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Pay

YOUR BILLS



Mr Willie Phoku Mosoma, Manager
Communications and Editor-in-Chief of
Modiredi Internal Newsletter

In this pumped-up edition of Modiredi – the official Internal Newsletter of Sekhukhune District Municipality, we will be confronting two most uncomfortable issues that plague our administration, that is:- Payment of water bills to Sekhukhune District Municipality and compliance with the corporate image of the institution. We will also take the issue of compliance further by exploring the thorny issue of leave of absence.

The period we are accounting for is also characterized by Highs and Lows. The low moments have been the burning of Offices at No 3 West Street which led to massive disturbance of the running of Office Number 1, and ultimately the inevitable relocation of Office of the Executive Mayor. In terms of the Highs, Team Spirit has been the order of the day in many respects as we see improvement in interpersonal relations among staff members.

We have parted ways with two staff members Miss Matilda Masemola of Budget and Treasury and Mme Mphahlele of Corporate Services. Both events had one thing in common, they demonstrated the fact that the Sekhukhune fairly is solid and much more unified than ever been.

When all is said and done we must constantly remind ourselves that the Municipality depends on revenue generation to be sustainable. It is for this reason that

we amplify and reiterate the call made by SDM Council for staff members to pay their water bills. There are various ways to avoid the piling of rates debt, and we urge you to comply with the settlement arrangements and continue to pay monthly through a debit.

Paying your bills is a dignified and right thing to do, and all you need to do is to arrange with the billing clerks.

Sport is the integral part of ensuring a healthy and active workforce, for this reason we are bringing you the detailed coverage of the employee sport activities as led by the SDM Sport Committee.

The Chairperson of SDM Sports Committee Mr Lesiba Dolo take us through the programmes and long term plans including the progress made in ensuring that the SDM workforce participate fully in sport and embrace active lifestyle.

The year 2016 is full of promise and abundance of blessings, start investing in yourself today through saving, studying, physical fitness and making a difference in every little corner of your life.

Kgotsong!

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District Municipality

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Looking corporate



Begins With A NAME TAG

Rea Aga - Siyakha



Miss Neo Matlala from Office of the Speaker spotted with the SDM corporate blazer.

Without looking at it as a policy issue, wearing a Name Badge really works. For starters, the SDM corporate headquarters has been recently moved to Bareki Mall where the building is shared with different set of employees from retail shops as well as customers of different businesses in the mall. When members of public get to Bareki Mall, they have a need to identify a person who works for the municipality and isolate them from the rest of the people in the mall. This could be for a small enquiry such as which entrance to use or where do I pay my bills. For some of us who know our way about, it might sound like "yes" it's easy to find our building besides we don't all want to be identified as municipal employees. But there is more to wearing a badge and why it really works. At all material times it is important for people to know who to approach in the event of an incident.

According to Mr Phakane Phahlamohlaka, Head of Corporate Services in Sekhukhune District Municipality the professional name badges are an important part of modern corporate environment. He added that wearing name tag has proven to communicate commitment and sense of pride in the corporate brand itself.

"With an ever growing size of the organisation and different faces to come across, it's increasingly necessary for employees to be easily identifiable and accountable to the members of public according to their response to, and interface with the public and stakeholders" he said

|| In the current phase when our organisation hosts auditors and range of service providers a name tag system in the workplace is a way of maintaining safety and offer the ability to identify anyone that enters the work area. pen and building comfort around the SDM brand which is a service oriented brand. We also view name badges as an instrument to actually improve customer service. There are incidences of awkwardness such as your name bring exposed to strangers in the mall or on the street who would call out your name but the intended purpose remains fundamental" added Phahlamohlaka He added that the name tag also provides accountability for service employees

because they are identified by the rank and the authority they have over a particular issue that concerns the stakeholder or member of public. In highly hybridised work setting identifying a person by name, position and the office

it's increasingly necessary for employees to be easily identifiable and accountable to the members of public

they represent is eminent to improve the confidence of stakeholders and consumers. As an accessory we have made available the magnetic and the lace version to increase choice with a view of balancing

comfort and compliance. Just like any other instrument to improve our service we always put the customer first hence the name tag is a service standard issue. Name tags will help our employees maintain an accessible, comfortable and friendly posture. It is also a constant reminder that it's important and necessary and powerful to be open and building comfort around the SDM brand which is a service oriented brand.

West Street engulfed



THE AFTERMATH: West Street Offices after a fire that caused extensive damages rendering the office block unhabitable, leading to temporary relocation of staff and office functions to Bareki.

The West Street Offices (Executive Mayor and Municipal Manager) sections are temporarily closed as a result of fire damages.

The fire occurred on Sunday of the 27th March 2016 evening at around 20h00 causing extensive damages in the main West street office block. All offices in West Street have various damages ranging from walls, floor carpet, ceiling, air-cons, furniture etc. with preliminary extensive damages visible in the open office occupied by communications unit.

The SDM fire-fighting personnel working together with provincial emergency services teams timeously responded to the call and did a remarkable work in extinguishing the fire before causing further massive damages. The municipality is working with law enforcement agencies, in particular SAPS forensic investigators to unravel facts about the origin of the fire and damages caused. SDM Insurance brokers have also been brought on board to conduct thorough assessment of the damages caused in order to process insurance cover.

To ensure safety of staff, all employees attached to West street offices (Office of Executive Mayor, Office of Municipal Manager, Office of Chief Whip and Reception) have all been temporarily relocated to Bareki Mall Offices. The main West street office will remain closed for a period of between 3-6 months' whilst allowing the process of renovation to unfold. The office block housing office of the Speaker will still remain and operate from West Street.

As part of the ongoing investigation and safety plan, the offices at main West-street will remain closed and will not be accessed by any staff without prior approval by Corporate Services Director. The process of temporarily relocating staff members will be coordinated by Manager Auxiliary services and all staff members are urged to corporate and abide with the set parameters.

The main West street office will remain closed for a period of between 3-6 months' whilst allowing the process of renovation to unfold.

EMPLOYEE SPORT

inspiring excellence



Mr Chair: Lesiba John Dolo,
Chairperson of Sekhukhune
District Municipality Employee
Sports Committee

Sekhukhune Employee Sports is located in the Employee Assistance Programme (EAP) Unit within the Corporate services Department. EAP Division under the capable leadership of Ms Linda Sekhukhune has in 2014 initiated a process to establish Employee Sports Committee comprised of Mr. L. Dolo, Ms. R. Makgati, Mr. K. Makitla, Ms.V. Sekuba (the late), Ms. N.Vaz and Ms. L. Sekhukhune.

Mr. L Dolo, Chaired the Team of committee members who essentially represented different sporting codes, namely, Soccer, Volleyball, Netball, Pool and Fishing. The Committee appointed two coordinators for different sporting codes.

The Focus of the Employee Sports Committee was to facilitated sporting programs of Employees in all the sporting codes approved by the Sekhukhune District Municipality. The committee led by Mr. Lesiba John Dolo was also meant to unlock untapped sporting codes that may not necessarily have been explored by the Municipality and also encouraged employees to participate in sports in totality. Programs such as Fun walk and Fun Run were integrated into sports committee mandate with a view

Programs such as Fun walk and Fun Run were integrated into sports committee mandate

to lobby in integration of participation.

The Committee has achieved several mandates which included to lure employees to holistically participate in sports while sharpening their athletic skills and improving their quality of life. In some areas it has reiterated commitment to sports through

participation with other Municipalities and sectors. The committee has gained recognition in their participation with the SAIMMA (Southern African Inter Municipal Sports Association), the international inter-municipal sports body that so far hosted tournaments in Namibia, East London and Lesotho.

In the provincial front under the auspices of IMSSA partook in the competitive games in Thohoyandou and Musina where the

municipality participated three times to date. The committee has seen the revival of Employee Sport Days which were earmarked for Wednesdays fortnightly and where possible weekly. This vigorously encouraged employees to participate in sporting codes of their choice.

SDM sports committee pride itself with a motto "TEAM Sekhukhune". As a collective the committee has



The committee aim to unlock untapped sporting codes that may not necessarily have been explored by the Municipality and also encouraged employees to participate in sports in totality.

managed to bring about change to the outlook of the team attires and gears which represents the heart and soul of employee sports and SDM.

The committee has memorable moments whereby codes such Pool and Soccer had represented the Team Sekhukhune well and seen Volleyball , Netball and Fishing teams members improvising annually which augurs well for the sustainability of the codes. Of course the Committee had faced different challenges especially as Sekhukhune District Municipality has depots.

Due to geographic spread and other logistical factors it's increasingly difficult to have a unified team that creates access to practice facilities across the sporting codes at the same time. This challenge is seen as an impediment to the employees sports culture which we need to inculcate.

However, we need to pull all stops to ensure that employees are encouraged to participate.

Moreover buy-in still need to be sort from all levels of leadership and management on different aspects of the employees sports merely a simple release of employees

during sports day makes the SDM employees sports tick the right boxes but also encouraging unearthing more sporting codes shall bears fruits for the committee.

The committee would also like to envisage a future whereby employee sports is about the employee taking responsibility and being committed in all fronts to enhance sports participation.

As way forward the committee has identified that SDM sports team shall not only participate but it's time we get recognized on the podium in all sporting code as more often in all sporting codes than before and that sports becomes in the genes of every employees whether participating as an athlete or a member of a team in other ways.

Sports Committee pride itself with a motto *TEAM Sekhukhune* as a collective the committee has managed to bring about change to the outlook of the team attires and gears which represents the heart and soul of employee sports and SDM.



Leading by Example

Being a leader does not imply occupying a senior position or rank, it only means doing the right thing and for the right cause. Being an employee of Sekhukhune District Municipality takes this mantra a step further.

In line with the District's vision statement "Development Oriented Leader in Service Delivery", the right thing to do for SDM employees is to embody this leadership by paying for the services they receive from the District Municipality.

The fact that revenue generation is the lifeblood of any viable municipal entity makes it a moral and logical step to follow. According to Ms Veronica Nyalungu, Accountant Revenue for Sekhukhune District Municipality there were difficulties with collecting from municipality's water consumers / rate payers who are also employees of the SDM.



She says this matter was since elevated to council which is the highest decision making body, and it was resolved that employees who don't cooperate should face the consequences.

"Sekhukhune District municipality is pleased to have employees who lead by example when it comes to payment of services. The staff of the district has shown commitment by cooperating with the district when the implementation of code of conduct for municipal staff, which states that all employees should not be in arrears for a period longer than 3 months" says the elated Miss Nyalungu. She added that it is important that service charges be paid on a monthly basis as it gives room for the district to expand the services to other communities who are currently not receiving services. She concluded that through intensifying awareness there is increasingly a number of employees that are happy to give back to the community through paying their services, knowing the impact of every payment made on the entire lifecycle of services delivery and the municipality. She parted by urging all other customers to do same.

What's in the name

KNOW MORE ABOUT THE NAMES OF BOARDROOMS AT BAREKI

The Council of Sekhukhune District Municipality has adopted a resolution of the naming of boardrooms to be used for administrative and stakeholder engagement processes in Bareki and West Street offices.

This followed a thorough consultative process through which employees and the members of public made inputs and motivated for the preferred names forwarded to the Naming Committee.

The approved names are allocated to the an individual boardroom. Sekhukhune District Municipality Communications Division in the Office of the Executive Mayor has been tasked with the branding of the boardrooms to give a detailed account and visual illustration of the naming, and ultimately a concrete expression of a unified branding of the municipality.

The 62 seater Boardroom/Mini Hall at Bareki Offices is given the name Lekgotla Boardroom; Executive Boardroom at West Street is named Khuduthamaga Boardroom; The 20 seater Boardroom 1 at Bareki Mall is named after Elias Phakane Moretsele; The 12 seater Boardroom 2 at Bareki Mall is named Erholweni Boardroom; another 12 seater at Bareki Mall is named Sebatakgomo while the small meeting rooms are each named after Mme Madinoge, Ester Maleka and Albertina Sisulu.

The Boardroom at Elias Motsoaledi (Groblersdal) Fire station is named after Fawcett Mathebe, the one in Burgersfort (Tubatse Fire station) is named after Prof Magapatona Thobejane while the one in Makhuduthamaga Fire station is named after Uriah Maleka.

For the benefit of the visitor, each boardroom name is accompanied by the picture of the person of character it's named after, a short background or motivation attributed to the justification of the name, all of which captures the significance of the name.

Elias Motsoaledi Fire Station (Groblersdal)

Makhuduthamaga Fire Station (Jane Furse)

Tubatse Fire Station (Burgersfort)

What's in the name

KNOW MORE ABOUT THE NAMES OF BOARDROOMS AT BAREKI

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KHUUTHAMAGA BOARDROOM

Recommended Seating Capacity 20



SIGNIFICANCE OF THE NAME
 Khuthamaga is derived from the Xhosa word 'khutha' which means to support or to help. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people. The name is derived from the Xhosa word 'khutha' which means to support or to help. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people. The name is derived from the Xhosa word 'khutha' which means to support or to help. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people.




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West Street Executive Mayor's Boardroom

ELIAS MORETSELE BOARDROOM

Recommended Seating Capacity 20



SIGNIFICANCE OF THE NAME
 Elias Moretsele was a prominent figure in the struggle for the liberation of South Africa. He was a member of the African National Congress (ANC) and played a significant role in the anti-apartheid struggle. He was a member of the ANC's National Executive Committee and served as the ANC's Secretary-General from 1985 to 1990. He was a member of the ANC's National Executive Committee and served as the ANC's Secretary-General from 1985 to 1990.



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Budget and Treasury Boardroom - Bareki Mall

eRhoweni BOARDROOM

Recommended Seating Capacity 12



SIGNIFICANCE OF THE NAME
 eRhoweni is a Xhosa name that means 'to be seen' or 'to be known'. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people. The name is derived from the Xhosa word 'erhoweni' which means to be seen or to be known. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people.



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Municipal Manager's Boardroom - Bareki Mall

MADINOGA MEETING ROOM

Recommended Seating Capacity MEETING



SIGNIFICANCE OF THE NAME
 Madinoga is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people. The name is derived from the Xhosa word 'madinoga' which means to be seen or to be known. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people.



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Meeting rooms at Bareki Mall

ESTHER MALEKA MEETING ROOM

Recommended Seating Capacity MEETING



SIGNIFICANCE OF THE NAME
 Esther Maleka is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people. The name is derived from the Xhosa word 'esther' which means to be seen or to be known. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people.



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Meeting rooms at Bareki Mall

ALBERTINA SISULU MEETING ROOM

Recommended Seating Capacity MEETING



SIGNIFICANCE OF THE NAME
 Albertina Sisulu is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people. The name is derived from the Xhosa word 'albertina' which means to be seen or to be known. It is a name of great significance to the people of the Eastern Cape, particularly to the Xhosa people.



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Meeting rooms at Bareki Mall

Labour RELATIONS

Article: 2nd Quarter : Courtesy of Labour Relations Division

THEFT IN THE WORKPLACE

THEFT IN THE WORKPLACE

Definition of theft

It is when someone unlawfully and intentionally appropriates someone else's movable, physical property. This includes the intention to permanently deprive the owner of his/her property.

Theft in the workplace is when an employee takes company or other employee item or goods which he has no lawful right to, with the intention of permanently keeping the item or goods to use or sell for any other purpose.

Every employer will probably, at some stage or another, be faced with theft in its workplace. Due to the fact that theft is a dishonesty offence, those employees found guilty of theft are in most cases dismissed, no matter the value of the item stolen and in most cases, factors in mitigation were not enough to tip the scale away from dismissal, as honesty goes to the heart of the relationship and theft or dishonesty destroys the trust between employers and employees.

Employees have a duty to report theft.

If you hold a position of authority and know or ought reasonably to have known or suspected that any other person has committed an act of theft or any other form of misconduct, you must report this knowledge or suspicion to the employer or relevant authorities. Failure to comply with this duty is a punishable offence.

Whistle-blowing

This will prevent employees being identified and victimized by colleagues and fellow employees as the snitch. The institution is supposed to have a good whistle-blowing policy and guidelines of how to report incidences of theft and others. One of the cornerstones of a good whistle-blowing policy is anonymity to ensure that honest employees are protected.

An employee who doesn't report theft can be disciplined.

The employer can discipline and even dismiss an employee who fails to report either a particular incident or a general trend of misconduct by other employees. Employees should be alerted that they can be found guilty of "derivative misconduct". Employees also owe the company a duty of care and loyalty.

To find an employee guilty of derivative misconduct, the employer must be able to show two things:

1. The employee knew about the incident or the misconduct other employees were committing. Or, you might be in a position to argue that the employee must have known or could reasonably have acquired knowledge.

2. The employee failed to report what he knew without having a good reason for not reporting it.

These principles were confirmed recently in an arbitration hearing between SATAWU and Jedidja Couriers, where the dismissal of an employee was confirmed that he knew about the misconduct but failed to alert the employer.

The employer may need to rely on the doctrine to enforce workplace rules because there's a lack of co-operation from employees who are aware of wrongdoing and thus a difficulty in identifying culprits. A wall of silence or active resistance to co-operating with the employer isn't acceptable and if the employer meet this problem, can take action.

Employees have a general obligation to act in the best interests of the institution. This includes reporting wrongdoing. However, failure to report any wrongdoing of which an employee may be aware doesn't necessarily mean the employee is colluding with the wrongdoer.

The municipality expects a high degree of co-operation from employees in trying to catch and get rid of thieves. It will also need to reinforce a position by instituting a rule in the workplace that obliges employees to report wrongdoing or suspicious conduct by employees.

How to deal with theft?

To deal effectively with theft, you have to follow an approach which clearly communicates that crime doesn't pay. The municipality will enforce an approach of zero tolerance to dishonesty through the following:

- ≪ Instituting criminal charges against whoever is caught stealing or taking part in the process.
- ≪ Make a proper example of culprits to get zero tolerance messages across.
- ≪ Protect your whistle-blowers.

10 red flags to detect employees committing theft

1. An excessive /expensive lifestyle with high living costs which don't compare to the salary they earn.
2. An employee who constantly claims he's underpaid.
3. A close relationship with suppliers.
4. A poor credit history or the number of garnishee orders you deduct from the employee.
5. He never takes leave (employee who regularly steal are quite protective over their domain. They're reluctant to go on leave because their substitute's normally then pick up inconsistencies and report them to management).
6. Refusal of a promotion.
7. Excessive and unexplained overtime.
8. Numbers that just don't add up, i.e. a sudden dramatic decline in profits, for no apparent reason.
9. Gambling, alcohol or drug problems.
10. Never being able to make ends meet despite your projections telling you otherwise.

Two recent Labour Appeal Court cases again looked at the requirements for dismissal in the case of theft. Incidentally, both of them are between the same parties and were heard during 2008.

The first case was that of *Shoprite Checkers (Pty) Ltd v CCMA & others [2008] 12 BLLR 1211 (LAC) (The first Shoprite case)*. The importance of this case is the fact that the LAC took factors in mitigation, such as the employee's years of service and a clean record into consideration.

The employee had been captured on the store video camera on three separate occasions eating in areas in which such activity was prohibited. He was subsequently charged with misconduct, found guilty and dismissed. It was common cause that the monetary value of that which was consumed was unknown, but not of a high value. The employee had 30 years of service and was a first offender. In this case, the matter was referred back for arbitration before the CCMA on more than one occasion and the employee was re-instated more than once.

The issue that the LAC concentrated on was the fact that the employee was re-instated but not with back pay. On review before the LAC, Zondo JP held that he accepts that the matter cannot simply be about monetary value of the food that the employee ate, but about a principle and the real problem of shrinkage that Shoprite and other similar businesses face every day. He found that he is not ignoring any of this, but that he, nevertheless, when all the relevant circumstances are taken into account, is of the opinion that a reasonable decision-maker could not, in the circumstances of this case, have concluded that an employee who had a clean disciplinary record and had 30 years of service should, in addition to getting a "severe final written warning" for this type of conduct, also forfeit about R33 000 in back pay for eating food that may well have cost less than R20. A reasonable decision-maker would, according to Zondo JP, not have sought to impose any penalty in addition to the "severe final warning."

The LAC also agreed that dismissal would have been inappropriate. The second theft case was that of *Shoprite Checkers (Pty) Ltd v CCMA & others [2008] 9 BLLR 838 (LAC)*, reported on 20 June 2008. (Second Shoprite case)

The appellant, Shoprite, dismissed the respondent employee after he was captured on videotape on three occasions eating pap and bread taken from the delicatessen at the store at which he worked. The CCMA reinstated him on the basis that theft was not proven. On review, the Labour Court found that the sanction was too severe and ordered re-instatement with a final written warning.

The matter went on appeal, as they often do, before DM Davis, Judge of Appeal; LP Tialetsi and SK Ndlovu, Acting Judges of Appeal. On appeal, the legal representative of the employee conceded that the employee was guilty of theft. The LAC then looked at the issue of the sanction.

The LAC took into consideration that, in the present case, the uncontested evidence revealed that, during October 2000, the appellant's store in Louis Trichardt lost 2.95% of turnover due to shrinkage which equated to a loss of some R144 000. Employees were aware of this. It also looked at the first Shoprite case and distinguished itself from that case.

Although the first Shoprite case appears to adopt a different approach to theft, the judges in the second Shoprite case distinguished itself from the first case on the basis of the years of service, clean record and the fact that the employee in the second case was clearly dishonest in his reasons given to the Court. In the second Shoprite case the evidence also clearly indicated that the trust relationship was irretrievably broken down. The dismissal was found to have been fair.

Although the LAC in both cases, did not deviate directly from the principle that theft causes an irretrievable breakdown, employers should make sure that there is enough evidence presented in such cases to show a breakdown in the trust relationship and if there are mitigating circumstances present, why those mitigating circumstances would or could not result in a lesser sanction than dismissal. As in any other case that warrants dismissal, it is for the employer to prove as much.



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Labour RELATIONS

Article: 2nd Quarter: Courtesy Labour Relations Division

FRAUD IN THE WORKPLACE

What is Fraud?

Workplace fraud, by its very nature, is a secretive act. It is a type of dishonesty that is normally committed in such a way that its very existence is concealed.

The Collins Concise Dictionary defines fraud as "deliberate deception, trickery or cheating intended to gain an advantage". This means that the fraud for which an employee has been caught is likely to be only the tip of the iceberg.

As revealed in the Rope Constructions case which will be reported later in this article - even apparent fraud discovered by employers may go unpunished because of lack of proof that the accused was in fact the fraudster. In order to prove fraud, the employer must show that the accused employee was the one who committed the act and that he or she did so for gain. However, such gain would not have to be confined to direct financial advantage. The fraud could be committed for the advantage of a friend or family member or could be a means towards gaining the perpetrator a job.

For example, claiming false qualifications for a job would be fraudulent in the sense that the job applicant would be gaining employment based on a lie. While fraud can occur at any level, it is at its most dangerous at the upper levels of the organisation.

This is because senior employees:

- Often have easier access to bigger amounts of money;
- Can cause great damage to customer relations;
- Can be in a better position to cover up irregularities; and
- Are often trusted more than junior employees.

Combating fraud is two-pronged: Prevention or Reaction

The employer's strategy for combating employee fraud needs to be based on two broad approaches, namely, prevention and reaction.

1. Prevention involves the principle of trusting nobody and the implementation of comprehensive safeguards standards. These could include measures such as video cameras and telephone conversation recordings, authority levels and procedures, access controls and auditing procedures, among others.

The employer can use the following to prevent fraud by its employees:

✍ Well planned appointments: Follow up the references of new candidates. Phone the previous employer of the candidate and make sure that the person has a good work record. Even consider conducting background checks and personality assessment in order to ensure that the candidate is appropriate for your business. Even consider verifying qualifications with National Learner's Record Database administered by South African Qualifications Authority (SAQA).

✍ Training: In many cases it is employees that first become aware of the fraudulent activities within the workplace. Provide employees with the necessary training regarding your internal policies in respect of fraud and theft. Ensure that your employees have the necessary knowledge to identify fraud and have structures in place for the reporting of fraud in confidence.

Anonymous reporting: It has been found that where employees can anonymously report fraud, employees are more willing to report to the employer. Put in place structures to ensuring anonymous reporting at work.

✍ Positive work environment: Develop a mutual respect between employees and the employer. It has been found that the fostering of an 'open door' policy contributes to employees being positive about the employer and its internal policies. An open door approach also enhances communication between management and employees.

✍ Internal policy: Ensure that proper preventative measures have been built into your internal policy. Such preventative measures include amongst others:

- ✍ Division of responsibilities: No employee should be responsible for both the acceptance and processing of a transaction.
- ✍ Access control: Access to physical and financial assets as well as access to accounting systems must be restricted to specific employees.
- ✍ Authorisation control: Develop policies on how financial transactions are authorised, accepted and reviewed.
- ✍ Undertake regular audits: Every business should regularly undertake audits. This allows the business to identify fraud early and sends a message to employees that the employer is serious about fraud.
- ✍ Set an example: The employer and senior management must at all times set the example. If the employer is honourable and follows the internal policy strictly, employees will also follow easier.
- ✍ Investigate every incident: It serves no purpose to have good internal policy but it is not enforced. The investigation of each incident will enable the employer to establish a precedent and collect the necessary evidence against the relevant employee who are behind fraud activities.

2. Reaction involves taking all reports or hints of irregularities seriously, swift action and above all, building a watertight case against the accused to prevent the reappointment of a guilty employee due to a lack of evidence being collected by the employer. The employer must immediately react against fraud. This includes a proper investigation as well as the collection of evidence, followed by disciplinary steps and even criminal charges. The employer must follow the correct labour and criminal procedures to ensure that the accused is removed from the work premises.

In the case of NUMSA obo Thosane S v Rope Constructions Co (Pty) Ltd (17 Oct 2005 MEGA 8343, LIS), Thosane was dismissed for clock card fraud. It was established that he had been absent from work for most of the days in question and that he had not been present at clocking out time. It was also established that, despite his absence, his time card had been clocked out. He was therefore dismissed for absence without leave and for clock card fraud.

At the subsequent arbitration hearing, Thosane neither denied that he had been absent nor that someone else had clocked his card. However, he denied that he had been involved in the clocking of his card. This denial, together with the fact that the employer had no direct proof that Thosane had arranged the clocking of his card, worked in the employee's favour. While the employer may have been defrauded by whoever clocked Thosane's card, the arbitrator found that there was insufficient evidence that Thosane himself had intended to commit fraud.

The arbitrator therefore ordered the employer to reinstate the employee. In labour law, verdicts are to be decided on the balance of probabilities. It appears improbable that a colleague of Thosane would have clocked his card without being asked to do so by Thosane.

However, if the employer had wished to incriminate Thosane as a means of getting rid of him, one of the managers, on having noticed Thosane's absence at clock-out time, could have clocked his card to make it look as if he had committed fraud.

Had the employer, via a witness or video camera, caught a colleague of Thosane clocking his card, the employer may have been able to obtain a statement from that colleague to the effect that Thosane had asked him to clock his card.

Alternatively, had the rules required employees to keep their clock cards in a locker, it would have been easier to show that the person who did the clocking obtained the card from Thosane. Employers need to understand that according to the law, where they wish to infer that an employee committed fraud, they must at least be able to show that nobody else could have committed the fraud, without the accused being involved in any way.

It is recommended that employers regularly review their internal procedures & policies and focus specifically on establishing preventative measures. Where reaction is required, it is strongly recommended that the advice of a legal or labour relations practitioner be obtained timeously in order to ensure that the correct steps are taken and later regrets are avoided due to mistakes in the investigative or accusatorial process.



SEKHUKHUNE
District Municipality

TO ALL SERVICE PROVIDERS

Ref: Sk/1/R

CIRCULAR NO 8/2016

Registration of service providers on the Central Supplier Database System.

Service providers are hereby notified of the transitional arrangements as follows. All current and prospective service providers are requested to register on the National Treasury Central Supplier Database on or before 01 July 2016.

Sekhukhune District Municipality will not advertise the database as usual.

Registered suppliers will be uploaded from the National Treasury Central Supplier Database to Sekhukhune District Municipality's system.

Your cooperation will be highly appreciated.

Yours faithfully,

Ms M.F Mokoko
Municipal Manager

Issued on 19 April 2016

For further information kindly contact Supply Chain Management
013 262 7632 / 7634 / 7643

