



**dlg&hs**

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Local Government & Human Settlements  
North West Provincial Government  
REPUBLIC OF SOUTH AFRICA

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## **HUMAN RESOURCE MANAGEMENT**

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# **POLICY ON MANAGEMENT OF ABSCONDMENT 2014/2015**

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## 1. PURPOSE

- 1.1 The purpose of this policy is to determine procedure when dealing with cases of abscondment within the Department.
- 1.2 To establish uniform standards when dealing with such cases.

## 2. SCOPE OF APPLICATION

This policy applies to all employees of Department of Local Government and Human Settlements.

## 3. LEGISLATIVE FRAMEWORK

- Constitution of the Republic of South Africa , Act 108 of 1996
- Public Service Amendment Act 30 of 2007
- Labour Relations Amended Act 6 of 2014
- Basic Conditions of Employment Amendment Act, 20 of 2013
- Determination and directive on Leave of Absence in the public service

## 4. PRINCIPLES

In terms of Public Service Amendment Act No. 30 of 2007 Chapter V (Discharge of Officers) Section 17 (3) (a) (i) "An officer, other than a member of the services or an Educator or a member of the National Intelligence Services, who absents himself or herself from his or her official duties without permission of his or her Head of Department, office or institution for a period exceeding one calendar month, shall be deemed to have been discharged from the Public Service on account of misconduct with effect from the date immediately succeeding his or her last day of attendance at his / her place of duty".

**AND**

According to Section 17 (3) (a) (ii) "If such an officer assumes other employment, he or she shall be deemed to have been discharged irrespective of whether the said period has expired or not".

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## 5. RESPONSIBILITY OF SUPERVISOR AND EMPLOYEE

- 5.1 Employees should always report their absence to their Supervisors failing which, such absence will be regarded as unauthorized absence.
- 5.2 In an event that an employee is institutionalized, immediate family member, friend or colleague should inform his/her relevant Supervisor/Manager about the employee's whereabouts, including but not limited to visiting the place of residence of employees.
- 5.3 In an event that employee is absent from work without informing his/her supervisor, the relevant supervisor/ manager shall take all reasonable steps to establish his/her whereabouts of the employee who is absent without authorization before the expiry of one calendar month.
- 5.4 In doing so the supervisor/manager shall write or visit the employee and explain the consequences of unauthorized absence should one calendar month lapse.
- 5.5 In the event the whereabouts of the employee cannot be established, a letter may be conveyed to him/her through a registered mail and/or courier services using the last address provided in his/her personal file.
- 5.6 At the expiry of one calendar month, the relevant supervisor/manager should immediately inform the Human Resource Management Director in writing to seek approval of the Head of Department for termination of service. The Directorate Human Resource Management shall not be able to process the termination if not informed by the relevant supervisor/ manager in writing.
- 5.7 Subsequently, the employee must be informed in writing of his/her deemed discharge from Public Service.
- 5.8 An employee who reports for duty after he/she is deemed to have been discharged shall make representations in writing to the Executing Authority explaining reasons why he/she must be considered for reinstatement.

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- 5.9 The employee must be advised that he/she may be assisted to make such representation by fellow employee or his/her trade union.
- 5.10 In terms of Section 17 (3) (b) "the Executing Authority may, on good course shown reinstate the employee in the Public Service in his or her former or any other post or position. His or her absence from official duty shall be deemed to be absence on vacation leave without pay or leave on such other conditions as the Executing Authority may recommend".
- 5.11 The employee who is deemed to have been discharged from the Public Service on account of abscondment and has made representation must wait for the decision of the Executing Authority before he/she resumes duties. The decision of the Executing Authority will determine whether the discharged employee will be reinstated or not.
- 5.12 The Department may hold a formal disciplinary hearing in this regard.
- 5.13 The Executing Authority must communicate the outcomes within 30 working days
- 5.14 Should the Executive Authority approve the discharge of the employee, or reinstatement, same will be immediately communicated in writing to the employee.

## **6. MONITORING AND EVALUATION**

- 6.1 This policy will be implemented and managed by Human Resource Management Directorate and through cooperation with other line managers and respective supervisors/manager.

## **7. PREVIEW**

This policy is subject to be reviewed on an annual basis.

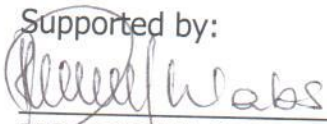
**8. RECOMMENDATIONS/APPROVAL**

Recommended by:

  
MR TB KOLA  
ACTING DIRECTOR: HUMAN RESOURCE MANAGEMENT

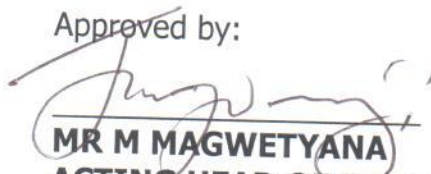
10/6/2015  
DATE

Supported by:

  
MS R MHLABATI  
CHAIRPERSON: DCC

12/06/15  
DATE

Approved by:

  
MR M MAGWETYANA  
ACTING HEAD OF DEPARTMENT

12/6/2015  
DATE