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**THE PROCESS CONTROLLER's GUIDE TO  
MANAGEMENT, SUPERVISION AND RELATED  
MATTERS**

**This is number 10 in the Process Controller  
Guide series of documents**

Number 1	Pollution Control.
Number 2	Water Sources and Water Treatment.
Number 3	Wastewater Treatment
Number 4	Phosphorus Removal from Wastewater.
Number 5	Electricity and Electric Motors.
Number 6	Pumps, Blowers and their Operation.
Number 7	Mechanical Transmission of Power.
Number 8	Flow Measurement
Number 9	Iron and Sulphur compounds in the water and wastewater environment.
<b>Number 10</b>	<b>Management, Supervision and Related Matters.</b>

This guide is not intended to be a detailed and comprehensive manual on management.

It is intended that this document be a useful reference and training manual guide to all persons involved in the Water and Wastewater Industry.

These documents are dedicated to the thousands of men and women (both present and past) who are involved in the life critical profession of Water and Wastewater Treatment.

**NOTE:**

Credits: some information was obtained via Google. Where original authors/owners could be determined, this is indicated.

**THE PROCESS CONTROLLER's GUIDE TO**  
**MANAGEMENT, SUPERVISION AND RELATED MATTERS.**

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# THE PROCESS CONTROLLER's GUIDE TO

## MANAGEMENT, SUPERVISION AND RELATED MATTERS.

### PART 1.

#### MANAGEMENT AND SUPERVISION

##### 1.1 INTRODUCTION.

All organisations, in both the private and the public sector, need a properly designed structure. There will be a top decision making body that is involved in the policy and decision making that guides and runs the organisation. This decision making body will receive reports etc. from the senior management, take a resolution on the action to be taken and then refer this back to the management for implementation.

The top decision making body will usually be the Council for Municipalities and the Board of Directors in other public bodies and in the private sector.

Decisions made by this top decision making body would then be referred to the Town or City Manager or the Chief Executive Officer, for implementation. This person would then delegate this to the relevant Departmental Head.

##### 1.2 EXAMPLE OF A TYPICAL ORGANISATIONAL STRUCTURE FOR A MUNICIPALITY.

This will vary according to the size and complexity of the Municipality. An example is given below in fig 1:

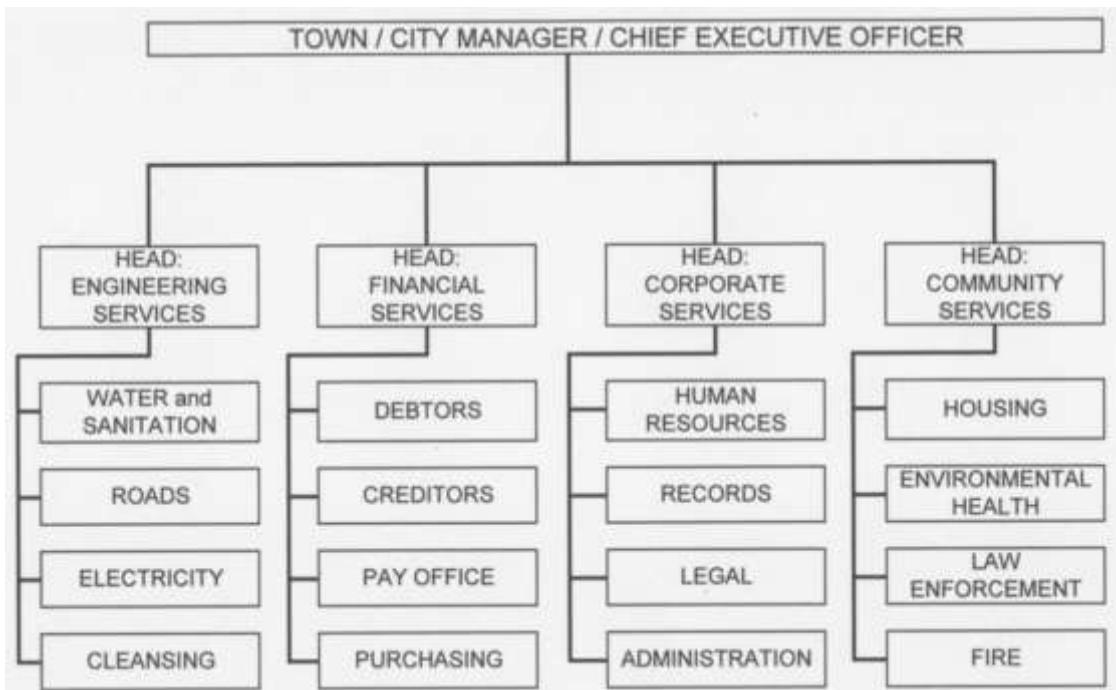


Figure 1: AN EXAMPLE OF AN ORGANISATIONAL STRUCTURE FOR A MUNICIPALITY.

Not all Branches are shown.

### 1.3 EXAMPLE OF A STRUCTURE FOR A WATER AND SANITATION BRANCH.

The following services would form part of the Water and Sanitation unit:

1. water abstraction and treatment;
2. water storage, pumping and distribution;
3. water consumption meter reading;
4. wastewater collection and pumping;
5. wastewater treatment;
6. industrial effluent monitoring and control;
7. analytical laboratory;
8. equipment maintenance.

Water consumption meter reading sometimes falls under the Financial Services area of responsibility. The water and wastewater treatment is sometimes provided by a Water Board or a District Municipality. Equipment maintenance may be performed by the staff of the Branch, or may be contracted out or may be a combination of both. Usually simple maintenance such as greasing is carried out by the water or wastewater treatment works staff. *Some of these duties have been highlighted in the various Process Controller Guides.*

Depending on the size of the municipality, all the water functions could fall into one section and the wastewater collection and treatment functions could also fall into one section. As may be seen they are many possible staff structures depending mainly on the size of the municipality.

### 1.4 EXAMPLE OF A STRUCTURE FOR A WATER OR WASTEWATER TREATMENT WORKS.

Again there are many possible staff structures depending on the size, number and complexity of the water or wastewater treatment works. An example for a relatively large treatment works with Process Controllers on site 24 hours per day is given below in figure2:

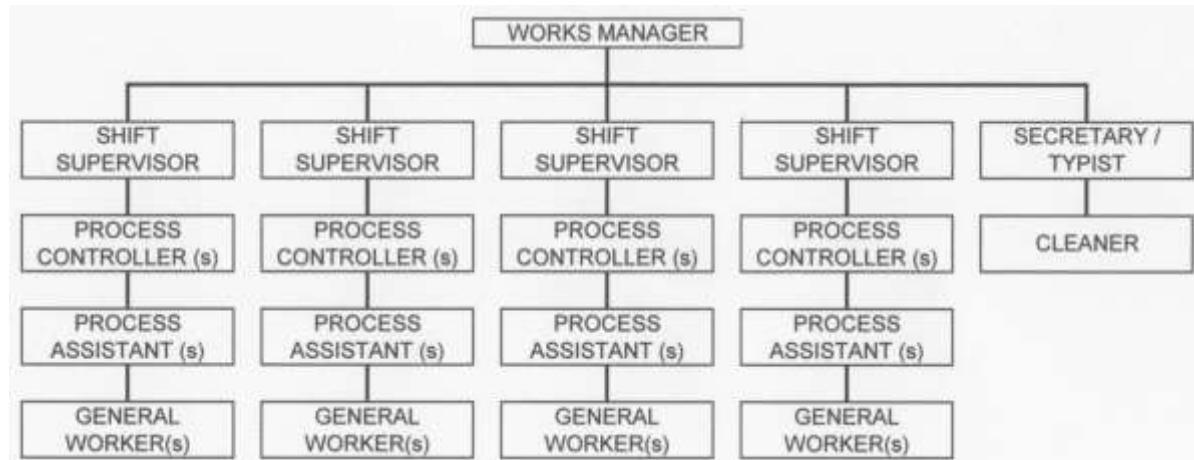


Figure 2 – SHOWING AN EXAMPLE OF A STAFF STRUCTURE FOR A TREATMENT WORKS.

## 1.5 COMMUNICATION BETWEEN STAFF LEVELS.

For the effective and efficient operation of an organisation, it is vital that there be good communication between the various levels in the organisation. This will generally be the upward movement of information and the downward movement of instructions.

There must also be good communication between the various departments. For example the placing of orders, completion of Goods Received Notes (when items delivered) and in some instances, certification of Invoices for payment.

There must also be good communication between Branches in the same Department, such as a laboratory compiling reports on water and wastewater quality to assist Process Controllers in their duties.

## 1.6 MANAGING OR SUPERVISING?

It is important to distinguish between a Manager's and a Supervisor's functions.

In short, Manager has the responsibility to decide WHAT needs to be done and the Supervisor has the responsibility to decide HOW it is done.

In the case of a treatment works, the Manager would be responsible for the whole treatment works, whereas the Supervisor would be responsible for all the persons on a shift; for allocating work and seeing that the work is carried out in terms of Standard Operating Procedures, etc.

## 1.7 MICROMANAGEMENT.

Micromanagement in the workplace is a management style where a manager closely oversees employees and everything they do. Managers who micromanage prefer to stay in control rather than empower their employees to innovate and create. They also tend to excessively look at details even though their main focus should be on the bigger goals of their team.

Micromanagement is a very bad management style as it shows a lack of confidence in the staff's ability to do the work without someone looking over their shoulder all the time. This will have a bad effect on the morale of the staff.

Micromanagement is not only confined to Managers, Supervisors can also be at fault for micromanaging staff.

### 1.7.1 Consequences of Micromanagement.

There are many adverse consequences of micromanagement. These include:

1. creating a significantly more stressful working environment that may lead to health issues amongst the staff;
2. likely to cause staff demotivation that can lead to increased staff turnover. This can result in loss of knowledge in the organisation;
3. it will discourage creativity and critical thinking such as how can a particular aspect of the job be improved;

4. leading to a lack of co-operation and a lack of trust in the staff;
5. causing innovation to be delayed or even become non-existent;
6. resulting in poor communication in the organisation.

Although the term “Micromanagement” is used, it is just as applicable to Supervisors, Foremen etc.

#### 1.7.2 How to Overcome Micromanagement.

In order to create a positive work environment, there are several steps that should be taken. These include:

1. Offer learning opportunities.

When all employees have the chance employees have the chance to learn new skills, they can offer more input into the organisation projects and initiatives. Managers should hold regular training sessions and learning seminars for their team members;

2. Allow employees to take on more responsibilities.

Managers should create a work structure where employees of all levels have a chance to take on more responsibilities. When authority is more distributed throughout the workplace, this will prevent one manager from having excessive control;

3. Giving positive feedback.

Although constructive criticism can help employees learn from their mistakes, positive feedback is an important part of helping all employees to feel valued in the organisation. When an employee does something well, it is important that this is communicated to them that one is happy with their efforts;

4. Setting goals for all employees.

Managers will be responsible for helping their team meet the organisation's objectives, but employees also hold some of this responsibility. There should be regular meetings so that employees can learn how the organisation is meeting those objectives;

5. Trusting the employees.

As long as employees are getting their work done, one can trust that they are being productive. If a Manager or Supervisor notices lower productivity or other production problems, they should, take a moment to discuss expectations with employees and learn their perspective. One may find that the Supervisor could improve productivity certain areas to help the team be more efficient. Also, through their experience, a worker may offer an improved way of doing a job. This is where there must be consultation so that the best method of performing a certain job may be agreed upon;

6. Creating simple rules.

It is important that employees know and UNDERSTAND rules and Standard Operating Procedures applicable to the job;

7. Having Job Descriptions for all Jobs.

It is important that all jobs have Job Descriptions so each employee knows what is required of them, to whom they report and who reports to them.

## 1.8 SOME DO's AND DONT's FOR MANAGERS AND SUPERVISORS.

In order to create a positive work environment, there are several things that Managers and Supervisors should and should not do.

### 1.8.1 Some Things Managers and Supervisors Should Do.

1. be a leader to your team remembering that it is the team that gets the job done;
2. recognise extra effort by an individual or the team. A kind word works wonders;
3. treat ALL your staff with respect and you will be respected by your staff;
4. if it is necessary that a person be given lighter duties for medical or other genuine reasons, be sure to tell the other members of the team why and for how long that person will have lighter duties. This is to avoid being accused of favouritism;
5. hold "toolbox" talks once per week where matters of safety are briefly covered. See more about this in section 5.

### 1.8.1 Some Things Managers and Supervisors MUST NOT Do.

1. NEVER swear or shout at a member of your staff. The ONLY exception would be if a person was about to injure themselves and the shout would be to make sure that they heard you;
2. NEVER criticise a person in front of their co-workers. Call them aside to talk privately to them about your concerns;
3. NEVER show favouritism towards any member of staff.

# THE PROCESS CONTROLLER's GUIDE TO

## MANAGEMENT, SUPERVISION AND RELATED MATTERS.

### PART 2

#### **GRIEVANCES.**

##### **2.1 INTRODUCTION.**

A grievance meaning, in ordinary language, refers to a concern, complaint, or any form of workplace discontentment or dissatisfaction that a person may have as an employee with their employer, manager, or fellow employee that needs to be addressed by the management.

There is an accepted procedure for handling grievances and must be followed. It must be noted that the grievance procedure may not be used to address unfair labour practices, salary or wage issues, demands for other benefits, or as an appeal mechanism following a disciplinary hearing.

In all cases, a grievance needs to be sorted out at the lowest possible level in the organisation.

A person wanting to make a grievance may be assisted by a co-worker or a Union Representative. This is especially important where the person making the grievance has limited schooling, difficulty in writing etc. The grievance should be writing as this can avoid queries at some time in the future.

##### **2.2 GRIEVANCE PROCEDURE.**

The various steps that must be followed are given below:

###### **2.2.1 STEP 1 - Bring the Grievance to Your Immediate Supervisor:**

The first step of the grievance procedure in South Africa is an informal resolution with your immediate supervisor. It is not a good idea to take issues to a higher level without trying to sort them at the lowest point first, and this also avoids insubordination issues. Usually, most companies train their supervisors and managers to deal with the common work issues in a fair and unbiased manner. At this stage, the supervisor should do all is that he or she can to resolve the issue within 3 working days.

The supervisor must make every effort to resolve the grievance. It may be necessary for the supervisor to obtain advice or information from their line manager.

If the grievance is not cleared up at this stage, then the person may move to step 2 below:

###### **2.2.2 STEP 2 - Escalation of the Complaint to the Person to Whom Your Supervisor Reports:**

If the supervisor cannot solve the problem than the supervisor must bring it to the attention of their line manager, who in turn must try to solve the problem by interviewing the employee and the supervisor together and if necessary – separately; to discuss the issue and see if some agreement or solution can be reached.

It may be necessary to have an interpreter present, this is especially important when one of parties cannot fully understand the language used at the time of the meeting.

The line manager must make every effort to resolve the grievance. It may be necessary for the line manager to obtain advice or information from their line manager.

If the grievance is not cleared up at this stage, then the person may move to step 3 below:

#### 2.2.3 STEP 3 - Escalating the issue to the Human Resources department, if the above fails:

At this stage, the grievance becomes more formal and the first step of the official channels is now applicable. Here, the grievance MUST be written as a letter OR a completed grievance form and submit it to the HR department. ***An example of a grievance form is given in the appendices to this guide.*** According to the SA law on grievance procedure under the labour laws, the employee has to write this letter within 90 days from the time when the employee became aware of the grievance.

At any stage of the grievance process, the employee is entitled to have representation during all situations to help present the case of the dissatisfied party. The representation can be a fellow employee or an official from the employee's trade union.

This means that any alternative steps that are taken toward a resolution have to be closed within that period. Once the complaint is lodged, the HR and the employer have 30 days to come up with a resolution with the employee. This time period can be extended if the parties come to a mutual agreement (in writing) that they should extend the time frame.

#### 2.2.4 Consider appealing at a higher level in case none of the above solutions work .

Up to this point, all matters have been "in-house"; that is within the organisation. The Human Resources department may make use of an outside party to act as a Mediator to try to resolve the matter.

If all the other procedures fail, then the employee can go to a higher external grievance body such as the Council for Conciliation, Mediation, and Arbitration (CCMA). It was seen that time limits for each previous step have been stated so that the issue is resolved within a reasonable period.

*(acknowledgements to the South African Labour Guide.)*

### 2.3 THE NEED FOR A FORMAL GRIEVANCE PROCEDURE.

It is important that there be a formal grievance procedure in the organisation and that all staff are aware of, and know the procedure. This is in the interest of good working relations at all levels of the organisation.

# THE PROCESS CONTROLLER's GUIDE TO

## MANAGEMENT, SUPERVISION AND RELATED MATTERS.

### PART 3.

#### DISCIPLINARY PROCEDURES

##### 3.1 INTRODUCTION.

If an employee does something that they should not do OR does not do something that they should do; then it becomes necessary to take action against that employee. One must not ignore the occurrence as it may grow into something more serious and might result in a Grievance being lodged by other employees.

Unless the matter is serious, this action should start off with a face to face meeting with the person concerned. The person should be allowed to bring a fellow employee; especially the person concerned cannot speak or understand the language of the supervisor or manager. This initial action will be known as the Informal Procedure and is covered below in section 3.2. Should the action by the employee be regarded as serious OR on-going; then the Formal Procedure covered from section 3.3 onwards, should be used.

##### 3.2 THE INFORMAL DISCIPLINARY PROCEDURE FOR MISCONDUCT.

The employee concerned should be asked to come to the supervisor's or manager's office (or somewhere private) as there is a manner that needs to be discussed. The employee must be offered the opportunity to bring a fellow employee of their choice as an interpreter.

The supervisor or manager must clearly, calmly and without emotion explain to the employee what their concerns are. For example, repeated coming to work late; not working with the rest of the team, taking a number of Fridays or Mondays off, etc.

The employee must be given a chance to explain the reasons for their actions or lack of action. They must be asked if they are aware of the impact of their action or inaction, is having on the rest of the team.

They should then be asked what steps they will take to improve matters. If the supervisor or manager feels that the employee appreciates the need to take these steps, then they should agree to monitor the situation for, maybe, a month and then re-assess the situation.

The employee must be given a chance to ask any questions for clarity. It is often useful to get the employee to explain in their chosen language what they will be doing to improve the situation. In this way, there is a better chance that they fully understand what is required of them.

Thereafter, the employee must be thanked for coming to the meeting and told that there will be a follow up meeting in about a month's time.

The supervisor or manager will find it useful to keep a record of the meeting including the actions that the employee will be taking to improve the situation.

In many cases, the matter is resolved through the informal procedure and it is not necessary to take any further action. The outcome of the informal procedure will be recorded only at the section or branch level and will not be recorded in the organization's employee's record.

Should the action by the employee be of a serious nature or on-going; then it will become necessary to use the Formal Disciplinary Procedure as covered in the rest of part 3.

**THE REST OF PART 3 IS TAKEN FROM THE SOUTH AFRICAN LABOUR GUIDE and  
THEY ARE ACKNOWLEDGED AS THE AUTHORS OF THIS ARTICLE.**

PARAGRAPHS HAVE BEEN RENUMBERED TO MAINTAIN CONSISTENCY THROUGH THIS  
PROCESS CONTROLLERS GUIDE.

There are times where words are used that may not be well-known to people for whom English is not their first language. A more commonly known word is placed in **{curly brackets and in italics}**.

There are times where the procedure to be followed or the Guide for Good Practice does not specify who will take the necessary action. This will be indicated by the phrase **[Appropriate Manager]** will be indicated in [square brackets].

3.3 THE FORMAL DISCIPLINARY PROCEDURE FOR MISCONDUCT.

**Provided by the Commission for Conciliation Mediation and Arbitration (CCMA)**

The purpose of these explanatory notes is to supplement the disciplinary procedure below and offer suggestions on how to apply the draft disciplinary procedure. These notes also highlight innovations introduced in the procedure.

3.3.1 The Code of Good Practice.

This procedure has been drafted in accordance with the principles set out in the Code of Good Practice, which is contained in Schedule 8 of the Labour Relations Act, no. 66 of 1995. It is recommended that this procedure be read in conjunction with the Code of Good Practice.

Misconduct is one of the grounds in law that justifies an employer terminating the contract of employment of an employee. However, for a dismissal for reasons of misconduct to be fair the dismissal must be:

**Substantively fair** - there must be a valid reason for the termination of the contract of employment. The facts of each case will determine whether the dismissal is for a fair reason and whether dismissal is the appropriate penalty;

**Procedurally fair** - the dismissal must be effected in a procedurally fair manner.

This means that an employer may not just give notice in accordance with the contract of employment or in terms of governing legislation. An employer must also ensure that dismissals for misconduct are for a valid reason after a fair procedure has been followed.

3.3.2 Structure of the Disciplinary Procedure.

The procedure is drafted on the assumption that an employer will apply progressive discipline on the understanding that discipline should be corrective rather than punitive. This means that the employer should endeavour to first correct an employee's behaviour, such as by issuing:

1. verbal warnings for minor transgressions;
2. written warnings for consistent misconduct;
3. final warnings for persistent misconduct.

**Dismissal should be considered as a last resort.**

The procedure provides that before an employer issues a warning (written warning or final written warning) to an employee, the employer must meet with the employee concerned. The purpose of this meeting is for the employer to hear the employee before the employer issues the written warning.

### **3.4 HOW TO USE THE PROCEDURE.**

The procedure sets out the minimum requirements, which any disciplinary procedure should contain. Parties may wish to supplement their own procedure with this procedure or use this procedure to provide a basic structure for developing their own procedure. However, it is a procedure, which, if applied as it currently stands, should ensure that discipline is fairly and effectively administered.

The Code of Good Practice in section 3.12; requires employers to adopt disciplinary rules that establish the standard of conduct required of employees. The Code recognises that the content of disciplinary rules will vary, depending upon the nature, size and type of undertaking in which the employees are employed.

Throughout the procedure square brackets "[... ]" are used to indicate where the parties must insert details to make the procedure specific to their own situations. For instance, the appropriate designation of the manager who will be required to manage the type of discipline described in the procedure is left open for the parties to complete. The designation of the appropriate manager will depend on the size and structure of the employer.

#### **3.4.1 Service of Notices referred to the Procedure.**

All written notices must be properly served on the employee concerned (written warning, final written warning, notice to attend a disciplinary procedure etc.) It is recommended that the employee who is served with a notice should be asked to sign acceptance of receipt of the notice. However, if the employee refuses to sign when served with a notice, the employer should record this fact on the notice and state the time, date and place where the notice was handed to the employee concerned.

#### **3.4.2 Duration of Warnings.**

The procedure suggests that:

1. a verbal warning should remain valid for 3 months;
2. a written warning should remain valid for 6 months;
3. a final written warning should remain valid for 12 months.

However, the length of time warnings should remain valid as given above are suggestions only and this issue should be decided upon by the employer and the employees or unions with whom the employer negotiates the procedure.

### **3.5 DISCIPLINARY RECORDS.**

The Code of Good Practice recommends that employers keep a record for each employee specifying the nature of any disciplinary transgression/s, the actions taken by the employer and the reason/s for such action/s. For this reason, the disciplinary procedure requires the employer to file copies of any written warning, final written warning or any representation made by the employee on the employee's personal file.

### **3.6 REPRESENTATION AT A DISCIPLINARY ENQUIRY.**

The disciplinary procedure provides that a fellow employee or a shop steward of a recognised trade union should represent an employee. If a shop steward is called to attend a disciplinary hearing the Code of Good Practice requires an employer to consult with the shop steward's trade union prior to issuing any notice to attend a disciplinary enquiry.

### **3.7 THE DISCIPLINARY ENQUIRY.**

The chair of the disciplinary enquiry must, insofar as it is possible, be a person who is able to make an independent decision based on the facts presented at the enquiry. The chair of the disciplinary

enquiry must be a person who has not been involved with investigating the employee concerned or who is going to prosecute *[present]* the charges against the employee in the disciplinary hearing.

The chair of the disciplinary hearing must consider whether:

1. the employee being charged broke a rule of conduct in the workplace;
2. the rule was valid or reasonable;
3. the employee knew about the rule or should have known about the rule;
4. the employer has been consistent in applying the rule.

Once the chairperson of the disciplinary hearing has made a determination about whether or not the employee is guilty of the offence with which the employee is charged; the chairperson must consider the appropriate sanction to impose, after having heard the employee in this regard. The chairperson must consider whether dismissal is the appropriate remedy to take against the employee for breaking the rule or whether a less severe penalty, such as a final written warning or suspension would not be more appropriate. Each case must be judged on its own particular facts and the chairperson of the disciplinary hearing should always take into account the nature of the job and the circumstances surrounding the commission of the offence itself.

The Code of Good Practice recommends that when deciding whether or not to impose the penalty of dismissal, the employer should consider:

1. the gravity *{seriousness}* of the misconduct;
2. the employee's circumstances, including length of service, previous disciplinary record and personal circumstances;
3. the nature of the job;
4. the circumstances of the infringement itself.

It is imperative *{very important}* that the employer applies the penalty of dismissal consistently with the way in which it has been applied to the same and other employees in the past and consistently between two or more employees who participate in the misconduct under consideration.

### 3.8 APPEALS.

The procedure does not contain an appeal procedure. It recommends that provided there has been a fair enquiry, which accords the accused employee all the elements of a fair hearing; there is no need for an appeal hearing. This view is based on a reading of Schedule 8 of the Labour Relations Act, being the Code of Good Practice.

#### 3.8.1 Direct Referral to Arbitration and Appeals.

The decision not to include an appeal procedure is also premised *[based]* on the view that the parties may prefer to include in their disciplinary procedure provision that if the outcome of the disciplinary enquiry is challenged, the dispute is referred to private arbitration for a final and binding award.

However, if the parties decide that they want to include an appeal hearing into their disciplinary procedure, the following is a suggested appeal procedure. The appeal procedure would follow as paragraph 3.8.

### 3.9 PROCEDURE FOR AN APPEAL.

#### 3.9.1 An employee who is dismissed shall be entitled to appeal against such dismissal to the appropriate manager *{usually Head of Human Resources}*.

- 3.9.2 Appeals must be noted in writing within five (5) days of the decision; stating the grounds of appeal;
- 3.9.3 The [appropriate managerial structure] shall determine if it is necessary to hear further evidence, or to allow further submissions to be made, and may confirm, vary or uphold any appeal.;
- 3.9.4 The appropriate manager may delegate its powers in 3.9.3 to a sub-committee or representative;
- 3.9.5 In the event that the dismissal is confirmed, the date of dismissal shall be that date on which the employee is advised of the outcome of the appeal hearing. An employee who is dismissed must be informed that they have the right to refer a dispute in terms of the Labour Relations Act of 1995 within 30 days of the date on which the employee was dismissed.

Paragraph 3.9.5 is drafted in these terms as the procedure for an appeal hearing must take into account the 30 days within which a dismissal dispute must be referred to the CCMA for conciliation. In terms of section 190 of the Labour Relations Act, the "date of dismissal" is the earlier of:

1. the date on which the contract of employment terminated; or
2. the date on which the employee left the service of the employer.

This appeal procedure states that the dismissal only becomes effective on the date that the employee is advised of the outcome of the appeal hearing. This will allow the exhaustion of internal procedures, including the appeal hearing, before a dispute is declared and referred for resolution.

### 3.10 REFERRAL OF A DISPUTE.

An employee who is dismissed may refer a dispute to the CCMA or a bargaining council with jurisdiction within 30 days of the date of the employee's dismissal. An employer should advise the employee of this right upon dismissing the employee (see paragraph 3.8). It is the practice of the CCMA not to accept any referrals from parties until all internal procedures have been exhausted.

### 3.11 INCAPACITY PROCEDURE FOR POOR PERFORMANCE

#### 3.11.1. Objectives.

1. This procedure applies to all employees, other than probationary employees who are alleged not to be performing to standard. It distinguishes between employees who can reasonably be expected to bring their performance up to standard (cases of poor performance) and employees who are not able to do so, due to ill health or injury. The procedure only applies to employees who can reasonably be expected to bring their performance up to standard.

The procedure does not apply if it is alleged that the employee has breached a rule of the employer regulating conduct, in which case the disciplinary procedure will apply;

2. The objectives of this procedure are to:
  - 2.1 assist employees to overcome poor performance and to perform to the standard expected of them;
  - 2.2 promote efficient and effective performance by employees;
  - 2.3 enable the employer to function efficiently and effectively; and
  - 2.4 assist the employer to apply corrective action where appropriate.
3. It is the responsibility of the employer to decide when it is necessary to apply this procedure.

### 3.11.2 Procedure for Employees in Respect of Poor Performance.

1. If the employer is of the view that an employee, other than an employee on probation, is not performing in accordance with the job that the employee has been employed to do, the employer must:
  - 1.1 give written reasons why it is necessary to initiate this procedure;
  - 1.2 after serving the written reasons referred to in clause 1.1, meet with the employee, and if the employee so chooses with the employee's trade union representative and/or a fellow employee.
2. In the meeting the employer must:
  - 2.1 explain the requirements, grade, skills and nature of the job;
  - 2.2 evaluate the employee's performance in relation to the requirements of the job;
  - 2.3 indicate reasons for perceived poor performance;
  - 2.4 hear the employee or the employee's representative on:
    - 2.4.1 whether the employee has performed in accordance with the requirements of the job; and
    - 2.4.2 if the employee agrees she or he has not performed in accordance with the requirements of the job, give reasons.
3. After hearing the employee's standpoint, the employer must, if necessary:
  - 3.1 develop and initiate a formal programme of counselling and instruction to enable the employee to reach the required standard of performance, which must include:
    - 3.1.1 assessing with the employee the time that it would take for an employee to overcome the poor work performance;
    - 3.1.2 on the basis of the assessment, establishing realistic time frames within which the employer will expect the employee to have met the required performance standards; and
    - 3.1.3 if necessary, identify and provide appropriate training for the employee to reach the required standard of performance, and
    - 3.1.4 establish ways to address any factors that affect the employee's performance that lie beyond the control of the employee.
4. If the poor performance of the employee is not remedied within the time frames established by the programme, the employer must:
  - 4.1 give the employee a written report on the outcome of the procedure; and
  - 4.2 consult again with the employee to explain the outcome of the procedure, and on measures to address any problems indicated in the report.
5. The employer should keep a record of all counselling sessions.
6. After consulting with the employee, the employer must consider whether:
  - 6.1 to continue to give the employee the appropriate guidance, instruction and counselling and establish a further, appropriate period for the employee to meet the required standard of performance,

- 6.2 to mentor the employee, or
- 6.3 to convene a poor performance hearing to consider what action should be taken, which action may include placing the employee in a more appropriate job or dismissing the employee.

3.11.3 Poor Performance Hearing.

1. A hearing for poor performance must be held if the **[appropriate manager]** is of the opinion that action stronger than a final written notice may be warranted;
2. The **[appropriate manager]** must give the employee not less than three (3) working day's notice of the time and date of the hearing, and details of the performance standard the employee is alleged not to have met;
3. The following persons may be present at such a hearing:
  - 3.1 a chairperson, **[being the (Director/General Manager) or her/his nominee];**
  - 3.2 a representative of the employer or his/her nominee, who will present the evidence against the employee who has not met the required performance standard;
  - 3.3 the employee who is alleged not to have met the required performance standard;
  - 3.4 the employee's representative (a fellow employee or a shop steward);
  - 3.5 any witnesses the employer or the employee wishes to call; and
  - 3.6 an interpreter, if the employee requires one.
4. At the hearing the chairperson must ensure that:
  - 4.1 the employer is allowed to explain the procedure followed in counselling the employee who has failed to meet the required performance standard including explaining:
    - 4.1.1 in what respects the employee's performance was unsatisfactory;
    - 4.1.2 the steps taken to assist the employee to remedy the situation;
    - 4.1.3 the time period granted to the employee to remedy the defects with the employee's performance; and
  - 4.2 the employee who is alleged to have failed to meet the required performance standard and the employee's representative are given a full opportunity to present the employee's case.
5. At the conclusion of the hearing the chairperson must decide whether the employee is able to meet the required performance standard or not. If the chairperson finds that the employee is not able to meet the required performance standard, the chairperson may ask both the employee and the employee's representative and the employer to make submissions on the appropriate outcome of the hearing. The Chairperson must decide on the appropriate action and inform the employee accordingly.
6. If an employee is determined to have failed to meet a performance standard that the employee could reasonably be expected to have met, the chairperson must consider whether there is any action that could remedy the situation other than dismissal. If there is not, the employee may be dismissed with notice, in terms of the notice periods prescribed in the employee's conditions of employment.
7. The failure of the employee charged or the employee's representative to attend the hearing shall not invalidate the proceedings, except if good cause can be shown for not attending.

#### 3.11.4 Dismissal.

An employee who is dismissed must be informed that he/she has the right to refer a dispute against the employer in terms of the Labour Relations Act of 1995 as amended, within 30 days of the date on which the employee was dismissed.

#### 3.11.5 Explanatory Notes to the Incapacity Procedure for Poor Performance.

The purpose of these explanatory notes is to supplement the procedure below and offer suggestions on how to apply the incapacity procedure. These notes also highlight innovations introduced in the procedure.

##### Application of the Procedure

This procedure is intended to apply to all employees who are not meeting a required performance standard. It does not apply to:

1. probationary employees who should be treated in accordance with the procedure for probationary employees;
2. employees who are not performing due to ill health or injury; or
3. employees who are alleged to have breached a rule of the employer regulating conduct, in which case the disciplinary procedure will apply.

It only applies to employees who can reasonably be expected to bring their performance up to the required performance standard.

#### 3.12 CODE OF GOOD PRACTICE: POOR PERFORMANCE.

This procedure has been drafted in accordance with the principles set out in the Code of Good Practice, which is contained in Schedule 8 of the Labour Relations Act, no. 66 of 1995. It is recommended that this procedure be read in conjunction with the Code of Good Practice.

An employer is entitled to expect employees to meet acceptable levels of performance. These standards or levels of performance must be relevant to the workplace and reasonable. The performance standards must be made known by the employer to the employee.

At the same time employees are entitled to expect that they will be dealt with fairly and if the employee is not meeting the required performance standard, this will be drawn to the employee's attention.

The employer must, depending upon the nature of the employee's job, give the employee feedback, evaluation, training or guidance on how to meet the expected level of performance. The employee should also be given a reasonable period within which to meet the expected performance standard. If, despite counselling and training, the employee is still not able to meet the required performance standard, within a reasonable time period set, the employer may dismiss the employee for poor performance.

A dismissal for poor performance is only justified if the employee was counselled, offered assistance, given a reasonable time within which to improve the performance and despite being made aware of the possible consequences of a failure to improve his/her performance did not so.

#### 3.12.1 Structure of the Incapacity Procedure.

The procedure is intended to provide a framework for parties to use in drafting their own incapacity procedure. The procedure is drafted on the assumption that management will use the procedure as a guide to assist employees who are not meeting a required performance standard, to meet that standard. This means that the employer should endeavour to first inform an employee that his/her performance is not meeting the required performance standard. Thereafter, the procedure sets out

further steps that an employer should take in assisting an employee to try to meet the required performance standard.

### 3.12.2 How to use the procedure.

The procedure sets out the minimum requirements, which any incapacity procedure should contain. Parties may wish to supplement their own procedure with this procedure or use this procedure to provide a basic structure for developing their own procedure. However, it is a procedure, which if applied as it currently stands, should ensure that employees who are not performing to the expected standard are fairly and effectively managed.

Throughout the procedure square brackets "[ ]" are used to indicate where the parties must insert the appropriate designation of the manager who will be required to manage the type of action described in the procedure. The designation of the appropriate manager will depend on the size and structure of the employer.

### 3.12.3 Service of Notices referred to the procedure.

The written notices to attend a poor performance hearing must be properly served on the employee concerned. It is recommended that the employee who is served with the notice should be asked to sign acceptance of receipt of the notice. However, if the employee refuses to sign when served with the notice, the employer should record this fact on the notice and state the time, date and place where the notice was served on the employee concerned.

### 3.12.4 Incapacity Hearing.

The procedure recommends a formal poor performance hearing, prior to any decision being taken to dismiss an employee for repeated poor performance. However, parties may wish to adapt their procedure to a less formal type of hearing where the chairperson and the representative of the employer are the same person. In all cases the person who chairs the hearing must be a person who is able to make an impartial unbiased decision based on the facts presented.

### 3.12.5 Appeals.

The procedure does not contain an appeal procedure. It recommends that provided there has been a fair inquiry, which accords the employee who has not been meeting the required performance standard all the elements of a fair hearing, there is no need for an appeal hearing. This view is based on a reading of Schedule 8 of the Labour Relations Act, being the Code of Good Practice.

### 3.12.6 Dismissals.

In the event that the employee does meet the required performance standard, despite the employer following this procedure, the employee may be dismissed. The employee should be informed that if the employee intends to challenge the dismissal the dispute must be referred to the CCMA or to a bargaining council with jurisdiction, within 30 days of the date of dismissal.

## 3.13 CODE OF GOOD PRACTICE FOR DISMISSAL SCHEDULE 8 – LABOUR RELATIONS ACT.

### 3.13.1 Introduction.

1. This code of good practice deals with some of the key aspects of dismissals for reasons related to conduct and capacity. It is intentionally general. Each case is unique, and departures from the norms established by this Code may be justified in proper circumstances. For example, the number of employees employed in an establishment may warrant a different (*comment: less formal or less onerous*) approach.
2. The Act emphasises the primacy of collective agreements. This Code is not intended as a substitute for disciplinary codes and procedures where these are the subject of collective agreements, or the outcome of joint decision-making by an employer and a workplace forum.

3. The key principle in this Code is that employers and employees should treat one another with mutual respect. A premium is placed on both employment justice and the efficient operation of business. While employees should be protected from arbitrary action, employers are entitled to satisfactory conduct and work performance from their employees.

### 3.13.2 Fair Reasons for Dismissal.

- 1 A dismissal is unfair if it is not effected *{made}* for a fair reason and in accordance with a fair procedure, even if it complies with any notice period in a contract of employment or in legislation governing employment.

*(Comment: this means that even if the employment contract contains wording like 'this contract may be terminated by either party for any reason recognized in law as being sufficient', the employee may still not be dismissed until proper and fair procedure has been followed.) Whether or not a dismissal is for a fair reason is determined by the facts of the case, and the appropriateness of dismissal as a penalty. Whether or not the procedure is fair is determined by referring to the guidelines set out below.*

2. The Act recognises three grounds on which a termination of employment might be legitimate. These are:
  - 2.1 the conduct of the employee,
  - 2.2 the capacity of the employee, and
  - 2.3 the operational requirements of the employer's business.

The Act provides that a dismissal is automatically unfair if the reason for the dismissal is one that amounts to an infringement of the fundamental rights of employees and trade unions, or if the reason is one of those listed in section 187 (of the Labour Relations Act.). The reasons include participation in a lawful strike, intended or actual pregnancy and acts of discrimination.

3. In cases where the dismissal is not automatically unfair, the employer must show that the reason for dismissal is a reason related to the employee's conduct or capacity, or is based on the operational requirements of the business. If the employer fails to do that, or fails to prove that the dismissal was effected in accordance with a fair procedure, the dismissal is unfair.

### 3.13.3 Misconduct Disciplinary Procedures Prior to Dismissal:

1. All employers should adopt disciplinary rules that establish the standard of conduct required of their employees. The form and content of disciplinary rules will obviously vary according to the size and nature of the employer's business. In general, a larger business will require a more formal approach to discipline. An employer's rules must create certainty and consistency in the application of discipline. This requires that the standards of conduct are clear and made available to employees in a manner that is easily understood. Some rules or standards maybe so well established and known that it is not necessary to communicate them.
2. The courts have endorsed the concept of corrective or progressive discipline. This approach regards the purpose of discipline as a means for employees to know and understand what standards (of behaviour) are required of them. Efforts should be made to correct employees' behaviour through a system of graduated disciplinary measures such as counselling and warnings.
3. Formal procedures do not have to be invoked every time a rule is broken or a standard is not met. Informal advice and correction is the best and most effective way for an employer to deal with minor violations of work discipline. Repeated misconduct will warrant warnings, which themselves may be graded according to degrees of severity. More serious infringements or repeated misconduct may call for a final warning, or other action short of

dismissal. Dismissal should be reserved for cases of serious misconduct or repeated offences. Dismissals for misconduct

4. Generally, it is not appropriate to dismiss an employee for a first offence, except if the misconduct is serious and of such gravity that it makes a continued employment relationship intolerable. Examples of serious misconduct, subject to the rule that each case should be judged on its merits, are gross dishonesty or wilful damage to the property of the employer, wilfully endangering of the safety of others, physical assault on the employer, a fellow employee, client or customer and gross insubordination. Whatever the merits of the case for dismissal might be, a dismissal will not be fair if it does not meet the requirements of section 188.

*Comment: Section 188 states: a dismissal that is not automatically unfair (in terms of section 187) is unfair if the employer fails to prove that the reason for the dismissal is a fair reason based on the misconduct or incapacity of the employee, or is based on the employer's operational requirements, and that the dismissal was effected in accordance with a fair procedure period. Any person considering whether or not the reason for dismissal is a fair reason or whether or not the dismissal was effected in accordance with a fair procedure, must take into account any relevant Code of Good Practice issued in terms of this act.*

5. When deciding whether or not to impose the penalty of dismissal, the employer should in addition to the gravity of the misconduct consider factors such as the employee's circumstances (including length of service, previous disciplinary record and personal circumstances), the nature of the job and the circumstances of the infringement itself
6. The employer should apply the penalty of dismissal consistently with the way in which it has been applied to the same and other employees in the past, and consistently as between two or more employees who participate in the misconduct under consideration.

#### **3.13.4 Fair Procedure.**

1. Normally, the employer should conduct an investigation to determine whether there are grounds for dismissal. This does not need to be a formal enquiry. The employer should notify the employee of the allegations using a form and language that the employee can reasonably understand. The employee should be allowed the opportunity to state a case in response to the allegations. The employee should be entitled to a reasonable time (minimum 2 clear working days) to prepare the response and to the assistance of a trade union representative or fellow employee. After the enquiry, the employer should communicate the decision taken, and preferably furnish the employee with written notification of that decision.
2. Discipline against a trade union representative or an employee who is an office-bearer or official of a trade union should not be instituted without first informing and consulting the trade union
3. If the employee is dismissed, the employee should be given the reason for dismissal and reminded of any rights to refer the matter to a council with jurisdiction or to the Commission or to any dispute resolution procedures established in terms of a collective agreement;
4. In exceptional circumstances, if the employer cannot reasonably be expected to comply with these guidelines, the employer may dispense with pre-dismissal procedures.

#### **3.13.5 Disciplinary records.**

Employers should keep records for each employee specifying the nature of any disciplinary transgressions, the actions taken by the employer and the reasons for the actions.

#### **3.13.6 Dismissals and industrial action.**

1. Participation in a strike that does not comply with the provisions of Chapter IV is misconduct. However, like any other act of misconduct, it does not always deserve dismissal. The substantive fairness of dismissal in these circumstances must be determined in the light of the facts of the case, including:

- 1.1 the seriousness of the contravention of this Act;
- 1.2 attempts made to comply with this Act;
- 1.3 whether or not the strike was in response to unjustified conduct by the employer.

2. Prior to dismissal the employer should, at the earliest opportunity, contact a trade union official to discuss the course of action it intends to adopt. The employer should issue an ultimatum in clear and unambiguous terms that should state what is required of the employees and what sanction will be imposed if they do not comply with the ultimatum. The employees should be allowed sufficient time to reflect on the ultimatum and respond to it, either by complying with it or rejecting it. If the employer cannot reasonably be expected to extend these steps to the employees in question, the employer may dispense with them.

### 3.13.7 Guidelines in Cases of Dismissal for Misconduct.

Any person who is determining whether a dismissal for misconduct is unfair should consider:

1. whether or not the employee contravened a rule or standard regulating conduct in, or of relevance to, the workplace; and;
2. if a rule or standard was contravened, whether or not:
  - 2.1 the rule was a valid or reasonable rule or standard;
  - 2.2 the employee was aware, or could reasonably be expected to have been aware, of the rule or standard.
3. the rule or standard has been consistently applied by the employer; and
4. dismissal was an appropriate sanction for the contravention of the rule or standard.

### 3.13.8 Incapacity: Poor Work Performance.

1. A newly hired employee may be placed on probation for a period that is reasonable given the circumstances of the job. **[the employer decides on the duration of the probation period.]** The period should be determined by the nature of the job, and the time it takes to determine the employee's suitability for continued employment. When appropriate, an employer should give an employee whatever evaluation, instruction, training, guidance or counselling the employee requires (but obviously within reason) to render satisfactory service. Dismissal during the probationary period should be preceded by an opportunity for the employee to state a case in response and to be assisted by a trade union representative or fellow employee.
2. After probation, an employee should not be dismissed for unsatisfactory performance unless the employer has:
  - 2.1 given the employee appropriate evaluation, instruction, training, guidance or counselling; and
  - 2.2 after a reasonable period of time for improvement, the employee continues to perform unsatisfactorily;
  - 2.3 the procedure leading to dismissal should include an investigation to establish the reasons for the unsatisfactory performance and the employer should consider other ways, short of dismissal, to remedy the matter;
  - 2.4 In the process, the employee should have the right to be heard and to be assisted by a trade union representative or a fellow employee.

### **3.13.9 Guidelines in Cases of Dismissal for Poor Work Performance.**

1. Any person determining whether a dismissal for poor work performance is unfair should consider:
  - 1.1 whether or not the employee failed to meet a performance standard;
  - 1.2 if the employee did not meet a required performance standard whether or not:
    - (i) the employee was aware, or could reasonably be expected to have been aware, of the required performance standard;
    - (ii) the employee was given a fair opportunity to meet the required performance standard;
    - (iii) dismissal was an appropriate sanction for not meeting the required performance standard. – incapacity, ill health or injury.

Incability on the grounds of ill health or injury may be temporary or permanent. If an employee is temporarily unable to work in these circumstances, the employer should investigate the extent of the incapacity or the injury. If the employee is likely to be absent for a time that is unreasonably long in the circumstances, the employer should investigate all the possible alternatives short of dismissal. When alternatives are considered, relevant factors might include the nature of the job, the period of absence, the seriousness of the illness or injury and the possibility of securing a temporary replacement for the ill or injured employee.

In cases of permanent incapacity, the employer should ascertain the possibility of securing alternative employment, or adapting the duties or work circumstances of the employee to accommodate the employee's disability.

2. in the process of the investigation referred to in subsection (1) the employee should be allowed the opportunity to state a case in response and to be assisted by a trade union representative or fellow employee;
3. the degree of incapacity is relevant to the fairness of any dismissal. The cause of the incapacity may also be relevant. In the case of certain kinds of incapacity, for example alcoholism or drug abuse, counselling and rehabilitation may be appropriate steps for an employer to consider;
4. particular consideration should be given to employees who are injured at work or who are incapacitated by work-related illness. The courts have indicated that the duty on the employer to accommodate the incapacity of the employee is more onerous in these circumstances.
5. Guidelines in cases of dismissal arising from ill health or injury.

Any person determining whether a dismissal arising from ill health or injury is unfair should consider

- 5.1 whether or not the employee is capable of performing the work;
- 5.2 if the employee is not capable:
  - (i) the extent to which the employee is able to perform the work;
  - (ii) the extent to which the employee's work circumstances might be adapted to accommodate disability;
- 5.3 or, where this is not possible, the extent to which the employee's duties might be adapted; and the availability of any suitable alternative work.

### **3.14 CODE OF GOOD PRACTICE FOR DISMISSAL BASED ON OPERATIONAL REQUIREMENTS.**

3.14.1 The Act (Labour Relations Act, no. 66 of 1995) defines a dismissal based on the *operational requirements* of an employer as one that is based on the economic, technological, structural or similar needs of the employer. It is difficult to define all the circumstances that might legitimately form the basis of a dismissal for this reason. As a general rule, economic reasons are those that relate to the financial management of the enterprise. Technological reasons refer to the introduction of new technology which affects work relationships either by making existing jobs redundant or by requiring employees to adapt to the new technology or a consequential restructuring of the workplace. Structural reasons relate to the redundancy of posts consequent to a restructuring of the employer's enterprise.

3.14.2 *Dismissals for operational requirements* have been categorised as "no fault" *dismissals*. In other words, it is not the *employee* who is responsible for the termination of employment. Because retrenchment is a "no fault" dismissal and because of its human cost, the Act places particular obligations on an employer, most of which are directed toward ensuring that all possible alternatives to *dismissal* are explored and that the employees to be dismissed are treated fairly.

3.14.3 The obligations placed on an employer are both procedural and substantive. The purpose of consultation is to permit the parties, in the form of a joint problem-solving exercise, to strive for consensus if that is possible. The matters on which consultation is necessary are listed in section 189 (2). This section requires the parties attempt to reach consensus on, amongst other things, appropriate measures to avoid *dismissals*. In order for this to be effective, the consultation process must commence as soon as a reduction of the workforce, through retrenchments or redundancies, is contemplated by the employer so that possible alternatives can be explored. The employer should, in all good faith, keep an open mind throughout and seriously consider proposals put forward.

3.14.4 The Act also provides for the disclosure of information by the employer on matters relevant to the consultation. Although the matters over which information for the purposes of consultation is required are specified in s 189(3), the list in that section is not a closed one. If considerations other than those that are listed are relevant to the proposed *dismissal* or the development of alternative proposals, they should be disclosed to the consulting party. In the event of a disagreement about what information is to be disclosed any party may refer the dispute to the CCMA in terms of section 16(6) of the Act.

3.14.5 The period over which consultation should extend is not defined in the Act. The circumstances surrounding the consultation process are relevant to a determination of a reasonable period. Proper consultation will include:

1. the opportunity to meet and report back to *employees*;
2. the opportunity to meet with the employer;
3. the request, receipt and consideration of information.

3.14.6 the more urgent the need by the business to respond to the factors giving rise to any contemplated termination of employment, the more shortened the consultation process might be. Urgency may not, however, be induced by the failure to commence the consultation process as soon as a reduction of the workforce was likely. On the other hand, the parties who are entitled to be consulted must meet, as soon, and as frequently as, may be reasonably practicable during the consultation process.

3.14.7 If one or more employees are to be selected for *dismissal* from a number of employees, this Act requires that the criteria for their selection must be either agreed with the consulting party or if no criteria have been agreed be fair and objective criteria.

3.14.8 Criteria that infringe a fundamental right protected by the Act when they are applied, can never be fair. These include selection on the basis of union membership or activity, pregnancy, or some other unfair discriminatory ground. Criteria that are on the face of it neutral should be carefully examined to ensure that when they are applied, they do not have a discriminatory effect. For example, to select only part-time workers for retrenchment might discriminate against women, since women are predominantly employed in part-time work

3.14.9 Selection criteria that are generally accepted to be fair include length of service, skills and qualifications. Generally the test for fair and objective criteria will be satisfied by the use of the "last in first out" (LIFO) principle. There may be instances where the LIFO principle or other criteria needs to be adapted. The LIFO principle for example should not operate so as to undermine an agreed affirmative action programme. Exceptions may also include the retention of employees based on criteria mentioned above which are fundamental to the successful operation of the business. These exceptions should however be treated with caution.

3.14.10 *Employees* dismissed for reasons based on the employer's *operational requirements* are entitled to severance pay of at least one week's remuneration for each completed year of continuous service with the employer unless the employer is exempted from the provisions of section 196. This minimum requirement does not relieve an employer from attempting to reach consensus on severance pay during the period of consultation. The right of the trade union, through collective bargaining, to seek an improvement on the statutory minimum severance pay is not limited or reduced in any way.

3.14.11 If an *employee* either accepted or unreasonably refused to accept an offer of alternative employment, the employee's statutory right to severance pay is forfeited. Reasonableness is determined by a consideration of the reasonableness of the offer of alternative employment and the reasonableness of the *employee's* refusal. In the first case, objective factors such as remuneration, status and job security are relevant. In the second case, the *employee's* personal circumstances play a greater role.

3.14.12 *Employees* dismissed for reasons based on the employers' operational requirements should be given preference if the employer again hires employees with comparable qualifications, subject to:

- 1.1. the employee, after having been asked by the employer, and having expressed within a reasonable time from the date of dismissal a desire to be re-hired;
- 1.2. a time limit on preferential rehiring. The time limit must be reasonable and must be subject of consultation;
2. If the above conditions are met, the employer must take reasonable steps to inform the employee, including notification to the representative trade union, of the offer of re-employment.

# THE PROCESS CONTROLLER's GUIDE TO

## MANAGEMENT, SUPERVISION AND RELATED MATTERS.

### PART 4

#### **HOLDING MEETINGS.**

##### 4.1. INTRODUCTION.

A useful development that has arisen as a result of the COVID19 pandemic is the so-called Virtual Meeting. This is where people who are not in the same place, meet and are connected electronically with both video (sight) and audio (sound) via a computer (with a camera and speakers) using a program such as "ZOOM" or "MICROSOFT TEAMS".

Meetings are unpopular because they take up time - usually that of many people. However, there are good meetings and there are bad meetings. Meetings can be an excellent use of time when they are well-run. Unfortunately, the converse is also true, and it seems that time-wasting, poorly run meetings are far too common.

There are a number of Golden Rules to follow to ensure a successful, non-time wasting meeting. These are covered below

##### 4.2 THE GOLDEN RULES.

###### 4.2.1 Is the Meeting Necessary?

First, decide if planning a meeting is really necessary. If the information can be delivered by email or dealing only with the necessary persons then the meeting can be avoided. Staff meetings are necessary for maintaining good communication in the organisation, but it is important to find the right balance between good communication and productive uses of time.

###### 4.2.2 Invite Only Those Who Need to be at the Meeting.

Non-essential persons can be advised later of the outcome of the meeting, either verbally or being sent a copy of the minutes etc.

###### 4.2.3 Have an Agenda.

To plan effective meetings, the meeting organizer (Chairperson) should first decide what will be discussed. What is the objective of the meeting? What is one seeking to accomplish? Develop a meeting agenda ahead of time and distribute it to attendees. Indicate the start time and include a short list of topics to be addressed. Don't bog down your own meeting with a lengthy, overly detailed agenda. Indicate by name any individuals who will be responsible for reporting on a specific area.

It is important to distribute the meeting agenda a few days before the meeting (earlier if there is a lot of advance reading or preparation to do) and make sure everyone has access to any relevant background materials.

Participants, of course, must read the agenda and background materials and arrive at the meeting prepared. If the meeting organizer has not provided adequate information about the objectives of the meeting, the participants should take the initiative to ask. No one should arrive at a meeting not knowing why they are there - and what is supposed to be accomplished.

At this stage, the meeting organizer should decide whether the meeting is really necessary.

#### 4.2.4 Holding the Meeting.

Start the meeting on time and end it on time (or even early). Starting on time requires discipline by the organizer and the participants. Arriving late shows a lack of consideration for all those who were on time. But if all participants know that the organizer is going to start the meeting right on time, there is a much greater likelihood that everyone else will make the effort to be punctual.

Finishing in a timely manner is also crucial. If everyone agreed that the meeting would last an hour, the meeting should not run any longer than that. Keeping the agenda realistic is important, of course. Finally, if only 20 minutes are required to accomplish the meeting objectives, the meeting should end after only 20 minutes. It would be a waste of everyone's time to let it go on any longer than that.

The time at which the meeting is scheduled is also important. Scheduling regular meetings for inconvenient times (e.g. after the end of the official work day) can have a very negative impact on morale. Emergencies are a reality for most organizations and may necessitate meetings at odd times, but routine meetings should be scheduled at a time that is reasonably convenient for the participants.

#### 4.2.5 Stay on the Topic.

It is very easy to get distracted and to wander off the subject under discussion. It is the responsibility of the Chairperson to control the meeting and to ensure that the meeting stays on the topic. The problem can be that it is the Chairperson who wonders off the topic, it would then be up to one of the participants to bring this to the Chairperson's attention.

#### 4.2.6 Use of Technology.

Where possible use a data projector to show tables, graphs etc. See part 7 for more on this subject. Be sure to test laptop, data projector, level of lighting in the room etc. BEFORE the meeting.

#### 4.2.7 Running the Meeting.

It is important that the meeting be run in an organised way. No "Second" meetings at the same time when a few people have having their own discussion during meeting. It might be necessary to have small break-away small meetings to discuss certain matters. These must have a time limit, and the leader of the small break-away group must then report on the outcome of that meeting to the general meeting.

#### 4.2.8 Minutes and Action Column.

It is very important that there is a record kept of the meeting (usually called the Minutes of the Meeting).

If any decisions were made at the meeting (even if the decision was to "study the issue more") the meeting organizer should clearly summarize what needs to be done and who is going to do it – if necessary with a feedback date. If the organizer fails to do this, one of the participants should take the initiative to speak up and request clarification of the next steps. This is crucial. If the participants leave the meeting and no one is accountable for taking action on the decisions that were made, then the meeting will have been a waste of everyone's time.

#### 4.2.9 Summing Up.

These simple rules can go a long way in making meetings more productive. Implementing them is not always easy, as they require preparation and discipline, but doing so can make a huge difference to the productivity of the organization.

### 4.3 TOOLBOX TALKS.

These are usually short information sessions and often on Health and Safety Matters and are covered in Part 5.

# THE PROCESS CONTROLLER's GUIDE TO

## MANAGEMENT, SUPERVISION AND RELATED MATTERS.

### PART 5

#### HEALTH AND SAFETY MATTERS.

##### 5.1 INTRODUCTION.

The Occupational Health and Safety Act (Act 85 of 1993) as amended; and the Regulations applicable to this Act, prescribe duties and responsibilities of certain persons. The Regulations cover a wide range of matters.

Quoting from the preamble to the Act – it is:

*To provide for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery; the protection of persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work; to establish an advisory council for occupational health and safety; and to provide for matters connected therewith.*

Neither the Act itself nor the Regulations are mentioned in detail in this guide (**to limit the size of this guide**) as they are fully covered elsewhere. Certain matters are briefly discussed as an aid to Process Controllers.

##### 5.2 HEALTH AND SAFETY COMMITTEE.

The Occupational Health and Safety Act together with the Regulations prescribe the requirement to hold Health and Safety Committee Meetings, appointment of Safety Representatives and other matters. It is always recommended to have more Safety Representatives than legally required. Lower ranked employees such as General Workers etc. should be included as Safety Representatives. They are often closest to those activities that pose the greatest danger to health and safety and would, therefore, be able to identify potential problems.

The employer is required to ensure that a suitable venue is made available for such meetings and that records of such meetings are kept for a period of at least 3 years.

The matters covered in Part 4 regarding the holding of meetings, are just as applicable here.

##### 5.3 HEALTH AND SAFETY REPRESENTATIVES.

Health and Safety Representatives play a very important role in Health and Safety matters.

The Occupational Health and Safety Act stipulates that; when a number of employees exceed 20 in a workplace, an employer shall appoint a health and safety representative for such workplace. This must be done within four months of commencement of business or of such development. The representative is elected amongst full-time employees to represent them to employers and other superiors regarding health and safety issues.

### 5.3.1 Health and Safety Representatives' Duties.

1. review the effectiveness of health and safety measures in the workplace;
2. identify potential hazards, potential major incidents or risks in the workplace;
3. in cases of incidents, co-operate with employers to try and establish the causes of the incident;
4. implement control measures to prevent re-occurrence of the same incident;
5. investigate and address any queries and complaints by employees with regards to health and safety;
6. represent employees to the employer, health and safety committee or inspector on health and safety matters;
7. inspect all aspects of the workplace. These include plants, machinery, work floors, articles, substances, health and safety equipment e.g. Personal Protective Equipment. These inspections should be done at intervals agreed upon with the employer;
8. Health and Safety Representatives should give the employer reasonable notice for his intention to conduct an inspection to the employer, who may be present at the time of inspection;
9. participate in consultation with inspectors at the workplace and accompany them around during inspections;
10. visit incident sites and attend investigations or formal inquiries held;
11. inspect all documents which the employer is supposed to keep;
12. participate in internal health and safety audits

### 5.4 SAFETY POSTERS.

Safety posters are useful in displaying by means of pictures, matters to look out for, etc. They should NOT stay in the same position for more than two weeks as they become "invisible" in that a person walking past the poster just sees them as part of the background. This does NOT refer to Statutory Notices required by the various Acts.

### 5.5 TOOLBOX TALKS.

It is very useful to have on a once per week basis, a short (less than 10 minute) talk on some aspect of Health and Safety. It is often useful to make a particular poster the subject matter to be discussed.

### 5.6 INCIDENTS.

Due to its importance, the relevant portion of the Act relating to Incidents is quoted in full below.

24. (1) *Each incident occurring at work or arising out of or in connection with the, activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which:*

- (a) any person dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he is likely either to die or to suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or to continue with the activity for which he was employed or is usually employed;
- (b) a major incident occurred; or
- (c) the health or safety of any person was endangered and where:
  - (i) a dangerous substance was spilled;
  - (ii) the uncontrolled release of any substance under pressure took place;
  - (iii) machinery or any part thereof fractured or failed resulting in flying, falling or uncontrolled moving objects; or
  - (iv) machinery ran out of control;

shall within the prescribed period and in the prescribed manner, be reported to an inspector by the employer or the user of the plant or machinery concerned, as the case may be;,

(2) In the event of an incident in which a person died, or was injured to such an extent that he is likely to die, or suffered the loss of a limb or part of a limb, no person shall without the consent of an inspector disturb the site at which the incident occurred or remove any article or substance involved in the incident therefrom: Provided that such action may be taken as is necessary to prevent a further incident, to remove the injured or dead, or to rescue persons from danger.

#### 5.6.1 Reporting of section 24 Incidents.

The above mentioned incidents; Section 24(a); (b) and (c) occurrences; must be reported **immediately** to the Provincial Director of the Department of Labour. It should be done by telephone, fax, or similar means of communication. The contact details for the various Provincial Offices of the Department of Labour are given in Part 9.

They should also be reported to the Provincial Director within 7 days using the W.C.I.2 (Occupational Injury) forms. These forms may be found in part 10.

The employer or user should keep record of all section 24 incidents and any other incident where medical treatment or first aid is involved. This must be done using the prescribed "Annexure 1" form. This form may be found in Part 10.

It is important to note that the records need to be kept for a period of at least three years. The importance of accurately and timeously recording all incidents cannot be over-emphasised.

#### 5.7 OCCUPATIONAL INJURIES.

##### 5.7.1 What is an Occupational Injury (ACCIDENT)?

It is an occurrence of which a date, time and place can be determined that arises out of and in the course of an employee's employment and resulting in personal injury.

#### 5.7.2 Which Occupational Injuries (ACCIDENTS) must be reported?

All occupational injuries or alleged occupational injuries that entail medical expenses and / or absence from work for more than **three** days must be reported within **seven** days in the prescribed manner – given below.

NOTE ALSO - the reporting requirement in terms of section 24 incidents covered earlier.

The delay to report an accident or alleged accident is a criminal offence. The Commissioner may also impose a penalty on the employer which could be the full amount of the claim.

#### 5.7.3 Procedure when reporting an Occupational Injury (ACCIDENT).

*Although not all the procedures given below would be the responsibility of a Process Controller, Supervisor or Manager; they are given so one can understand the full procedure and understand the need to perform all the necessary steps following an Occupational Injury (Accident).*

In the last section of Part 5, a summary is given of the requirements for the various types of incident or accident.

**Step 1:** Complete "PART A" of form (W.Cl.2) "Employer's report of an Occupational Injury" sign it and provide date where indicated;

**Step 2:** Detach "PART B" where perforated and forward it without delay to the doctor or hospital concerned. In minor cases, "PART B" must accompany the employee;

**Step 3:** Complete "PART A", page 2 in full;

**Step 4:** Forward the completed form (W.Cl.2) "PART A", pages 1 and 2 without delay to:

Compensation Commissioner  
P.O. Box 955  
Pretoria  
0001

The employer is liable for the payment of compensation for the first three months from the date of the occupational injury. The compensation paid by the employer to the injured employee shall be reimbursed by the Commissioner.

#### 5.7.4 Recording of Occupational injuries (ACCIDENTS) by the Commissioner.

Upon receipt of the Employer's Report of an Occupational injury (W.Cl.2) and a First Medical Report (W.Cl.4) the claim will be considered and if liability is accepted, a postcard (W.Cl.56) will be addressed to the employer. The claim number allocated will appear on this card.

If liability cannot at that stage be accepted an acknowledgement card (W.Cl.55) will be addressed to the employer, providing the claim number allocated.

The basic information to identify a claim is as follows:

1. the registered trade name and registration number as registered with the Commissioner;
2. the full names and surname of the injured employee (not nicknames);
3. the employee's identity number/personnel number and date of birth;
4. the date the occupational injury was sustained.

5.7.5 Dispatch of further documents - Occupational Injuries (ACCIDENTS).

When the First Medical Report (W.Cl.4) was not posted together with the employer's report of an occupational injury, it must be obtained without delay and submitted to the Commissioner. In cases of prolonged absence, a Progress Medical report (W.Cl.5) must be obtained monthly from the practitioner and submitted. When the employee resumes work, a Resumption Report (W.Cl.6) must be completed and submitted to the Commissioner together with the Final Medical Report (W.Cl.5).

The Employer's Report of an Occupational Injury must not be held back while awaiting the medical report.

The medical reports must not be held back until the employee's condition has stabilized or when they have resumed work.

5.7.6 Dispatch of further documents - Fatal Occupational Injuries (ACCIDENTS).

If the accident resulted in the employee's death, the following documents must be submitted without delay:

1. Documentary proof indicating the cause of death;
2. If the employee leaves a widow/widower and/or children under the age of 18 years as dependants:
  - 2.1. A marriage certificate.
  - 2.2. Birth certificates/baptismal certificates/sworn statements regarding the age of the widow/widower;
  - 2.3. Birth certificates/baptismal certificates/sworn statements regarding the ages of all the children;
  - 2.4. A Claim for Compensation (W.Cl.3) (page 1) and (page 2);
  - 2.5. A statement by the dependant widow/widower of the deceased employee (W.Cl.32);
  - 2.6. A specified burial account and if paid; also a receipt.

*NOTE: It is not clear what the situation is in the case of an unmarried couple living together with or without children. Probably the answer is for the surviving partner to make a sworn statement at the local Police Station indicating that the deceased, and the person making the sworn statement, were living together as man and wife. Include names of dependent children borne by the mother and indicating that the deceased was the major (or only) source of income for the family group. Then ask employer to submit this together with the above documents and see what the reaction of the Compensation Commissioner is.*

5.7.7 Medical expenses.

All reasonable medical expenses incurred by or on behalf of an employee in respect of medical treatment necessitated is defrayed by the Compensation Commissioner or the carrier of the risk, provided the accident/occupational disease was reported by the employer in the prescribed manner. Under no circumstances should employers pay the accounts themselves.

5.7.8 Transport of an injured employee.

The reasonable expenses incurred for the conveyance of an employee injured in an accident necessitates his conveyance to a hospital or to his residence, will be refunded from the Compensation Fund or by the carrier of the risk.

The Commissioner or any Regional Office of the Department of Labour may be contacted for any information and assistance regarding matters within the scope of the Act.

5.7.9 Important aspects which should be considered.

The employer in whose service the employee was at the time of the accident is liable for the payment of compensation for the first three months from the date of accident and will be refunded by the Commissioner.

No payments will be made for temporary total disablement or temporary partial disablement which lasted for three days or less.

**IT IS VERY IMPORTANT TO HAVE A LIST OF DOCTORS AND NEARBY HOSPITALS THAT HANDLE WORKMEN'S COMPENSATION MATTERS – BECAUSE NOT ALL DO.**

5.8 NON-DISABLING and DISABLING INJURIES.

It is important to distinguish between a Non-Disabling Injury and a Disabling Injury. These are defined below:

5.8.1 A Non-Disabling Injury.

This is the less serious type of injury. Here the injured person may be treated on site for cuts etc. OR may go to a clinic or doctor for examination, a wound dressing etc. Although the person, may not be able to complete their shift; the important factor is that they CAN perform their normal duties on their next scheduled shift.

Some organisations allow persons to work their next scheduled shift by doing other duties or even to do nothing at all just to be able to record the injury as a Non-Disabling Injury. Generally this is not within the spirit of the legislation and should be avoided.

However, where the risk of infection is high due to nature of the person's normal work, it would be reasonable to let them perform other duties that **would be performed by a person of similar rank** for a short period while recovering from that injury. This would be especially important in the case of a person at a wastewater treatment works.

5.8.2 A Disabling Injury.

This is when the injury to the person is such that they cannot work their next scheduled shift. This is also known as a "Lost Time Injury".

5.9 INVESTIGATION OF INCIDENTS.

Earlier sections have indicated where formal reporting and investigation of incidents is required by law. It is recommended that ALL incidents, even minor ones, be investigated as a "near miss" could one day become a serious incident. The number and designation of the person(s) involved in the investigation depends of the level of seriousness of an incident.

5.10 SUMMARY OF RECORDING AND REPORTING INCIDENTS.

This section summarizes the requirements regarding the recording and reporting of incidents ranging from a "near miss" to a fatal incident.

5.10.1 A 'Near Miss'.

Depending on the seriousness of what could have happened. This will vary from just an entry in the Incident Record Book to a major investigation.

5.10.2 A Minor Cut or Bruise Where Person Affected is Treated on Site.

Record in the Incident Record Book and if necessary in the First Aid Book.

5.10.3 A Minor Cut or Bruise Where Person Affected is Treated off Site.

Record in the Incident Record Book and complete form W.CI.2. Take affected employee to Doctor/Clinic/Hospital with the completed Part B of the form.

If affected person returns to work on that day OR at the beginning of their next shift, record this as a Non-Disabling Injury.

If affected person CANNOT start work at the beginning of their next shift, then record this as a Disabling Injury. Record the number of normal work days / shifts before they return to work.

5.10.4 A More Serious Incident that falls under Section 24.

Proceed as indicated in section 5.6.1

5.10.5 Failure to Report an Accident.

This can have serious consequences for example, if a cut is not reported and attended to at the time and the cut becomes infected and the person becomes seriously ill, one cannot then report the incident and the person would be liable for their own medical expenses.

If a person injures themselves while not at work, for example over a weekend and then comes to work on their next shift and claims that the injury occurred during their previous shift; one cannot then treat this as an occupational injury. To try to do so would amount to fraud that is a criminal offence. In this regard, see paragraph e in section 5.12 below.

5.11 RELATIVE FREQUENCY OF SERIOUSNESS OF ACCIDENTS.

Fortunately, the most serious incidents occur less often. Several persons have shown the relative frequency of the various degree of seriousness of incidents in the form of a triangle. One such example is given below in figure 1:

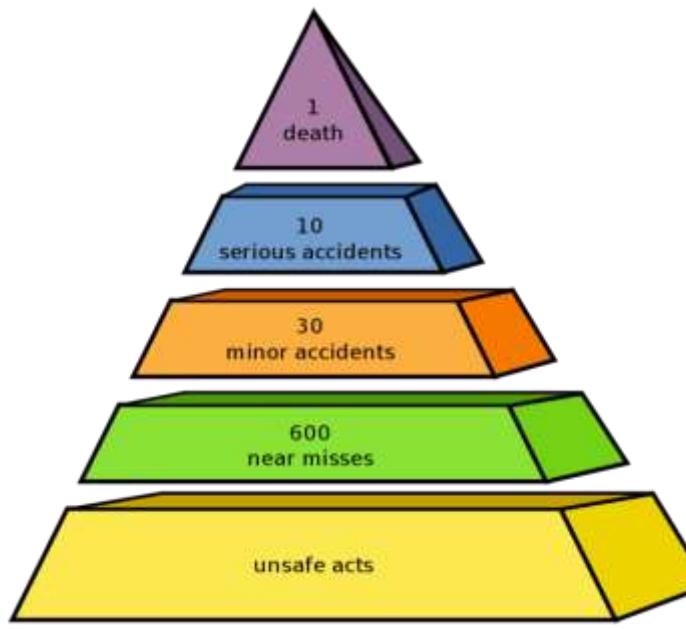


Figure 1 – AN EXAMPLE OF RELATIVE FREQUENCY OF VARIOUS LEVELS OF SERIOUSNESS OF INCIDENTS.

## 5.12 DUTIES OF EMPLOYEES.

In terms of section 14 of the Occupational Health and Safety Act, the employee has a number of general duties. Quoting from the Act, these are:

### ***General duties of employees at work***

14. *Every employee shall at work:*

- (a), *take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions;*
- (b) *as regards any duty or requirement imposed on his employer or any other person by this Act, co-operate with such employer or person to enable that duty or requirement to be performed or complied with;*
- (c) *carry out any lawful order given to him, and obey the health and safety rules and procedures laid down by his employer or by anyone authorized thereto by his employer, in the interest of health or safety;*
- (d) *if any situation which is unsafe or unhealthy comes to his attention, as soon as practicable report such situation to his employer or to the health and safety representative for his workplace or section thereof, as the case may be, who shall report it to the employer;*
- (e) *if he is involved in any incident which may affect his health or which has caused an injury to himself, report such incident to his employer or to anyone authorized thereto by the employer, or to his health and safety representative, as soon as practicable but not later than the end of the particular shift during which the incident occurred, unless the circumstances were such that the reporting of the incident was not possible, in which case he shall report the incident as soon as practicable thereafter.*

Although the above refers to "he" and "his" only; the requirements are applicable to ALL employees.

## 5.13 FIRST AID REQUIREMENTS.

Regulation 7 of the General Health and Safety Regulations states that "an employer shall take all reasonable steps that are necessary under the circumstances, to ensure that persons at work receive prompt first aid treatment in case of injury or emergency."

Further, it is required that "Where more than 10 employees are employed at a workplace, the employer needs to appoint a first aider.

It is recommended that in a remote work site such as a water or wastewater treatment works, that a first aider be appointed, irrespective of the number of employees on that site. The number of first aiders required is one per 50 employees on that site.

### 5.13.1 Training of First Aiders.

There are 3 levels of first aid training available. Level 1 is the minimum requirement in terms of the Occupational Health and Safety Act. The competency certificate issued by an approved organisation is valid for a period of 3 years. Training is provided by a number of organisations, both off-site and where number justify it, on-site.

### 5.13.2 First Aid Box.

These must be available on site in an easily accessible point and must indicate the name(s) of the first aiders on the site. These must be a first aid box sign next to the box – this is a white cross on a green background.

These should be a book inside the first aid box where the first aider records all details of materials used from the first aid box. The contents should be checked once per month and the expiry date of any of the contents noted. Items due to expire in the near future should be replaced in time.

Traditionally, head ache tablets such as Aspirin or Paracetamol have been given out from the first aid. In terms of the regulations, this is NOT permitted.

The minimum contents of a First Aid Box are given in Table 1 below:

**TABLE 1 – DETAILING THE MINIMUM CONTENTS OF A FIRST AID BOX.**

Item 1	Wound cleaner / antiseptic (100ml)
Item 2	Swabs for cleaning wounds
Item 3	Cotton wool for padding (100g)
Item 4	Sterile gauze (minimum quantity 10)
Item 5	1 pair of forceps
Item 6	1 pair of scissors (minimum size 100mm)
Item 7	1 set of Safety pins
Item 8	4 Triangular bandages
Item 9	4 Roller bandages (75mm x 5m)
Item 10	4 Roller bandages (100mm x 5m)
Item 11	1 Roll of elastic adhesive bandage (25mm x 3m)
Item 12	1 Non-allergenic adhesive strip (25mm x 3m)
Item 13	1 Packet od adhesive dressing strips (minimum quantity 10 assorted sizes)
Item 14	4 First aid dressings (75mm x 100mm)
Item 15	4 First aid dressings (150mm x 200mm)
Item 16	2 Straight splints
Item 17	2 Pairs large and 2 pairs medium disposal latex gloves
Item 18	2 CPR mouth pieces or similar devices
Item 19	An adequate supply of absorbent material for the absorption of blood and other body fluids spilled
Item 20	Disinfectant to disinfect the area after cleaning up blood and other body fluids spilled.
Item 21	2 Pairs large and 2 pairs medium disposable rubber household gloves
Item 22	A suitable sized impervious bag for the safe disposal of blood and other body fluid contaminated biohazard materials

#### 5.14 PERSONAL PROTECTIVE EQUIPMENT.

The draft General Health and Safety Regulations published as Government Notice R1039 of 28 October 2005 requires

*“the employer make an evaluation of the risk attached to any condition or situation which may arise from the activities of such employer, self-employed person or user, as the case may be, and to which persons at a workplace or in the course of their employment or in connection with the use of machinery are exposed, and he shall take such steps or precautionary measures as may be necessary to render the condition or situation safe and without risk to the health of persons.”*

This will include the issuing of the necessary Personal Protective Equipment (PPE). While it is the responsibility of the employee to issue such Personal Protective Equipment at NO cost to the employee; it is the RESPONSIBILITY of the employee to look after such Personal Protective Equipment.

Certain items such as gloves will probably require replacement at fairly frequent intervals due to them wearing out; whereas hearing protective equipment will have a longer useful life.

Depending on the chemicals being handled, it may be necessary to have an eye-wash station or even a deluge shower. A Chlorine dosing facility would require an emergency breathing apparatus.

5.15 HAZARD IDENTIFICATION AND RISK ASSESSMENT (HIRA).

**THIS SECTION IS BASED ON INFORMATION OBTAINED FROM THE UNITED STATES DEPARTMENT OF LABOUR WEBSITE – THEY ARE ACKNOWLEDGED AS THE AUTHORS OF THE MATERIAL UPON WHICH THIS SECTION IS BASED.**

Hazard Identification and Assessment

One of the "root causes" of workplace injuries, illnesses, and incidents is the failure to identify or recognize hazards that are present, or that could have been anticipated. A critical element of any effective safety and health program is a proactive, ongoing process to identify and assess such hazards.

To identify and assess hazards, employers and workers:

1. Collect and review information about the hazards present or likely to be present in the workplace;
2. Conduct initial and periodic workplace inspections of the workplace to identify new or recurring hazards;
3. Investigate injuries, illnesses, incidents, and close calls/near misses to determine the underlying hazards, their causes, and safety and health program shortcomings;
4. Group similar incidents and identify trends in injuries, illnesses, and hazards reported;
5. Consider hazards associated with emergency or non-routine situations;
6. Determine the severity and likelihood of incidents that could result for each hazard identified, and use this information to prioritize corrective actions;

Some hazards, such as housekeeping and tripping hazards, can and should be fixed as they are found. Fixing hazards on the spot emphasizes the importance of safety and health and takes advantage of a safety leadership opportunity.

5.15.1 Action item 1: Collect existing information about workplace hazards.

Information on workplace hazards may already be available to employers and workers, from both internal and external sources.

**How to do it:**

Collect, organize, and review information with workers to determine what types of hazards may be present and which workers may be exposed or potentially exposed. Information available in the workplace may include:

1. Equipment and machinery operating manuals;
2. Safety Data Sheets (SDS) provided by chemical manufacturers;
3. Self-inspection reports and inspection reports from insurance carriers, government agencies, and consultants;
4. Records of previous injuries and illnesses and reports of incident investigations;
5. Patterns of frequently-occurring injuries and illnesses;
6. Existing safety and health programs (lockout/tag out, confined spaces, process safety management, personal protective equipment, etc.);

7. Input from workers, including surveys or minutes from safety and health committee meetings;

Information about hazards may be available from outside sources, such as:

1. NOSA National Occupational Safety Association;
2. Trade Unions;
3. Safety and health consultants.

#### **5.15.2 Action item 2: Inspect the workplace for safety hazards.**

Hazards can be introduced over time as workstations and processes change, equipment or tools become worn, maintenance is neglected, or housekeeping practices decline. Setting aside time to regularly inspect the workplace for hazards can help identify shortcomings so that they can be addressed before an incident occurs.

##### ***How to do it***

1. Conduct regular inspections of all operations, equipment, work areas and facilities. Have workers participate on the inspection team and talk to them about hazards that they see or report;
2. Be sure to document inspections so you can later verify that hazardous conditions are corrected. Take photos or video of problem areas to facilitate later discussion and brainstorming about how to control them, and for use as learning aids;
3. Include all areas and activities in these inspections, such as storage and warehousing, facility and equipment maintenance, purchasing and office functions, and the activities of on-site contractors, subcontractors, and temporary employees;
4. Regularly inspect both plant vehicles (e.g., forklifts, powered industrial trucks) and transportation vehicles (e.g., cars, trucks);
5. Use checklists that highlight things to look for:

Typical hazards fall into several major categories, such as those listed below; each workplace will have its own list;

:

1. General housekeeping;
2. Slip, trip, and fall hazards;
3. Electrical hazards;
4. Equipment operation;
5. Equipment maintenance;
6. Fire protection;
7. Work organization and process flow (including staffing and scheduling);
8. Work practices including Standard Operating Procedures;
9. Workplace violence;
10. Ergonomic problems;
11. Lack of emergency procedures

Before changing operations, workstations, or workflow; making major organizational changes; or introducing new equipment, materials, or processes, seek the input of workers and evaluate the planned changes for potential hazards and related risks.

**Note:** Many hazards can be identified using common knowledge and available tools. For example, one can easily identify and correct hazards associated with broken stair rails and frayed electrical cords. Workers can be a very useful internal resource, especially if they are trained in how to identify and assess risks.

#### 5.15.3 Action item 3: Identify health hazards.

Identifying workers' exposure to health hazards is typically more complex than identifying physical safety hazards. For example, gases and vapours may be invisible, often have no odour, and may not have an immediately noticeable harmful health effect. Health hazards include chemical hazards (solvents, adhesives, paints, toxic dusts, etc.), physical hazards (noise, radiation, heat, etc.), biological hazards (infectious diseases), and ergonomic risk factors (heavy lifting, repetitive motions, vibration). Reviewing workers' medical records (appropriately edited to ensure patient/worker privacy) can be useful in identifying health hazards associated with workplace exposures.

**How to do it.**

1. Identify *chemical hazards* – review SDS (Safety Data Sheets) and product labels to identify chemicals in your workplace that have low exposure limits, are highly volatile, or are used in large quantities or in unventilated spaces. Identify activities that may result in skin exposure to chemicals;
2. Identify *physical hazards* – identify any exposures to excessive noise (areas where you must raise your voice to be heard by others), elevated heat (indoor and outdoor);
3. Identify *biological hazards* – determine whether workers may be exposed to sources of infectious diseases, moulds, toxic or poisonous plants, sludges etc. capable of causing allergic reactions or occupational asthma;
4. Identify *ergonomic risk factors* – examine work activities that require heavy lifting, work above shoulder height, repetitive motions, or tasks with significant vibration;
5. Conduct *quantitative exposure assessments* – when possible, using air sampling or direct reading instruments;
6. Review *medical records* – to identify cases of musculoskeletal injuries, skin irritation or dermatitis, hearing loss, or lung disease that may be related to workplace exposures.

**Note:** Identifying and assessing health hazards may require specialized knowledge. Specialist consultants may be necessary for this.

#### 5.15.4 Action item 4: Conduct incident investigations.

Workplace incidents – including injuries, illnesses, close calls/near misses, and reports of other concerns – provide a clear indication of where hazards exist. By thoroughly investigating incidents and reports, you will identify hazards that are likely to cause future harm. The purpose of an investigation must always be to identify the root causes (and there is often more than one) of the incident or concern, in order to prevent future occurrences.

**How to do it.**

1. Develop a clear plan and procedure for conducting incident investigations, so that an investigation can begin immediately when an incident occurs. The plan should cover items such as:
  - 1.1 Who will be involved?
  - 1.2 Lines of communication;

- 1.3 Materials, equipment, and supplies needed;
- 1.4 Reporting forms and templates.
- 2. Train investigative teams on incident investigation techniques, emphasizing objectivity and open-mindedness throughout the investigation process;
- 3. Conduct investigations with a trained team that includes representatives of both management and workers;
- 4. Investigate close calls/near misses;
- 5. Identify and analyse root causes to address underlying program shortcomings that allowed the incidents to happen;
- 6. Communicate the results of the investigation to managers, supervisors, and workers to prevent recurrence.

Effective incident investigations do not stop at identifying a single factor that triggered an incident. They ask the questions "Why?" and "What led to the failure?" For example, if a piece of equipment fails, a good investigation asks: "Why did it fail?" "Was it maintained properly?" "Was it beyond its service life?" and "How could this failure have been prevented?" Similarly, a good incident investigation does not stop when it concludes that a worker made an error. It asks such questions as: "Was the worker provided with appropriate tools and time to do the work?" "Was the worker adequately trained?" and "Was the worker properly supervised?"

**Note:** Serious work related incidents fall under the section 24 requirements – refer to section 5.6.1

#### **5.15.5 Action item 5: Identify hazards associated with emergency and non-routine situations.**

Emergencies present hazards that need to be recognized and understood. Non-routine or infrequent tasks, including maintenance and start up / shutdown activities, also present potential hazards. Plans and procedures need to be developed for responding appropriately and safely to hazards associated with foreseeable emergency scenarios and non-routine situations.

##### ***How to do it.***

Identify foreseeable emergency scenarios and non-routine tasks, taking into account the types of material and equipment in use and the location within the facility. Scenarios such as the following may be foreseeable:

- 1. Fires and explosions;
- 2. Chemical releases;
- 3. Hazardous material spills;
- 4. Start-ups after planned or unplanned equipment shutdowns;
- 5. Non-routine tasks, such as infrequently performed maintenance activities;
- 6. Structural collapse;
- 7. Disease outbreaks;
- 8. Weather emergencies and natural disasters;
- 9. Medical emergencies;
- 10. Workplace violence.

#### 5.15.6 Action item 6: Characterize the nature of identified hazards, identify interim control measures, and prioritize the hazards for control.

The next step is to assess and understand the hazards identified and the types of incidents that could result from worker exposure to those hazards. This information can be used to develop interim controls and to prioritize hazards for permanent control.

##### **How to do it.**

1. Evaluate each hazard by considering the severity of potential outcomes, the likelihood that an event or exposure will occur, and the number of workers who might be exposed;
2. Use interim control measures to protect workers until more permanent solutions can be implemented;
3. Prioritize the hazards so that those presenting the greatest risk are addressed first. Note, however, that employers have an ongoing obligation to control all serious recognized hazards and to protect workers.

**Note:** "Risk" is the product of hazard and exposure. Thus, risk can be reduced by controlling or eliminating the hazard or by reducing workers' exposure to hazards. An assessment of risk helps employers understand hazards in the context of their own workplace and prioritize hazards for permanent control.

#### **END OF SECTION BASED ON INFORMATION FROM UNITED STATES DEPARTMENT OF LABOUR.**

#### 5.16 THE RISK MATRIX.

A matrix is an arrangement of numbers or descriptions in rows and columns used to display various results. The risk matrix is used during risk assessment to define the level of risk by considering the category of probability or likelihood against the category of severity or consequence (result) of an incident.

It is a simple method to increase visibility of risks and assist management decision making.

There are various layouts for risk matrices. The one described below has 4 columns and 5 rows. The columns indicate the severity (seriousness) of an incident while the rows indicate the likelihood of such an incident happening.

Different matrices will use different terms for the severity and probability factors. It is common to use a 4 colour coding for the matrix: Green, Yellow, Orange and Red.

##### 5.16.1 Severity of an Incident.

**Severity** is the amount of damage or harm a hazard could create and it is often ranked on a four point scale as follows from least severe to most severe:

1. **Negligible** - Operating conditions are such that personnel error, environment, design deficiencies, subsystem or component failure or procedural deficiencies will result in no, or less than minor, illness, injury or system damage - Ranked as 1 point;
2. **Moderate** - Operating conditions may commonly cause minor injury or illness or minor systems damage such that human error, environment, design deficiencies, subsystem or component failure or procedural deficiencies can be counteracted or controlled without severe injury, illness or major system damage – ranked as 2 points;
3. **Critical** - Operating conditions are such that human error, environment, design deficiencies, element, subsystem or component failure or procedural deficiencies may commonly cause

severe injury or illness or major system damage thereby requiring immediate corrective action – ranked as 3 points;

4. **Catastrophic** - Operating conditions are such that human error, environment, design deficiencies, may commonly cause death or major system loss, thereby requiring immediate cessation of the unsafe activity or operation. – ranked as 4 points

#### 5.16.2 Probability of an Incident.

**Probability** is the likelihood of the hazard occurring and it is often ranked on a five point scale: from least likely to most likely:

1. **Improbable** - So unlikely, it can be assumed occurrence may not be experienced – ranked as 1 point;
2. **Remote** - Unlikely but possible to occur in the life of an item – ranked as 2 points;
3. **Occasional** – Likely to occur sometime in the life of an item – ranked as 3 points;
4. **Probable** – Will occur several times in the life of an item – ranked as 4 points;
5. **Frequent** – Likely to occur often in the life of an item – ranked as 5 points.

#### 5.16.3 Constructing the Matrix.

Each identified potential incident is ranked according to the anticipated Severity and the Probability of such an incident happening. The 2 rankings are multiplied together and that determines into which block (cell) in the matrix that Risk should be placed. For example a certain incident might be ranked as 3 on Severity and 2 on Probability. This gives a score of 6. As seen in the Risk Matrix below; this ranks the overall Risk as Medium and is coded Yellow. If it is found that the Probability has increased to Occasional; then the Risk moves from medium (Yellow) to Serious (Orange).

		Severity			
		Catastrophic: 4	Critical: 3	Moderate: 2	Marginal: 1
		High - 20	High - 15	High - 10	Medium - 5
Frequent: 5		High - 16	High - 12	Serious - 8	Medium - 4
Probable: 4		High - 12	Serious - 9	Medium - 6	Low - 3
Occasional: 3		Serious - 8	Medium - 6	Medium - 4	Low - 2
Remote: 2		Medium - 4	Low - 3	Low - 2	Low - 1
Improbable: 1					

Figure 2 – EXAMPLE OF A RISK MATRIX.

## 5.17 INCIDENT STATISTICS.

It is very useful to be able to compare the number of incidents occurring in a section, branch, a Local Authority on an industry wide basis. This will tell one how well (or poorly) the relevant section compares with others. Because the number of people working at the various work sites will vary, it is necessary to use a fixed base of the number of working hours, for a meaningful comparison.

The most commonly used base for comparison is the Disabling Injury Frequency Rate (DIFR). This is calculated as follows:

$$\text{DIFR} = \frac{\text{Number of Disabling Injuries} \times 200\,000}{\text{Number of Man-hours Worked}}$$

It is best if the calculation is done over a 12 month rolling period. For example January 2020 to December 2020; when the January 2021 figure is added, and then the January 2020 figure is no longer used. This is shown in figure 3 below.

A similar indication of incident frequency is the Lost Time Injury Frequency Rate (LTIFR). This uses 1 000 000 working hours for comparison purposes. When comparing information, one needs to be sure that one is comparing like with like. As 1 000 000 is 5 times 200 000, using the incorrect base, would make a very big difference to the answer.

EXAMPLE OF DIFR CALCULATION					
Year to Dec 2020					
month & year	hours worked	no. of incidents	Running total hours	Running total incidents	DIFR
Jan-2020	4 000.00	1			
Feb-2020	3 750.00				
Mar-2020	4 100.00				
Apr-2020	3 900.00				
May-2020	4 050.00				
Jun-2020	3 950.00				
Jul-2020	4 000.00				
Aug-2020	4 100.00				
Sep-2020	3 950.00				
Oct-2020	4 000.00				
Nov-2020	3 900.00	1			
Dec-2020	3 500.00		47 200.00	2	8.5

Year to Jan 2021					
month & year	hours worked	no. of incidents	Running total hours	Running total incidents	DIFR
Feb-2020	3 750.00				
Mar-2020	4 100.00				
Apr-2020	3 900.00				
May-2020	4 050.00				
Jun-2020	3 950.00				
Jul-2020	4 000.00				
Aug-2020	4 100.00				
Sep-2020	3 950.00				
Oct-2020	4 000.00				
Nov-2020	3 900.00	1			
Dec-2020	3 500.00				
Jan-2021	4 100.00		47 300.00	1	4.2

Figure 3 – EXAMPLE OF A DIFR CALCULATION.

### AN EXAMPLE OF DIFR WITH TIME



Figure 4 – SHOWING AN EXAMPLE OF DIFR PLOTTED AGAINST TIME.

In a section or branch with few staff, just one lost time incident will result in a high DIFR that will take a long time (up to years) to reduce to the target value. A good target value is a DIFR = 1.0.

A disadvantage of the DIFR is that it works on the NUMBER of incidents and NOT on the DAYS LOST. There would appear to be no standard comparison using the Number of days lost due to a Disabling Injury – this is strange.

One possible method for comparison between different work places, is to record the number of days lost due to injury at work. This can be plotted as shown in the figure 5 below:



Figure 5 – SHOWING A POSSIBLE METHOD FOR ILLUSTRATING DAYS LOST ON A COMPARATIVE BASIS.

# THE PROCESS CONTROLLER's GUIDE TO

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### PART 6

#### COMMUNICATION AND REPORT WRITING

##### 6.1 INTRODUCTION.

The importance of good communication in an organisation cannot be over-stressed. This applies to both vertical communication with one's boss and with one's staff as well as with persons in the support branches or sections. The latter can be maintenance units, the buying office, human resources etc.

Communication can take place through a variety of channels both verbal and non-verbal.

Verbal communication can be on a one-to-one basis or to a group of people. It can be face-to-face such as at a meeting or via telephone that could be a conference call or via new techniques such as "Zoom" or "Microsoft Teams".

Non-verbal communication can be by written instructions eg email, hard copy or fax, Whatsapp etc. as well as reports, presentations.

It may therefore be seen that there is a wide variety of methods available for communication. Which one is the most appropriate depends on a number of circumstances. It is usually a good idea that verbal communication be followed up by one of the non-verbal methods covered above.

##### 6.2 THE IMPORTANCE OF COMMUNICATION.

Good communication is an essential tool in achieving productivity and maintaining strong working relationships at all levels of an organisation. This has become particularly important since the Covid-19 outbreak that has forced / allowed many people to work remotely.

Employers who invest time and energy into delivering clear lines of communication will rapidly build trust among employees, leading to increases in productivity, output and morale in general. Meanwhile, employees who communicate effectively with colleagues, managers and customers are always valuable assets to an organisation and it is a skill which can often set people apart from their competition when applying for jobs.

Poor communication in the workplace will inevitably lead to unmotivated staff that may begin to question their own confidence in their abilities and inevitably in the organisation. It can also lead to incorrect decisions being made by Supervisors and other team leaders.

Among the key reasons for effective communication within the organisation are listed below:

##### 6.2.1 Why one must communicate within the organisation.

The whole organisation needs to work as a team in order to reach the objectives such as good service delivery etc.

Building an effective team is really all about how those team members communicate and work together. By implementing effective strategies, such as those listed below, to boost communication you will go a long way toward building effective teams. This, in turn, will improve morale and employee satisfaction.

1. Give everyone a voice.

Employee satisfaction can rely a lot on their having a voice and being listened to, whether it be in regards to an idea they have had or about a complaint they need to make. Well established lines of communication should afford everyone, no matter their level, the ability to freely communicate with their fellow workers, colleagues and superiors.

2. Innovation.

Where employees are enabled to openly communicate ideas without fear of ridicule or retribution they are far more likely to bring their idea to the table. Innovation relies heavily on this and an organisation which encourages communication is far more likely to be an innovative one.

3. Growth.

Communication can be viewed both internally and externally. By being joined up internally and having strong lines of communication you are ensuring that the message you are delivering externally is consistent. Any growth project relies on strong communication and on all stakeholders, whether internal or external, being on the same wavelength.

4. Strong management.

When managers are strong communicators, they are better able to manage their teams. The delegation of tasks, conflict management, motivation and relationship building (all key responsibilities of any manager) are all much easier when you are a strong communicator. Strong communication is not just the ability to speak to people but to empower them to speak to each other – facilitating strong communication channels is key.

#### **6.2.2 How to improve how the organisation communicates.**

1. Define goals and expectations

Managers and Supervisors need to deliver clear, achievable goals to both teams and individuals, outlining exactly what is required on any given project, and ensuring that all staff are aware of the objectives of the project, the department and the organisation as a whole.

2. Clearly deliver the message.

Ensure the message is clear and accessible to the intended audience. To do this it is essential that one speak plainly and politely – getting the message across clearly without causing confusion or offence.

Where one is delivering a message to a person or a team in a language that may not be fully understood by the other person(s), it is useful to have an interpreter who can deliver the message to other person(s) in a language that they can better communicate in.

Where the message or instruction is important, it is useful to get that receiver of the message to repeat what they have been told. In this way, one can easily see if they have interpreted the message or instruction accurately. This can prevent problems occurring in the future through the person(s) not fully understanding the message / instruction.

3. Select the best method for relaying the message or instruction.

Once the message has been created, one needs to ensure that it is delivered in the best possible format. While face-to-face communication is by far the best way to build trust with employees, it is not always an option. Take time to decide whether information delivered in a printed copy would work better than an email or if a general memo will suffice.

In many cases a verbal message should be followed by a written message.

4. Keep everyone involved.

Ensure that lines of communication are kept open at all times. Actively seek and encourage progress reports and project updates. This is particularly important when dealing with remote staff

5. Listen and show empathy.

Communication is a two-way process and no company or individual will survive long if it doesn't listen and encourage dialogue with the other party. Listening shows respect and allows one to learn about any outstanding issues that one may need to address as an employer.

No one wants to be just a number in the organisation and to feel that no one cares about them. The person doing the job usually knows more than other people about the hazards of the job, ways in which the process can be simplified become more efficient etc.

## 6.3 MEMORANDUM AND REPORT WRITING.

One of the ways to communicate (usually to one's superior), is through the writing of a memorandum or a report. It must be short (usually limited to one page) to the point and give an outcome, conclusion or a recommendation.

### 6.3.1 Memorandum Writing.

A memorandum will consist of two parts – The header and the message.

1. Header.

To: provide the names and titles of everyone who will receive your memo. This is often addressed to one person with copies to other persons;

From: provide your complete name and title;

Date: provide the complete and accurate date – don't forget to include the year;

Subject: provide a brief, yet specific description of what the memo is about.

2. Message.

Introduction: explain the purpose;

Statement: this states the facts or discusses the problem or issue;

Argument: explains the importance or relevance of the facts;

Conclusion: summarises the main idea, suggests or requests the required action.

An example of a memorandum is given below as figure 3:

# Memo

**To:** All New Hire Associates  
**From:** Carey Parent  
**CC:** File  
**Date:** 11/13/2015  
**Re:** E-mail Protocol

---

The following is the company's email policy and the protocol for using email on company computers.

1. Please remember that the email address you have been assigned and the company computer you use (laptop and desktop) to access email and the internet are in fact company assets and as such are to be used for legitimate, company related, business activities.
2. Please also remember that the company reserves, and is exercising its lawful right to review messages sent through or to its equipment through its server, or by other software monitoring methods employed for the purpose of insuring that company systems are not being used for non-business related purposes.
3. Time expended on the Internet should be for legitimate, company related purposes. Logs are created for the user, web sites visited, time and date as well as elapsed time spent on each site when connecting through the company's server or a company system.

The purpose of these guidelines is to insure that the information systems we have invested in are used and not abused and that we are productive in our efforts to expand the company and serve our clients.

If you have any questions please feel free to let me know.

Figure 3 – EXAMPLE OF A MEMORANDUM.

### 6.3.2 Report Writing.

What is a report? A report is a written presentation of factual information based on an investigation or research. Reports form the basis for solving problems or making decisions, often in the subjects of business and the sciences. The length of a report can vary from 2-3 pages to 25 pages or more.

What makes an effective report?

1. Clear, concise and accurate;
2. Easy for the reader to understand;
3. Appropriate for the reader;
4. Well organised with clear section headings

A report should follow a standardised format. This makes it easier for the reader to find the information easily and to focus on the specific areas. Most reports will follow the following sections

A report will usually have:

- I. Title Page;

2. Table of Contents;
3. Abstract or Executive Summary;
4. Introduction (or Terms of Reference and Procedure);
5. Findings and/or Discussion
6. Conclusions;
7. Recommendations;
8. References

A report may also contain:

1. Cover letter – could include the reason why the report was written;
2. Glossary – where certain words or abbreviations are explained;
3. Appendices – where additional information is given. Examples are laboratory analyses, flow meter readings etc.

The table 2 below summarises the main headings used in reports and outlines the purpose of each section. Additional headings or subheadings may be used depending on the report's content and are specific to the individual report.

TABLE 2 – THE VARIOUS SECTIONS OF A REPORT.

SECTION	PURPOSE
<b>Title Page</b>	Gives the title of the report, by whom it was written and the date
<b>Table of Contents</b>	Shows the sections of the report. Gives the headings and page numbers
<b>Abstract or Executive Summary</b>	Gives a summary of the whole report. Outlines the report's purpose, methodology, findings, the main conclusions and the recommendations. <i>This is written in the past tense and will be written after the report is finished.</i>
<b>Terms of Reference</b>	Briefly states the purpose and scope of the report. This includes who requested the report, the main issues or problems to be identified, the reason for undertaking the report and the due date of the report.
<b>Procedure</b>	Outlines the methods used to collect information e.g. interviews, questionnaires, observations, research, analysis of readings, samples etc.
<b>Introduction</b> (may be used instead of Terms of Reference and Procedure)	Outlines the context, background and purpose of the report. Defines terms and sets limits of the investigation. The reader can easily identify what the report is about, how information was gathered, and why the report is needed. Mainly uses past tense and can be written after main part of report has been finished.

TABLE 2 – continued

SECTION	PURPOSE
<b>Findings and/or discussion</b>	Findings: What was found during the research or investigation. Gives the facts only – no interpretation by the writer of the report.
<b>Conclusions</b>	Brief statements of the key finding of the report (full explanation is given in the Findings and/or discussions). Arranged so that the major conclusions come first. Should relate directly to the objectives set out in the Terms of Reference or Introduction. Follow logically from the facts in the Findings and/or Discussion. Must be complete enough for recommendations to be made from them.
<b>Recommendations</b>	The opinion of the writer of the report about possible changes, or solutions to the problems, including who should take action, what should be done, when and how it should be done.
<b>References</b> (if necessary)	A list of sources that are used in and referred to in the report. Suggested format:  King P B et al, (1991), Water Management in Atlantis, EPPIC Conference on Water, MIntech Randburg,
<b>Appendices</b> (if necessary)	Additional relevant information. May include interview questions, surveys, flow meter reading and chemical analyses.

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### PART 7

#### MAKING A PRESENTATION

##### 7.1 INTRODUCTION.

There are times when the best method to relay information etc, is via a presentation. This is usually done in front of a screen where a data projector projects images onto the screen.

There are a number of ideas and tips that will make the difference between a bad presentation and a good presentation. The most important is probably the 10:20:30 rule. This is:

**10 slides - 20 minutes duration - 30 point minimum font size on the slides.**

##### 7.2 IDEAS AND TIPS TO PRODUCE A GOOD PRRESENTATION.

Perhaps the most important piece of advice is know exactly what the presentation will be about and do the necessary studying of the subject. Once one knows exactly what one will be talking about, this should help to make one less nervous.

The ideas given below should help one to improve one's presentation skills.

###### 7.2.1 State the Objectives:

A presenter must ensure that they understand the purpose of the presentation. Sometimes a good presentation fails to make an impact because the audience is not clear what the presentation is about. A good way to start a presentation is to clearly state / mention / include the objectives in the presentation.

Concentrate on your Core Message When planning your presentation; you should always keep in mind the question: What is the key message (or three key points) for my audience to take away? You should be able to communicate that key message very briefly.

###### 7.2.2 Know the audience:

The presenter must know to whom they will be making the presentation. The presentation will be different when presenting to semi-skilled workers or to senior managers.

It's hard to be relaxed and be yourself when you're nervous. But time and again, the great presenters say that the most important thing is to connect with your audience, and the best way to do that is to let your passion for the subject shine through. Be honest with the audience about what is important to you and why it matters. Be enthusiastic and honest, and the audience will respond.

###### 7.2.3. Focus on your Audience's Needs.

Your presentation needs to be built around what your audience is going to get out of the presentation. As you prepare the presentation, you always need to bear in mind what the audience needs and wants to know, not what you can tell them. While you're giving the presentation, you also need to remain focused on your audience's response, and react to that. You need to make it easy for your audience to understand and respond.

It is important to smile and make eye contact with your audience - This sounds very easy, but a surprisingly large number of presenters fail to do it. If you smile and make eye contact, you are building rapport, which helps the audience to connect with you and your subject. It also helps you to feel less nervous, because you are talking to individuals, not to a great mass of unknown people. To help you with this, make sure that you don't turn down all the lights so that only the slide screen is visible. Your audience needs to see you as well as your slides

The beginning of your presentation is crucial. You need to grab your audience's attention and hold it. They will give you a few minutes' grace in which to entertain them, before they start to switch off if you're dull. So don't waste that on explaining who you are. Start with an attention-grabbing (but useful) image

#### 7.2.4 Avoid too much text on PowerPoint slides:

Usually presentations are associated with PowerPoint slides where it is best to limit this to 10 slides. Ideally use 20 or fewer words in each slide. Use bullet points wherever possible. Too many words on one slide carry a risk with them - the audience will get busier reading what is written than what the presenter is saying or the audience might just get bored by seeing a lot of words.

If there is a lot of information to present, it is better to summarise it during the presentation and to have a printed handout for issuing AFTER the presentation.

#### 7.2.5 The Presentation.

It is important to use your voice effectively. The spoken word is actually a pretty inefficient means of communication, because it uses only one of your audience's five senses. That's why presenters tend to use visual aids, too. But you can help to make the spoken word better by using your voice effectively. Varying the speed at which you talk, and emphasising changes in pitch and tone all help to make your voice more interesting and hold your audience's attention.

One should use one's body too. It has been estimated that more than three quarters of communication is non-verbal. That means that as well as your tone of voice, your body language is crucial to getting your message across. Make sure that you are giving the right messages - body language to avoid includes crossed arms, hands held behind your back or in your pockets, and pacing the stage. Make your gestures open and confident, and move naturally around the stage.

It is important to relax, breathe and enjoy yourself. If you find presenting difficult, it can be hard to be calm and relaxed about doing it. One option is to start by concentrating on your breathing. Slow it down, and make sure that you're breathing fully. Make sure that you continue to pause for breath occasionally during your presentation too.

If you can bring yourself to relax, you will almost certainly present better. If you can actually start to enjoy yourself, your audience will respond to that, and engage better. Your presentations will improve exponentially, and so will your confidence. It's well worth a try.

#### 7.2.6 Rehearse... Rehearse... and Rehearse.

The feeling is quite different while a presenter is presenting LIVE than when they are just practicing in a closed room. It is a good idea for the presenter to practice at the venue [if possible]. This helps one get familiar with the place and the surrounding. Also, a presenter should make as many notes as possible and also think of possible questions that might come up during the course of presentation.

#### 7.2.7 Revisit the objectives.

Once the notes have been made, a presenter must critically analyse the presentation with respect to the objectives of the presentation. They should ask themselves questions like - "Does this presentation match the objectives stated?", "Is this presentation flowing logically?" In today's market scenario, if a person is able to think, write, and present persuasively, they have won half the battle.

### 7.3 EXAMPLES OF GOOD AND BAD SLIDES.

Some examples of good and bad slides are given below:

## 2. WHY MUST WE TREAT WASTEWATER.

- PHYSICAL REASONS
- CHEMICAL REASONS
- BIOLOGICAL REASONS
- MICRO-BIOLOGICAL REASONS

Figure 4 – EXAMPLE OF A GOOD PRESENTATION SLIDE.

1. Few words;
2. Large font;
3. Clear background – so no distraction.

### SLUDGE DEWATERING (2)

When dewatering activated sludge, the solids content of the dewatered sludge is about 12%, the balance of 88% is water! Hence the use of the term "dewatered", not "dried".

When dewatering digested primary sludge, a solids content of about 25% may be obtained.

BELT PRESSES also use gravity to separate the slightly heavier sludge from the water. In contrast to centrifuges where the gravitational force is increased by spinning the unit at about 2 500 rpm, the belt press relies on natural gravity in the so-called free drainage section to allow the free water to drain out of the sludge. Thereafter, the sludge is squeezed between 2 woven synthetic fibre belts as it passes around a number of rollers (usually 8 to 12).

Figure 5 – EXAMPLE OF A BAD PRESENTATION SLIDE.

1. Too many words;
2. This means a small font – difficult to read;
3. Tried to put too much information onto one slide.

# There are several kinds of bees:

- Eusocial & Semisocial Bees
  - Bumblebee
  - Stingless bee
  - Honey bee
  - Africanized honey bee
- Cleptoparasitic Bees
  - Cuckoo bee
- Solitary & Communal Bees
  - Orchard Mason bee
  - Eastern Carpenter bee
  - Alfalfa Leafcutter bee
  - Hornfaced bee

Figure 6 – EXAMPLE OF BAD PRESENTATION SLIDE.

1. Background colour is very distracting;
2. Colour of writing makes it very difficult to read;
3. Font too small.

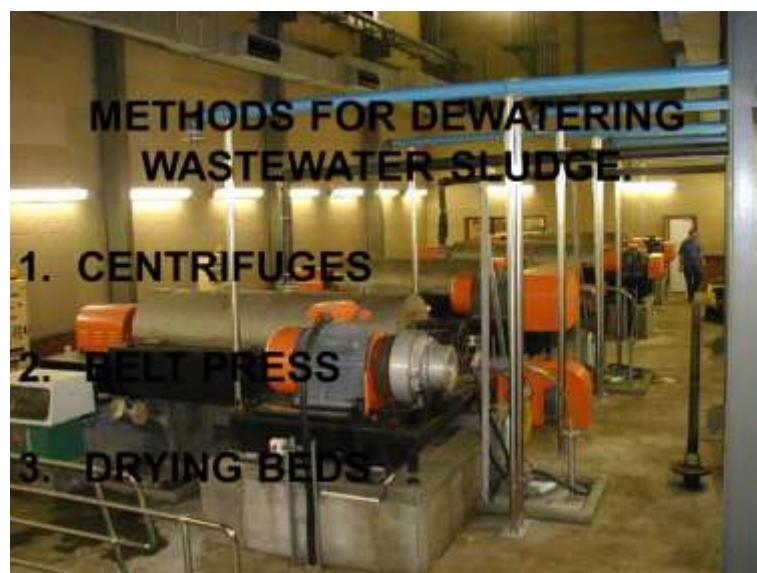


FIGURE 7 – EXAMPLE OF A BAD SLIDE.

1. The picture turns what would have been a good clear slide into a terrible one. Impossible to see the words

**THE PROCESS CONTROLLER's GUIDE TO**  
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**PART 8**

**FINANCIAL MATTERS**

8.1 INTRODUCTION.

***This Part presents Financial Matters is a rather simplified manner and is NOT intended to be a detailed description of the financial matters as relating to a Local Authority.***

***It is designed to give the reader a basis understanding of how finances work.***

**MUCH OF PART 8 IS BASED ON INFORMATION OBTAINED FROM THE EDUCATION AND TRAINING UNIT (A SECTION 21 NON-PROFIT COMPANY).**

**THEY ARE ACKNOWLEDGED AS THE AUTHORS OF THE MATERIAL UPON WHICH MUCH OF THIS PART ON FINANCIAL MATTERS IS BASED.**

All businesses and operations are dependent on money to run. In order to pay salaries and wages as well as supplier etc.; the business requires an income. The expenditure cannot exceed the income otherwise it will not be possible to pay the salaries, wages etc.

It is therefore necessary to have a budget where one works out how much money is required to operate the business and where this money will come from.

8.2 IMPORTANCE OF EFFECTIVE MUNICIPAL FINANCIAL PLANNING AND MANAGEMENT.

Effective financial management can help municipalities to transform their local areas into a better place to live and work. Most councillors and members of the community know what municipal services they would like to have in their area. This dream of the ideal community is known as a "vision" for the municipality.

One of a councillor's greatest responsibilities is approving and regularly monitoring a municipality's budget that provides money to implement the visions. This work should be done in consultation and co-operation with the ward committee. The community should be involved as much as possible in deciding what should be the spending priorities for the area they live in. Ward councillors and ward committees should report to ward meetings about the broad budget plans and consult the residents about programmes and projects that will affect them.

Without funds to implement the policies, councillors will not be able to "make a difference" or serve their communities well. Effective financial management ensures that there are funds available to implement council policies. This is a great responsibility as municipalities are responsible for managing large amounts of money and delivering services that affect people's lives every day. Councillors, committee members and officials all have a duty to ensure that these monies are managed carefully, transparently and honestly.

Good financial management is the key to local delivery – local activists and ward committee members should understand municipal finance and budgets so that they can engage councillors on the bigger debates about spending and development priorities.

### 8.3 WHAT IS FINANCIAL MANAGEMENT?

Table 3 below sets out the financial management processes that are used in municipalities.

TABLE 3 – FINANCIAL MANAGEMENT PROCESSES.

PROCESS	WHAT IS IT?
Budgeting	Working out what income the municipality will get and balancing this with the planned expenditure, by preparing detailed plans and forecasts.
Safeguarding	Putting in place controls to ensure that the income, capital and assets such as money, motor vehicles, computer equipment etc., are safeguarded against misuse, damage, loss or theft.
Monitoring (Financial Reporting)	Monitoring actual income and expenditure and comparing this to the budget, through regular financial reporting and corrective action when needed.
Auditing (Accountability)	Reporting financial results to all stakeholders by preparing municipal financial statements that are audited by the Auditor-General, who reports to Parliament.

Ward committees have the right (and duty!) to discuss, ask questions and make recommendations to the council on the best ways to generate income, to keep costs down, prevent corruption and safeguard the assets of the municipality. That is good financial management!

### 8.4 TYPES OF BUDGETS.

There are two types of budgets: **operating budget** and **capital budget**.

Capital budget deals with big costs that you pay once to develop something, and how you will pay for this – for example putting in water pipes to a new township.

Operating budget deals with the day-to-day costs and income to deliver municipal services – for example water and wastewater treatment and maintenance work to keep the water flowing.

#### 8.4.1 The operating budget

The municipality's operating budget lists the planned operating expenditure (costs) and income, for the delivery of all services to the community.

Operating expenditure is the cost of goods and services from which there will be short-term benefit - that is, the services will be used up in less than one year.

For example, the payment of staff salaries results in a short-term benefit as salaried employees are paid monthly for one month's work. They could resign, next month, and the municipality would not have the benefit of their skills anymore. Examples of operating costs are salaries, wages, repairs and maintenance, purchase of electricity, purchase of chemicals, telephones, fuel and stationery.

Operating income is the amount received for services delivered for a short-term period. For example, ratepayers pay rates monthly or annually as payment to their municipality for receiving municipal services. Examples of operating income are property rates, service charges, investment interest, and traffic fines.

#### 8.4.2 The capital budget.

The capital budget puts money aside, for planned expenditure on long-term purchases and big investments such as land, buildings, motor vehicles, equipment and office furniture that will be a municipal asset for more than a year - probably for many years to come.

A municipality's capital budget will list the estimated costs of all items of a capital nature such as the construction of roads, buildings and purchase of vehicles that are planned in that budget year.

#### 8.4.3 The difference between the operating and capital budgets.

A useful way to look at the difference between operating and capital expenditure is to think about the purchase of a car. The purchase of a car is capital as the expected life of the motor vehicle is much more than one year. The cost of fuel and repairs only provide short-term benefit (less than a year) and therefore is operating expenditure.

The capital budget and operating budget have to be prepared and discussed together. This is important because planned expenditure that is included in the municipality's capital budget will impact on the operating costs and income needed to "operate" the municipality's assets, efficiently.

This link between capital and operating budgets can be explained by using the car example again. If you decide to buy a car, in addition to including funds for this in your capital budget, you are going to have to include money in the operating budget for tyres, driver's wages, petrol, service and other operating expenses.

The increase in operating expenditure needs to be considered when making a decision on whether or not to buy a new car. If fuel, tyres, repairs and wages costs cannot be included in the operating budget because of insufficient funds to pay for them, then the municipality should not buy the car!

### 8.5 SOURCES OF MUNICIPAL INCOME.

Municipalities must ensure that there will be adequate money to pay for their planned expenditure if they are to "balance the budget". There are various sources of income that can be used by municipalities to finance their expenditure. This section outlines the various sources of municipal income, and looks at ways of deciding which will be best for your municipality's needs.

#### 8.5.1 Main Sources of Capital Budget Financing.

##### 1. External loans.

External loans (from a bank or other financial institution) are an expensive form of financing the capital budget because of the relatively high interest rates in South Africa. External loans should only be used to finance the purchase of major capital items such as roads, buildings, water treatment works, wastewater treatment works and water distribution systems.

##### 2. Internal loans.

Many municipalities have internal "savings funds" such as Capital Development Funds or Consolidated Loan Fund. These funds can make internal loans to the municipality for the purchase or development of capital items, usually at a lower interest rate than for an external loan and the municipality is paying the interest back to its own "savings fund", which can later be used for another capital project.

##### 3. Contributions from revenue.

When purchasing a small capital item, the small total cost can be paid for from the operating income in the year of purchase. This financing source is known as "contributions from revenue". In most municipalities, this source of financing is used to pay for smaller capital items, such as one or two items of furniture and equipment. As no interest is payable, this source of financing is considerably cheaper than external or internal loans.

##### 4. Government grants.

Municipalities may apply to national government for grants for infrastructure development. The two main funds available are:

CMIP [Consolidated Municipal Infrastructure Programme]

Water Services Projects – available from the Department of Water and Sanitation.

5. Public/Private Partnerships.

Capital costs can be paid for by means of partnerships between the private sector and the municipality. In most cases the private sector partner will have a profit motive in the services and capital being financed, so the terms and conditions must be carefully defined, to protect the community's interests.

8.5.2 Main Sources of Operational Budget Funding.

1. Property Rates.

All people and businesses who own fixed property (land, houses, factories, and office blocks) in the municipal area are charged "Property Rates" - a yearly tax based on the value of each property. Rates income is used by the municipality to pay for the general services to all people, which cannot easily be charged to a specific service user as a "service charge" for example roads, pavements, parks, streetlights, storm water management, etc.

2. Service Charges / Tariffs.

For specific services that can be directly charged to a house or factory, the principle of "user pays" should be adopted. That is, to charge a price or "tariff" for services such as water supply, wastewater removal and treatment, electricity or approval of building plans; where the exact usage of the service can be measured, to the person or business that actually used that service.

3. Fines.

Traffic fines, late library book fines, penalties for overdue payment of service charges: these fines are another source of income or "revenue", while at the same time motivating users of services to have a culture of obeying democratic laws, rules and deadlines.

4. Transfers from National Government (Equitable Share).

The national government transfers a certain amount of money to each municipality every year. The constitution says that all revenue collected nationally must be divided equitably [fairly] between national, provincial and local spheres of government. The local government equitable share is meant to ensure that municipalities can provide basic service and develop their areas. The amount a municipality gets depends mainly on the number of low-income people in the area – rural municipalities usually get more. Most municipalities only get a small part of their operating budget from the equitable share.

8.5.3 Tariffs for Municipal Services.

A "tariff" means a service charge that the municipality charges for the use of services. The prices of these services should be affordable, to the people who use the services, and to the municipality itself. Ward committees should advise councillors on the services needed in the area, what is an affordable price (or "tariff") for the services, and how to ensure that people pay for their services. Community organisations should get involved in consultation meetings to discuss efficient and cost-effective service delivery.

Every year, as part of the budget preparation cycle, there should be a review of tariffs ("price list") for:

1. basic services, such as water, electricity, sewerage or rubbish removal;
2. specialised services, such as the approval of building plans;
3. fines and penalties, such as for traffic fines or late payments, interest on arrears.

Decisions should be taking the following into account:

1. Tariffs should be reasonable and affordable, for the people who use these services;
2. Based on a sliding scale, so that everybody gets the basic amount free, then pay increasingly higher tariff amounts, for the amount of water or electricity they use. These higher-volume tariffs are essential, to cover the free basic supply to those who only use a little, to survive;
3. Policy to deal with poor households that cannot afford to pay anything;
4. Fair to the municipality, to recover most (or all!) of the costs of providing the service to the people, so that the tariff income can pay for staff salaries, water pipe repairs, and to repay Eskom for their bulk supply of electricity to your municipality.

#### 8.5.4 Property Rates.

In South Africa (and in many other democratic countries), property rates are an important source of income for the municipality, to pay for the general services and facilities which the municipality provides to the people of the area.

1. "Rates" are the property taxes that the municipality can raise from all people and businesses that own fixed property (land and buildings) in the municipal area, based on the estimated value of that property;
2. The "Rate in the Rand" is set each year by council, as the "percentage" of the property value that the owner must pay to the municipality. The rate could be (for example) 2c in the Rand, so that if the value of someone's land and house is R100 000, the property owner (or "ratepayer") must pay R2 000 in property tax (or "rates") to the municipality. Usually, this tax can be paid either annually, or in twelve, monthly instalments;
3. The "Valuation Roll" for a municipality lists all the fixed properties in the municipal area, - who owns them and – what the official value of the land and building is. This is known as the Municipal Valuation.

It is important that these values are updated regularly, as the area develops, people improve their properties, and the price of land changes. Rates must be based on a fair, up-to-date value of each property; otherwise people could accuse the municipality of charging an unfair property tax on them.

There are a number of important factors that are considered by the Council when deciding upon the "Rate in the Rand".

##### 1. Affordability.

Property rates are a democratic form of taxation that is legally enforceable. Should a ratepayer not pay their rates, municipalities are legally entitled to obtain a court order to sell the ratepayer's property to enable the municipality to recover the unpaid rates, which they have budgeted for, to provide community services.

Although a form of taxation, ratepayers may not be able to afford to pay an extremely high level of rates. Affordability is therefore a very important factor to consider when approving the budget; otherwise there may be a rates boycott.

##### 2. Impact on business organisations.

Rates and service charges can be a significant cost to a business organisation. If rates and services charges are too high, a business may relocate their factory or shops to other municipalities where the rates are lower. This could cause job losses or inconvenience to residents of the area.

3. The extent of cross-subsidisation.

The extent of cross-subsidisation of rates (and service charge tariffs) is one of the more difficult factors to consider when approving the budget. Cross-subsidisation is the extent to which one group or (richer) ratepayers pay an additional amount so that other groups of (poorer) ratepayers can pay a lesser amount.

4. Rates Rebates.

One way of cross-subsidising the property rates from richer to poorer ratepayers is for council to agree a "rebate" (like a "discount") for pensioners or small businesses. In other words, these groups will pay less than the normal rate for the real value of their property, provided that they can prove to the municipality that they are earning below a defined amount, that year.

8.6 MANAGING THE MONEY FLOW.

"Money flow" or "cash flow" is the movement of money into and out of the municipality's bank account, as money is received from ratepayers or paid out to staff and service providers. When more money flows in to the bank account than has to be paid out, the municipality has a "surplus" of money – and can proceed with planned development projects that have been planned in the budget.

When more money has to be paid out than the money that flows in; the municipality could be heading for big financial problems, or go "bankrupt". The municipality can borrow money from the bank (overdraft), or from another sphere of government (a loan or grant), or increase the property rates and service charges (tariffs) which people must pay for local services to avoid the situation.

None of these options is very good for a municipality's reputation. Even though ward committees and community organisations are not involved in the municipality's "cash flow management" they need to know how important it is to avoid a "negative cash flow", or "deficit". This is when the municipality owes more money than it has in the bank, and has to stop projects that it cannot afford to pay for. "Cash flow management" should be a regular item on the council meeting agendas and documents about this should be presented to council or ward committee meetings. It is important to ask questions about how well the money flow is being planned, monitored and followed up, by the treasurer and executive committee or mayoral committee.

8.6.1 Auditing the Finances.

It is important that the finances of the municipality are checked to see where the money comes from and where it goes. This is known as "Auditing" the books. A Municipality would employ Internal Auditors employed by the Municipality. They do an ongoing check on expenditure and make sure that the requirements of the Local Government Finance Management Act (56 of 2003) as amended; are complied with.

The purpose of this act is to:

1. ensure sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government;
2. to establish treasury norms and standards for the local sphere of government;
3. to provide for matters connected therewith.

After the Annual Financial Statement listing all the Assets and Liabilities etc. of the Municipality have been prepared, then it is sent to the External Auditors. There are a couple of things that are shown in an audit report. After an introduction about an audit that is performed, it has three major segments that contain the details. The following sections are present in an audit report:

1. The first section:

this is where an auditor details what the responsibility is of the municipality's management (which is to prepare financial statements and fair internal controls);

2. The second section:

this is where an auditor details their responsibility as an auditor designated for the job and also the nature of the audit that will be done. It is also stated that only the financial statements and internal controls are assessed;

3. The third section:

This is where the opinions of an auditor are stated. The audit may be Unqualified or Qualified.

3.1 The Unqualified audit report.

This is also known as a clean report and should be the norm. In this report, an auditor assigned in an audit simply states that a company's financial statements that have been audited are fairly and correctly presented on their records. It is also stated there that important facts are not hidden and it complies with the accounting standards.

This is a report that shows an auditor's assumptions that the municipality has followed conformity with accepted accounting principles and legal requirements. However, this report does not reveal anything about the municipality being in good standing economically or not. The unqualified report only states that the financial statements are correct and do not have any important details hidden.

3.2 The Qualified audit report.

The qualified audit report means that the auditors have found matters that are not 100% satisfactory. This could be unaccounted for expenditure; the financial procedures not fully adhered to, unsatisfactory control of funds etc.

The audited financial statements and the auditor's report are then sent to the Auditor General's office. This office goes through all the report and later makes an annual report to the National Government.

8.7 COST CENTRES, VOTES and LINE ITEMS.

In the budgets referred to earlier, it is necessary to distinguish between the various items. Different terms are used by municipalities but "Cost Centres" is a common term – this will be a name. The Cost Centres will use numbers to identify the various items in the budget – these are often called "Votes" – these will be numbers. Sometimes a . is used to break the number up into groups (as shown below). A vote could be XYZ Water Treatment Works. Within the vote there will be number of items, each shown by a separate line in the budget book – these are often called "Line Items".

An example is given below in Table 4:

TABLE 4 – AN EXAMPLE OF COST CENTRES, VOTES & LINE ITEMS.

IDENTIFIER	DESCRIPTION
2	Engineering Services
2.7	Water Supply
2.7.1	XYZ Water Treatment Works
2.7.1.01.00	Salaries
2.7.1.01.01	Annual Bonus
2.7.1.01.02	Overtime
2.7.1.01.03	Shift allowance
	etc
2.7.1.01.11	Council contribution to Medical Aid premium
2.7.1.01.12	Council contribution to Pension Fund
2.7.1.01.13	Council contribution to Unemployment Insurance Fund
	etc.
2.7.1.02.10	Purchase of Electricity
2.7.1.03.10	Mechanical maintenance
2.7.1.03.20	Electrical maintenance
2.7.1.03.30	Building Maintenance
2.7.1.04.10	Chemical costs
2.7.1.05.10	Transport costs
2.7.1.09.10	Head Office Recharge (see below)
2.7.1.10.10	Interest charges on loans (see below)
2.7.1.11.10	Capital Redemption costs (see below)

#### 8.7.1 Head Office Recharge.

There are a number of support services that are essential to the treatment and distribution of water and of collection and treatment of wastewater. These include:

1. the pay office;
2. Human resources;
3. the buying office;
4. the stores branch;
5. records branch etc.

While some of their costs will be paid for by the property rates etc. mentioned above; often some of their costs are recovered from water treatment and supply; and from wastewater collection and treatment in the form of a Head Office Recharge.

#### 8.7.2 Capital Costs.

When money is borrowed to pay for extensions, upgrades etc.; the money needs to be paid back over the period of the loan. The period of the loan will vary depending on many factors. Typical periods vary from about 5 years for vehicles etc., to 15 years for mechanical and electrical equipment; to about 30 years for concrete structures.

The monthly or annual payment will consist of two parts:

1. Interest charged - on the amount still owed;
2. Capital redemption – the actual repayment of the loan.

Taking an example of a loan of R300 000 for 15 years at 8% interest per year; the annual payment would be  $0.1168 * R300\ 000 = R35\ 040$  per year or R525 600 over the 15 years. It is assumed that the loan was raised on 1<sup>st</sup> July and the first repayment was at end of that month and continued every month for the 15 years until the loan was repaid. In the first year, the interest charged would be R23 586 and R11 454 would be repaid on the loan. These would be shown in the budget as Interest Charged and as Capital redemption (see above).

This means that the amount still owed at the end of the first year would be  $R300\ 000 - R11\ 454 = R288\ 546$ . It may be seen that in the first year that very little capital is paid off. In the second year, the total of Interest Charged and Capital Redemption would remain the same, but the interest would be a little less and the capital redemption a little more.

#### 8.8 ASSET REGISTER.

All the municipality's assets such as buildings, treatment works (including mechanical and electrical equipment), reservoirs etc. need to be recorded together with their value in what is known as the "Asset Register". In this way, the municipality can see what it is worth.

An important part of the financial management of the municipality is the recording and every year, the revaluing of the assets. Consider the example of the item of equipment mentioned above that cost R300 000 and was paid for with a loan repayable over 15 years. After 1 year of use, the equipment will be a little bit older and therefore cannot still be considered as valued at R300 000. The value is decreased each year by what is known as "Depreciation".

There are several ways of working out what the value is at the end of year 1, year 2 etc. One method is the so-called "Straight Line" method where the value is reduced by the same percentage each year. Again considering the above example, using the straight line method over the 15 year estimated life of the equipment and the period of the loan; the item of equipment would be depreciated by 6.66% per year, so that the value would reduce to zero when the loan was paid off after 15 years.

In the above example, the depreciation after 1 year would be 6.66% of R300 000, or R20 000. That item would then be recorded in the asset register of having a value of R280 000. At the end of year 2, the value would decrease by another R20 000, then making the value in the Asset Register as R260 000. In year 15, the value would decrease by another R20 000 to zero.

#### 8.9 IMPACT OF SHORTENED LIFE OF AN ASSET.

Again taking the above example – it was shown that the loan would be paid for over 15 years and the value of the asset would be reduced to zero over the same period of 15 years. If the item of equipment was poorly maintained and had to be scrapped and replaced after, say 12 years; then there is a significant financial impact.

As the loan had not yet been fully paid, the monthly instalment of interest and capital redemption would continue until the end of the 15 years. In the above example, it means that 3 payments of R35 040 per year would still need to be made – this totals R105 120. In addition, the depreciation at

the end of year 12 would have to be increased by  $3 \times R20\ 000$  as the item of equipment would then have no value.

The problem gets worse – the municipality would have to buy a new item of equipment to replace the one scrapped. The replacement item could cost R400 000. The municipality would have to start paying off the loan for the new item of equipment while at the same time still paying off the loan of the scrapped item of equipment for 3 years.

From the above example, it may be seen that poor maintenance of equipment resulting in a shortened life has a very serious impact on the costs of operating such equipment.

As a guide, 5% of the initial cost of an item of mechanical or electrical equipment, should be spent on the maintenance of such equipment, per year. For buildings etc., a figure of 2% per year is a good guide.

In the above example, the TOTAL cost of operating that item of equipment would be  $R35\ 040 + 5\%$  of  $R300\ 000$  ( $R15\ 000$ ) or  $R50\ 040$  per year.

If the item of equipment was maintained very well and its life extended beyond the period of the loan, then in year 16 there would be a saving of  $R35\ 040$  in the operation of such equipment.

**IT IS CLEARLY OF GREAT ADVANTAGE TO TAKE EXTRA CARE TO MAINTAIN THE EQUIPMENT SO THAT ITS LIFESPAN EXCEEDS THAT OF THE LOAN.**

XXXXXXXX

**THE PROCESS CONTROLLER's GUIDE TO**  
**MANAGEMENT, SUPERVISION and RELATED MATTERS.**

**PART 9**

**USEFUL CONTACT DETAILS**

**9.1 DEPARTMENT OF LABOUR – PROVINCIAL OFFICES.**

**9.1.1 Eastern Cape.**

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 043 701 3000  
Fax Number: 043 743 2047  
Street Address: Laboria Building, cnr Church & Oxford Streets East London,  
Postal Address: Private Bag X9005, East London, 5201  
Email address: ec.customerCare@labour.gov.za

**9.1.2 Free State.**

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 051 505 6200  
Fax Number: 051 447 9353  
Street Address: Laboria House, 43 Charlotte Maxeke Street, Bloemfontein.  
Postal Address: PO Box 522, Bloemfontein, 9300  
Email address: fs.customerCare@labour.gov.za

**9.1.3 Gauteng.**

1. Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 011 497 3086  
Fax Number: 011 497 3293  
Street Address: Annuity House, 18 Rissik Street, Johannesburg  
Postal Address: PO Box 4560, Johannesburg, 2000  
Email Address: gp.customerCare@labour.gov.za
2. Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 012 309 5282  
Fax Number: 012 309 5142  
Street Address: Concilium Building, 239 Skinner Street, Pretoria  
Postal Address: PO Box 4560, Johannesburg, 2000  
Email Address: gp.customerCare@labour.gov.za

**9.1.4 KwaZulu Natal.**

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 031 366 2000  
Fax Number: 031 305 7560  
Street Address: 407 Salmon Gove Chambers, Anton Lembede (Smith Street), Durban,  
Postal Address: PO Box 940, Durban, 4000  
Email Address: kzn.customerCare@labour.gov.za

#### 9.1.5 Limpopo.

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 015 290 1740  
Fax Number: 015 290 1692  
Street Address: Boland Bank Building, 42A Schoeman Street, Polokwane  
Postal Address: Private Bag X9368, Polokwane, 0700  
Email Address: lp.customercare@labour.gov.za

#### 9.1.6 Mpumalanga.

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 013 655 8700  
Fax Number: 013 690 2622  
Street Address: Labour Building, cnr Hofmeyer Street and Beatty Avenue, Witbank  
Postal Address: Private Bag X7263, Witbank, 1035  
Email Address: mp.customercare@labour.gov.za

#### 9.1.7 North West.

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 018 387 8100  
Fax Number: 018 384 2597  
Street Address: 2nd Floor, Provident House, University Drive, Mmabatho  
Postal Address: Private Bag X2040, Mmabatho, 2735  
Email Address: nw.customercare@labour.gov.za

#### 9.1.8 Northern Cape

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 053 838 1500  
Fax Number: 053 832 8167  
Street Address: Laboria House. cnr Compound and Pniel Road, Kimberley  
Postal Address: Private Bag X 5012, Kimberley, 8300  
Email Address: nc.customercare@labour.gov.za

#### 9.1.9 Western Cape

Operating Hours: 07:30 to 16:00, Monday to Friday.  
Telephone Number: 021 441 8000  
Fax Number: 021 441 8048  
Street Address: Wesbank House, cnr Riebeeck and Long Street, Cape Town  
Postal Address: PO Box 872, Cape Town, 8000  
Email Address: wc.customercare@labour.gov.za

### 9.2 DEPARTMENT OF WATER AND SANITATION – PROVINCIAL OFFICES

#### 9.2.1 Eastern Cape.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 043 604 5400  
Fax Number: 043 642 6032  
Street Address: 2 Hargreaves Avenue, King Williams Town,  
Postal Address: Private Bag X7485 King Williams Town 5600  
Email address: NOT KNOWN

#### 9.2.2 Free State.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 051 405 9000  
Fax Number: 051 430 8146  
Street Address: 2<sup>nd</sup> Floor Bloem Plaza  
Postal Address: cnr Charlotte Maxeke & East Burger Streets, Bloemfontein  
Email address: P O Box 528 Bloemfontein 9300  
NOT KNOWN

#### 9.2.3 Gauteng.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 012 382 1300  
Fax Number: 086 274 3717  
Street Address: Bothongo Plaza East  
Postal Address: 285 Francis Baard Street, Pretoria  
Email Address: Private Bag X995 Pretoria 0001  
NOT KNOWN

#### 9.2.4 KwaZulu Natal.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 031 336 2700  
Fax Number: 031 336 2849  
Street Address: 9<sup>th</sup> Floor Southern Life Building  
Postal Address: 88 Joe Slovo Street, Durban,  
Email Address: P O Box 1018 Durban 4000  
NOT KNOWN

#### 9.2.5 Limpopo.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 015 290 1200  
Fax Number: 015 295 2295  
Street Address: Azmo Place  
Postal Address: 49 Joubert Street, Polokwane  
Email Address: Private Bag X9506, Polokwane, 0700  
NOT KNOWN

#### 9.126 Mpumalanga.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 013 759 7300  
Fax Number: 013 759 7525  
Street Address: Prorom Building  
Postal Address: cnr Brown & Paul Kruger Street, Nelspruit  
Email Address: Private Bag X11259, Nelspruit 1200  
NOT KNOWN

#### 9.2.7 North West.

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 018 387 9500  
Fax Number: NOT KNOWN  
Street Address: Mega City Complex  
Postal Address: cnr Dr James Moroka Drive & Sekame Road, Mmabatho.  
Email Address: Private Bag X5, Mmabatho, 2735  
NOT KNOWN

### 9.2.8 **Northern Cape**

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 053 830 8800  
Fax Number: 053 836 7692  
Street Address: 28 Central Road, Beaconsfield, Kimberley  
Postal Address: Private Bag X 6101, Kimberley, 8300  
Email Address: NOT KNOWN

### 9.2.9 **Western Cape**

Operating Hours: 08:00 to 16:30, Monday to Friday.  
Telephone Number: 021 941 6000  
Fax Number: 021 941 6100  
Street Address: Spectrum House  
Postal Address: 52 Voortrekker Road, Bellville  
Email Address: Private Bag X16 Sanlamhof 7532  
NOT KNOWN

## 9.3 **THE COMMISSION FOR CONCILIATION, MEDIATION and ARBITRATION - (CCMA).**

### 9.3.1 **Eastern Cape.**

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 043 711 5400  
Fax Number: 043 743 0810  
Street Address: 31 Church Street, East London  
Postal Address: Private Bag X9068 East London 5200  
Email address: el@ccma.org.za
  
2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 041 509 1000  
Fax Number: 041 586 4410  
Street Address: 97 Govan Mbeki Avenue, Port Elizabeth  
Postal Address: Private Bag X22500 Port Elizabeth 6000  
Email address: pe@ccma.org.za

### 9.3.2 **Free State.**

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 051 411 1700 / 1780  
Fax Number: 051 448 4468  
Street Address: CCMA House  
Postal Address: cnr Merriam Makeba & W Burger Streets, Bloemfontein  
Private Bag X20705 Bloemfontein 9300  
Email address: blm@ccma.org.za
  
2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 057 910 8380  
Fax Number: 057 352 8774  
Street Address: 27 Mooi Street, Welkom  
Postal Address: Private Bag X10213 Welkom 9460  
Email address: blm@ccma.org.za

### 9.3.3 Gauteng.

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 011 845 9000 / 9080  
Fax Number: 011 421 4723  
Street Address: CCMA Place  
Postal Address: cnr Woburn & Rothsay Streets, Benoni  
Email Address: ekurhuleni@ccma.org.za
  
2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 011 220 5000 / 5080  
Fax Number: 011 220 5101  
Street Address: CCMA House  
Postal Address: cnr Fox & Eloff Streets, Johannesburg  
Email Address: Private Bag X96 Marshalltown 2107  
johannesburg@ccma.org.za
  
3. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 012 317 7800 / 7880  
Fax Number: 012 320 6600  
Street Address: CCMA Towers  
Postal Address: 345 Pretorius Street, Pretoria  
Email Address: Private Bag X176 Pretoria 0001  
pta@ccma.org.za
  
4. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 016 440 2700 / 2780  
Fax Number: 016 442 6837  
Street Address: cnr Kruger Avenue & Edward Street, Vereeniging  
Postal Address: Private Bag X010 Vereeniging 1930  
Email Address: johannesburg@ccma.org.za

### 9.3.4 KwaZulu Natal.

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 031 362 2300 / 2380  
Fax Number: 031 301 1344  
Street Address: 1<sup>st</sup> Floor, Aquasky Building  
Postal Address: 275 Anton Lembede, Durban,  
Email Address: Private Bag X54363 Durban 4000  
kzn@ccma.org.za
  
2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 034 328 2400 / 2480  
Fax Number: 034 312 5964  
Street Address: RAMS TV Centre  
Postal Address: 71 Scott Street, Newcastle,  
Email Address: Private Bag X6622 Newcastle 2940  
kzn@ccma.org.za
  
3. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 033 328 5000 / 5080  
Fax Number: 033 345 9790  
Street Address: CCMA House  
Postal Address: 169 Peter Kirchhoff Street, Pietermaritzburg,  
Email Address: P O Box 72 Pietermaritzburg 3200  
kzn@ccma.org.za

4. Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 039 688 3700 / 3780  
 Fax Number: 039 684 1771  
 Street Address: cnr McArthur and Denis Shepstone Street, Port Shepstone,  
 Postal Address: Private Bag X849 Port Shepstone 4240  
 Email Address: kzn@ccma.org.za

5. Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 035 799 3300 / 3380  
 Fax Number: 035 789 7148  
 Street Address: ABSA Building, Lakeview Terrace, Richards Bay,  
 Postal Address: Private Bag X54363 Durban 4000  
 Email Address: kzn@ccma.org.za

#### 9.3.5 Limpopo.

Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 015 287 7400 / 7480  
 Fax Number: 015 297 1649  
 Street Address: CCMA House  
 Postal Address: 104 Hans van Rensburg Street, Polokwane  
 Email Address: Private Bag X9512, Polokwane, 0700  
 ptb@ccma.org.za

#### 9.3.6 Mpumalanga.

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 013 755 7500 / 7580  
 Fax Number: 013 753 3835  
 Street Address: Sanlam Centre  
 Postal Address: 25 Samora Machel Street, Nelspruit  
 Email Address: NOT KNOWN  
 wtb@ccma.org.za

2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 013 655 2600 / 2680  
 Fax Number: 013 656 2888  
 Street Address: CCMA House  
 Postal Address: 69 Kruger Street, Witbank  
 Email Address: Private Bag X7290, Witbank 1035  
 wtb@ccma.org.za

#### 9.3.7 North West.

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 018 487 4600  
 Fax Number: 018 462 4126  
 Street Address: CCMA House  
 Postal Address: 47 Siddle Street, Klerksdorp.  
 Email Address: Private Bag X5004, Klerksdorp 2571  
 kdp@ccma.org.za

2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
 Telephone Number: 014 6400 / 6480  
 Fax Number: 014 592 5236  
 Street Address: CCMA house  
 Postal Address: 43 Boom Street, Rustenburg  
 Email Address: Private Bag X82104, Rustenburg, 3000  
 kdp@ccma.org.za

### 9.3.8 **Northern Cape**

Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 053 836 7300 / 7380  
Fax Number: 053 831 5947  
Street Address: CCMA House  
5 Compound Street, Kimberley  
Postal Address: Private Bag X 6100, Kimberley, 8300  
Email Address: kmb@ccma.org.za

### 9.3.9 **Western Cape**

1. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 021 469 0111 / 0180  
Fax Number: 021 465 7193  
Street Address: CCMA House  
78 Darling Street, Cape Town  
Postal Address: Private Bag X9167, Cape Town 8000  
Email Address: ctn@ccma.org.za
  
2. Operating Hours: 08:00 to 17:00, Monday to Friday.  
Telephone Number: 044 805 7700 / 7780  
Fax Number: 044 873 2906  
Street Address: 2 Cathedral Square, 62 Cathedral Street, George  
Postal Address: Private Bag X6650, George 6530  
Email Address: ctn@ccma.org.za

## 9.4 **NATIONAL OCCUPATIONAL SAFETY ASSOCIATION - (NOSA).**

### 9.4.1 **Eastern Cape**

1. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 041 363 8125  
Street Address: 17 Humewood Road, Humerail, Port Elizabeth  
Email Address: NOT KNOWN
  
2. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 043 726 0931  
Street Address: 30 Chamberlain Street, East London  
Email Address: NOT KNOWN

### 9.4.2 **Free State**

1. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 051 444 1906  
Street Address: Regus Business Centre, off Odendaal Street, Bloemfontein  
Email Address: NOT KNOWN
  
2. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 051 444 1906  
Street Address: 9A Neser Street, Welkom  
Email Address: NOT KNOWN

#### 9.4.3 Gauteng

1. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 011 894 6439  
Street Address: Bentel Avenue, Boksburg  
Email Address: NOT KNOWN
  
2. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 087 286 8222  
Street Address: 46 Centurion Office Park, Embankment Road, Centurion  
Email Address: NOT KNOWN
  
3. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 010 226 4000  
Street Address: 32 Reedbuck Crescent, Randjes Park, Midrand  
Email Address: NOT KNOWN
  
4. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 016 932 1970  
Street Address: Hendrik van Eck Street, vanderbijlpark  
Email Address: NOT KNOWN

#### 9.4.4 KwaZulu-Natal

1. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 031 492 1003  
Street Address: Unit 1A, Pine Industrial Park, 16 Pineside Road, New Germany  
Email Address: NOT KNOWN
  
2. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 035 789 4353  
Street Address: Regus Building, Penny Lane, Richards Bay  
Email Address: NOT KNOWN

#### 9.4.5 Limpopo

Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 015 293 1077  
Street Address: 23 Witklip Street, Annadale, Polokwane  
Email Address: NOT KNOWN

#### 9.4.6 Mpumalanga

1. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 017 634 8438  
Street Address: Top Hill Office Park, Horwood Street, Secunda  
Email Address: NOT KNOWN
  
2. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 013 755 1166  
Street Address: 1 Parkin Street, Nelspruit  
Email Address: NOT KNOWN

3. Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 087 286 8222  
Street Address: cnr O R Tambo and Steenkamp Streets, Witbank  
Email Address: NOT KNOWN

9.4.7 **Northern Cape**

Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 051 444 1909  
Street Address: 4095 Kameeldoring Street, Kathu  
Email Address: NOT KNOWN

9.4.8 **North West**

Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 014 592 1787  
Street Address: 54 Von Wiellig Street, Rustenburg  
Email Address: NOT KNOWN

9.4.9 **Western Cape**

Operating Hours: 08:00 to 16:00, Monday to Friday.  
Telephone Number: 021 975 0680  
Street Address: 21A McIntyre Street, Glen Lily, Cape Town  
Email Address: NOT KNOWN

**THE PROCESS CONTROLLER's GUIDE TO  
MANAGEMENT, SUPERVISION and RELATED MATTERS.**

**PART 10.**

**EXAMPLES OF FORMS THAT MAY BE USED.**

**10.1 LIST OF FORMS.**

1. Grievance Form.
2. Recording and Investigation of Accidents - Annexure 1
3. Employer's Report of an Accident – W.Cl.2
4. Referring a Dispute to CCMA – LRA Form 7.11

## GRIEVANCE FORM

Date: \_\_\_\_\_

Name of Employee: \_\_\_\_\_

Job Designation: \_\_\_\_\_

Section / Branch / Department: \_\_\_\_\_

Supervisor/Manager: \_\_\_\_\_

Union Representative: \_\_\_\_\_

Date on which grievance occurred: \_\_\_\_\_

Employee's Grievance: (Short description, only facts to be noted)

.....  
.....  
.....  
.....  
.....

Proposed Solution:

.....  
.....  
.....  
.....

.....  
Employee's Signature)

.....  
(Representative's Signature)

RECEIVED by Supervisor / Manager on .....

Signed: ..... (Supervisor / Manager).

Result from Grievance Meeting held on .....

.....

.....

.....

.....

.....

.....

.....

Is the employee satisfied with the outcome (YES or NO):.....

If Not – Why Not:

.....

.....

.....

.....

.....

.....

.....

.....

Matter to be referred to .....

.....

.....

---

.....  
(Employee's Signature)

.....  
(Representative's Signature)

Signed: ..... (Supervisor / Manager).

Page 2 of 2

**ANNEXURE I**  
**OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 85 OF 1993)**  
**REGULATION 9 OF THE GENERAL ADMINISTRATIVE REGULATIONS**  
**RECORDING AND INVESTIGATION OF INCIDENTS**

## A. RECORDING OF INCIDENT

A. RECORDING OF INCIDENT					
1. Name of employer					
2. Name of affected person					
3. ID Number of affected person					
4. Date of the incident			5. Time of incident		
6. Part of body affected	Head or Neck		Eye		Trunk
	Arm		Foot		Leg
7. Effect on person	Sprains or strains		Contusion or wounds		Fractures
	Electric shock		Asphyxiation		Unconsciousness
8. Expected period of disablement	0-13 days	2-4 weeks	>4-16 weeks	>16-52 weeks	> 52 weeks or permanent disablement
9. Description of Occupational Disease**					
10. Machine / process involved / type of work performed / exposure					
11. Was incident reported to the Compensation Commissioner and the Provincial Director?			YES	NO	* Make a cross in the appropriate square
12. Was incident reported to the SAPS? (In case of fatality)					
13. SAPS office and reference					
** In case of a hazardous chemical substance, indicate substance exposed to					
<b>B. INVESTIGATION OF THE ABOVE INCIDENT BY A PERSON DESIGNATED THERETO</b>					
1. Name of investigator			2. Date of investigation		
3. Designation of investigation					
4. Short description of incident					
5. Suspected cause of incident					
6. Recommended steps to prevent a recurrence					
Signature of the investigator			Date		
<b>C. ACTION TAKEN BY THE EMPLOYER TO PREVENT THE RECURRENCE OF A SIMILAR INCIDENT</b>					
<hr/> <hr/> <hr/>					
Signature of the Employer			Date		
<b>D. REMARKS BY THE HEALTH AND SAFETY COMMITTEE</b>					
<hr/> <hr/> <hr/>					
Remarks					
<hr/> <hr/> <hr/>					
Signature of chairperson of the Health and Safety Committee			Date		



# labour

Department:  
Labour  
REPUBLIC OF SOUTH AFRICA

## COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993

Section 6(A) – Annexure 13

### EMPLOYER'S REPORT OF AN ACCIDENT

(For official use only)

Claim No. ....  
Provincial Office .....  
Date .....

#### DIRECTIONS FOR COMPLETING OF FORM BY EMPLOYER

*This form must be completed:*

- (1) Whenever an employee meets with an accident arising out of and in the course of his/her employment resulting a personal injury for which medical treatment is required, or death.
- (2) Whenever an employee reports any personal injury to his/her employer, if in making the report the employee alleges that such injury arose out of and in the course of his/her employment.

**(Where the accident has caused death, unconsciousness or amputation or where the injured employee is presumed unable to work for a period of at least 14 days, the Provincial Executive Manager of Labour must ALSO be notified by telephone or fax, without delay).**

Step 1 Complete "Part A", page 1 of the form by giving full details, sign and date form where indicated.

Step 2 Detach "Part B" (an automatic copy of "Part A", page 1) by tearing it at the perforation, hand "Part B" to the employee and request him/her to hand it to the medical practitioner/chiropractor or the hospital concerned. **In serious cases "Part B" must be forwarded to the medical practitioner/chiropractor or the hospital without delay.**

Step 3 Complete "Part A", page 2 of the form by giving full details.

Step 4 **Forward the completed report of an accident together with a certified copy of the employee's ID and the First Medical Report (W.CI.4) (If available) to:**

#### THE COMPENSATION COMMISSIONER

#### COMPENSATION HOUSE

CNR. SOUTPANSBERG AND HAMILTON ROAD  
P.O. BOX 955  
PRETORIA  
00001

Call Centre 086 010 5350  
Fax (012) 323-8627  
(012) 325-6686  
(012) 326-7889  
(012) 323-6986

e-mail • cf-info@labour.gov.za  
Website • <http://www.labour.gov.za>

#### N.B.:

- 1) Complete a separate form in respect of each injured employee.
- 2) This form must be delayed in expectation of the employee resuming employment or awaiting medical reports.
- 3) An employer who fails to report any accident within 7 days to the Compensation Commissioner on this form, shall be guilty of an offence in terms of the Compensation for Occupational Injuries and Disease Act, 1993 and may held liable for the full amount of compensation payable in respect of such accident.
- 4) An employer who fails to report accidents that have caused death, unconsciousness or amputation or cases where the injured employee is presumed unable to work for a period of at least fourteen days to the Provincial Executive Manager of Labour by telephone or fax, shall be guilty of an offence in terms of the occupational Health and Safety Act, 1993.
- 5) Use the appropriate form or the reporting of occupational diseases. (W.CI.1).
- 6) If an injured employee should leave your employ, please keep record of the address where he/she can be reached so that monies which might be payable to him/her from the Compensation Fund, can be sent to him/her with your assistance.
- 7) Minor injuries where no medical attention was required should not be reported, however a record should be kept of such injuries.

## EMPLOYER'S REPORT OF AN ACCIDENT

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993  
Section 6(A) (b) – Annexure 13

## Instructions:

Complete the form in block letters and mark appropriate areas (X)

(For official use only)

Claim No. ....

Provincial Office

Date

## DECLARATION BY EMPLOYER OR AUTHORISED PERSON

I hereby declare that the particulars, shown in items 1 to 62 of this report, of an alleged injury on duty, are to the best of my knowledge and belief true and accurate.

Signed on this ..... day of ..... year ..... → Signature .....

## EMPLOYER

1. Registered name with the Compensation Commissioner .....
2. Registered number of this business with the Compensation Commissioner .....
3. Contact person .....
4. Street address .....
5. Postal code .....
6. Postal address .....
7. Postal code .....
8. Tel. no. (.....) .....
- 9.1 Fax no. (.....) .....
10. Situation of business/farm .....
- 9.2 E-mail address .....
11. Nature of business, trade or industry .....

## EMPLOYEE (CERTIFIED COPY OF IDENTITY DOCUMENT TO BE ATTACHED)

12. Is the injured person a	working director	working member of a CC	owner of	partner in the business?	Not applicable
13. Surname .....	14. First names .....				
15. ID no. .....	16. Date of birth .....				17. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
18. Marital state <input type="checkbox"/> Married <input type="checkbox"/> Single	19. Citizen of .....				
20. Personnel no. .....	21. Occupation .....				
22. Street address .....	23. Postal code .....				
24. Postal address .....	25. Postal code .....				
26. Tel. No. (.....) .....					
27. Period in your employ (years/months) .....	28. Expected period of disablement (days) <input type="checkbox"/> 0-13 days <input type="checkbox"/> 14 & more				

## ACCIDENT

29. Date of accident .....
30. Time .....
31. Place of accident .....
32. District .....
- 32.2 Province .....
33. Date employee reported accident .....
34. Time .....
35. What task was the employee performing at the time of the accident? .....
36. Period of experience in the task performed (years/months) .....
37. Was his action at the time of the accident in connection with your trade or business?  YES  NO  
(If "no" state reasons on reverse side Part A page 3)
38. Short description of how the accident occurred. (ALSO mark the applicable items on the reverse side of Part A Page 3 and use same for a full description) .....

(Refer the machine/process involved, whether the injured person fell or was struck and all the factors contributing to the accident)

39. Was the accident a traffic accident on a public road?  YES  NO
40. Nature of injury sustained (e.g. index finger of right hand crushed) .....
- Mark any of the following when applicable:  Killed  Amputation  Unconsciousness
41. Are you satisfied that the employee was injured in the manner alleged by him?  YES  NO  
(If "no" state reasons on reverse side Part A page 3) If not, give reasons.

PART A PAGE 2 MUST ALSO BE COMPLETED

Please complete in detail to ensure early finalisation.

(COMPULSORY TO COMPLETE)

## PART A PAGE 2

Employer: ..... Date of accident: .....

Employee: ..... Employee's ID No: .....

## FURTHER PARTICULARS OF EMPLOYEE

42. Earnings of employee at the time of accident:  
Attach copy of payslip as at time of accident.

	R/Week	R/Month
Gross cash earnings: (Including average payments for overtime and/or commission of a constant character)		
Allowances of a recurrent nature:		
a) Bonuses (i.e. 13th cheque) .....		
b) Other allowances (specify nature) .....		
Cash value of:		
Free food .....		
Free quarters .....		
Other payment in kind (specify nature) .....		

43. In terms of section 47 of the Act an employer is obliged to pay an employee full compensation for the first three months of absence

44. Are you prepared to make further compensation payments after the first three months from the date of the accident?  YES  NO

45. If you have already paid cash (earnings) to the employee, state the total amount R .....

46. For what period were such payments made? From ..... / ..... / ..... To ..... / ..... / .....

47. Number of days per week worked by the employee .....

48. Date on which the employee ceased work due to accident ..... / ..... / .....

49. Time .....

50. Did the employee complete his shift on the day that he ceased work?  YES  NO

51. Date on which the employee resumed work ..... / ..... / .....

52. Time .....

**(If the employee will be off duty for an extended period, an interim Resumption Report (W.CI.6) must be submitted monthly).**

53. If the employee was killed in the accident, state name and address of dependant of the employee.....

## FURTHER PARTICULARS

54. Should the employee have any physical defect, have suffered from any serious disease prior to the accident or has previously received compensation for permanent disablement, give full particulars.....

55. Was first aid given in this case?  YES  NO

56. State the name of the medical practitioner/chiropractor who treated the employee.....

57. If the employee received treatment at a hospital, state name of hospital.....

58. Was the accident caused by the employee's: a) Deliberate non-compliance with directions?  YES  NO

    b) Reckless disregard of the terms of any law or statutory regulation designed to ensure the safety or health of employees or the prevention of accidents?  YES  NO

    c) Action while under the influence of liquor or drugs?  YES  NO

**(N.B. If any reply is in affirmative, the employee must furnish an explanatory statement which must then be attached hereto together with your comments thereon).**

59. Name and address of anybody: a) Who witnessed the accident.....

    b) Who was aware of the accident at the time.....

60. How many other employees were injured in the same accident? .....

61. If the accident was investigated by the SA Police, state name of Police Station and docket number applicable .....

62. If motor vehicles were involved, furnish registration number/s.....

ANY ADDITIONAL DETAILS CAN BE SUPPLIED ON PART A PAGE 3

## PART A PAGE 3

Employer: ..... Date of accident: .....

Employee: ..... Employee's ID No: .....

38. Continuation of point 38 of the previous page. Contributing factors/causes applicable. (Mark the applicable item/s at A and B).

A)

Defective plant	
Defective machine	
Unfavourable conditions of work	
Fault of employer	
Fault of injured employee	
Fault of supervisor	

B)

Railway	
Building work	
Electricity	
Chemicals	
Poisoning	
Burns	

Explosions	
Rotating machine	
Press/Rollers	
Woodworking machine	
Lifting machine	
Hand tools	

Other machinery (Specify): .....

Any other contributing factors, not mentioned above (Specify): .....

The rest of this page may be used for any additional details or comments regarding the accident.

## EMPLOYER'S REPORT OF AN ACCIDENT

## COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993

Section 6(A) (b) – Annexure 13

Instructions:

Complete the form in block letters and mark appropriate areas (X)

(For official use only)

Claim No. ....

Provincial Office

.....

Date .....

## DECLARATION BY EMPLOYER OR AUTHORISED PERSON

I hereby declare that the particulars, shown in items 1 to 62 of this report, of an alleged injury on duty, are to the best of my knowledge and belief true and accurate.

Signed on this ..... day of ..... 20 .....  Signature .....

## EMPLOYER

1. Registered name with the Compensation Commissioner .....
2. Registered number of this business with the Compensation Commissioner .....
3. Contact person .....
4. Street address .....
5. Postal code .....
6. Postal address ..... 7. Postal code .....
8. Tel. no. (.....) .....
- 9.1 Fax no. (.....) .....
10. Situation of business/farm .....
- 9.2 E-mail address .....
11. Nature of business, trade or industry .....

## EMPLOYEE (CERTIFIED COPY OF IDENTITY DOCUMENT TO BE ATTACHED)

12. Is the injured person a	working director	working member of a CC	owner of	partner in the business?	Not applicable
13. Surname .....	14. First names .....				
15. ID no. .....	16. Date of birth ...../...../.....				17. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
18. Marital state <input type="checkbox"/> Married <input type="checkbox"/> Single	19. Citizen of .....				
20. Personnel no. .....	21. Occupation .....				
22. Street address .....	23. Postal code .....				
24. Postal address .....	25. Postal code .....				
26. Tel. No. (.....) .....					
27. Period in your employ (years/months) ...../.....	28. Expected period of disablement (days) <input type="checkbox"/> 0-13 days <input type="checkbox"/> 14 & more				

## ACCIDENT

29. Date of accident ...../...../.....
30. Time .....
31. Place of accident .....
32. District .....
- 32.2 Province .....
33. Date employee reported accident ...../...../.....
34. Time .....
35. What task was the employee performing at the time of the accident? .....
36. Period of experience in the task performed (years/months) .....
37. Was his action at the time of the accident in connection with your trade or business?  YES  NO  
(If "no" state reasons on reverse side Part A page 3)
38. Short description of how the accident occurred. (ALSO mark the applicable items on the reverse side of Part A Page 3 and use same for a full description) .....

(Refer the machine/process involved, whether the injured person fell or was struck and all the factors contributing to the accident).

39. Was the accident a traffic accident on a public road?  YES  NO
40. Nature of injury sustained (e.g. index finger of right hand crushed) .....
- Mark any of the following when applicable:  Killed  Amputation  Unconsciousness
41. Are you satisfied that the employee was injured in the manner alleged by him?  YES  NO  
(If "no" state reasons on reverse side Part A page 3)

PART A PAGE 2 MUST ALSO BE COMPLETED

Please complete in detail to ensure early finalisation.

## DIRECTIONS TO MEDICAL PRACTITIONER/CHIROPRACTOR/HOSPITAL

- (a) Only the Compensation Commissioner shall decide whether liability in respect of an accident should be accepted in terms of the provisions of the Act.
- (b) If liability is not accepted by the Compensation Commissioner medical expenses cannot be paid from the Compensation Fund.
- (c) The FIRST MEDICAL REPORT (W.CI.4) must be completed in **duplicate** and care must be taken to ensure that the full names of the employee and employer and the employee's ID number as shown on this form, appear thereon. The original must be sent to the employer as soon as possible whilst **the duplicate must be kept by the medical practitioner/chiropactor or hospital together with this form.**
- (d) The medical practitioner/chiropactor or hospital must send a specified account to the employer, if the account is still **unpaid after 2 months this form together with the duplicate FIRST MEDICAL REPORT (W.CI.4)** and specified account must be sent under cover of an **Enquiry Regarding Unpaid Account (W.CI.20)** to:

**THE COMPENSATION COMMISSIONER  
COMPENSATION HOUSE  
CNR. SOUTPANSBERG AND HAMILTON ROAD  
P.O. BOX 955  
PRETORIA  
0001**

Call Centre 086 010 5350      e-mail • [cf-info@labour.gov.za](mailto:cf-info@labour.gov.za)  
 Fax (012) 323-8627      Website • <http://www.labour.gov.za>  
 (012) 325-6686  
 (012) 326-7889  
 (012) 323-6986

<b>PROVINCIAL OFFICES : DEPARTMENT OF LABOUR</b>				
<b>TOWN</b>	<b>POSTAL ADDRESS</b>	<b>STREET ADDRESS</b>	<b>TELEPHONE</b>	<b>FAX</b>
Durban	PO Box 940	Salmon Grove Chambers 407 Smith Street	031 - 366 2191/00 031 - 366 2097/98	031 - 305 7560
Cape Town	PO Box 872	4th Floor Westbank House Cnr. Riebeeck and Long Street	021 - 441 8000	021 - 441 8048
Bloemfontein	PO Box 522	Laboria House 43 Maitland Street	051 - 505 6248 051 - 505 6200	051 - 447 9353
Kimberley	P/Bag X5012	Laboria House No. 43 Cnr. Compound & Pniel Roads	053 - 838 1500 053 - 838 1616	053 - 832 8167
Pretoria	PO Box 393	Concillium Building 239 Skinner Street	012 - 309 5282	012 - 309 5142
Johannesburg	PO Box 4560	Annuity House 18 Rissik Street	011 - 497 3086 011 - 497 3283 011 - 497 3136	011 - 497 3293
Mmabatho	P/Bag X2040	Provident House, 2nd Floor University Drive	018 - 387 8100	018 - 384 2597
Witbank	P/Bag X7263	Labour Building Cnr Hofmeyer & Beatty Avenue	013 - 655 8700	013 - 690 2622
Polokwane (Pietersburg)	P/Bag X9368	Boland Bank Building 42a Shoeman Street	015 - 290 1740	015 - 290 1692
East London	P/Bag X9005	Laboria Building Cnr Church & Oxford Streets	043 - 701 3297 043 - 701 3000	043 - 743 2047

**Call Centre No.: 086 010 5350 - Fax No.: (012) 323-8627 or (012) 323-6986**  
**E-mail: [cf-info@labour.gov.za](mailto:cf-info@labour.gov.za) - Website: [www.labour.gov.za](http://www.labour.gov.za)**

**LRA Form 7.11**  
 Labour Relations Act, 1995  
 Sections 9, 16, 21, 22, 24, 26, 45, 61, 63, 64,  
 72, 74, 86, 89, 94, 134, 191(1), 198 and  
 198A-C  
 Employment Equity Act, 1998  
 Sections 10  
 Basic Conditions of Employment Act, 1997  
 Sections 41, 69(5), 73A, 80, 84  
 Skills Development Act, 1998  
 Section 19  
 National Minimum Wage Act, 2018  
 Section 4(8)

**READ THIS FIRST**



**WHAT IS THE PURPOSE OF THIS FORM?**

This form enables a person or organisation to refer a dispute to the CCMA for conciliation and con-ARB.

**WHO FILLS IN THIS FORM?**

Employer, employee, trade union or employers' organisation.

**OTHER PARTIES**

If there is more than one employee to the dispute and the referring party is not a trade union, then each employee must supply his/her personal details and signature on a separate page, which must be attached to this form.

**WHERE DOES THIS FORM GO?**

The Registrar, Regional Office of the CCMA in the region where the dispute arose.

**OTHER INSTITUTIONS**

Please note that if you are covered by a bargaining council, a statutory council or an accredited agency you have to refer the dispute to the relevant council or agency.

You may also need to deal with the dispute in terms of a private procedure if one applies.

If in doubt contact the CCMA for assistance.

**WHAT WILL HAPPEN WHEN THIS FORM IS SUBMITTED?**

When you refer the dispute to the CCMA, it will appoint a commissioner who must attempt to resolve the dispute within 30 days.

**REFERRING A DISPUTE TO THE CCMA FOR CONCILIATION (INCLUDING CON-ARB)**



**1. DETAILS OF PARTY REFERRING DISPUTE**

An employee       A trade union  
 An employer       An employers' organisation  
 Department of Labour

**(a) Name of the party if the referring party is an employee**

Name:.....

Surname:.....

Length of service:..... ID Number:.....

Salary Gross:..... Salary Net:.....

Gender (M/F):..... Age:..... Nationality:.....

Postal Address:..... Code:.....

Tel:..... Cell:.....

Fax:..... Email:.....

**Alternative contact details of the employee (representative/relative or friend):**

Name:.....

Surname:.....

Postal Address:.....

Code:.....

Tel:..... Cell:.....

Fax:..... Email:.....

CCMA Case Number.....

Please turn over →

**FURTHER INSTRUCTIONS**

A copy of this form must be served on the other party.

Proof that a copy of this form has been served on the other party must be supplied by attaching any of the following:

- A copy of a registered slip from the Post Office; or
- A copy of a signed receipt if hand delivered; or
- A signed statement confirming service by the person delivering the form; or
- A copy of a fax or email confirmation slip; or
- Any other satisfactory proof of service.

**Attach supporting documents**

The CCMA may be requested to assist with service.

**UNFAIR LABOUR PRACTICE**

If the dispute(s) concerns an unfair labour practice the dispute must be referred (i.e. received by the CCMA) within 90 days of the act or omission which gave rise to the unfair labour practice. If more than 90 days has lapsed you are required to apply for condonation.

**NATIONAL MINIMUM WAGE DISPUTES**  
Disputes emanating from the NMWA and referred either in terms of S4(8) of the NMWA or S73A of the BCEA may be referred by any person who works for another and who receives or is entitled to receive any payment for that work.

**MUTUAL INTEREST DISPUTES**

- Attach the collective agreement on picketing or
- If no collective agreement on picketing, complete Annexure A to this form.
- If referring a request for establishment of picketing rules, complete Annexure A to this form.
- If referring a dispute relating to breach or interpretation of picketing rules, attach a copy of the picketing rules.

**DISPUTES RELATING TO COMPLIANCE ORDERS**

If referring a dispute relating to a compliance order, the order must be attached to this form. If the dispute is referred after the date on which compliance was due you are required to apply for condonation.

(b) Name of the referring party if the referring party is an employer, Department of Labour, employer's organisation or trade union, or if the employer's organisation or the trade union is assisting a member to the dispute

Name:.....

Surname (if applicable):.....

Designation:.....

Postal Address:.....

Code:.....

Tel:..... Cell:.....

Fax:..... Email:.....

Contact person:.....

**2. DETAILS OF THE OTHER PARTY (PARTY WITH WHOM YOU ARE IN DISPUTE)**

The other party is:

An employer     An employer's organisation     Department of Labour  
 An employee     A trade union  
 Other, Specify.....

(E.g. Temporary Employment Service, owner of the premises or person who controls access to the premises where employees work if it's an organisational rights dispute etc.)

Full Name(s):.....

(If company or close corporation, the name of the company or close corporation)

Postal Address:.....

Code:.....

Physical Address:.....

Code:.....

Tel:..... Cell:.....

Fax:..... Email:.....

Company or close corporation registration number:.....

Number of employees employed by the employer:.....

Please turn over 

### 3. NATURE OF THE DISPUTE

What is the dispute about (tick only one box)?

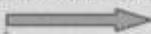
<input type="checkbox"/> Dismissal	<input type="checkbox"/> Mutual Interest
<input type="checkbox"/> Severance Pay	<input type="checkbox"/> Organisation Rights
<input type="checkbox"/> Unfair Labour Practice	<input type="checkbox"/> Disclosure of Information
<input type="checkbox"/> Freedom of Association	<input type="checkbox"/> S80 BCEA
<input type="checkbox"/> Unfair Discrimination – S10 EEA	<input type="checkbox"/> S19 SDA
<input type="checkbox"/> Interpretation / Application of Collective Agreement	<input type="checkbox"/> S198 LRA
<input type="checkbox"/> Disputes relating to breach of collective agreement, picketing agreement or picketing rules - S69(8)	<input type="checkbox"/> S198B (Fixed Term Contract)
<input type="checkbox"/> Unilateral Changes to Terms and Conditions of Employment – S64 LRA	<input type="checkbox"/> S84 BCEA
<input type="checkbox"/> Refusal to Bargain	<input type="checkbox"/> Breach of picketing rules
<input type="checkbox"/> S198A LRA (Temporary Employment)	
<input type="checkbox"/> S198C (Part-time Employment)	
<input type="checkbox"/> Application for determination of Picketing Rules – S69(6B)	
<input type="checkbox"/> S198A(4) LRA (Dismissal)	
<input type="checkbox"/> S198A(5) LRA (Unfavorable treatment)	
<input type="checkbox"/> Unilateral Changes to Terms and Conditions of Employment S4(8) NMWA	
<input type="checkbox"/> S73A of the BCEA (Claims for monies owing in terms of the NMWA)	
<input type="checkbox"/> S73A (Other claims for failure to pay amounts owing)	
<input type="checkbox"/> S69(5) BCEA (Dispute relating to Compliance orders)	
<input type="checkbox"/> Other .....	

If it is an unfair dismissal dispute, tick the relevant box

<input type="checkbox"/> Misconduct	<input type="checkbox"/> Incapacity
<input type="checkbox"/> Unknown Reasons	<input type="checkbox"/> Constructive Dismissal
<input type="checkbox"/> Poor Work Performance	<input type="checkbox"/> Dismissal relating to Probation
<input type="checkbox"/> Operational Requirements (Retrenchments)	
<input type="checkbox"/> Where I was the only employee dismissed	
<input type="checkbox"/> Where the employer employs less than ten (10) employees	

Other .....

This section must be completed!

  
(If referring a dispute relating to amounts owing in terms of section 73A of the BCEA, please provide details relating thereto)

If necessary write the details on a separate page and attach to this form.

If it is an unfair labour practice, state whether it relates to probation.

### 4. SUMMARISE THE FACTS OF THE DISPUTE (Use additional paper if necessary)

.....  
.....  
.....  
.....  
.....  
.....

Please turn over 

**5. DATE AND PLACE WHERE DISPUTE AROSE:**

The dispute arose on: \_\_\_\_\_  
(give the date, day, month and year)

The dispute arose where: \_\_\_\_\_  
(give the city/town in which the dispute arose)

**6. DATE OF DISMISSAL (if applicable) \_\_\_\_\_**

**7. FAIRNESS/UNFAIRNESS OF DISMISSAL (if applicable)**

(a) **Procedural Issues**

Was the dismissal procedurally unfair? Yes  No   
If yes, why?  
.....  
.....

(b) **Substantive Issues**

Was the reason for the dismissal unfair? Yes  No   
If yes, why?  
.....  
.....

This section must be completed!



If necessary write the details on a separate page and attach to this form.

**8. RESULT REQUIRED**

**9. SECTOR**

Indicate the sector or service in which the dispute arose.

<input type="checkbox"/> Retail	<input type="checkbox"/> Safety/Security (Private)
<input type="checkbox"/> Mining	<input type="checkbox"/> Domestic
<input type="checkbox"/> Building & Construction	<input type="checkbox"/> Food & Beverage
<input type="checkbox"/> Business/Professional Services	<input type="checkbox"/> Transport (Private)
<input type="checkbox"/> Agriculture/Farming	
<input type="checkbox"/> Other	

Please turn over

Parties may, at their own cost, bring interpreters for languages other than the official South African languages. Please indicate this under 'other'.

#### 10. INTERPRETER SERVICES

Is an interpreter required? Yes / No

Afrikaans       IsiNdebele       IsiZulu  
 IsiXhosa       Sepedi       SeSotho  
 Setswana       IsiSwati       Xitsonga  
 Sign Language       Tshivenda  
 Other .....



Section 10 of the Employment Equity Act requires the referring party to satisfy the Commission that he/she has attempted to resolve the dispute internally before referring it to the CCMA.

Resolving a dispute internally may include engagements with management, filing a grievance and/or following any other process as set out in the company policy.

Failure to make reasonable attempts to resolve the dispute will mean the referral is pre-mature and therefore, the CCMA may not have jurisdiction / or power to determine the dispute.

#### 11. DISCRIMINATION MATTER

If it is a discrimination dispute, have you attempted to resolve the dispute?

Yes  No

If yes specify steps taken to resolve the dispute and if no, provide reasons for not attempting to resolve the dispute internally:

.....  
.....  
.....  
.....

(If written confirmation is available, please attach)

#### 12. CONFIRMATION OF ABOVE DETAILS

Form submitted by:

.....  
(please print name)

Signature: .....

Position: .....

Date: .....

Place: .....

XXXXXXXXXXXXXXXXXXXX