

**Bindura University
of Science Education**



**A LEGAL COMPLIANCE FRAMEWORK FOR WORKFORCE RESTRUCTURING
IN HUMAN RIGHTS NGOS: A CASE STUDY OF AMNESTY INTERNATIONAL
SOUTH AFRICA.**

BY

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**A DISSERTATION SUBMITTED TO THE BINDURA UNIVERSITY OF SCIENCE
EDUCATION IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR AN
EXECUTIVE MASTER OF SCIENCE DEGREE IN BUSINESS LEADERSHIP,
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Approval Form

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Declaration

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A handwritten signature in black ink, appearing to read 'James Jairosi', written over a horizontal line.

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Dedication

I dedicate this project to my wife Ms Tee, and my children. I deeply love you all. I appreciate your support and patience.

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I wish to express my sincere gratitude to everyone who contributed to the success of this project and the entire programme under Bindura University of Science Education. I am deeply grateful to Doctor Munashe Matambo, my program supervisor, for providing valuable guidance and constantly going through all sections of this project. To those who completed the questionnaires, I thank you for the great work. Your contributions helped to make this project a success. The results are here for you to see.

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Abstract

Workforce restructuring in human rights NGOs has always been problematic for the human rights industry because there's no clear legal framework for it. This research tackles that problem and focuses on Amnesty International South Africa. It explores the law, how governance and HR work, what fairness looks like in that case, and the risks involved. Using a descriptive phenomenological and qualitative approach, the team conducted 12 semi-structured interviews and 3 more interviews with key experts and applied purposive sampling. I used NVivo to analyze everything and use thematic analysis. There were five main themes: legal compliance, governance and HR procedures, procedural fairness, restructuring risks, and what a good framework should cover. It turns out that although Amnesty International South Africa has legal and governance structures in place, implementing them is patchy. People do not always get to participate, transparency isn't great, and employees' experiences are quite different. When the restructuring is done in a consistent way and then not done in a holistic way, NGOs find themselves in trouble with legal issues, problems of their own internal systems, and unhappy staff. So, the study went ahead and developed a new legal compliance framework, one that is integrated with the law, governance, and fairness. The bottom line: If human rights NGOs want to restructure their workforce in a manner that is truly lawful, credible, and genuine—they need to do more than tick boxes. They need strong, coordinated frameworks and better governance to make sure that everything is transparent, fair, and accountable.

Keywords: Legal Compliance Framework, Workforce Restructuring, Procedural Fairness, Governance, Human-Rights NGOs.

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List of Abbreviations and Synonyms

BUSE	Bindura University of Science Education
HR	Human Resources
ICNL	International Center for Not-for-Profit Law
LRA	Labour Relations Act
NGOs	Non-Governmental Organisations
OECD	Organization for Economic Cooperation and Development

CHAPTER ONE

INTRODUCTION

1.0 Introduction

Legal compliance really matters when NGOs reorganize their workforce, especially those focused on human rights. Here, restructuring isn't just about managing budgets or shifting teams it is a legal and ethical process that has a real impact on employees' rights and the trust people have in the organization. If an NGO tries to restructure without solid procedures, things can go south fast: lawsuits, damaged reputation, and frustrated staff (OECD, 2021; CIVICUS, 2023). These days, NGOs are dealing with tighter finances, heavier accountability, and more rules so restructuring happens more often, and sticking to legal standards matters more than ever (Salamon & Sokolowski, 2020; CIVICUS, 2023). If there's no clear compliance system in place, decisions get messy and people do not get treated fairly. This chapter dives into the background of the study, lays out the problem, explains the research aim, objectives, and questions, and spells out the research propositions. It also covers why the study matters, its goals, and what makes it significant. There is a rundown of the study's scope, its assumptions and limitations, and explanations of key terms. The chapter wraps up with a look at the dissertation's structure and a quick summary.

1.1 Background of the Study

This study started broad, looking at global trends in workforce restructuring and legal compliance, then narrows in on Amnesty International South Africa as a focused case. By doing this, we get the bigger picture before diving into the specifics that affect this one organisation.

1.1.1 Global Workforce Restructuring and Legal Compliance Perspective

Companies around the world are reshaping their workforces more than ever these days. Changing economies, new technologies, and the constant need to stay competitive push organizations in every industry to rethink how they're structured. But this is not just a matter of a manager shuffling people around labour laws set out clear rules. These laws demand transparency, fairness, and proper procedures at every step. International labour guidelines are strict: if a company lets people go for business reasons, they have to do it on solid, legitimate grounds. And they can't just make decisions behind closed doors. Employers are expected to consult with employees, share all the relevant information, and actually think through other options before cutting jobs (International Labour Organization, 2021). When organizations skip these steps or try to cut corners, research shows they don't just risk a lawsuit. They open themselves up to big fines and public backlash—nobody wants

a reputation for unfair treatment (OECD, 2021). Plus, today's companies are constantly being watched—not just by regulators, but by investors, employees, and the public. So, sticking to both the law and high ethical standards isn't optional if they want to keep the trust and support, they rely on (Scott, 2014; OECD, 2021).).

1.1.2 Workforce Restructuring in the NGO Sector

Working in the nonprofit world comes with its own set of challenges, especially when it comes to restructuring. NGOs don't just follow the money they have to deal with unpredictable funding, donor expectations, and projects that come and go. It's not like running a regular business. They're always trying to keep the organization afloat financially, but they also have to think about their social mission and ethical responsibilities. That mix makes every decision about jobs and teams a lot trickier. Studies show NGOs are under more and more pressure to reorganize as their funding changes or as they shift their focus (CIVICUS, 2023). But every move they make has to line up with labor laws and their own governance rules. Get it wrong, and you don't just risk upsetting employees you can end up in disputes or even damage the group's reputation (Cornforth & Brown, 2014; OECD, 2021). Human-rights organizations, in particular, are in a tough spot. People expect them to live up to the same standards of fairness, respect, and accountability inside their offices that they push for out in the world (Lewis, 2020). So, they're balancing legal requirements with the need to stay true to their values. That is a tightrope.

1.1.3 African and Southern African Perspective

NGOs across Africa are stepping up, taking a bigger part in social development, pushing for better governance, and fighting for human rights. At the same time, governments are tightening the rules, making sure these organizations stay accountable and follow the law (ICNL, 2022; CIVICUS, 2023). In Southern Africa, things have gotten tougher labour laws and governance demands are stricter. So, NGOs now have to prove they are keeping up with all the regulations and showing strong governance. Research shows a lot of these groups struggle to match their internal processes with what's legally expected, especially when they're going through big changes (Salamon & Sokolowski, 2020). That means restructuring the workforce isn't just a matter of paperwork anymore. You need to treat it as a process shaped by legal and governance requirements, not just an administrative tweak.

1.1.4 South African Labour Law and Nonprofit Context

In South Africa, workforce restructuring has to follow a pretty strict legal process, thanks to the Labour Relations Act 66 of 1995. Employers are not allowed to just let people go for operational reasons; they have to consult with staff, share relevant information, look at alternatives, and use fair criteria to decide who stays

and who goes (Republic of South Africa, 1995; Grogan, 2021). This applies to everyone even nonprofits and human-rights NGOs are not exempt. People take procedural fairness seriously in South African labour law. If an employer skips these steps, they are looking at unfair dismissal claims and financial consequences (Grogan, 2021). Legal researchers say it is not enough for organisations to simply tick the boxes employees need to feel that the process is fair and open (Colquitt et al., 2015). So, blending legal compliance with strong governance and values matters a lot. If organisations get this balance right, they are less likely to run into trouble and more likely to keep trust and morale intact.

Amnesty International South Africa Perspective

Amnesty International has built its reputation on justice, fairness, and accountability. In South Africa, like everywhere else, they have to follow labour laws to the letter and make sure their internal practices reflect their core values. The thing is, even though there are clear legal guidelines and governance rules, most NGOs Amnesty included do not have solid, structured systems that actually bring together those laws, good governance, and basic human rights when they restructure their teams. Research backs this up. When an organisation skips that kind of framework, mistakes happen. Employees lose trust, and sometimes the organisation's reputation takes a hit. Knowing this, it's clear there's real value in creating a legal compliance framework that guides NGOs especially human-rights organisations through lawful and principled workforce restructuring.

1.2 Statement of the Problem

Amnesty International South Africa stands for fairness, transparency, and accountability. People expect these values not just in its public advocacy, but inside the organization too especially when it comes to how they handle their own staff. Restructuring the workforce is not just a management decision; it poses tough governance and compliance challenges, especially in South Africa, where the Labour Relations Act 66 of 1995 lays down specific steps and standards employers must follow. The law gives a general outline of what's required, but inside Amnesty International South Africa, there's little sign of a clear, structured framework that brings legal rules, governance processes, and HR practices together. When organizations skip that kind of structure, things can go sideways. Employees might feel treated unfairly, or internal processes become inconsistent. Worst case, you get caught up in legal battles or take a hit to your reputation (OECD, 2021; Byrne, 2022). So, what's missing is obvious: Amnesty International South Africa needs a solid legal compliance framework. One that ties together the law, strong governance, and practical HR steps making sure every workforce change is fair, open, and above board from start to finish.

1.3 Main Research Objective

The aim of the study is to design a legal compliance framework for lawful workforce restructuring in human-rights non-governmental organisations, using Amnesty International South Africa as a case study.

1.4 Sub-Objectives

- To analyse the legal and regulatory requirements governing workforce restructuring in South Africa.
- To examine governance and human resource procedures used during workforce restructuring in Amnesty International South Africa.
- To analyse risks associated with workforce restructuring in the absence of a compliance framework.
- To design a legal compliance framework for lawful workforce restructuring in human-rights NGOs.

1.5 Research Questions

- What legal and regulatory requirements govern workforce restructuring in South Africa?
- How are governance and human resource procedures applied during workforce restructuring in Amnesty International South Africa?
- What risks arise without a structured compliance framework?
- How can a legal compliance framework be designed for lawful restructuring?

1.6 Research Propositions

P1: Workforce restructuring must comply with labour law procedures to ensure legality.

P2: Human-rights NGOs must align restructuring with both legal and ethical standards.

P3: Lack of a compliance framework increases risk of disputes and reputational damage.

P4: A structured framework improves lawful and transparent restructuring.

1.7 Justification of the Study

This study is justified by the growing need for NGOs to manage restructuring in a legally compliant and ethically responsible manner. Literature shows that many organisations face challenges in translating labour law requirements into practical organisational procedures (OECD, 2021). In South Africa, while labour laws clearly define restructuring procedures, organisations often lack internal systems that ensure consistent

compliance (Grogan, 2021). This gap is particularly significant in human-rights organisations, where internal practices must reflect principles of fairness and accountability (Lewis, 2020).

1.8 Purpose of the Study

The purpose of the study is to design a legal compliance framework that integrates labour law, governance procedures and human-rights principles to guide lawful workforce restructuring.

1.9 Research Significance

The significance of this study can be understood across multiple dimensions, including organisational, sectoral, legal, governance and academic contributions. The study produces both **practical and theoretical value**, consistent with the expectations of postgraduate research under the Education 5.0 model.

1.9.1 Significance to Amnesty International South Africa

This study matters a great deal to Amnesty International South Africa because it lays out a clear legal compliance framework for handling workforce restructuring keeping the process transparent, fair, and accountable from start to finish. Human rights groups like Amnesty cannot afford to cut corners internally; if their employment practices don't match the values they champion in public fairness, dignity, justice they risk losing credibility and the trust of supporters (Lewis, 2020). This framework helps keep Amnesty on track, making sure its restructuring aligns with both labor laws and the organization's core principles. No one likes confusion during tough transitions. The framework spells out how to consult staff, document decisions, and oversee the process, so there's less chance of mistakes or inconsistent treatment. That's crucial, since poor communication and vague procedures often breed disputes and resentment when jobs are on the line. But it's not just about following rules. This framework sharpens internal accountability by giving leaders and staff a system everyone understands and can trust. Cornforth and Brown (2014) found that organizations with solid governance systems handle complex decisions better and show regulators and stakeholders they are serious about compliance. With this framework, Amnesty International South Africa can protect its reputation, lower legal risks, and build confidence inside the organization especially when times get tough and change is on the table.

1.9.2 Significance to the NGO Sector

This study matters not just for the organization at the center of it, but for the entire nonprofit field especially those human-rights NGOs that live with shaky funding, strict regulations, and rising expectations around governance. The truth is, a lot of nonprofits find themselves caught between the need to stay afloat financially and the pressure to stay within the boundaries of law and ethics, especially when they have to restructure

(CIVICUS, 2023; Salamon & Sokolowski, 2020). What stands out in this research is the legal compliance framework developed here. NGOs facing tough workforce decisions can actually use it, adapting it to their unique challenges. It's not just a list of laws it turns legal requirements into real procedures organizations can actually follow. That's rare. Many nonprofits know the basics of labor law, but they don't have the internal guidelines to put those laws into action. All of this feeds into a bigger goal: stronger institutional governance across civil society groups. Recent research highlights a simple fact: when governance is weak, organizations make inconsistent decisions, end up in more disputes, and risk serious damage to their reputation (OECD, 2021). This framework gives NGOs a structured way to tighten up their decision-making, make policies more transparent, and keep employment-related actions accountable. It's a practical step toward raising the standards for how these organizations run themselves.

1.9.3 Significance to Labour Law Compliance and Governance Practice

From a legal and governance standpoint, this study does something pretty essential it connects labour law requirements with how organizations actually put them into practice. Labour laws like the Labour Relations Act spell out what needs to happen when restructuring a workforce, but those laws do not really show organizations how to make it work on the ground (Grogan, 2021). Instead of just listing legal rules, this study builds out a clear, step-by-step framework that businesses can use to turn concepts like consultation, procedural fairness, and compliance into real action. That kind of practical guidance is often missing, so it helps organizations follow the law more effectively something they frequently struggle with. The study also highlights why procedural fairness matters so much in employment relations. When employees see restructuring processes as fair, transparent, and consistent, they are way more likely to accept even tough decisions (Colquitt et al., 2015). By weaving fairness principles right into its framework, the study promotes healthier employment relationships and cuts down on the risk of disputes. Beyond just labour law, the study adds to the conversation around corporate and nonprofit governance. It shows how legal compliance, governance structures, and organizational values can all fit together in a single, unified decision-making framework a big advantage when organizations face complicated situations with lots of regulatory and ethical layers.

1.9.4 Significance to Policy and Regulatory Development

This study matters for policy and regulation in the nonprofit world. Lately, governments and regulators keep pushing for stricter rules and better governance in NGOs (ICNL, 2022; OECD, 2021). By pointing out how structured compliance frameworks actually work, the study helps shape new guidelines and best practices, especially when nonprofit organizations need to restructure their workforce. It shows that compliance goes

beyond just ticking legal boxes; it is about building real systems for consistency, transparency, and accountability. That is crucial now, especially in places where regulators demand clear proof real documents and reliable governance before they are satisfied that an organization is following the rules.

1.9.5 Significance to Academic Knowledge

This study pushes the conversation forward by connecting three fields that researchers usually look at on their own: labour law compliance, nonprofit governance, and workforce restructuring. Most of the time, scholars treat these as separate topics. They rarely ask how these areas interact, especially within human-rights NGOs. Here, the research bridges that gap, building a framework that unites legal, governance, and ethical issues in a single model. The study deepens theoretical understanding, too. It does not just pick one lens; instead, it weaves together Institutional Theory, Stakeholder Theory, and Procedural Justice Theory. This approach fleshes out workforce restructuring, showing it as more than an HR issue, it is a legal, organisational, and social process all at once. By focusing on South Africa and human-rights NGOs, the study adds something fresh. These contexts don't get nearly enough attention in the existing literature. Highlighting them boosts the study's value not just at home but for global scholars as well.

1.9.6 Significance to Education 5.0

This study fits right into the spirit of Education 5.0, putting the spotlight on innovation, industry, and practical knowledge not just theory. Instead of stopping at abstract ideas, the research delivers something concrete: a legal compliance framework that organizations can actually use. This framework is not just academic busywork, either. It doubles as a governance manual, a compliance toolkit, a training resource for HR and management, and even as a consultancy tool for NGOs. By putting this practical tool in the hands of real organizations, the work bridges the gap between research and day-to-day operations. That is exactly what Education 5.0 pushes for turning research into actionable solutions and driving innovation for nonprofits facing real challenges.

1.10 Delimitations of the Study

Delimitations set the edges for this study they draw a clear line around what's included and what is left out. By staking out these boundaries, the research stays sharp, on track, and true to its goals. Clarity and coherence in interpreting the results depend on these limits (Creswell & Creswell, 2018). Here, the study narrows itself across four main areas: geography, context, literature, and methodology.

1.10.1 Geographical Scope

This study looked specifically at Amnesty International South Africa. That is the case study. Why focus here? First, because the group works in a clear legal framework South African labour law sets strong rules and boundaries. Second, Amnesty International is a human rights NGO, a space where both sticking to the law and keeping ethical standards matter every day. Zeroing in on one organisation lets the research dig deep. You get a real, close-up look at how workforce restructuring happens, how governance actually works, and where compliance runs into trouble. The scope was narrow, though it does not cover other NGOs in South Africa, nor does it look across Africa. Still, what comes out of this research could speak to other similar groups dealing with the same kind of rules and challenges.

1.10.2 Contextual Scope

This study focused squarely on creating a legal compliance framework for workforce restructuring within human-rights NGOs. It dives into three main areas: the legal and regulatory rules that shape restructuring, the internal governance and HR procedures these NGOs follow, and the specific risks that pop up when compliance systems are missing during restructuring. I am not looking at other parts of the organisation like programme delivery, financial results, advocacy, or service outcomes unless, of course, they're directly tied to the process of restructuring staff. That way, the study keeps its sights set on the core goal: building a compliance framework. The research sticks to workforce changes driven by operational needs think financial pressures, large-scale reforms, or strategic shifts. Layoffs or terminations for reasons like misconduct or incapacity sit outside the scope here, since those fall under different legal and procedural rules (Grogan, 2021).

1.10.3 Literature Scope

This study reviews literature across several areas central to its research focus: labour law compliance and employment regulation, workforce restructuring and organisational change, nonprofit governance and accountability, procedural fairness in employment relations, and legal compliance frameworks within organisational systems. The review draws mainly from scholarly and institutional sources published between 2020 and 2025, aiming to capture the latest developments in labour law, nonprofit governance, and organisational practice. Where necessary, it incorporates key foundational works like those by Scott (2014) and Colquitt et al. (2015) to provide essential theoretical context. Literature that does not directly address workforce restructuring, legal compliance, or nonprofit governance gets excluded, keeping the study's focus clear and relevant.

1.10.4 Methodological Scope

This study used a qualitative case study approach centered on Amnesty International South Africa. Qualitative methods fit here because the goal is to dig deep into how the organization works how it handles legal compliance, its internal processes, and the systems it uses to govern itself not to find broad trends or make statistical claims (Yin, 2018). For data, I rely on document analysis looking at labour laws, internal policies, and governance documents as well as semi-structured interviews with selected participants. To make sense of everything, I turn to thematic analysis. This method lets me spot key patterns and connections across the qualitative data (Braun & Clarke, 2021). There is no use of quantitative tools or large-scale surveys in this research. I'm not interested in counting or measuring; instead, I want to build a framework grounded in real organizational practice. The aim was not to generalize to all NGOs statistically. Instead, the findings offer deeper insights into organizational realities and practical guidance for those who want to improve governance in similar contexts.

1.11 Assumptions of the Study

Assumptions are basically the rules researchers accept as true to keep their study moving forward. Some are not directly tested or proven at least not inside this project but they form the bedrock for how we set up the research and make sense of the findings (Creswell & Creswell, 2018). This study relies on several big assumptions about legal compliance, organisational behaviour, and data reliability. Let us break it down. First, we assume non-governmental organisations have to play by well-established legal and regulatory rules. These rules shape how workforce restructuring happens, especially when it comes to labour legislation, governance systems, and internal policies. In South Africa, the Labour Relations Act stands out it is the standard that organisations use to judge their compliance (Republic of South Africa, 1995; Grogan, 2021).

Next, we assume that without a structured legal compliance framework, organisations face bigger risks during restructuring. Things can go wrong procedural slip-ups, unhappy employees, legal fights, even reputational damage. Studies show that organisations without clear governance frameworks run into more inconsistent decisions and trouble proving they actually followed the rules (OECD, 2021; Cornforth & Brown, 2014). This study sticks with the belief that having a structured framework leads to stronger outcomes.

I also assume Amnesty International South Africa has existing policies and HR procedures that can be analysed for legal compliance. By looking at internal documents, policies, and what participants share, we expect to understand how restructuring gets managed day to day. These procedures are assumed to match actual practice fairly well.

Another assumption is about data quality. We take it for granted that participants will answer honestly and reliably, especially since confidentiality and ethics are clearly explained. Qualitative research depends on this if people don't share real experiences, the study loses credibility (Saunders, Lewis & Thornhill, 2019). We assume legal requirements, governance processes, and human rights principles can all fit together into a single compliance framework. Even though literature often treats them individually, we believe it's possible and worthwhile to weave them into a model organisations can actually use. Finally, we assume the findings from this case study will shed light on more than just Amnesty International South Africa. The framework we develop should be relevant to other human-rights NGOs facing similar legal and governance challenges. While statistical generalisation isn't the main goal, we expect the insights to have real value for nonprofits across the sector.

1.12 Limitations of the Study

Limitations are defined as the potential constraints on the study to be done, collected and analysed. Knowledge and awareness of the limitations is important in order to promote transparency and a balanced view of the findings of the study (Creswell & Creswell, 2018). This study may experience information access limitations, research design, responses and context.

Firstly, the research will experience organisational information restriction. Workforce restructuring, governance and human resources processes are usually sensitive as well as confidential. This means some internal documents or detailed records might not be made available for analysis. This directly limits the insights into some aspects of restructuring in practice. The research is based on data from organisations and participant accounts that are not considered to pose a high threat to ethical principles of confidentiality (Saunders, Lewis & Thornhill, 2019).

Secondly, the study is based on only one case study of Amnesty International South Africa, which makes it difficult for the results to be generalised. Case study research is designed to provide in-depth, context-specific understanding rather than statistical generalisation (Yin, 2018). Although the results may be useful to similar human rights NGOs, it would not be applicable for organisations operating in different legal, financial or governance areas as well.

Thirdly, the study is based on qualitative research which is the interpretation of data rather than quantitative measurement. While qualitative research provides rich and complete information about organisational

processes, it is often prone to a high degree of bracketing when data is collected and subjectivity in data analysis and interpretation. One researcher's perspective has an impact on how themes are identified and how they are presented. We adopted the systematic thematic analysis and took the research process to a higher level of consistency and clarity (Braun & Clarke, 2021).

There is also a risk of bias in response among participants. Participants will be reluctant to share full or critical information about organisational practices due to confidentiality, professional relationships or fear of organisational image. These are particularly relevant in a research context where workforce restructuring and decisions about governance are of very important concern (Saunders et al., 2019). To this end participants have anonymity and they are informed that their data will only be used for academic purposes.

Also, time constraints of the academic research schedule may limit the scope for data collection and analysis. The study is done within a fixed time frame, such as a few interviews and a limited number of documents to analyse. Hence, the study is focused on the most relevant aspects of legal compliance, governance processes and restructuring.

Finally, legal or organisational circumstances in the period of the study can influence the impact of the results. Labour laws, governance frameworks and organisational policies are subject to revision and the research is based on the situation at the time. However, the framework developed is flexible and adaptable to changing legal and organisational situations.

1.13 Definition of Terms

This section provides definitions of key terms used in the study to ensure clarity and consistency in understanding. The terms are defined in relation to their application within the context of workforce restructuring, legal compliance and nonprofit governance.

1.13.1 Legal Compliance Framework

A legal compliance framework refers to a structured system of policies, procedures and controls designed to ensure that organisational activities are conducted in accordance with applicable laws, regulations and governance standards (OECD, 2021). In the context of this study, it refers to a formalised set of guidelines that directs how workforce restructuring should be implemented in compliance with labour legislation and organisational policies.

1.13.2 Workforce Restructuring

Workforce restructuring refers to organisational changes that affect the size, composition, roles or conditions of employment of staff, often undertaken in response to financial constraints, strategic realignment or operational needs (International Labour Organization, 2021). This may include retrenchment, redeployment, reorganisation of departments or changes in job functions.

1.13.3 Legal Compliance

Legal compliance refers to the extent to which an organisation adheres to applicable laws, regulations and statutory requirements governing its operations (Grogan, 2021). In this study, it specifically relates to compliance with labour legislation governing workforce restructuring.

1.13.4 Governance

Governance refers to the systems, structures and processes through which organisations are directed, controlled and held accountable (Cornforth & Brown, 2014). In nonprofit organisations, governance ensures that decisions are made in accordance with legal requirements, organisational policies and ethical standards.

1.13.5 Human Resource Procedures

Human resource procedures refer to formal policies and operational processes that guide employment-related decisions within an organisation, including recruitment, performance management and termination (Armstrong, 2020). In this study, the term focuses on procedures related to workforce restructuring.

1.13.6 Procedural Fairness

Procedural fairness refers to the requirement that decisions affecting employees are made through transparent, consistent and unbiased processes. It involves elements such as consultation, clear communication and the use of objective criteria in decision-making (Colquitt et al., 2015).

1.13.7 NGO

A non-governmental organisation is a non-profit, voluntary organisation that operates independently of government and is typically established to pursue social, developmental or humanitarian objectives (Salamon & Sokolowski, 2020). In this study, the focus is on human-rights NGOs.

1.13.8 Human-Rights NGO

A human-rights NGO is an organisation that promotes, protects and advocates for human rights through research, advocacy and public engagement. Such organisations are expected to uphold principles of fairness, equality and accountability in both their external activities and internal practices (Lewis, 2020).

1.13.9 Labour Relations Act (LRA)

The Labour Relations Act 66 of 1995 is the primary legislation governing employment relations in South Africa. It sets out the legal framework for fair labour practices, including procedures for dismissals based on operational requirements (Republic of South Africa, 1995).

1.14 Structure of the Dissertation

This dissertation is organised into five chapters, each designed to address specific components of the research in a logical and coherent manner.

1.14.1 Chapter One: Introduction

Chapter One provides the foundation of the study by introducing the research topic and its context. It presents the background of the study using a funnel approach, beginning with the global context and narrowing down to the case of Amnesty International South Africa. The chapter further outlines the statement of the problem, research aim, objectives, research questions and research propositions. In addition, it discusses the justification, purpose and significance of the study, as well as delimitations, assumptions, limitations and definition of key terms. The chapter concludes with a summary that sets the stage for the subsequent chapters.

1.14.2 Chapter Two: Literature Review

Chapter Two presents a critical and analytical review of existing literature relevant to the study. It examines scholarly work on labour law compliance, workforce restructuring, nonprofit governance and procedural fairness. The chapter also explores the theoretical frameworks underpinning the study, including Institutional Theory, Stakeholder Theory and Procedural Justice Theory. A conceptual review of key variables is provided, followed by an analysis of the relationships between these variables. The chapter concludes by identifying gaps in the literature and presenting the conceptual framework that guides the study.

1.14.3 Chapter Three: Research Methodology

Chapter Three outlines the research methodology adopted in the study. It discusses the research philosophy, approach and design, with justification for the use of a qualitative case study. The chapter also describes the

target population, sampling technique, data collection methods and data analysis procedures. In addition, it addresses issues of validity, reliability and ethical considerations. This chapter provides a clear explanation of how the study is conducted.

1.14.4 Chapter Four: Data Presentation, Analysis and Discussion

Chapter Four presents and analyses the data collected from the study. The findings are organised according to the research objectives and themes emerging from the data. The chapter integrates empirical findings with the literature reviewed in Chapter Two, providing a discussion that highlights patterns, relationships and key insights. This chapter forms the basis for the development of the proposed legal compliance framework.

1.14.5 Chapter Five: Summary, Conclusions and Recommendations

Chapter Five provides a summary of the study, drawing together the key findings from the research. It presents conclusions based on the research objectives and discusses the implications of the findings. The chapter also provides practical recommendations for Amnesty International South Africa and similar organisations. In addition, it outlines the proposed legal compliance framework for lawful workforce restructuring and suggests areas for future research.

1.15 Chapter Summary

We began this chapter by setting up the context and rationale for the study which looks at legal compliance in workforce restructuring in human-rights non-governmental organisations. The background to the study was that workforce restructuring is becoming a common organisational response to financial pressure, regulatory requirements and strategic re-organisation, especially in the nonprofit sector. Furthermore, we added that restructuring needs to be done in line with labour law and governance standards, and in other sectors where the legitimacy of the organisation is based on the principles of fairness and accountability. The chapter identified the lack of a structured legal compliance framework as one major challenge to workforce restructuring in human-rights NGOs. Moreover, we found that the absence of such a framework increases procedural errors, employee dissatisfaction and damage to reputation. In answer to this challenge, we presented the study aim, objectives, research questions and research propositions to guide the research. Also, in this chapter we justified the significance of the study, which is relevant to organisational governance and labour law compliance in organisations and nonprofit management. The study was noted for its contribution to Amnesty International South Africa, the wider nonprofit sector, legal and governance practice and academic knowledge. The chapter also outlined the delimitations, assumptions and limitations of the study as well as the scope and conditions under which the research is conducted. Key terms were specified in order for the reader

to be able to understand the research and the dissertation was structured in the following chapters. Overall, this chapter lays the groundwork for the study by clearly defining the research problem, scope, and direction. The next chapter builds on this basis and revisits the literature to build a theoretical and empirical basis for the study.

CHAPTER TWO

LITERATURE REVIEW

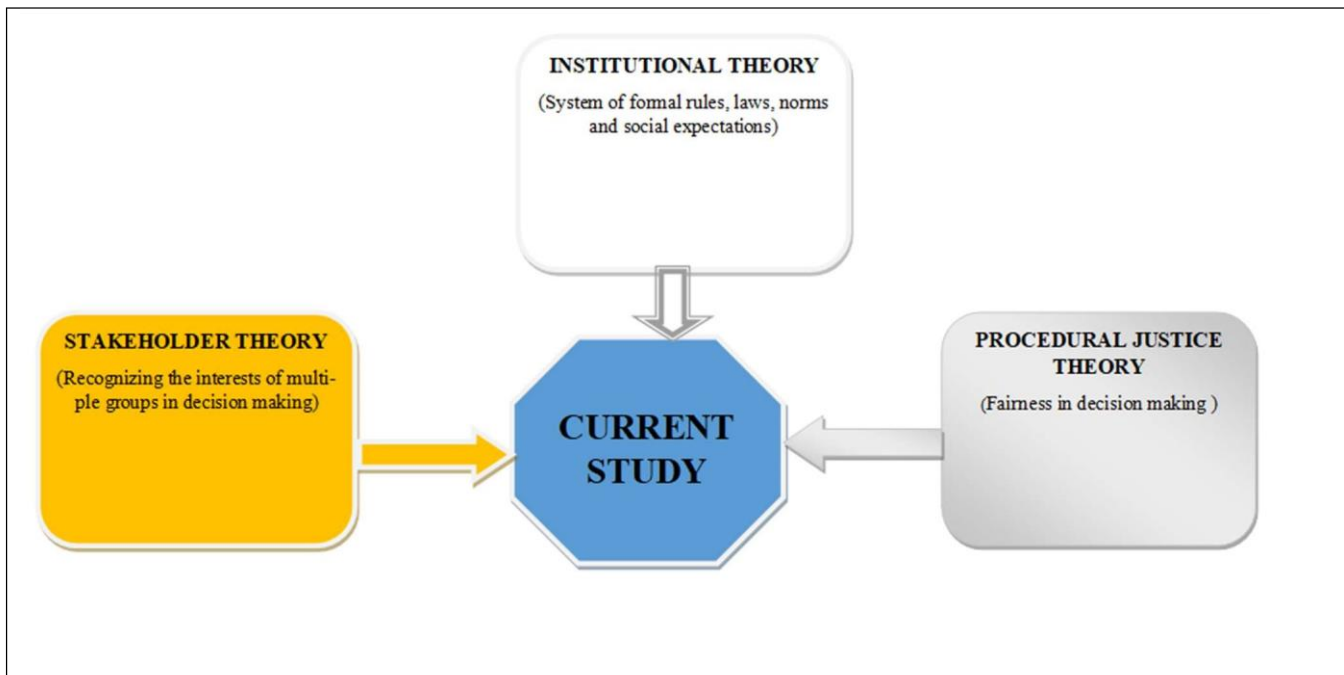
2.0 Introduction

This chapter provides a thorough review of literature on legal compliance, workforce restructuring, governance processes and procedural fairness in human-rights non-governmental organisations. This chapter is more than a presentation of what we know, it is also about how these concepts are applied and where there remain gaps. Workforce restructuring is increasingly driven by financial pressure, donor dependency and organisational change. It is not just a decision made by a manager but a legal and ethical matter which is directly related to employee rights and organisational legitimacy and trust. This is particularly true for human rights organisations where the organisation's practices are expected to reflect a culture of fairness and accountability. Legal compliance is not always fair in practice, one of the major problems with the literature. Organisations may follow the necessary procedures but they may find it frustrating if the process is not clear, or seems predetermined. This is important as procedural compliance is part of the difference between procedural fairness and procedural compliance which is at the heart of our study. The chapter outlines the literature review approach, discusses the key concepts, develops the theoretical framework and identifies gaps present in existing research. In so doing, it lays the groundwork for a legal compliance framework that allows for lawful and fair workforce restructuring.

2.1 Theoretical Framework

This study is guided by an integrated framework combining Institutional Theory, Stakeholder Theory and Procedural Justice Theory. These perspectives explain workforce restructuring as a legal, organisational and human process. Institutional perspectives explain why organisations comply with regulatory expectations, stakeholder perspectives highlight the need to balance competing interests, and procedural justice explains how decisions are experienced in terms of fairness (Bromley & Meyer, 2024; Cordery et al., 2023; Byrne, 2022). Together, these theories provide a basis for analysing not only compliance, but also governance and perceived fairness in restructuring. Figure 2.1 shows the theoretical framework of this study.

Figure 2.1: Theoretical Framework for Workforce Restructuring in Human Rights NGOs



Source: Own Diagram (2025)

Figure 2.1 illustrates the study theoretical framework adopted in this study. The subtopics under the theoretical underpinnings of the study explain each of the chosen four theories in this study.

2.1.1 Institutional Theory

Institutional Theory explains how organisational behaviour is shaped by legal, regulatory and normative pressures. This is what is relevant to the context of workforce restructuring, why organisations are forced to comply with labour law and governance requirements (Bromley & Meyer, 2024). It is this legitimacy that is so important in this work. Organisations are not required to comply with law just for operational efficiency, but to maintain credibility in the eyes of regulators, stakeholders and the public. In human rights NGOs, this pressure is even more pressing because organisational legitimacy is not only legal compliance but also consistency and effectiveness with external advocacy and internal practice. Nevertheless, Institutional Theory also comes with a limitation. Compliance may become symbolic rather than substantive where organisations adopt formal procedures but fail to embed fairness in practice. This explains why restructuring processes are legally compliant but seem unfair. This theory is thus the ideal one for this study as it is very much a

combination of the need for compliance and the fear of superficial compliance which is crucial in the context of how much the legal requirement operates and how the organisational practice can be different.

2.1.2 Stakeholder Theory

Stakeholder Theory explains how organisational decisions are influenced by multiple groups involved in those decisions. And in workforce restructuring, this includes employees, management, regulators, donors and the general public (Cordery et al., 2023). Its relevance for this research is that restructuring decisions are not only internal or managerial but have wider implications for accountability and legitimacy, especially in nonprofit organizations where stakeholder expectations are heavily linked to ethical conduct and transparency. This theory also shows one practical issue. Organisations may prioritise the interests of some stakeholders (donors or financial sustainability) over the employees who are impacted by restructuring. This can lead to decisions that are logically justified but are perceived to be unfair and will only heighten the tension between organisational objectives and employee experience. The Stakeholder Theory is a natural fit for this study as the competing forces that drive restructuring decisions are outlined and it argues for legal compliance as well as fairness in relation to different stakeholders involved.

2.1.3 Procedural Justice Theory

Procedural Justice Theory explains how people are influenced by the fairness of processes, not only the outcome. It is a concept that is relevant in workforce restructuring and shows that consultation, transparency and consistency are important factors for employee perception of restructuring (Byrne, 2022). Its relevance for this research is its demonstration that legal compliance is not enough to ensure that restructuring decisions are accepted. Even if procedures are legally correct, employees feel that they are excluded, not well-informed or cannot impact the results. This makes fairness more of a practical problem than a legal issue. The theory also exposes a weakness in organisational practice. Fairness is usually perceived as a procedural checklist rather than an experiential outcome and is therefore perceived to result in legal processes that comply with the law but fail to build trust. This accentuates the disconnection between formal compliance and lived experience (as exemplified by the study) that the study highlights. Procedural Justice Theory is therefore a useful approach because it connects legal processes with employee perception and therefore provides a basis for integrating the elements of compliance, governance and fairness in an integrated framework.

2.1.4 Theoretical Synthesis and Relevance to the Study

The theoretical framework is all about the way the three theories are working together. Institutional Theory explains the pressure on organisations to comply with labour law and governance expectations. Stakeholder Theory accounts for the competing interests that govern restructuring decisions. Procedural Justice Theory explains why the process may still be rejected if affected employees perceive it as unfair (Bromley & Meyer, 2024; Cordery et al., 2023; Byrne, 2022). It is important to integrate the three theories since workforce restructuring is not a single-dimensional decision. A process might satisfy institutional requirements by way of legal processes, satisfy organisational requirements by reducing costs, but fail at the human level if consultation is weak or decisions appear predetermined.

This highlights the central tension of the study: restructuring can be legally defensible but ethically and relationally fragile. The three theories thus expose different layers of the same problem. Institutional Theory identifies the compliance obligation. Stakeholder Theory brings the accountability burden to bear. Procedural Justice Theory tests the fairness of the process from the perspective of those affected. When these three models work together they demonstrate that lawful restructuring does not just mean regulations followed by procedures. It requires a governance system that can translate legal responsibilities to transparent, accountable and fair practice. This integrated framework is ideally suited to human rights NGOs since their legitimacy hinges on a uniform approach of external advocacy and internal conduct. If these organisations champion justice publicly but still struggle with restructuring poorly, the issue is much more than a labour relations error. It is a credibility issue. This study therefore utilizes the three theories as a consideration for establishing a legal compliance framework that aligns law, governance and fairness. The framework should not only help organisations comply, but also show them that restructuring decisions are logical, responsible and procedurally just.

2.2 Relationship Between Variables

In this section we investigate the relationship between legal compliance frameworks, workforce reorganisation, governance and human resource management and procedural fairness. Rather than treating them as separate variables, we analyze how they interact to create restructuring outcomes. The existing literature is evidence that this is an interconnected system. Legal compliance sets the parameters; governance and HR procedures determine how to implement those decisions; and procedural fairness affects what happens (Cordery et al., 2023; Byrne, 2022). However, these relationships do not always play out well in practice and

there are organisational conflicts. Understanding these interactions is important because restructuring outcomes are not determined by any one factor but by how well the legal requirements, governance systems and fairness issues are integrated.

2.2.1 Legal Compliance Framework and Workforce Restructuring

Legal compliance frameworks shape how workforce restructuring is conducted and are understood to provide procedural conditions for lawful action (Grogan, 2021) such as consultation, disclosure and fair selection. But this relationship is not purely government-mandated. Compliance frameworks are not sufficient to establish what organisations need to do; but implementation of them is not. Evidence suggests that organisations follow the law but struggle to be able to sustain it in a consistent manner, resulting in processes that are legally sound but inoperative (OECD, 2021). This is a structural weakness. Compliance frameworks, in the absence of clear internal systems, can be perceived as reference points instead of operational guides. As a result, restructuring decisions may be successful in meeting legal limits while creating inconsistencies, uncertainty and dispute. That is, legal compliance is not sufficient to determine restructuring results by itself. Its effectiveness is in what it is translated into structured and enforceable organisational practice.

2.2.2 Governance and Human Resource Procedures in Workforce Restructuring

Governance and human resource procedures are the basis for how legal compliance is implemented in organisational practice. They influence how restructuring decision-making is authorised, documented and communicated, and therefore the operational mechanism through which compliance is implemented (Cordery et al., 2023). However, this is not automatic. Governance structures are meant to hold people accountable yet there is a lack of clearly defined processes for restructuring in most organisations, thus inconsistent decision-making and weak oversight (Garcandia, 2023; OECD, 2021). This is a structural weakness. Governance and HR procedures are often seen as administrative functions rather than as systems that will ensure the compliance and fairness of the organisation. So even when the legal requirements are explicitly stated, application of this law is not uniform and different in each case leading to document gaps, unclear roles and less accountability from the public. This means that governance is not only required but also a necessity for the implementation of governance. Without clear processes and procedures, compliance is fragmented and there is a high likelihood of disputes and a low degree of trust in the restructuring decisions.

2.2.3 Procedural Fairness and Workforce Restructuring Outcomes

Procedural fairness is a key factor in how workforce restructuring decisions are received and understood by employees. This relationship shows the extent to which processes are transparent, consistent and accessible and can be considered meaningful and has an effect on acceptance of outcomes (Byrne, 2022). But the relationship also reveals a major limitation in practice. While organisations may be following procedural rules (consultation), they are often structured in a way that is formal or predetermined, and not truly participatory (CIVICUS, 2023). The process is then seen as unfair for employees, even if the law is respected and the process meets the legal expectation of compliance. So fairness is not a natural consequence of compliance. It depends on how procedures are carried out and experienced. When consultation is lacking substance and the communication is unclear, restructuring decisions tend to generate dissatisfaction, conflict and resistance. Such a relationship shows that procedural fairness is a key factor in restructuring decisions. Without it, legally compliant processes may not win over the trust of employees or maintain organisational stability.

2.2.4 Integrated Relationship Between Variables

The relationship between legal compliance, governance and procedural fairness indicates that workforce restructuring outcomes are not dependent on the presence of individual elements. Each variable has a specific function but none of them is sufficient. Legal compliance sets the minimum legal requirements of lawful restructuring. Governance and human resources procedures turn these requirements into organisational action. Procedural fairness is the factor of how these actions are experienced by employees and then accepted (Cordery et al., 2023; Byrne, 2022). But all those elements do not necessarily work in harmony. Without proper governance, there will be inconsistent or poorly implemented processes. Without fairness, there will be structured but untrusted decisions. And fairness cannot happen when legal requirements are poorly applied or selectively enforced. In that way, failure in one dimension hurts the other. This reveals a systemic weakness in existing practice. Many organisations view restructuring through a single lens of legal compliance, administrative procedure or employee relations. As a result, processes may be legal but operationally weak or perceived as unfair. The relationship highlights the need for an integrated model in which compliance, governance and fairness are integrated into one model. This is needed for restructuring decisions to be legal as well as transparent and credible in practice.

2.2.5 Implications for the Study

The relationship between the variables highlights one of the biggest gaps in the literature and practice. While compliance with laws, governance and procedural fairness are considered to be important, they are often not integrated into a system that can guide workforce restructuring. This fragmentation results in processes that may meet the law but are not uniform in implementation or may not be fair in practice. Compliance is not enough to lead to the outcome; governance without structure is ineffective, and fairness without quality processes is not credible. The lack of alignment between these elements increases the chance of disputes, dissatisfaction and reputational harm. These findings have direct implications for this study. They reaffirm the need for a structured framework that incorporates legal requirements, governance mechanisms and procedural fairness into one framework. This framework must not only provide guidance on what is required, but also how restructuring is conducted and experienced. So the study is addressing the gap by developing a legal compliance framework to bring these variables together in a practical and coherent system. This provides a basis for lawful, transparent and fair workforce restructuring in human rights non-governmental organisations.

2.3 Legal Compliance Framework for Lawful Workforce Restructuring in Human-Rights NGOs

In this section, we discuss how the literature is in place for a legal compliance framework for workforce restructuring in human rights non-governmental organisations. It is the application of legal compliance, governance and procedural fairness that will be examined and the extent to which these are integrated. Although these are well known, they are often seen as separate from each other as it is often difficult to see such frameworks integrated into a cohesive and effective framework (Cordery et al., 2023; Garcíandia, 2023). This gap is more apparent in nonprofits operating under financial pressure and with increased accountability expectations (OECD, 2021; CIVICUS, 2023). As a result, the scope of this section is to explore the literature in the field of legal compliance, governance and fairness in restructuring contexts. This provides a framework on which to identify gaps in practice and guide the development of a coherent legal compliance framework.

2.3.1 Legal Compliance in Workforce Restructuring

Legal compliance in workforce restructuring is generally viewed in the literature as adherence to statutory requirements governing dismissals for operational reasons. Labour law outlines clear procedural duties such as consultation, disclosure of relevant information and fair selection (Grogan, 2021). Compliance is understood as a necessary component of lawful restructuring and a protection against unfair dismissal claims. But recent scholarship challenges this narrow legalistic perspective. A governance-oriented perspective suggests

compliance goes beyond rule-following and is part of a system of accountability and risk management (Garciandia, 2023; Cordery et al., 2023). From this perspective, compliance frameworks are designed to organise decision-making, be transparent and have organisational responsibility beyond what is legally necessary. In contrast, the literature on organisational practice consistently shows a gap between legal requirements and implementation. In practice, it is observed that organisations are more likely to work with compliance in the near future and not as a way to make decisions (OECD, 2021; CIVICUS, 2023) and therefore are not fully engaged in the process of implementation. This results in formal compliance, in which necessary actions are carried out but no meaningful consultation or consideration of alternative options is made. Compliance then becomes a safety valve to protect against legal risk rather than a forum for the free choice of action.

Another line of critique comes from organisational justice research, which argues that legal compliance alone is not enough in order to produce genuine results. Even where procedures meet statutory standards, employees might perceive restructuring to be unfair if processes lack transparency or appear predetermined (Byrne, 2022). This view shifts the focus from compliance as legality to compliance as legitimacy and raises a question on whether legal systems can truly represent fairness. The legal school focuses on compliance as a threshold and the governance school expands it to accountability and system integrity and the organisational justice perspective questions the quality of justice. But there are still gaps in the integration of those views, especially when it comes to workforce restructuring. This fragmentation is also exposing a crucial gap in the literature. There is not enough information available on how legal compliance should be implemented in a way that is procedural and fair to organisations. As a result, organisations don't have clear guidance as to how to move from compliance in principle to compliance in practice. In this work, we take legal compliance from being a single point of need to a structured and systematic system that connects legal obligations to governance and procedural fairness. This is required to ensure that workforce restructuring is not only legal, but also credible and defensible in practice.

2.3.2 Governance and Human Resource Procedures in Workforce Restructuring

Governance and human resources are widely recognised as the mechanisms through which restructuring decisions are structured, authorised and implemented. From the governance perspective, these procedures are expected to ensure accountability, transparency and consistency, especially in organisations under regulatory and stakeholder scrutiny (Cordery et al., 2023; Garcandia, 2023). As such, governance systems are the internal structure that leads to the implementation of legal requirements into organisational action. However, this

normative perspective is challenged by empirical evidence. Research shows that governance frameworks in many organizations, especially in the nonprofit sector, are not well-developed or inconsistently applied (OECD, 2021; CIVICUS, 2023). Although formal policies exist, their implementation in restructuring is driven by managerial discretion, time pressures and resource constraints. A gap between formal governance structures and actual decision-making processes is thus created.

Another perspective in the field of human resources literature frames HR procedures as an operational tool of the working process for the management of workforce transitions. As such, restructuring is viewed as a technical operation that involves role redesign, selection and communication. This view focuses on the efficiency and performance of the organisation but often overlooks governance and the need for organized oversight (OECD, 2021). So, HR procedures may be focused more on speed of implementation than protocol uniformity and accountability, and governance-critical scholarship provides evidence that weak or poorly integrated procedures can undermine both compliance and fairness. When roles are unclear, documentation is unclear or oversight mechanisms are weak, restructuring processes are hard to justify and defend. This not only increases legal risk but also weakens organisational credibility and trust.

These perspectives highlight a key tension in the literature. Governance frameworks are often framed in theory as systems of accountability, HR procedures as tools of implementation but in practice the two are often disconnected. Governance may exist at the formal level and not shape operational decisions and HR procedures are not as much of an oversight system compared to governance and HR procedures. This fragmentation exposes a key disconnect. The existing literature does not provide a clear picture of how governance and HR procedures can be integrated into a system together to create a legal and fair restructuring model. As a result, organisations in principle may comply with legal requirements but lack the internal structures for structure and coherence and accountability of legal and organisational governance to be implemented consistently and effectively. This study fills this gap in governance and human resource processes and human resource procedures are conceptualised as integral parts of a legal compliance framework. This integrated approach is critical to ensure that restructuring decisions are not just operational and efficient in nature but also structured and accountable as well, and comply with legal and fairness requirements in a structured and accountable manner, in line with the law and fairness of the law and as a result is essential for the governance and human resources processes to be made.

2.3.3 Procedural Fairness in Workforce Restructuring

Procedural fairness is widely recognised as a critical determinant of how workforce restructuring decisions are perceived and accepted. From an organisational justice perspective, fairness is not only about outcomes but also about whether processes are transparent, consistent and allow meaningful participation (Byrne, 2022). This view puts procedural fairness at the heart of employee trust, especially in big-ticket decisions like restructuring. But legal perspectives tend towards a more procedural orientation of fairness. Labour law requires consultation, disclosure and objective criteria to establish a standard of fairness in restructuring (Grogan, 2021). In this framework, fairness is treated as compliance with prescribed steps rather than as an experiential outcome. While this is a legal model, it might not reflect what fairness is for employees in practice.

There is a significant disconnect between these two perspectives and empirical evidence. The research has shown that organisations often comply with procedural requirements in such a way that employees see it as unfair when consultation is not meaningful or decisions seem predetermined (CIVICUS, 2023; OECD, 2021). In this way fairness is more symbolic than substantive, as it is not really a matter of legal compliance and not what people actually do. Another piece of research emphasizes the relational aspect of fairness. Restructuring processes are evaluated not only in terms of formal procedure but respect, dignity, and communication quality and from this perspective, it is seen as being a matter of respect, dignity and communication. When employees feel excluded, not understood enough or not taken care of, unfairness will rise, even though legal compliance is likely to be followed (Byrne, 2022).

These perspectives are indicative of a fundamental tension in the literature. Legal frameworks define fairness as procedural compliance and organisational justice research describes it as an experiential outcome that is formed by participation and treatment. Integration between the two views leads to changes in processes that may meet legal standards but are not always a way to gain trust and acceptance amongst employees. That gap is especially acute in human rights NGOs where internal practices are supposed to be founded on fairness and dignity. If procedural compliance and perceived fairness are not aligned, employee dissatisfaction may become a problem for the organisation. This study fills this gap by positioning procedural fairness as a key component of a legal compliance process. Instead of treating fairness as compliance, it is taken as the central principle that must be embedded in governance processes and decision-making structures so that restructuring is both lawful and fair in practice.

2.3.4 Integration of Compliance, Governance and Procedural Fairness

The above research shows that legal compliance, governance and procedural fairness are interlinked but not integrated in theory and practice. Although all of these perspectives provide a partial understanding of workforce restructuring, none, in isolation, can provide a basis for lawful and credible decision-making. The legal perspective establishes compliance as a threshold, which sets out the rules for legal restructuring (Grogan, 2021). Governance perspectives further emphasise accountability, consistency and structured decision-making (Cordery et al., 2023; Garciandia, 2023). Procedural justice perspectives also turn on how these processes are experienced, with fairness as a basis for acceptance and trust (Byrne, 2022). But these views are not always aligned. Without good governance in place, legal compliance will be very inconsistent. Governance structures may be in place with no fairness and that creates the decisions that are procedural but unjust. In the same way, fairness cannot survive where legal requirements are not consistently applied or there are different ways to apply them. This is why restructuring is legally defensible but at best contested (OECD, 2021; CIVICUS, 2023). One important insight from the literature is that existing approaches are silos. Legal frameworks focus on compliance, governance frameworks on oversight and organisational justice research on perception. They do not have a unified structure which makes them practical in complex decision making such as workforce restructuring.

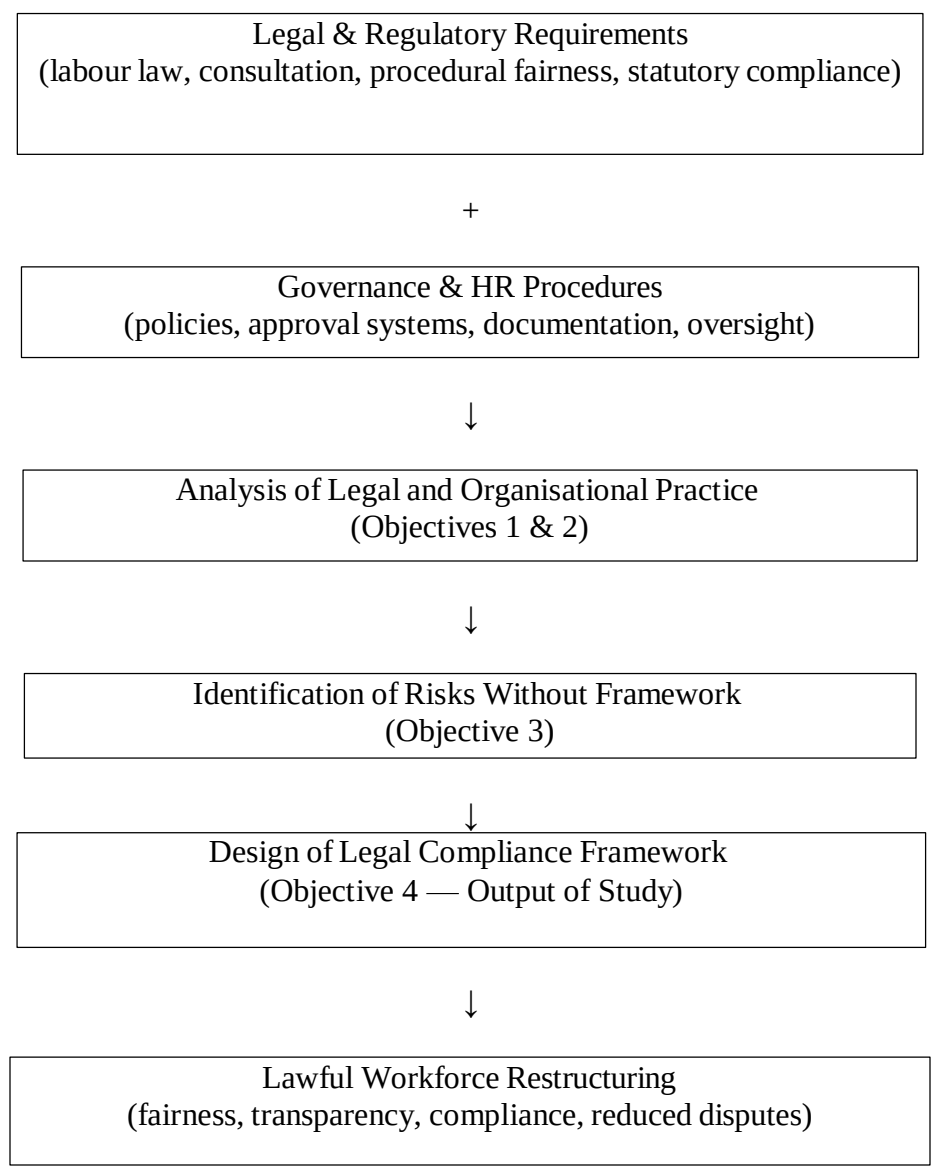
This fragmentation is particularly problematic in human rights NGOs, where organisational legitimacy rests on a common ground of legal compliance, governance practice and ethical values. When these elements are not aligned, restructuring processes risk undermining both internal trust and external credibility. To that end the literature speaks of an integrated approach in which law, governance and procedural fairness are integrated into one. Such integration demands more than the presence of individual pieces of the puzzle. It requires a structured system that lays out how legal requirements are put into practice, how decisions are made and how fairness is upheld. This study addresses this gap by creating a legal compliance framework that connects those dimensions into a coherent framework that works in practice. The framework is intended to move beyond the fragmented way of doing things and provide clear guidance on restructuring in a way that is legal, is consistent with processes and is fair.

2.4 Conceptual Framework

The conceptual framework synthesises the study's main constructs into a coherent model that explains how lawful and credible workforce restructuring is achieved. It places the legal compliance framework as the central

mechanism that aligns legal requirements, governance and HR procedures, and procedural fairness to shape restructuring outcomes.

Figure 2.2: Conceptual Framework



Source: Researcher (2026)

2.4.1 Model Logic

The model is based on three related propositions:

1. Compliance as the baseline

Labour law defines the minimum conditions for lawful restructuring, with consultation, disclosure and fair selection criteria (Grogan, 2021). These are necessary but not sufficient requirements.

2. Governance as the translation mechanism

Governance and HR processes convert legal obligations into operational steps—authorisation, documentation, communication and oversight—and this is how consistency and accountability are established (Cordery et al., 2023; Garciandia, 2023).

3. Fairness as the acceptance condition

Procedural fairness determines how restructuring is experienced and whether outcomes are accepted, and transparency, participation and consistency are the key drivers (Byrne, 2022). Key point: outcomes are determined by alignment, not by the presence of one element.

2.4.2 Causal Pathways

The framework sets out clear paths:

Legal requirements → Structured procedures (compliance defines what must be done)

Procedures → Consistent implementation (governance determines how it is done)

Implementation → Perceived fairness (process quality shapes experience)

Perceived fairness → Outcomes (acceptance, fewer disputes, organisational credibility).

Breaks in any link generate predictable failure modes: compliance without governance leads to inconsistency; governance without fairness leads to resistance; fairness without compliance lacks legal defensibility (OECD, 2021; CIVICUS, 2023).

2.4.3 Boundary Conditions and Context

The model is situated within human rights NGOs, where institutional pressure increases the cost of non-compliance (Bromley & Meyer, 2024) Stakeholder scrutiny intensifies accountability demands (Cordery et al., 2023). Value alignment raises expectations that internal practices reflect external advocacy.

2.4.4 Propositions Derived from the Framework

P₁: Compliance establishes necessary conditions for lawful restructuring but does not ensure effective outcomes.

P₂: Governance and HR procedures mediate the relationship between legal requirements and implementation quality.

P₃: Procedural fairness moderates the relationship between implementation and employee acceptance.

P₄: Alignment of compliance, governance and fairness reduces disputes and enhances organisational credibility.

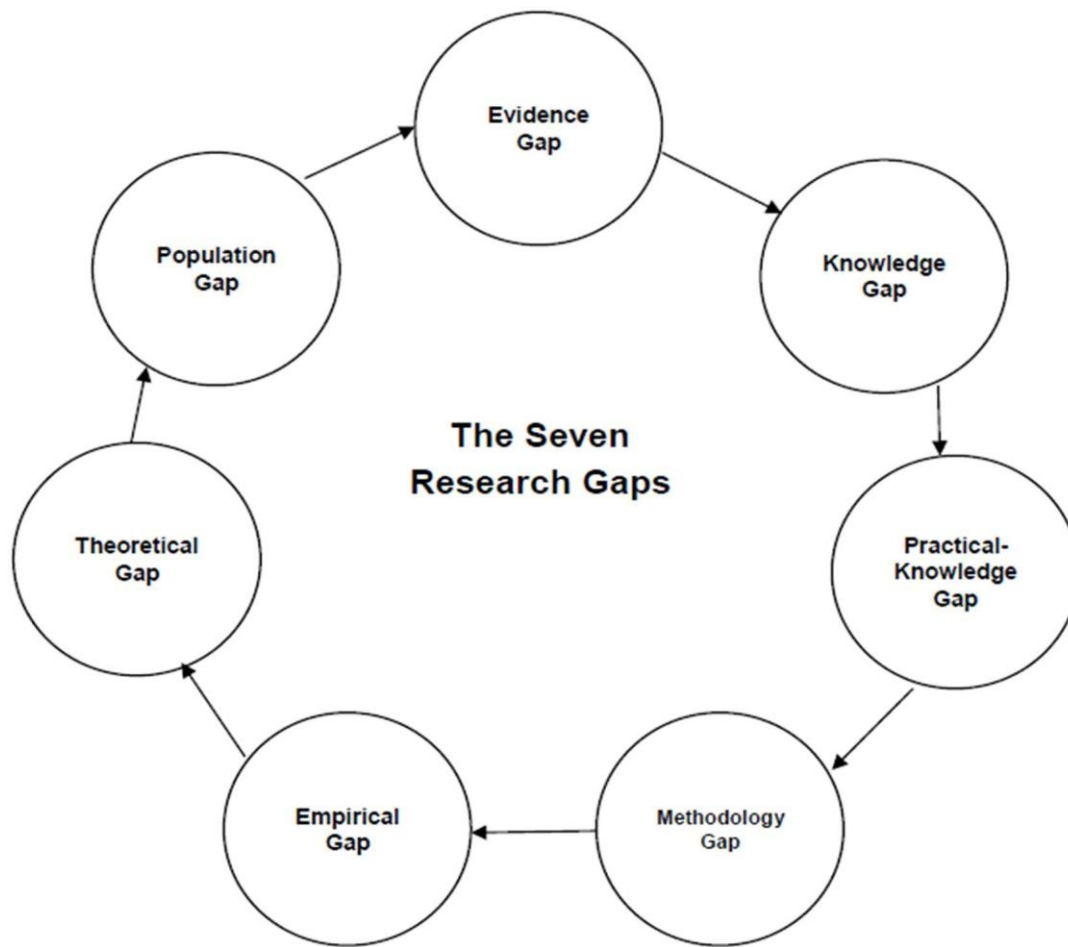
2.4.5 Relevance to the Study

The framework operationalises the study's central argument that lawful restructuring should take place in legal, organisational and experiential dimensions. It directly informs data collection and analysis by: monitoring compliance evidence structuring governance processes monitoring fairness perceptions. It provides the framework for the final output: a Legal Compliance Framework Toolkit with a diagnostic audit tool, a practitioner field guide, and a governance maturity model.

2.5 Literature Gaps

Literature gaps (Müller-Bloch & Kranz, 2020) refer to systematic weaknesses or inconsistencies in existing research that make it hard to arrive at conclusions or understand well the phenomena. We need to identify these gaps because they lay the groundwork for new research and where we should place it. Literature gaps are no longer considered as a discrete problem but as a multidimensional challenge within existing knowledge systems. Recent research has highlighted that research gaps can be categorised into evidence gaps, knowledge gaps, practical-knowledge gaps, methodological gaps, empirical gaps and population gaps (Miles, Huberman & Saldaña, 2022). This categorisation has provided an information-rich space where gaps can be identified and explored so research can better understand what is missing in the literature and why further research is needed to do so. Based on this typology and the above conceptual and empirical analysis, a number of interrelated gaps are identified in this study focusing on the development of a legal compliance framework for lawful workforce restructuring in human rights non-governmental organisations.

Figure 2.3: Seven Types of Research Gaps



Source: Miles et al., (2022:3)

2.5.1 Evidence and Integration Gap

Existing literature provides substantial evidence on legal compliance, governance and procedural fairness, but these areas are largely examined in isolation. Legal studies focus on statutory requirements, governance literature emphasises accountability structures, and organisational justice research examines fairness perceptions. However, there is limited integration of these elements into a unified framework for workforce restructuring (Cordery et al., 2023; Garciandia, 2023). This lack of integration limits the ability of organisations to translate theory into coherent practice.

2.5.2 Knowledge Gap

While there is growing literature on workforce restructuring and compliance, there is limited knowledge on how legal requirements, governance processes and fairness considerations interact in practice. Most studies

address these elements independently, resulting in a fragmented understanding of restructuring as either a legal, managerial or behavioural issue rather than an integrated organisational process.

2.5.3 Practical–Knowledge Gap

A significant gap exists between theoretical knowledge and practical application. Labour law provides clear procedural standards, yet organisations often struggle to implement these consistently during restructuring (OECD, 2021; CIVICUS, 2023). This indicates that existing knowledge has not been effectively translated into operational frameworks that guide real-world decision-making.

2.5.4 Methodological Gap

Much of the existing research on restructuring and compliance relies on conceptual analysis or general organisational studies, with limited use of in-depth, qualitative approaches that examine how restructuring processes unfold in practice. These limits understanding of how legal, governance and fairness dynamics interact within specific organisational contexts.

2.5.5 Empirical Gap

There is limited empirical evidence that directly examines the combined effect of legal compliance, governance procedures and procedural fairness on restructuring outcomes. While individual elements have been studied, there is insufficient empirical work that analyses their interaction in a structured and systematic way.

2.5.6 Population Gap

Most studies on workforce restructuring focus on private sector organisations or general organisational settings. There is limited research specifically addressing human-rights NGOs, where restructuring processes are shaped by unique pressures such as donor dependency, advocacy roles and heightened ethical expectations (Bromley & Meyer, 2024).

2.5.7 Contextual Gap

Existing literature is largely based on global or Western organisational contexts, with limited focus on the Southern African or South African nonprofit environment. This creates a gap in context-specific understanding of how labour law, governance and restructuring practices interact within this setting.

2.5.8 Procedural Fairness Integration Gap

Although procedural fairness is widely recognised in organisational justice literature, it is often treated separately from legal compliance and governance processes. As a result, restructuring practices may satisfy legal requirements but fail to achieve perceived fairness in practice (Byrne, 2022; OECD, 2021). This highlights a critical gap between formal compliance and lived experience.

2.5.9 Summary of Literature Gaps

The literature reveals consistent fragmentation across legal, governance and fairness perspectives. While each area is well-developed individually, there is limited integration, practical application and context-specific research. This results in a gap between theoretical knowledge and organisational practice, particularly in high-risk processes such as workforce restructuring.

2.5.10 Positioning of the Study

This study addresses these gaps by developing an integrated legal compliance framework for workforce restructuring in human-rights NGOs. The framework aligns legal requirements, governance procedures and procedural fairness into a structured system that supports lawful, consistent and credible decision-making. By focusing on a case study within the South African context, the study also contributes context-specific insights while producing a practical and applicable organisational tool.

2.6 Chapter Summary

In this chapter I reviewed the literature on legal compliance, workforce restructuring, governance procedures and procedural fairness in human rights NGOs. It showed how legal compliance provides the conditions for lawful restructuring but does not create uniformity or fairness in practice. The chapter showed that governance and HR procedures are key to operationalising compliance and procedural fairness determines how restructuring feels and is accepted by the workforce. We found that the integration of Institutional, Stakeholder and Procedural Justice theories highlight the gap between formal compliance and lived practice. The gaps are made in the integration of compliance with governance and fairness, the lack of context-based research and the absence of practical frameworks for restructuring in practice. The chapter concludes by developing a conceptual framework that provides the foundation of the study and informs the research design in the next chapter.

CHAPTER THREE

RESEARCH METHODOLOGY

3.0 Introduction

This chapter presents the research methodology used in this study to design a legal compliance framework for lawful workforce restructuring in human rights non-governmental organisations, specifically Amnesty International South Africa. The research philosophy, research approach and design, study setting, target population, sampling procedures, data collection methods, data analysis techniques, measures of rigour and ethical considerations are discussed in this chapter. The methodological choices are inspired by the research problem and the research goal, which involve the understanding of legal compliance, governance procedures and procedural fairness in the context of workforce restructuring. Given the exploratory nature of the study, qualitative approaches were employed to get the context-specific insights necessary for framework development (Creswell & Creswell, 2018; Saunders, Lewis & Thornhill, 2019).

3.1 Research Philosophy

The study is based on interpretivist research philosophy, believing that organisational reality is socially constructed and best understood through participants' experiences and interpretations (Creswell & Creswell, 2018). This philosophy is appropriate in order to understand how legal compliance, governance processes and procedural fairness are understood and implemented in a workforce restructuring context. The study adopts a phenomenological approach to the lived experiences of participants to capture fairness, consultation and compliance processes (Saunders et al., 2019). This aligns with Institutional Theory, Stakeholder Theory and Procedural Justice Theory, which emphasise regulatory compliance, stakeholder interests and fairness in organisational processes.

3.2 Research Approach

The study adopted a qualitative-inductive research approach to gain access to the workforce restructuring process of Amnesty International South Africa. Qualitative research is appropriate to analyse organisational practices, meanings and experiences in specific contexts (Creswell & Creswell, 2018). This approach allows the researcher to get data about legal compliance, governance and procedural fairness which is relevant to develop a practical legal compliance framework (Saunders et al., 2019).

3.3 Research Design

The study used a qualitative case study research design. A case study design is used to explore a contemporary phenomenon within its real-life context in which the boundaries between phenomenon and context are not

well defined (Yin, 2018). This design is appropriate for this study as it is based on workforce restructuring for the situation at Amnesty International South Africa. The purpose of the research is to understand how legal compliance, governance and procedural fairness are applied in practice and how these can be integrated into a structured legal compliance framework. The case study design provides the researcher with a comprehensive and context-specific understanding of organisational processes and thus the researcher can look into restructuring, decision-making and compliance challenges in their natural environment. This is essential to capture the interaction of legal requirements and organisational governance with human rights principles. And the design allows for the use of different sources of data (e.g., semi-structured interviews and document analysis) to ensure that the findings are in depth and credible (Saunders, Lewis & Thornhill, 2019). It also allows the study to provide practical insights that will inform the development of a legal compliance framework, rather than drawing abstract or generalisable conclusions. The qualitative case study design is therefore consistent with the interpretivist philosophy and qualitative approach used in this study, and therefore directly supports the study's aim of designing a lawful, transparent and contextually grounded workforce restructuring framework for human rights non-governmental organisations.

3.3.1 Justification of the Research Design

The qualitative case study design is justified as the research studies focused on answering “how” and “what” questions of restructuring and compliance processes and how to do them. Such questions are about context-specific questions (Yin, 2018). The design allows for the use of interviews and document analysis to triangulate and confirm findings (Saunders et al., 2019). It also enables the development of an evidence-based compliance framework based on data.

3.4 Thick Description of Study Setting

The study was done at Amnesty International South Africa, which is a national human rights organisation. It is an organization in the nonprofit sector that is engaged with human rights advocacy, research, and policy influence. It operates on principles of justice, accountability, transparency, and respect for human dignity. In the world of human rights, the ethical and governance practice must be high from the perspective of Amnesty International South Africa. This makes the employment relations context a natural context for workforce restructuring, particularly in relation to legal compliance and procedural fairness.

3.4.1 Legal and Regulatory Environment

Amnesty International South Africa is governed by a well-established legal framework for employment relations. Workforce restructuring is governed by the Labour Relations Act 66 of 1995, in which employers have to follow formal procedures in dismissing employees for operational reasons. These include appropriate

consultation, disclosure of relevant information, consideration of alternatives, and fair selection criteria. These legal requirements are also applicable for nonprofit organisations, and therefore legal compliance is at the core of workforce restructuring. The study context is thus relevant to understand the way statutory labour obligations are perceived and implemented in practice in a human rights NGO.

3.4.2 Governance and Values-Based Context

In addition to the legal requirements, Amnesty International South Africa operates in a values-based governance model. The organisation, as a human rights organisation, has to ensure that its internal labour practices are in line with the values that it represents, which it focuses on in the world of work and promotes externally. This creates a dual obligation during workforce restructuring: compliance with labour law and adherence to ethical and governance standards. The interaction between these aspects of the organisation is a suitable context for examining how legal compliance, governance procedures, and procedural fairness are integrated in practice.

3.4.3 Organisational Restructuring Context

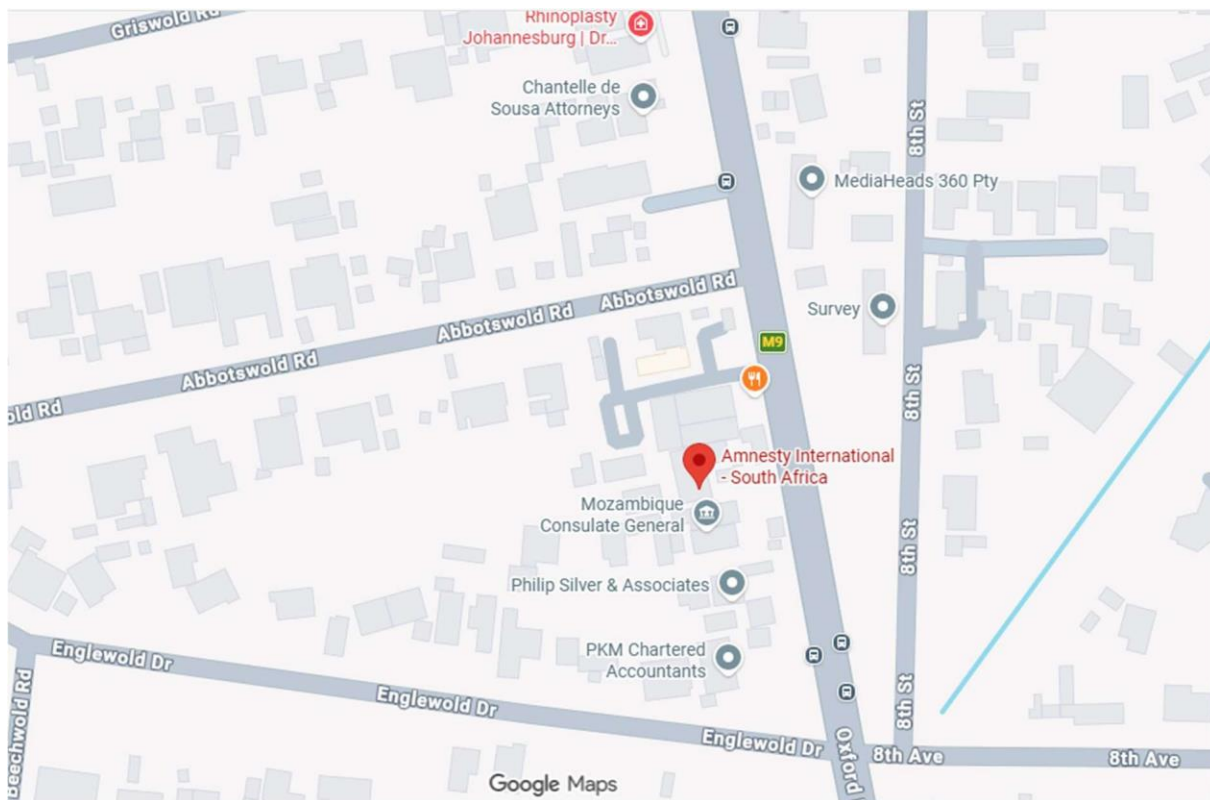
Amnesty International South Africa operates in a nonprofit setting characterised by funding constraints, donor reliance, and strategic reorientation. These situations lead to workforce restructuring as organisations deal with financial pressures and changing operational priorities. This process of restructuring comes with risks, including legal non-compliance, employee dissatisfaction, and reputational damage, particularly where clear procedures are not followed. The organisation is therefore a relevant case study for examining how restructuring is managed and for identifying gaps that justify the development of a legal compliance framework.

3.4.4 Geographical Settings

The study is geographically situated in Johannesburg, South Africa, where the national office of Amnesty International South Africa is located. Johannesburg is the economic and administrative center of South Africa and hosts a wide range of national and international organisations, including non-governmental organisations involved in governance, human rights, and social justice. The location of the organisation within Johannesburg is significant because it places Amnesty International South Africa within a highly regulated and institutionally developed environment, where compliance with labour legislation, governance standards, and regulatory frameworks is strongly enforced. The city is characterised by a mature legal system, active labour institutions, and a dynamic nonprofit sector, all of which influence organisational practices, including workforce restructuring.

In addition, Johannesburg provides access to key stakeholders such as legal practitioners, regulatory bodies, labour institutions, and civil society networks. This environment reinforces the importance of lawful and procedurally fair restructuring processes, particularly for organisations operating in the human rights space. The geographical setting therefore enhances the relevance of the study by situating it within a context where legal compliance, governance accountability, and stakeholder scrutiny are prominent. This makes Johannesburg an appropriate location for examining workforce restructuring practices and for developing a legal compliance framework that is grounded in a realistic and regulated organisational environment.

Figure 3.1: Amnesty International South Africa Site Map



Source: Google Map (2026)

Figure 3.1 presents the site map of Amnesty International South Africa in Johannesburg.

3.4.5 Relevance of the Study Setting to the Research

The selection of Amnesty International South Africa as the study setting is justified by its position at the intersection of labour law compliance, nonprofit governance and human-rights principles. This makes it a suitable case for addressing the research problem, which focuses on the absence of a structured legal compliance framework for workforce restructuring. The setting enables the generation of context-specific

insights into organisational practice, which are essential for the design of a practical and evidence-based framework. While the study focuses on a single organisation, the findings may provide analytical insights that are transferable to similar human-rights non-governmental organisations operating within comparable legal and governance environments (Yin, 2018).

3.5 Study Population

The target population for this study is the key organisational stakeholders involved in or affected by workforce restructuring processes within Amnesty International South Africa. These participants were selected based on their roles, responsibilities and direct involvement in restructuring, governance and compliance-related processes. The population comprises the following categories:

- **Senior Management and Executive Leadership** - responsible for strategic decision-making and oversight of organisational restructuring processes.
- **Human Resources Personnel** - directly involved in the planning and implementation of workforce restructuring, including documentation and compliance with labour legislation.
- **Legal and Compliance Personnel (if applicable)** - responsible for ensuring adherence to labour law and internal governance standards.
- **Employees affected by restructuring processes** - providing experiential perspectives on procedural fairness, transparency and organisational practice.

This population is drawn from a relatively small and specialized organisational structure and is typical of national-level non-governmental organisations. As the study is conducted with those that are involved in or have been through restructuring processes, the information in the research is relevant and information-rich. With the use of a specific organisational population, we can get a better understanding of workforce restructuring in Amnesty International South Africa and the qualitative case study design used in this research (Yin, 2018; Saunders, Lewis & Thornhill, 2019).

3.5.1 Sample Selection

Pursuant to the research problem, the main sample method is purposive sampling. Purposive sampling is the process of selecting participants based on their knowledge and experience and relevance to the research problem (Creswell & Creswell, 2018). This is appropriate as the study aims to get a more granular, context-

specific understanding of the transition of workforce restructuring in Amnesty International South Africa. The focus of the study is on the legal compliance, governance and procedural fairness of the work. And the research needs to be informed by people who have been directly impacted (or have experienced restructuring processes) of the work. Hence, we did not select participants in random, but only through the quality of the research data and the information that is relevant. Purposive sampling enables the researcher to identify key organisational actors the management, the human resources and the employees affected by restructuring that are important to the research goals. This ensures that the data collected is aligned with the research objective of a legal compliance framework. Purposive sampling is consistent with the qualitative case study design in this study where depth of understanding is emphasised over statistical generalisation (Yin, 2018; Saunders, Lewis & Thornhill, 2019). And the researcher can focus on people with knowledge of organisational processes and thus the study quality and relevance are enhanced.

3.5.2 Inclusion Criteria

Participants in the study included those who were employed by Amnesty International South Africa at the time of the study or who had been involved in workforce restructuring processes within their organisation.

- Participants in management, human resources, legal/compliance (if applicable) or those directly involved in workforce restructuring.
- Those with knowledge or experience of workforce restructuring, governance processes or legal compliance processes in the organisation.
- Participants who were willing to give informed consent and who participated voluntarily. This ensured that only those with relevant organisational experience and insight were included in the study to enhance the credibility and relevance of the data collected.

3.5.3 Exclusion Criteria

The study excluded those who were not affiliated with Amnesty International South Africa:

- The individuals who did not have any prior experience or knowledge about workforce restructuring.
- Participants who did not understand organisational governance, legal compliance or restructuring procedures well.

- Individuals who refused to give informed consent or participate voluntarily in the study.

The exclusion criteria were necessary to ensure the study was still focused and not only reliable and well-informed but that relevant and knowledgeable people were used and participated in the research.

3.5.4 Sample Size

The research was conducted using a small, purposively selected sample in line with qualitative research methodology. 15 participants were recruited for the study which included those who were key employees in the organisation's management of workforce restructuring. The sample size was chosen as data saturation (Saunders, Lewis & Thornhill, 2019) with data collection carried on until no new themes or insights emerge from the participants as the sample size is sufficient to provide depth of information and as a result the quality of the data is not limited to quantity. The sample was divided in the following categories: Senior Management and Executive Leadership, Human Resources Personnel, Legal/Compliance Personnel (if applicable), employees affected by workforce restructuring. This group represented both the strategic perspective and operational experience of restructuring and has led to qualitative understanding of the process. The sample size is appropriate for qualitative case study and allows for a detailed investigation of organisational practices necessary for the development of a legal compliance framework.

3.6 The Research Instruments

The qualitative data collection instruments used in this study were designed to gain in-depth information about workforce restructuring, legal compliance and governance processes in Amnesty International South Africa. The instruments were selected in the context of interpretivist and qualitative case study design.

3.6.1 Semi-Structured Interview Guide

The main data collection tool was a semi-structured interview guide. This instrument contained open-ended questions to elicit detailed responses from participants regarding their experiences and views on workforce restructuring procedures. Semi-structured interviews are suitable as they are flexible, allowing the researcher to delve deeper and address emerging issues in the interview (Creswell & Creswell, 2018). The guide was designed around the key themes of the research goals: legal compliance, governance processes, consultation processes and procedural fairness. This instrument enabled the researcher to get much more of the real-life experience of the people involved including employees and managers in restructuring processes.

3.6.2 Key Informant Interview Guide

A key informant interview guide was used to compile information from participants with specific knowledge and experiences (high-level individuals such as senior management and human resources officials). These people were strategic and institutional to understand organisational policies and procedures along with compliance and restructuring procedures; key informant interviews were essential for information on governance and legal compliance in the organisation. It complemented the input from general participants for a more comprehensive understanding of the study.

3.6.3 Document Analysis

We also made use of document analysis as a second data collection method in the study. We reviewed documents from organisations, policies and legal frameworks to understand the processes that are laid down for workforce restructuring. Such documents were:

- Human resource policies
- Organisations' restructuring guidelines
- Labour law (for example, Labour Relations Act)
- Internal governance and compliance documents.

An objective and institutional basis for document analysis was essential as this was the tool to corroborate interview data and it also helped the researcher in analysing what is going on in the organisation.

3.6.4 Justification of Research Instruments

The semi-structured interviews, key informant interviews and document analysis were used to ensure data triangulation to confirm qualitative research results (Saunders, Lewis & Thornhill, 2019). These instruments were suitable for the study and allowed for:

- Exploration of participant experiences and perceptions
- Examination of institutional and legal frameworks
- Integration of practical and formal organisational data.

This was achieved so the study could produce the full information that would be required to develop a legal compliance framework.

3.7 Data Collection Procedure

Data collection was conducted in a systematic manner to ensure consistency, ethical compliance and the generation of high-quality qualitative data. There were several steps leading to the study being done. The research was conducted through formal permission from the relevant authorities at Amnesty International South Africa. Organisational approval was necessary to do the research. Participants were gathered through purposive sampling based on their roles and involvement in workforce restructuring. Potential participants were approached and provided with information about the study (the purpose, procedures and rights of participants). Third, all participants were given full consent before the data collection was done. The participants were not only kept anonymous but also provided with the right to withdraw from the study if they did not want to participate. Fourth, the data was gathered in semi-structured interviews and key informant interviews. Interviews were carried out when it was convenient for participants and kept to a minimum and did not disrupt the organisational process.

Each interview took approximately 30 to 45 minutes, which gave time for deeper discussion. Using semi-structured interviews, document analysis, and process reconstruction tools, we triangulated data across lived experience, organisational practice and formal compliance evidence. Interviews were audio-recorded with participants' consent to ensure that the data were accurately captured. Furthermore, we kept the researcher-maintained field notes to record non-verbal cues, contextual observations, and reflections of the data collected during the data collection period. Fifth, documents from organisations were collected and reviewed for the document analysis process. These documents provided insights into formal policies, legal compliance requirements and governance procedures related to workforce restructuring. Finally, all collected data was securely stored and audio recordings were transcribed verbatim to prepare the data for analysis. The ethical approach to data collection ensured that qualitative data could be reliably obtained and usefully used for thematic analysis.

3.8 Rigor in Research

To ensure the quality and trustworthiness of the study, qualitative criteria were used in the research to establish credibility, dependability, confirmability and transferability (Lincoln & Guba, 1985; Saunders, Lewis & Thornhill, 2019).

3.8.1 Credibility

Credibility is the confidence in the truth and accuracy of the findings. In this study, the researcher was able to keep up with the participants for many years to gain deeper insight into workforce restructuring processes. Triangulation was also used for the purposes of corroboration of findings using interviews and document analysis. Where possible, clarification was needed for the participant responses to be correct.

3.8.2 Dependability

Dependability refers to the consistency and reliability of the research process. This was achieved through a systematic and well-documented research process with clear records of sampling decisions, data collection and analysis techniques. A semi-structured interview guide was also used to ensure consistency of interviews.

3.8.3 Confirmability

Confirmability refers to the extent that the data are generated by the participants and are not biased by researchers. This was done by grounding interpretations in the data of interviews and documentary evidence. We made use of audio recordings and field notes and we were able to draw conclusions from the data rather than from subjective assumptions.

3.8.4 Transferability

Transferability refers to the extent to which findings can be applied to other contexts. This can be done well through a thorough description of the study setting, including organisational, legal and governance contexts. This enables the readers to determine whether the findings in the research will be of use in similar human rights non-governmental organisations (Yin, 2018).

3.8.5 Reflexivity and Positionality

I say as a researcher who has been working in business leadership and governance, I am not entirely neutral. My academic and professional view is highly structured and accountable and good organization and governance is very much my philosophy, so I would have a natural inclination to view restructuring as a matter of governance quality and procedural compliance. However, I am aware that workforce restructuring is not only a technical, managerial process and is a deeply human process with uncertainty, loss and injustice within it. So, there is a risk that I will over-exaggerate managerial constraints and strategic necessity or over-identify with the employee perspective for fairness and treatment. To overcome this, I was very conscious and reflective throughout the study. Data was gathered from different perspectives, including affected employees, management and governance actors so that no one point of view dominated the study. Document analysis and process reconstruction tools also provided an objective counterbalance to subjective interpretations. This reflexive awareness is essential in keeping the balance in the analysis. Instead of being blindsided by bias the

study acknowledges it and manages it so that findings are grounded in evidence and the organization is sensitive to people's own experience and that it is not biased.

3.8.6 Pilot Study

A pilot study was conducted prior to the main data collection process to assess the clarity, relevance and effectiveness of the interview guide. The pilot included a small number of subjects who were similar in their characteristics to the study population. Feedback from the pilot study was used to modify the language and the order of interview questions so that they would be clear and capable of eliciting meaningful responses. This pilot study has improved the reliability and quality of the data collection instrument and the overall research methodology.

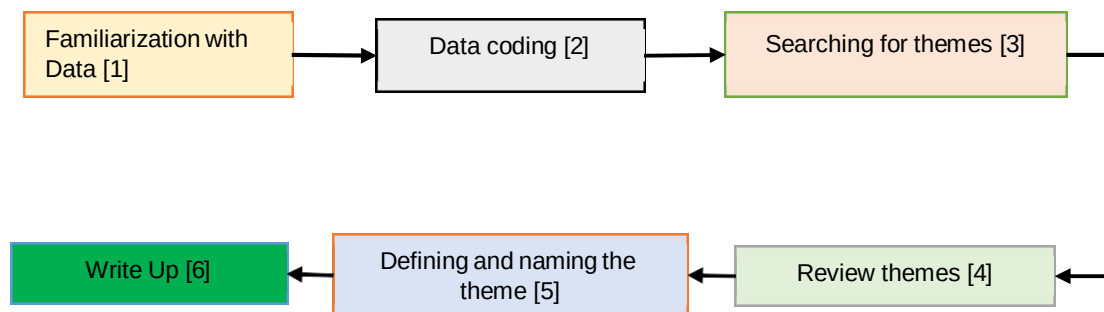
3.9 Data Analysis Procedures

The data collected in this study was analysed with thematic analysis, which is a qualitative process for identifying, analysing and interpreting patterns (themes) in data (Braun & Clarke, 2006). The thematic analysis supported the analysis and helped to ensure that the results were generated and linked to research objectives, thereby enhancing analytical rigour. Thematic analysis was based on the integrated theoretical framework and reflected the compliance dynamics, governance processes and procedural fairness considerations.

3.9.1 Thematic Analysis

Thematic analysis was relevant for this study as it is effective for the systematic investigation of the experiences, organisational practices and institutional processes related to workforce restructuring, legal compliance and governance. It also provides the insights to build a legal compliance framework. Figure 3.2 presents a flowchart of thematic analysis as recommended by Braun and Clarke (2006).

Figure 3.2: Thematic Analysis: Six Stages



Source: Adapted from Braun and Clarke (2006)

The analysis followed a structured process consisting of the following stages.

3.9.1.1 Phase 1: Familiarization with data

The researcher began by transcribing all interview recordings verbatim and reading through the transcripts as well as field notes and organisational documents. This enabled the researcher to be fully immersed in the data and identify initial things to be talked about and to think about.

3.9.1.2 Phase 2: Coding of data

The next step was to code the data and find out what it was, and to label what parts of text suited to the findings. Codes were developed inductively from the data, focusing on legal compliance, governance processes, consultation processes and procedural fairness.

3.9.1.3 Phase 3: Development of themes

Codes were then split into more general categories to form themes. These themes were patterns across the data and provided a structured means of understanding workforce restructuring in the organisations. The themes were aligned with research objectives and research questions to ensure the analytical consistency.

3.9.1.4 Phase 4: Review and Refinement themes

The themes identified were reviewed and refined to be in line with the data. That's to say, themes were compared to the original transcripts and themes were clearly delineated.

3.9.1.5 Phase 5: Defining and naming themes

Themes were further fine-tuned. The researcher determined the significance of the existing themes in relation to the research objective. The themes were discussed such that the major themes were understood and all the subthemes and codes that were conducted under the theme were linked perfectly. The defined and named themes were tabulated to further the study discussions to follow.

3.9.1.6 Step 6: Interpretation of the results of analysis

The themes would be interpreted with respect to the study objectives and theoretical framework and literature. The findings were used to describe the methods and practices of legal compliance and governance in practice and to bridge the gaps in the legal compliance framework.

3.9.1.7 Link to Framework Development

The themes informed the development of the legal compliance framework for lawful workforce restructuring. Themes were incorporated into the framework to make it concrete and grounded in real world data and organisational realities.

3.10 Ethical Considerations

The research was ethical in nature and based on established ethical principles within research with human subjects. Ethical considerations were considered in all research to safeguard human rights and dignity and all data was collected in a transparent manner.

3.10.1 Informed Consent

The participants were informed of the study, data collection process and their participation in the research and their rights. The study was voluntary and informed consent was obtained before data collection. Participants were informed that they could withdraw at any time from the study and it had no adverse consequences.

3.10.2 Confidentiality and Anonymity

We maintained confidentiality and anonymity throughout the study. No participant's identity was revealed in the course of the research and pseudonyms or codes were used for data analysis and reporting. They were treated as confidential and were only used for academic purposes.

3.10.3 The Right to Privacy

Interviewing was conducted in a manner that was private and provided participants with privacy. The views of the participants were freely expressed and open to others and no one had to fear exposure or judgment. That was particularly important because of the delicate nature of workforce restructuring processes.

3.10.4 The Principle of Beneficence and Non-maleficence

The study was conducted in a way that did not harm the participants. We tried to make it so that the person has no emotional distress when talking about the painful restructuring experience. The research was designed to have an impact on the organisational practices and their legal compliance by providing information that can be used to improve organisational practice.

3.10.5 Right to Freedom from Harm and Discomfort

No physical, psychological or professional harm was inflicted on participants. The researcher had to be very careful with sensitive information related to organisational practice and made sure that no negative impact was sustained.

3.10.6 Right to Protection from Abuse and Exploitation

We were granted permission to conduct the study from the authorities at Amnesty International South Africa. This ensured that research followed organisational protocols and did not expose participants to risk.

3.10.7 The Principle of Respect for Human Dignity

That includes being able to make informed decisions and being able to disclose the nature of the study. Informed consent by interviewees was based on self-determination and full disclosure.

3.10.8 Right to Self-Determination

Participation in the study was completely voluntary. No participant was forced or pressured to participate or withdraw. At any time in the study participants could opt out. In the study, informed consent was for agreeing to participate and being audio recorded.

3.10.9 Justice and Fair Treatment

All participants were treated fairly and equally in the course of the research process. The selection of participants was done free from biases and all views were taken into account in the research.

3.10.10 Data Security and Storage

Data collected during the study (audio recordings, transcripts and documents) were kept secure. Password protected devices were used for electronic data and all data was only accessible to the researcher for academic purposes. Data will be retained only and disposed of responsibly after the study is done.

3.10.11 The Right to Full Disclosure

The researcher made full disclosure of all matter that has to do with the study. Participants were informed of the motivation of the research, how data would be used, and how the findings would be reported.

3.11 Chapter Summary

In this chapter we described the research philosophy, design, sampling, data collection, analysis and ethical considerations. The methodology enabled us to produce credible and context-specific results. Data analysis and interpretation will be presented in the next chapter. This methodological approach provides a structured framework for examining workforce restructuring as a legal, governance and experiential process in Chapter Four.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS, INTERPRETATION, AND DISCUSSION

4.0 Introduction

This chapter presents and analyzes empirical data about workforce restructuring at Amnesty International South Africa. Based on semi-structured interviews, key informant interviews, document analysis and process reconstruction, qualitative data are used to support the research objectives. The use of multiple data sources allows for triangulation of restructuring practices across lived experience, organizational processes and formal compliance evidence. The results are presented thematically and critical discussion related to the literature and theoretical framework in Chapter Two. This structure ensures that interpretation is based on empirical evidence but still within the scope of the study.

4.1 Socio-Demographic Characteristics of Participants

In this section, we present the socio-demographic and restructuring-related characteristics of the participants involved in the study. We have selected the variables that are relevant to the research area, which include participants' roles, involvement in restructuring processes, and organisational position. The profile is weighted to include people affected and governance actors and we can hence look at them from an experiential and decision-making point of view. In addition, functional areas and educational qualifications are considered. Based on the areas of residence, participants were located in commuting distance to central Johannesburg, indicating that they were actively involved in organisational processes during the restructuring period. The participant profile suggests a comprehensive understanding of workforce restructuring as an operational and governance-driven process.

Table 4.1: Socio-Demographic Characteristics of the Participants

No.	Participant Code	Participant Category	Gender	Role in Organisation	Level of Involvement in Restructuring	Experience of Restructuring	Functional Area	Highest Educational Qualification	Area of Residence
1	P1	Affected Employee	Male	Staff Member	Direct	Directly Affected	Operations	Master's Degree	Soweto
2	P2	Affected Employee	Female	Staff Member	Direct	Directly Affected	Operations	Master's Degree	Alexandra
3	P3	Affected Employee	Female	Staff Member	Direct	Directly Affected	Programme	Master's Degree	Braamfontein
4	P4	Affected Employee	Male	Staff Member	Direct	Directly Affected	Programme	Bachelor's Degree	Parktown
5	P5	Affected Employee	Male	Staff Member	Direct	Directly Affected	Operations	Master's Degree	Roodepoort
6	P6	Affected Employee	Female	Staff Member	Direct	Directly Affected	Programme	Master's Degree	Rosebank
7	P7	Affected Employee	Female	Staff Member	Direct	Directly Affected	Operations	Bachelor's Degree	Randburg
8	P8	Affected Employee	Male	Staff Member	Direct	Directly Affected	Operations	Master's Degree	Johannesburg CBD
9	KII 1	Governance/Management	Female	Board Member	Indirect	Decision Oversight	Governance	Master's Degree	Roodepoort
10	KII 2	Governance/Management	Male	Board Member	Indirect	Decision Oversight	Governance	PhD	Midrand

n=10**Source: Primary Data (2026)**

Table 4 illustrates the socio-demographic characteristics of the participants which are essential to standardize the obtained findings.

4.1.1 KII and Semi-Structured Interview Guides Response Rate

The study targeted a total of 15 participants, comprising semi-structured interview participants and key informant interview participants. Table 4.2 summarises the response rate.

Table 4.2: Interview Guide Response Rate

Interview Institution	Planned Interview Sessions	Successful Interview Sessions (n)	Response Rate (%)
Semi-Structured Interviewees	12	8	66.7%
Key Informant Interviewees	3	2	66.7%
Overall	15	10	66.7%

n=10

Source: Primary Data (2026)

Table 4.2 shows that out of the targeted sample of 15 participants, 10 participated in the study, resulting in an overall response rate of 66.7%. Both semi-structured interview participants and key informants recorded an equal response rate of 66.7%, indicating a balanced level of participation across the two data collection categories. The achieved response rate is consistent with qualitative research expectations, where emphasis is placed on depth of insight rather than numerical representation. As noted in qualitative research literature, smaller but information-rich samples are considered sufficient for generating meaningful insights, particularly where participants have direct experience of the phenomenon under study (Creswell & Poth, 2021). Empirical evidence from the data collection process indicates that participants who responded were those directly involved in or affected by restructuring processes. This strengthened the relevance of the data, as it reflects informed perspectives grounded in actual organisational experience rather than peripheral observation.

4.1.2 Gender of Participants

Participants in the study comprised both male and female individuals across affected employees and key informants. The inclusion of both genders ensured that the study captured perspectives from a diverse workforce involved in or affected by restructuring processes.

Table 4.3: Gender Distribution of Participants

Gender	Participant Code	Number of Participants	Percentage (%)
Male	P1, P4, P5, P8, KII 2	5	50%
Female	P2, P3, P6, P7, KII 1	5	50%
Total	—	10	100%

n=10 **Source: Primary Data (2026)**

As shown in Table 4.3, the study had an equal percentage of male and female participants. This is important in qualitative research as it is possible to provide a more balanced range of views and not have gender bias in the results. Both genders in affected employees and governance actors were represented in the study in order to synthesize the perspectives on workforce restructuring. Such diversity is what makes the findings credible, especially when it comes to how restructuring processes are perceived and experienced across different groups within the organisation. As the qualitative research literature has stated, diversity in a sample is associated with more complex and trustworthy data (Creswell & Poth, 2021).

4.1.3 Participant Category and Role in the Organisation

People were grouped based on their involvement in workforce restructuring. There were two main groups in this study: affected employees and key informants. Experiential evidence of how restructuring was communicated, implemented and perceived by affected employees was given in the study and the institutional evidence on governance, human resources processes, legal compliance and decision-making oversight was given by key informants. It was appropriate to categorize these groups as the study aimed to address workforce restructuring from both sides of the process: those who had experienced it and those working with it in planning or governance. The inclusion of these two groups helped to establish the credibility of the findings and allow the study to compare lived experience with institutional explanations. The participant categories therefore supported the qualitative design adopted in Chapter Three,

where semi-structured interviews were used to capture employee experiences, and key informant interviews were used to gain strategic and technical insights from management, HR, legal or governance actors. The data didn’t only come from one perspective, but it also reflected operational realities and organisational accountability.

Table 4.4: Participant Category and Role in the Organization

Participant Category	Participant Code	Role in Organisation	Nature of Contribution to the Study
Affected Employees	P1–P8	Staff members affected by or exposed to restructuring	Provided lived experiences on consultation, communication, fairness and restructuring impact
Key Informants	KII 1–KII 2	Governance, management, HR or compliance actors	Provided institutional insight on legal compliance, governance procedures, risk and framework requirements

n=10

Source: Primary Data (2026)

Table 4.4 shows that the study provided evidence from both affected employees and key informants. This balance was important because workforce restructuring is an employee experience and governance process. Affected employees provided insights into how restructuring was carried out and key informants offered insight into how decisions were planned, authorised and implemented. The structure also reflects the logic of the research instruments, which separated employee-based questions from management, HR, legal and governance questions. This strengthened triangulation by allowing the study to compare employee perceptions with institutional accounts of compliance and governance practice. This is appropriate for the current study because the central research problem concerns the absence of a structured legal compliance framework. Such a problem cannot be understood through employee experiences alone or management accounts alone. It requires both perspectives to reveal where legal compliance, governance procedures and procedural fairness either align or break down.

4.1.4 Level of Involvement in Workforce Restructuring

Participants were categorised by being involved in workforce restructuring processes as direct or indirect participants in the study. Those affected were directly involved as they saw the results of restructuring decisions and key informants were indirectly involved in decision

making, implementation and oversight. This is important as restructuring is an operational process and a governance function in the same sense as well. The direct involvement is how the restructuring is experienced in practice in terms of consultation, communication and perceived fairness. The indirect involvement is how restructuring decisions are structured, authorised and justified within the organisation.

Table 4.5: Level of Involvement in Workforce Restructuring

Level of Involvement	of Participant Code	Description of Involvement
Direct Involvement	P1–P8	Employees directly affected by restructuring outcomes
Indirect Involvement	KII 1–KII 2	Governance and management actors involved in decision-making, implementation and oversight

n=10

Source: Primary Data (2026)

Table 4.5 shows that most of the people were directly involved in workforce restructuring and a minority of people were indirectly involved in governance and management. This distribution allowed the study to be drawn from the lived experiences of employees and from the institutional perspectives of people who are responsible for the restructuring. The distinction between involvement in the process and the direct involvement is in line with the approach to the study that was to be taken to triangulate data across different levels of organisational engagement. It is also in line with the research’s focus on the connection between legal compliance, governance processes and procedural fairness because these elements are felt differently by employees and decision-makers.

4.1.5 Functional Areas of Participants

This distribution reflects the organisational structure in which workforce restructuring processes were implemented.

Table 4.6: Functional Areas of Participants

Functional Area	Participant Code	Number of Participants	Percentage (%)
Operations	P1, P2, P5, P7, P8	5	50%
Programme	P3, P4, P6	3	30%
Governance	KII 1, KII 2	2	20%
Total	—	10	100%

n=10**Source: Primary Data (2026)**

Table 4.6 shows that participants were allocated to operations, programme and governance roles, most of them operational. This is important because workforce restructuring is often more relevant to operational units, in comparison to programme and governance, where there is a strategic and oversight perspective. Involving people in a variety of functional areas adds depth to the study by revealing how restructuring processes are felt and managed across different segments of an organisation. As noted in qualitative work, including different aspects of organisations through different perspectives will help to produce a robust result of the study.

4.1.6 Highest Educational Qualifications of Participants

Most of the participants in this study were at the graduate level, with postgraduate degrees. This is reflective of the professional nature of the organisation and the expertise of people involved with workforce restructuring processes.

Table 4.7: Highest Educational Qualifications of Participants

Educational Qualification	Participant Code	Number of Participants	Percentage (%)
Master's Degree	P1, P2, P3, P5, P6, P8, KII 1	7	70%
Bachelor's Degree	P4, P7	2	20%
PhD	KII 2	1	10%

Educational Qualification	Participant Code	Number of Participants	Percentage (%)
Total	—	10	100%

n=10

Source: Primary Data (2026)

Table 4.7 shows that most participants held master’s degrees and bachelor’s and doctoral levels. This indicates the study was carried out in an organisation of high education. The presence of a trained workforce is useful in interpreting the results as it suggests that any challenges in workforce restructuring are not due to lack of knowledge or capacity but to problems with organisational systems, governance and legal compliance. As in qualitative research, expert participant knowledge increases the extent and reliability of the findings, especially in studies of complex organisational processes.

4.2 Presentation and Analysis of Findings

This section presents and analyzes the empirical findings of the study in the context of thematic areas based on the research objectives and data collection tools. Data obtained through semi-structured interviews, key informant interviews, document analysis and workforce restructuring process reconstruction was all recorded and downloaded into NVivo (Version 15.2.1) qualitative data analysis software. The analysis process was structured and the data were first coded, with open coding as a starting point to identify the key concepts in the data.

These codes were then generalized to the axial coding process with the different codes related to different individuals and organisational records. The coding process involved inductive and deductive methods. Inductively, themes emerged from the participant experiences and documentary evidence. The study’s conceptual framework then guided the analysis and the study’s analysis was guided by the study’s basic principles of legal compliance, governance processes, and procedural fairness. So, codes were then collected into themes with values around the key dimensions of workforce restructuring within the organisation by the organisation and the research. The triangulation was made possible by all sources of data, so that the findings can be verified from employee accounts, management views and documentary evidence. The findings are organized thematically and each theme is supported by empirical evidence and conclusions based on the data. A structure of these findings helps to make the analysis more systematic, transparent and consistent with the methodology outlined in Chapter III. NVivo coding (version 15.2.1) codes based on interview transcripts and documentary

evidence were then split into subthemes and consolidated into the main themes. Each main theme is to some extent related to the research goal and is consistent with the data analysis in the research context.

Table 4.8: Coding Framework (Codes, Subthemes and Main Themes)

Codes	Subthemes	Main Theme (Aligned to Objective)
Lack of consultation	Inadequate consultation processes	Legal Compliance in Workforce Restructuring
Limited information sharing	Transparency gaps	
Non-adherence to procedures	Procedural non-compliance	
Absence of clear policies	Weak compliance structures	
Centralised decision-making	Governance control	Governance and Human Resource Procedures
Limited HR involvement	Weak HR processes	
Inconsistent application of procedures	Procedural inconsistency	
Lack of oversight mechanisms	Governance gaps	
Perceived unfair treatment	Perceptions of unfairness	Procedural Fairness in Workforce Restructuring
Lack of employee participation	Limited participation	
Poor communication	Communication breakdown	
Pre-determined outcomes	Lack of procedural integrity	
Risk of disputes	Organisational risk exposure	Risks Associated with Workforce Restructuring
Legal vulnerability	Compliance risk	
Reputational damage	Institutional risk	
Lack of structured framework	Need for structured system	
Need for clear guidelines	Framework design elements	Legal Compliance Framework Development
Demand for transparency	Accountability requirements	

Integration of compliance Framework integration
and governance

n = 10

Source: Primary Data (2026)

Table 4.8 shows that coding results in a set of themes that are firmly in line with the research objectives. Each of the main themes represents a key aspect of workforce restructuring that was identified by empirical data including legal compliance, governance processes, procedural fairness, risks and framework development. In doing so, codes were organized into subthemes and main themes to show how the data were taken from raw qualitative data and analysed with NVivo (Version 15.2.1) to produce the data in a systematic way. This approach is consistent with qualitative research, where coding is used to identify patterns and relationships in data (Creswell & Poth, 2021).

4.2.1 Theme 1: Legal Compliance in Workforce Restructuring

The findings are summarized into subthemes from coded data in NVivo (Version 15.2.1) and are triangulated across semi-structured interviews, key informant interviews, document analysis and process reconstruction data.

4.2.1.1 Consultation Processes (cited in 9 files)

Data collected through semi-structured interviews indicated that consultation was carried out in the process of restructuring, but engagement was different for different participants. Several employees reported that consultation was limited to getting information rather than making any meaningful contribution.

Some individuals said:

“We were informed about the change, but we did not have any real opportunity to affect the decision..”

Interviews with key informants showed that consultation processes were integrated into restructuring processes. Key informants reported that consultation was carried out, but the level of engagement and the timing of engagement was different depending on the situation in the organisation. Organisational policies also presented consultation as a key step in restructuring process documents. These documents stated that employees should be engaged before the

implementation. Process reconstruction data showed consultation was recorded in restructuring cases but the timing and extent of consultation were different.

4.2.1.2 Communication and Information Sharing (cited in 7 files)

Interview data that was semi-structured revealed that communication during restructuring was inconsistent. Even some participants said that they only had limited information on the reasons why restructuring was made.

Some participants stated:

“We were told changes were happening, but not really why.”

Key informant interviews indicated that communication was taking place and information was given through formal channels. However, the detail of the information provided was not uniform and varied depending on the situation. Document analysis showed that organisational procedures included communication guidelines on how to communicate when restructuring was taking place. Process reconstruction data indicated communication steps were implemented but different information was conveyed across cases.

4.2.1.3 Procedural Compliance

It was found that the semi-structured interviews revealed that employees knew about the existence of procedures; however, there were differences in how they were applied, and some reported different processes. In key informant interviews, we found that in general, all legal requirements were considered in the restructuring process, and procedures were followed in principle. Document analysis indicated there are formal restructuring processes (consultation, communication, and implementation steps) and restructuring procedures in the form of formal documents provided, which were also detailed and consistent in nature. Process reconstruction data showed procedural steps were recorded throughout the restructuring processes, but the sequence and the implementation were more or less different in terms of the order in which procedures were implemented.

4.2.2 Theme 2: Governance and Human Resource Procedures

This theme presents empirical findings on governance and human resource practice in the context of workforce restructuring. The findings are grouped into subthemes based on coded data obtained using NVivo (Version 15.2.1) and triangulated over semi-structured interviews, key informant interviews, document analysis and process reconstruction data.

4.2.2.1 Decision-Making Structures (cited in 9 files)

In semi-structured interviews, restructuring decisions seemed to be centralised. Many employees who were affected were not aware of how decisions were made and the processes involved.

Some participants stated:

“The decisions seemed to come from the top, and we were just informed of what had already been decided.”

The key informant interviews showed that decision-making authority was concentrated in the management and governance structures. The key informants reported that restructuring decisions were approved by senior management and governance bodies. Organisational policies explained governance processes, including who is in charge of decision making and approval of the restructuring process in the organisation and in the process of restructuring. The reconstruction of the process revealed that formal approval processes in restructuring cases (authorisation and communication) were taken and there were differences in the order in which these processes were taken into account and which steps in a restructuring process.

4.2.2.2 Human Resource Involvement (cited in 5 files)

During semi-structured interviews, participants reported different levels of interaction with human resource personnel during restructuring. Some employees were less involved with HR as they were advised and helped to clear up procedures.

Some participants 1, 2 & 5 stated:

“We didn’t really engage much with HR; most of the communication came from management.”

Interviews with key informants showed that HR was involved in a lot of the restructuring process, in terms of implementation and coordination. However, key informants noted that the extent of HR involvement would vary with the type of restructuring. Document analysis indicates that HR roles were described in organisational procedures, including communication and implementation support. Process reconstruction data indicate that HR-related activities were present in restructuring but the level and the timing of these interventions were different.

4.2.2.3 Governance Oversight Mechanisms

The semi-structured interview results showed that employees did not understand governance oversight mechanisms in any restructuring process. Key informant interviews found that governance structures, including board-level oversight, were involved in monitoring and approving restructuring decisions. Document analysis revealed governance policies in place for oversight and accountability for organisational change. Process reconstruction results showed that oversight steps were incorporated into restructuring processes (approval and review stages) but differed in application across cases.

4.2.3 Theme 3: Procedural Fairness in Workforce Restructuring

This theme shows how procedural fairness was experienced and implemented in workforce restructuring. The results are grouped into subthemes using coded data (NVivo, version 15.2.1) and are triangulated based on semi-structured interviews, key informant interviews, document analysis and process reconstruction data.

4.2.3.1 Employee Participation (cited in 6 files)

Data in semi-structured interviews suggest that employee involvement in restructuring processes was somewhat weak in some cases.

Some participants 3, 6 & 7 stated:

“It felt like the decisions had already been made before we were consulted.”

Key informant interviews revealed that consultation processes were done but the extent of employee participation was different in different cases of restructuring. The organisation's processes included employee participation in restructuring and the data showed that processes

were undertaken. Process reconstruction data revealed consultation activities were carried out, but there was variation in the timing and depth of consultation.

4.2.3.2 Transparency and Communication (cited in 9 files)

Data from semi-structured interviews confirmed that communication was not always transparent. Some participants reported that they received little information on restructuring which was very limited, particularly about the reason for decision-making.

Participants 4 & 5 stated:

“We were told changes were happening, but not really why.”

The key informant interviews revealed that communication processes were carried out through formal channels but the degree of detail shared was different. An analysis of documents revealed that organisational policies had to be observed in terms of communication during restructuring processes. Process reconstruction data showed that communication steps were made, but there were differences in how information was communicated.

4.2.3.3 Consistency of Procedures

Based on semi-structured interviews, employees reported not all restructuring procedures were applied in the same way. Key informant interviews showed that procedural steps were followed but their application also depended on the function of the organisation. Document analysis showed that there are procedural guidelines for restructuring processes. Process reconstruction data showed that procedural steps were captured for all restructuring cases and the sequencing and implementation were different in each case.

4.2.4 Theme 4: Risks Associated with Workforce Restructuring

This topic presents empirical findings on risks in workforce restructuring. The findings are divided into subthemes based on coded data from NVivo (version 15.2.1) and triangulated based on semi-structured interviews, key informant interviews, document analysis and process reconstruction data.

4.2.4.1 Employee Relations and Dispute Risk (cited in 5 files)

The semi-structured interviews revealed concerns among employees in a group who are affected about possible disputes during restructuring. They also reported uncertainty and dissatisfaction with communication and consultation.

“Most of us were not sure what was happening, and that created a lot of anxiety.”, participants said.

Key informant interviews revealed that employee relations risks were identified during restructuring, especially in relation to dissatisfaction and possible grievances. Organisational processes were also noted to have provisions for employee relations during restructuring. Process reconstruction data showed that communication and consultation procedures were recorded, but in all cases, we saw a different implementation of these processes.

4.2.4.2 Legal and Compliance Risk

Data from semi-structured interviews indicated that employees understood the differences in how restructuring procedures were implemented and when consultation and communication were done, among others. Interviews with the key informant revealed that compliance with legal requirements was taken into account during restructuring processes. Compliance was important for organisational risk and key informants said they were aware of that. Document analysis showed that there were compliance-related actions for restructuring processes. As shown in the reconstruction of procedures, procedural steps were recorded but different from one restructuring to another with respect to different restructuring.

4.2.4.3 Organisational and Reputational Risk

Data from semi-structured interviews indicated that restructuring processes were associated with organisational stability and trust issues. Key informant interviews revealed that restructuring was associated with organisational risks such as reputation and internal trust. Document analysis showed that governance systems were in place to control organisational risk and approval and review processes were also included in restructuring cases, though implementation of processes was different.

4.2.5 Legal Compliance Framework Requirements

This topic is based on the empirical evidence on the need for a well-designed legal compliance framework for workforce restructuring. The findings are split up into subthemes in the coded data using NVivo (version 15.2.1) and are triangulated based on semi-structured interviews, key informant interviews, document analysis and process reconstruction data.

4.2.5.1 Need for Structured Guidelines (cited in 8 files)

The semi-structured interviews revealed that employees affected by restructuring needed to have clarity and more structured processes for making and applying decisions.

Participants stated:

“There should be clear guidelines so that everyone understands the process from the beginning.”

In key informant interviews, we found that structured guidance was needed to ensure consistent adoption of restructuring processes. Document analysis showed that procedures existed but they were carried out in different documents and not a single structure. Process reconstruction data showed that procedural steps were followed but the steps were applied differently in different cases.

4.2.5.2 Integration of Compliance, Governance and HR Processes

According to semi-structured interviews, participants described restructuring processes as fragmented, with different parts being handled separately. Our key informant interviews showed that governance, human resource and compliance processes were implemented but not always in a systematic manner. Our document analysis showed that organisational policies addressed compliance, governance and HR procedures individually. In the process reconstruction data restructuring processes occurred in various stages, and coordination of these stages was different in different cases.

4.2.5.3 Transparency and Accountability Mechanisms (cited in 6 files)

Data from semi-structured interviews showed that participants expressed the need for clarity in communication and transparency in restructuring processes.

Participants stated:

“If the process was clearer and more open, people would understand it better.”

Key informant interviews showed that transparency and accountability were key considerations in restructuring processes. Document analysis revealed that communication and accountability provisions were included in organisational procedures. Process reconstruction data showed that communication and reporting steps were recorded, but differences were observed in terms of how these were implemented across cases.

4.3 Discussion of Findings

The Toulmin Argument Model was used to frame the discussion of findings using a systematic and analytical framework. It is developed by Stephen Toulmin (1958) and is an excellent model for making arguments using interrelated components, including claims, evidence, warrants, and backing. In this paper, we use the model to organise the discussion by connecting empirical findings to theoretical perspectives and the literature. It is thus in line with this model that logically based arguments can be built (not just the conclusion but the proof as well) so that the interpretation of results is both based on analysis and the evidence is supported.

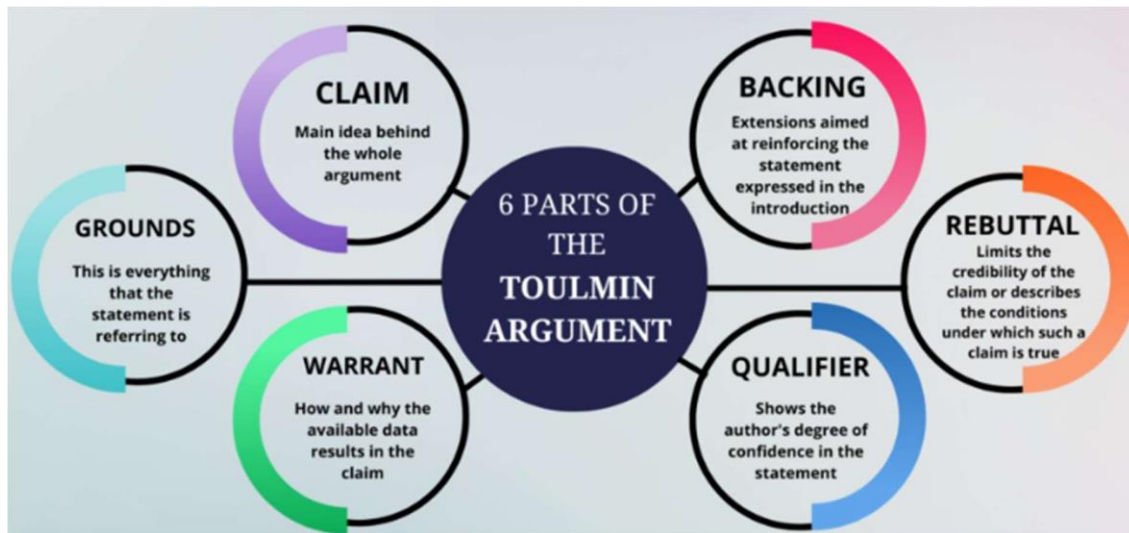


Figure 4.1: Toulmin Argument Model

Source: Furber (2019:15)

Figure 4.1 shows six interrelated components of the Toulmin Argument Model used in this study to provide a balanced and standardised view of workforce restructuring findings. A claim is an assertion based on evidence for legal compliance and governance and procedural fairness.

The grounds are based on semi-structured interviews, key informant interviews, document analysis, and process reconstruction. The warrant makes the connection between empirical evidence and the claim and the relevance of the research in understanding how restructuring practices correspond to or deviate from legal and organisational expectations. The backing is supported by the theoretical perspectives and literature presented in Chapter Two. The rebuttal acknowledges differences and exceptions from restructuring cases which are due to implementation as well as experience (Furber, 2019). The qualifier gives confidence in the findings based on the consistency of evidence from different data sources. In this study, we employ the Toulmin Argument Model to give a structured approach to look at workforce restructuring as a legal, governance, and experiential process. This approach allows the study to get the research objectives across and to show how well and on what basis observed behaviour is consistent with theory and regulation.

4.3.1 Theme 1: Legal Compliance in Work Restructuring

The processes of workforce restructuring in the organisation are well-defined and legal compliance is well-established; however, implementation of such requirements is not clear. The findings and responses in Chapter Four demonstrate that consultation processes were implemented in the course of restructuring according to participants and organisational documents. Key informants confirmed that the legal process was followed in principle and documents showed that there were policies that detailed consultation and communication requirements. But semi-structured interview results showed that those affected were very reluctant to participate in consultation. In terms of information sharing and decision making, participants often felt that they had few opportunities to influence decisions. The process reconstruction data also showed differences in the timing and depth of consultation and communication processes in the different restructuring cases. The presence of formal procedures, along with the variation of implementation, also establishes a relationship between legal compliance as a documented requirement and the different ways in which legal compliance is implemented. It means compliance is both a formal and operational process, and thus there are differences in the way procedures are performed.

This finding is consistent with existing literature which distinguishes between formal compliance and substantive compliance in organisational processes (OECD, 2021). Procedural Justice Theory also states that compliance is not just to be done by procedures, but also the practice of procedures and its impact on those affected (Byrne, 2022). There is also this

distinction from Institutional Theory, where organisations will adopt formal structures and procedures to meet regulatory requirements and implementation is different (Garcandia, 2023). Key informants are aware of the fact that they were told that laws were followed and that consultation was conducted. Sometimes organisational documents and process records indicated that procedural processes were done as directed. The findings demonstrate that legal compliance is there at a formal level but applied inconsistently across restructuring processes, backed by triangulated evidence from participant experiences, organisational documents and process reconstruction data. This is in line with P1 which states that legal restructuring of the workforce must follow labour law procedures to ensure legal status. Compliance structures were present, but their application is inconsistent, which has an impact on lawful restructuring.

4.3.2 Theme 2: Governance and Human Resource Procedures

Governance and human resource procedures provide a coherent framework for workforce restructuring; however, their application reflects centralised decision-making and variable levels of operational involvement. In Chapter Four we see that restructuring decisions were driven by management and governance structures. The semi-structured interview results indicate that employees who are affected also felt that decision-making was centralised and that they had limited input into internal processes. Key informant interviews showed that the decision-making and approval of decisions were central and senior management was involved. Similarly, HR processes were also involved in implementation and coordination, but the extent of HR involvement fluctuated between restructuring cases. Organisational policies of the organisations revealed the governance responsibilities of governance, decision-making authority, and HR role in the restructuring process. Process reconstruction data indicated that approval and authorisation steps were consistently recorded, while variations were observed in the timing and level of HR involvement across different instances. The combination of formal governance and variation in HR involvement indicates that structured decision-making processes are linked to operational execution style and operational execution during restructuring. This is in line with the literature in governance which is in agreement with the fact that formal structures are instrumental in organisational decision-making and that implementation of decision-making processes varies from operational setting (Cordery et al., 2023).

Stakeholder Theory also emphasises the role of decision-making power in an organisation and its impact on decision-making power in organizations, where policy-making actors are key

actors (Freeman, 2020). Institutional perspectives also suggest that formal governance mechanisms may coexist with differences in how processes are implemented in practice (Garciandia, 2023). The organisations are aware that governance procedures and HR roles were defined and implemented during restructuring. Key informants indicated that both governance and HR functions were engaged and documentary evidence indicated that structured procedures existed. The findings show that governance and HR procedures were in place but their application was diverse, especially when it came to visibility and HR involvement, as evidence from triangulated evidence shows. This finding is in line with the findings of P2, which states that restructuring should be aligned with the legal and governance standards of human rights organizations. The results show that governance structures exist, but implementation differences affect alignment as a consequence.

4.3.3 Theme 3: Procedural Fairness in Workforce Restructuring

Workforce restructuring processes have formal steps that are in place, but procedural fairness among workers seems to be inconsistent. Research from Chapter Four indicates that consultation and communication processes were completed when restructuring took place and key informants indicated that consultation and information sharing procedures were done by those involved and that company policies had employee participation and transparency. But semi-structured interviews showed that affected employees were not involved in decision making. Participants felt that outcomes were predetermined and the opportunities for involvement limited. In addition, communication was inconsistent, namely in the clarity of the information provided. Process reconstruction data also showed that consultation and communication steps were recorded for restructuring activities, but the timing, sequence and depth of these were different. Formal procedures and the experiences of different employees are interdependent on the implementation of restructuring processes and how fairness is perceived.

This finding is consistent with Procedural Justice Theory which states that fairness is not only what is done, but how procedures are applied and experienced by people (Byrne, 2022). Participation, transparency and consistency are also important factors in organisational fairness perception (OECD, 2021). In addition, institutional perspectives point out that formal compliance structures may not always translate into consistent practices (Garciandia, 2023). There is a recognition that procedural steps were done during restructuring, as confirmed by key informants and documents from the organisation. For some cases, consultation and

communication were carried out as necessary. The results suggest procedural fairness was prevalent at the formal level but was experienced inconsistently by employees, based on triangulated evidence from interviews, key informants, documents and process reconstruction data. This finding reinforces P2 that in order to meet legal and governance norms, fairness in the workplace should also be integrated, as the quality of participation and transparency in restructuring is a factor.

4.3.4 Theme 4: Risks Associated with Workforce Restructuring

Workforce restructuring processes have legal, organisational and employee relations risks, which are due to differing compliance, governance and procedures. Employees have been found to be confused and dissatisfied during restructuring processes, particularly regarding communication and consultation in Chapter Four. Participants highlighted inconsistencies in processes and the lack of clarity that made them feel like things were not moving on at all in the organisation. During restructuring, key informant interviews indicated that there were issues related to employee relations, compliance and organisational stability. These risks have to be managed and operational requirements are important. Structured documents showed that the procedures of organisations were designed to mitigate risks (compliance guidelines and governance oversight mechanisms etc.). Process reconstruction data showed that communication, approval and procedural steps were recorded in all the restructuring cases, but different procedures were used. The presence of identified risks and variations in the procedures are consistent with the link between inconsistencies in restructuring practices and exposure to legal, organisational and employee risks.

This finding is consistent with existing literature, which describes workforce restructuring as a process where organisational risk increases due to a lack of compliance and governance practices (OECD, 2021). Stakeholder Theory also highlights the impact of organisational decisions on different groups, and the need to control risks related to employee relations and organisational credibility (Freeman, 2020). The gaps between formal structures and actual practice further highlight that operational and reputational risks can be exacerbated by these (Garciaandia, 2023). There were organisational procedures and governance mechanisms implemented to manage the risks in restructuring. Key informants and documentary evidence demonstrated that processes of communication, consultation and approval were used. The findings show that risks were recognised and partially handled but variations in the implementation of compliance and governance systems made the organisation still exposed to

legal, organisational and employee relations risks, as evidenced by triangulated evidence. The evidence supports P3, which states that the absence of a structured compliance framework increases the risk of disputes and reputational damage. The identified risks are the result of the inconsistent implementation of compliance, governance and fairness processes.

4.3.5 Theme 5: Legal Compliance Framework Requirements

The establishment of a structured legal compliance framework is also necessary to support a consistent, transparent, and integrated restructuring process in the workforce. As pointed out in Chapter Four, restructuring processes were not as clear and structured for affected employees. The decision-making process was not clear and not as organized as it should be because of the lack of clearly defined procedures and processes. The evidence in informant interviews showed that restructuring needs to be more structured. Informants were able to bring legal compliance, governance, as well as human resource processes together in a common framework that would be more seamless to work with. Document analysis revealed that although organisational policies and procedures existed in the organisation, they were spread out across documents rather than being packaged into a well-defined work process for workforce restructuring. The process reconstruction data showed that restructuring activities were carried out in a procedural fashion, but the sequencing of the work process and how it was organized and how it was implemented had different outcomes in different cases. We believe that the fragmentation of procedures and different implementation of procedures would have led to differences in restructuring practices.

This finding is consistent with governance literature which highlights the need for well-designed frameworks in organisational processes to ensure consistency and accountability (Cordery et al., 2023). Institutional Theory stresses the need for structural and operational alignment and that one can often lose track of how institutional structures are being implemented (Garcandia, 2023). Procedural Justice Theory also emphasizes the impact of structured and transparent processes on the perception of fairness (Byrne, 2022). While organisational processes and policies were in place to deal with restructuring, key informants and documentary evidence showed that compliance, governance, and HR processes were implemented in different forms. The findings strongly support the need for a structured legal compliance framework as there is consistent evidence from participants, documents, and process data that existing arrangements are fragmented and vary widely. This is consistent with P4 which states that a structured legal compliance framework enables legal and transparent

restructuring. The evidence shows that this is a well-designed framework that has to be consistent, accountable, and fair.

4.4 Chapter Summary

The research in this chapter highlighted and analyzed empirical findings in workforce restructuring, based on thematic analysis, with support from NVivo (Version 15.2.1). The findings showed that legal compliance, governance structures and procedural processes were present but implementation was inconsistent and employees faced multiple experiences and associated risks. Based on the Toulmin Argument Model, the difference between formal compliance and practice was highlighted in the discussion of consultation, communication and procedural fairness. These findings indicate a need for a structured and integrated legal compliance framework.

CHAPTER 5

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

The research presented here highlighted and analyzed the empirical findings in workforce restructuring that were based on thematic analysis with NVivo (Version 15.2.1). There were legal compliance, governance structures and procedural processes but implementation was inconsistent and employees had various experiences and risks. Using the Toulmin Argument Model, the difference between formal compliance and practice was demonstrated in the discussion of consultation, communication and procedural fairness. These findings highlight the need for a structured and integrated legal compliance framework.

5.1 Summary of Findings

In this section, we summarise the research objectives and views. We also summarise the empirical results in Chapter Four to underscore the legal compliance processes, governance processes, procedural fairness and associated risks associated with workforce restructuring.

5.1.1 Theme 1: Legal and Regulatory Requirements

The study found that restructuring of workforce was driven by existing labour law requirements such as consultation, communication and procedural compliance. Yet the data indicated that even though these were clearly recognised requirements, implementation of these was uneven in different contexts. This is consistent with P1: there are compliance structures but not the enforcement practices.

5.1.2 Theme 2: Governance and Human Resource Procedures

The outcome is that governance structures and human resource procedures were present and played a role in decision-making and implementation. But the decision making was still quite centralised and HR involvement and the standard of procedure in the process was not uniform. This appears to be consistent with P2, which means legal and organisational processes are in alignment but are not well implemented.

5.1.3 Theme 3: Risks Associated with Workforce Restructuring

The study identified legal, organisational and employee-related risks associated with the inconsistent implementation of restructuring processes. These risks included disputes,

employee dissatisfaction and a lack of trust in the organisation. This is in line with P3 in that a lack of a structured compliance framework increases risk.

5.1.4 Theme 4: Legal Compliance Framework Development

The findings provided a basis for a structured and integrated legal compliance framework to guide workforce restructuring. Older processes were fragmented and varying and this demonstrated that a unified approach is required. This is in line with P4 and proves that a structured framework can lead to better consistency, transparency and fairness in restructuring processes.

5.2 Conclusions of the Study

In this section we provide the conclusions drawn from the study, based on the empirical findings and discussion. These conclusions are related to how legal compliance, governance and procedural fairness are linked to workforce restructuring and what this has to do with organisational practice.

5.2.1 Legal Compliance

The academic research shows that legal compliance in workforce restructuring is recognised by labour law but that it is not effective because the implementation is inconsistent. Organizations may have the laws in place to perform their work, but the implementation isn't always as well as in the real world and the legal restructuring process needs to be implemented.

5.2.2 Governance and Human Resource Problems

The study concludes that governance structures and human resource processes are a formal basis for restructuring, but their use is uneven. Centralised decisions and different levels of HR involvement reduce transparency and consistency.

5.2.3 Procedural Fairness

The research shows that procedural fairness is not fully achieved in practice, even with formal procedures. Employee experiences show that participation, transparency and consistency are critical in shaping perceptions of fairness and without them there is little trust in restructuring processes.

5.2.4 Risks

The study finds that there are legal, organisational and employee risks in the absence of compliance, governance and procedural practices. These risks are not the result of non-compliance but because formal procedures are lacking and applied in practice.

The study concludes that workforce restructuring in human rights NGOs cannot be done by the law alone. Lawful and credible restructuring needs to be linked to structure to make sure that legal requirements, governance processes and procedural fairness are properly applied. This lack of integration leads to fragmented processes, a greater risk and a diminished sense of legitimacy of the organisation.

5.3 Recommendations

In this section we make recommendations based on the findings of the research and the legal compliance framework in place. The recommendations are aimed at supporting Amnesty International South Africa and other human rights NGOs in strengthening legal compliance, governance processes and procedural fairness in workforce restructuring.

5.3.1 Development and Adoption of a Legal Compliance Framework

Development and adoption of a legal compliance framework. In doing so, it is recommended for organisations to have a structured legal compliance framework for workforce restructuring. This framework should incorporate labour law requirements, governance processes and procedural fairness principles in one system to have consistency and accountability.

5.3.2 Strengthening Governance and Decision-making Structures

Organizations should strengthen governance mechanisms by clearly identifying roles, responsibilities and approval processes in restructuring decisions. This would be in order to increase transparency and accountability, and to reduce duplication of implementation.

5.3.3 Enhancing Human Resource Involvement

Human resource participation should be an integral part of the restructuring process, from planning to implementation. Greater involvement by HR will make things more efficient, ensure procedural compliance and bring about assistance to those impacted.

5.3.4 Improving Consultation and Communication Processes

Organisations should be more meaningful and participatory in their consultation than procedural. They need to make communication clear and timely so that employees understand and engage in restructuring.

5.3.5 Standardisation of Procedures

Restructuring should be standardised as documented procedures and guidelines can help to do so. This will minimize variation in implementation and ensure uniformity in restructuring cases.

5.3.6 Strengthening Monitoring and Risk Management

To ensure compliance and reduce risk in restructuring, organizations need to have processes that are in place to monitor and review. This will enable early detection of procedural weaknesses and will allow for continuous improvement.

5.4 Framework Development

In this section we present a legal compliance framework for lawful workforce restructuring for human rights non-governmental organisations. The framework is based on our empirical findings and conclusions from the study which showed inconsistencies in legal compliance, governance processes and procedural fairness. It provides a sound platform and well-defined framework to reconcile legal requirements, governance systems and employee-centred processes in a process of fair and transparent restructuring.

Figure 5.1: Integrated Legal Compliance Framework for Lawful Workforce Restructuring



Source: Researcher’s Design (2026)

Figure 5.1 framework is relevant to this study as it operationalises the integration of legal compliance, governance procedures and procedural fairness into a structured approach to

workforce restructuring. It responds directly to the empirical findings, which revealed that while these elements exist within organisations, they are applied in a fragmented and inconsistent manner. By aligning these dimensions within a single system, the framework provides a practical mechanism for translating legal requirements into coordinated organisational action. It ensures that restructuring processes are not only legally compliant, but also procedurally consistent and responsive to employee experience. The framework further addresses the risks identified in the study by embedding oversight, accountability and process standardisation. This reduces variability in implementation and strengthens the organisation's ability to demonstrate lawful and transparent decision-making. In this way, the framework moves beyond theoretical constructs and offers a structured solution that enhances organisational credibility, supports stakeholder confidence and ensures that workforce restructuring is both legally defensible and practically sustainable

5.5 Area of Further Research

This section outlines the areas where the study can be improved, and the limitations and scope of the study that it brings to bear in the field of legal compliance and workforce restructuring of non-governmental organisations that we need to address. Future research could also extend this work and explore the applicability of the legal compliance framework in different organisations and sectors. Similar studies of different types of NGOs (and geographic areas) would give a wider perspective on the generalisability of the framework. To further explore the impact of structured compliance frameworks on organisational outcomes such as employee satisfaction, dispute rates and organisational performance, other quantitative or mixed methods could be used. Additionally, studies of the framework implementation in practice would be helpful to assess the effectiveness and the areas where it could be improved. Longitudinal analysis would offer insight into how restructuring processes evolve over time when framed by structured compliance systems.

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Appendices

Appendix 1: Semi-Structured Interview Guide

Target participants

Affected employees, employee representatives, supervisors directly involved in restructuring processes, and other staff with lived experience of the process.

Study title

Designing a Legal Compliance Framework for Lawful Workforce Restructuring in Human-Rights Non-Governmental Organizations: A Case Study of Amnesty International South Africa

Introductory script

Thank you for agreeing to participate in this interview. The purpose of this study is to understand how workforce restructuring is conducted within Amnesty International South Africa, with particular attention to legal compliance, governance procedures, and procedural fairness. The interview is for academic purposes only. Your responses will be treated confidentially and no personally identifying information will be used in reporting the findings. You may decline to answer any question or stop the interview at any time.

Section A: Participant profile

1. What is your current or former role in the organisation?
2. How long have you worked, or did you work, at Amnesty International South Africa?
3. Were you directly affected by a restructuring process, or were you involved in it operationally?
4. At what stage of the restructuring process were you involved?

Section A: Context

1. Briefly describe your role and involvement in the restructuring process.

Section B: Process Understanding

2. Can you describe how the restructuring process unfolded from your perspective?
3. What key steps, decisions, or actions stood out during the process?

Section C: Legal Compliance

4. To what extent do you think the restructuring process followed legal requirements?
5. How were consultation, communication, and employee rights handled during the process?

Section D: Governance and Fairness

6. How effective were management and HR in guiding the restructuring process?
7. In your view, was the process fair and transparent? Why or why not?

Section E: Risks and Improvements

8. What challenges or risks emerged, and what should be improved in future restructuring processes?

Section F: Framework Input

- What key elements should a proper restructuring framework include?

Appendix 2: Key Informant Interview Guide (HR/Management/Legal)

Target participants

Senior management, HR managers, legal/compliance officers, board or governance representatives, labour consultants, and other participants with strategic or technical knowledge.

Introductory script

Thank you for agreeing to participate. This interview seeks expert and institutional insight into how workforce restructuring is governed, implemented, and aligned with legal and ethical requirements in Amnesty International South Africa. The information you provide will contribute to the development of a practical legal compliance framework.

Section A: Informant background

1. Please state your role and area of responsibility.
2. How long have you served in this role?
3. What has been your involvement in workforce restructuring matters?

Section B: Legal and Regulatory

2. What legal requirements govern restructuring in your organisation?
3. Where do compliance challenges typically arise in practice?

Section C: Governance and HR Systems

4. How are restructuring decisions planned, approved, and implemented?
5. What weaknesses exist in current governance or HR procedures?

Section D: Fairness and Organisational Impact

6. How do restructuring processes affect employee trust, fairness, and organisational credibility?

Section E: Risk Assessment

7. What risks arise when restructuring is not guided by a clear compliance framework?

Section F: Framework Development

8. What essential components should be included in a legal compliance framework for restructuring?

Appendix 3: Document Analysis Matrix

Purpose

To collect formal, objective, and traceable evidence on whether restructuring practice aligns with legal requirements, governance expectations, HR procedure, and procedural fairness. This instrument is especially important because the study aims to design a practical compliance framework rather than rely on perceptions alone.

Document Category	Specific Document	Date/Period	Purpose of Document	Evidence Sought	Compliance Indicators	Governance Indicators	Fairness Indicators	Notes/Extracts
Labour law	Labour Relations Act provisions, regulations, guidance notes		Establish legal baseline	Consultation, disclosure, alternatives, selection criteria, procedural steps	Presence of required legal steps	Clarity of obligations	Protection of employee rights	
HR policy	HR manual, retrenchment policy, termination policy		Internal procedural standard	Internal process steps and responsibilities	Policy compliance	HR role clarity	Respectful process requirements	
Governance documents	Delegation of authority, board minutes, governance manuals		Oversight and approvals	Who approves what, how, and when	Decision traceability	Accountability structures	Fair review mechanisms	
Restructuring documents	Restructuring plan, business case, organisational		Case-specific rationale	Reasons, scope, affected units,	Valid operational basis	Documented rationale	Proportionate treatment	

Document Category	Specific Document	Date/Period	Purpose of Document	Evidence Sought	Compliance Indicators	Governance Indicators	Fairness Indicators	Notes/Extracts
Consultation records	redesign papers Meeting notices, agendas, minutes, attendance registers		Evidence of consultation	alternatives considered Timing, participation, issues raised, responses	Consultation occurred	Management participation	Voice and participation	
Employee communications	Notices, letters, emails, FAQs		Communication quality	Clarity, timing, content, consistency	Adequate notice	Communication discipline	Transparency and dignity	
Selection records	Selection criteria sheets, role-matching records		Fairness in decision basis	Criteria used, consistency, objectivity	Criteria lawful	Criteria approved	Neutrality and consistency	
Appeals/grievances	Complaints, appeal outcomes, dispute records		Post-process consequences	Nature of disputes and weaknesses	Compliance failures revealed	Weak oversight revealed	Perceived unfairness revealed	
External guidance	Donor conditions, NGO compliance guidance		External pressures and standards	Accountability and legitimacy with expectations	Alignment with obligations	Stakeholder accountability	Ethical expectations	

How to use it

For each document, extract:

- what the document says should happen
- what actually happened
- whether there is evidence of compliance

- whether governance roles are visible
- whether fairness principles are evident
- what gaps point toward framework design

Appendix 4: Workforce Restructuring Process Reconstruction Sheet

Purpose

This is the “innovative” layer that will help in putting **real data on the table**. Instead of only asking abstract questions, the study reconstructs an actual restructuring pathway from start to finish.

Use

Complete this sheet during or immediately after each interview.

Process Stage	What Happened?	Who Was Involved?	What Documents Were Used?	What Legal Step Was Expected?	What Governance Step Was Expected?	Was Fairness Visible?	What Went Wrong / What Worked?
Trigger for restructuring							
Initial planning							
Consultation stage							
Alternatives explored							
Selection/role decisions							
Communication of decisions							
Implementation							
Appeals/disputes							
Aftermath/lessons							

This tool is valuable because it turns stories into analyzable evidence. It will in identifying:

- exact compliance gaps
- recurrent breakdown points
- missing documents
- role confusion
- fairness failures
- elements that must enter the final framework

Appendix 5: Ethical Clearance Letter

RESEARCH ETHICS COMMITTEE



P. Bag 1020
BINDURA, Zimbabwe
Email : rid@buse.ac.zw

BINDURA UNIVERSITY OF SCIENCE EDUCATION [BUSE]

11 June 2026

James Jairos
Bindura University of Science Education
Graduate School of Business
P. Bag 1020
Bindura

Dear James Jairos

RE: INSTITUTIONAL RESEARCH COMMITTEE ETHICAL CLEARANCE-APPROVAL NUMBER:
BUSEREC/0207/2026

Your application for research ethical clearance related to the topic '**Designing a Legal Compliance Framework for Workforce Restructuring in Human Rights NGOs: A Case Study of Amnesty International South Africa**' has been approved and allocated approval Number: **BUSEREC/0207/2026**. You are to quote this approval number for all correspondences inclusive of consent forms and any other documents as and when appropriate. The approval period is as stated below:

Type of Meeting	:	19 th Research Ethics Committee meeting
Approval Date	:	11/06/2026
Expiry date	:	10/06/2027

The project will automatically discontinue on the expiry date. You can apply for renewal three months before the expiry date. The renewal application should be accompanied by a progress report.

You are not expected to make any changes/adjustments to the protocol including the consent documents. Any trials involving drugs, devices and biologics require approval of the Medicines Control Authority of Zimbabwe before commencement. All problems to do with the safety of participants must be reported to BUSEREC within three (3) working days.

Upon termination of the study, a report has to be submitted to BUSEREC.

Yours sincerely

BUSEREC CHAIRPERSON

Appendix 6: Research Approval Letter



27 March 2026

Dear James

Re: Application for authority to conduct academic research

Topic:

Designing a legal compliance framework for lawful workforce restructuring in human rights non-governmental organizations: a case study of Amnesty International South Africa

This letter serves to confirm that your application for authority to carry out the above research has been approved. Please note that we may be unable to release some of the information to you due to it being of confidential nature.

It should be noted that the information you acquire should be used for academic purposes only and should be treated in the strictest confidence.

We wish you all the best in your studies.

Best regards,

A handwritten signature in black ink, which appears to read "S.N. Mohamed", is written over a horizontal line.

Shenilla N Mohamed
Executive Director

Appendix 7: English Consent Form for Staff Members

GRADUATE SCHOOL BUSINESS



BINDURA UNIVERSITY OF SCIENCE EDUCATION, GRADUATE SCHOOL OF BUSINESS

PARTICIPANT INFORMED CONSENT

STUDY TITLE:

Designing a Legal Compliance Framework for Lawful Workforce Restructuring in Human-Rights Non-Governmental Organisations: A Case Study of Amnesty International South Africa.

NAME OF RESEARCHER: James Jairosi

Executive Master of Business Leadership (EMBL)

Bindura University of Science Education

PHONE: +27 76 298 1351

1. Introduction

You are invited to participate in a research study. Before you decide, it is important that you understand the purpose of the study, what your participation involves, and how your information will be handled. This document provides clear and straightforward information to help you make an informed decision. Participation in this study is entirely voluntary.

2. Purpose of the Study

The purpose of this study is to examine how workforce restructuring is managed within human-rights organisations, with particular focus on:

- Legal compliance
- Governance processes
- Procedural fairness

The study aims to develop a practical and structured legal compliance framework to support organisations in conducting restructuring processes that are lawful, transparent, and fair.

3. Why You Have Been Invited

You have been invited to participate because:

- You have experience, knowledge, or involvement in organisational restructuring, or
- You have worked within Amnesty International South Africa or a similar organisational setting

Your insights are important in helping to understand how restructuring processes are implemented in practice.

4. What Your Participation Involves

If you agree to participate:

- You will take part in an interview lasting approximately 30 to 60 minutes
- The discussion will focus on your experiences, observations, or perspectives on restructuring processes
- With your permission, the interview may be audio recorded to ensure accurate capture of information

You have the right to:

- Decline to answer any question

- Pause the interview at any time
- Withdraw from the study at any stage without explanation

5. Risks or Discomfort

This study does not involve any physical risk.

However, some questions may relate to:

- Workplace experiences
- Organisational decisions

These topics may cause mild discomfort. If this happens, you are free to stop or withdraw at any time. Your comfort and wellbeing will always be respected.

6. Benefits of Participation

There are no financial or material benefits for participating in this study.

However, your participation may:

- Contribute to improving organisational restructuring practices
- Support the development of fair and legally compliant processes
- Add value to academic and professional knowledge in governance and labour compliance

7. Voluntary Participation

Your participation is completely voluntary.

- You are free to decline participation
- You may withdraw at any time without providing a reason
- There will be no negative consequences for your decision

8. Confidentiality and Anonymity

All information you provide will be treated with strict confidentiality.

- Your identity will not be disclosed in the research
- Responses will be anonymised and presented in a non-identifiable form
- Data will be securely stored and accessed only by the researcher

9. Use of Information

The information collected will be used strictly for:

- Academic purposes (dissertation)
- Possible scholarly publications

Your information will not be used for any other purpose without your consent.

10. Questions or Concerns

If you have any questions about the study, you are encouraged to ask at any time. You may also contact the researcher for further clarification.

11. Consent Statement

By signing below, you confirm that:

- You have read and understood the information provided
- You have had the opportunity to ask questions
- You voluntarily agree to participate in this study

Participant Details

Name: _____

Signature: _____

Date: _____

Researcher

Name: James Jairosi

Signature: _____

Date: _____

12. Audio Recording Consent

Please indicate your preference:

- ☐ I agree to be audio recorded
- ☐ I do not agree to be audio recorded

Appendix 8: Turnitin Similarity Index Report



Page 2 of 87 - Integrity Overview

Submission ID trn:oid::2945:392785927

8% Overall Similarity

The combined total of all matches, including overlapping sources, for each database.

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