:** The **deadline of 31 May** is fast approaching. For many South African employers, this submission can be complex, time-consuming, and high risk if not completed correctly. Errors, data mismatches, or missing employee information can lead to rejected submissions and potential SARS penalties. Our team specialises in supporting businesses through every stage of the EMP501 process. [Contact us today.](#)
2. **Skills Development: Reminder 30 April deadline**
The Skills Development Levy encourages learning and development in South Africa and is determined by an employer's salary bill. Payment towards the levy grant scheme is legislated in terms of the Skills Development Levies Act, 1999. Under this act, every employer in South Africa who is registered with SARS for PAYE and has an annual payroll in excess of R500,000, must register

with SARS to pay the SDL. This is levied at 1% of the total amount of remuneration (less any specific exclusions) paid to employees.

3. Navigating the complexities of HR can be confusing, even for the experts. That is why we put together our **HR Managers' Pocket Guide**, a powerful resource designed to simplify your HR journey. [Find it here.](#)
4. **Income tax numbers:** We can assist you with the registration of your employees for income tax purposes, managing the process from start to finish. Our consultants will obtain your employees' personal information from your payroll administrator and complete the necessary applications. The turnaround time for this process is 24 hours and the cost per application is R300 plus VAT per employee. A volume discount will be negotiated in cases where there are more than 20 applications at a time. Should you need assistance please contact Dave Beattie on 031 564 1155 or dave@hrtorque.co.za
5. HRTorQue hosts weekly, online **HR-focused mini workshops**, assisting and guiding your managers to perform better. [Email us](#) for more information or [subscribe](#) to receive details and invites to the 2026 calendar.
6. For the latest recordings from our **Wednesday webinars**, take a look at our [YouTube channel](#), filled with informative HR, payroll, and legislation tips and tricks. If you are not receiving our weekly invites, please subscribe [here](#).

[Contact us today](#) for all your HR, payroll, tax, and accounting needs.

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