



## HUMAN RESOURCES POLICY

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## 1. Introduction

The Da Vinci Institute is an accredited private higher distance education provider offering qualifications on NQF levels five to ten, which are registered on the Higher Education Qualifications Sub-Framework (HEQSF). This policy forms part of the institutional Integrated Quality Management System and details the principles for ensuring that programme offerings adhere to academic standards and empower students to contribute to the transformation of their communities, society, and the economy of the future. This approach is underpinned by the Business- and Community-based Action Learning discourse on the co-creation and distribution of relevant knowledge.

## 2. Regulatory Framework

This document will always be subject to, amongst others, the following legislation (as amended from time to time) and as such, refined and further developed. The provisions of the law will supersede the contents of this document.

### A. Regulatory Legislation

- a. Basic Conditions of Employment Act. No 75 of 1997
- b. Labour Relations Act. No 66 of 1995
- c. Employment Equity Act. No 55 of 1998
- d. Skills Development Act. No 97 of 1998
- e. Skill Development Levies Act & Regulations. No 9 of 1999
- f. Higher Education Act 101 of 1997
- g. Department of Education regulations
- h. Companies Act No 71 of 2008
- i. Protection of Personal information Act, 2013
- j. Occupational Health and Safety Act 85 of 1993
- k. Electronic Communications and Transaction Act 25 of 2002
- l. Unemployment Contributions Act 9 of 1999
- m. Promotion of Access to Information Act 2 of 2000
- n. Academy of Science of South Africa Act 67 of 2001
- o. Adult Education and Training Act 52 of 2000
- p. National Advisory Council on Innovation Act 55 of 1997
- q. National Education Policy Act 27 of 1996
- r. National Qualifications Framework Act 67 of 2008
- s. Technology Innovation Act 26 of 2008
- t. Academy Of Science Act 67 of 2001

- u. National Advisory Council on Innovation Act 55 of 1997
- v. Protected Disclosures Act 26 of 2000
- w. National Qualifications Framework Act 67 of 2008
- x. Tobacco Products Control Act 83 of 1993
- y. Constitution of the Republic of South Africa (No. 108 of 1996)
- z. Criteria for Programme Accreditation (CHE, 2004)
- aa. Distance Higher Education Programmes in a Digital Era: Good Practice Guide (CHE, 2014)
- bb. Higher Education Act 101 of 1997 as amended Act No. 39 of 2008
- cc. Labour Relations Act (Act 66 of 1995)

A. Applicable Da Vinci documents

- i. Grievance Policy & Procedure – Annexure B
- ii. Appeal Review Procedure – Annexure C
- iii. Confidentiality Policy – Annexure D
- iv. Drug-Free Workplace Policy – Annexure E
- v. Electronic Communications Security Policy – Annexure F
- vi. Payroll Deductions Authorisation Policy ad Form – Annexure G
- vii. Public Political Office Policy – Annexure H
- viii. Retirement Policy and Procedure – Annexure I
- ix. Sexual Harassment Policy – Annexure J
- x. Smoking Policy – Annexure K.

**3. Scope**

It is the responsibility of all staff members to carefully study and understand this document and ignorance of the document will not be considered a legitimate reason in any dispute, disagreement or discussion pertaining to adherence.

**4. Purpose**

This document provides policy provisions to enable sound employment relations between the staff and the management of The Da Vinci Institute for Technology Management.

**5. Abbreviations, Definitions, And Terminologies**

ABBREVIATION	DEFINITION
<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>BCEA</b>	Basic Conditions of Employment Act no 75 of 1997
<b>CCMA</b>	Commission for Conciliation, Mediation, and Arbitration
<b>CEO</b>	Chief Executive Officer

<b>CPI</b>	Consumer Price Index
<b>DOA</b>	Delegation of Authority
<b>EEA</b>	Employment Equity Act no. 55 of 1998
<b>HIV</b>	Human Immune deficiency Virus
<b>HR</b>	Human Resources
<b>KPA</b>	Key Performance Area
<b>KPI</b>	Key Performance Indicators
<b>LRA</b>	Labour Relations Act no 65 of 1995 and as amended
<b>MANCO</b>	Management Committee
<b>POPI</b>	Protection of Personal Information Act no 4 of 2013
<b>SAQA</b>	South African Qualifications Authority

<b>TERM</b>	<b>DEFINITION</b>
<b>Annual Performance Review</b>	The process of assessing performance. Annual performance reviews are formal performance feedback sessions, which are to be conducted immediately after the end of each performance cycle. The annual performance review process is due to be completed by the Line Manager and approved by the Executive Operations.
<b>Bribe</b>	Giving or offering to give anything of value to an employee to influence a discretionary decision. Local law may impose a broader definition in some jurisdictions.
<b>Chairperson</b>	Shall include the manager or external representation appointed to chair the hearing.
<b>Chief Executive Officer</b>	The CEO has the general responsibility of running the company on a day-to-day basis, accountable to the Board, and to assist the relevant authorities in discharging the duties as have been delegated to him/her.
<b>Complaints</b>	Complaints can be divided into two categories: work related and non-work related complaints: <ul style="list-style-type: none"> <li>a. Work Related:</li> <li>b. The complaints pertain to matters by way of example such as mistakes in overtime pay, and interpretation of the Conditions of Service. Approaching the relevant department(s) to address the problem can rectify this; failing which it can be referred as a grievance.</li> </ul>

	<p>a. Non-work Related:</p> <p>b. This would involve personal and private problems of the employee, outside the workplace. The company's policy is that of minimum involvement.</p>
<b>Confidentiality</b>	Indicating confidence or intimacy; imparting private matters; a confidential tone of voice; having another's trust or confidence; entrusted with secrets or private affairs; a confidential secretary.
<b>Confidential Communication</b>	<p>A form of Privileged Communication passed from one individual to another, intended to be heard only by the individual addressed.</p> <p>A confidential communication is ordinarily between two people who are affiliated in a confidential relation.</p>
<b>Conflict of Interest</b>	It exists when a person's private interests interferes in any way, or even appears to interfere, with the interest of the company.
<b>Corrective Counselling</b>	The process necessary to induce improved performance or behaviour.
<b>Disadvantaged Group</b>	<p>Black people (Africans, Coloureds, Indians, and Chinese), women, and people with disabilities who are natural persons, and:</p> <p>a. Are South African citizens by birth or descent; or</p> <p>b. Are South African citizens by naturalisation before the commencement date of the Constitution of the RSA Act of 1993; or</p> <p>c. Became South African citizens after the commencement date of the Constitution of the RSA Act of 1993, but who would have been entitled to become South African citizens prior to that date were it not for the former government's apartheid policy.</p>
<b>Disciplinary Action</b>	Any corrective action, up to and including dismissal.
<b>Discriminate</b>	To treat a person differently and to focus on differences rather than on similarities. Impacting negatively on a person's sense of self-worth.
<b>Employee</b>	Any person in the employ of the company, whether part-time or full-time.



<b>Employee Development</b>	Any activity, which contributes to the enhancement of the knowledge, skills, competence, or working practices of an individual or group. It includes courses, development initiatives, mentoring, and internships.
<b>Employer</b>	Refers to The Da Vinci Institute for Technology Management and its management.
<b>Evidence</b>	Oral evidence or documents, notices, and correspondence as referred to therein.
<b>Grievance</b>	A complaint arising from a sense of dissatisfaction or feeling of injustice, other than demands formulated by a collective body, which is related to the employee's treatment or position within his daily working routine, and which, because it may result in a dispute, warrants the formal attention of management.
<b>Induction</b>	Orientation and training process of new employee(s) in the organisational culture, and showing how he/she is inter-connected to and inter-dependent on everyone else in the company.
<b>Involuntary Termination</b>	A decision by the company to terminate the employment of an employee for various reasons.
<b>Job Evaluation</b>	A systematic process of evaluation through job analysis the job content including all job factors and weight of the job according to an approved/recognised job evaluation system/software.
<b>Job Grading</b>	A process by which, based on the results of the job evaluation, a job is placed at a particular grading/level within the job evaluation system. The comparison of job criteria in order to determine a rational hierarchy of jobs.
<b>Key Performance Areas</b>	Those areas of a job, which are critical in terms of making an effective contribution to achievement of organisational goals.
<b>Key Performance Indicators</b>	Deliverables, standards, or measures used to indicate whether or not an objective has been met. The results must

	be within the control of the employee, objective and observable, and capable of being measured.
<b>Lay-off/Retrenchment</b>	Separation from employment usually due to lack of work, operational reasons, re-organisation, and staff reduction.
<b>Management</b>	The senior officials who have been charged with the day-to-day management of the company. This also entails the power to determine policies, the direction of economic activities, and the allocation and use of the company's resources.
<b>Mode 2</b>	An Institution of learning which is not focused on knowledge production for its own sake, but through its research based methodology and statement of applicable outcomes, interrogates problems and opportunities in the workplace and encourages the learners to co-create innovative solutions that are customised, relevant and current in order to contribute more meaningfully to a socio-economic transformation agenda.
<b>Performance Contracts</b>	A Performance Contract (scorecard) is the document that the manager and employee jointly develop at the beginning of the performance period which sets out the employee's objectives and targets for the year.
<b>Performance Cycle</b>	A 12-month period, for which performance is planned, managed, and assessed.
<b>Performance Evaluation Moderation Process</b>	A process that ensures that the final scores and evaluations of employees reflect their actual work performance for the period under review; and to ensure equitable distribution of performance ratings and awards on all levels.
<b>Organisational Culture</b>	The underlying values, beliefs, and principles which comprise the foundation of the company's management system together with the management practices and behaviours which exhibit and reinforce these underlying values, beliefs, and principles.
<b>Relative</b>	A spouse, parent, sibling, grandparent, child, grandchild, mother- or father in law, or same or opposite sex domestic partner, as well as any other family member who lives with you or who is financially dependent on you, or on whom you are financially dependent.

<b>Remuneration</b>	The salary or pay which an employee receives in return for work or services rendered.
<b>Representative</b>	This shall include a staff member, or any other person with or without legal expertise, provided that such person shall not be a witness to events related to the alleged misconduct in that particular case.
<b>Responsibility</b>	The obligation imposed on an official to properly exercise the authority vested in him to carry relevant functions or act in a particular manner within the limits of the authority. This involves the power to command and to demand action in the proper execution of the relevant duties. Responsibilities may be delegated.
<b>Smoking Area</b>	A designated area determined by management in consultation with the Safety, Health, Environment, and Quality Management committee.
<b>Supervisor</b>	The person responsible for the achievement of operational results through the activities of other persons who report directly to him/her on a daily basis.
<b>System</b>	Software systems/tools and processes used in the day-to-day execution of work at the company.
<b>Termination</b>	Separation of the employee from his/her position with the employer.
<b>Unsatisfactory Work Performance</b>	Work performance/standards/instructions other than incapacity or incompetence.
<b>Workplace</b>	<ul style="list-style-type: none"> <li>a. Any indoor, enclosed or partially enclosed area in which employees perform the duties of their employment; and</li> <li>b. Includes any corridor, lobby, stairwell, elevator, cafeteria, washroom, or other common area frequented by such employees (including learners) during the course of their employment; but</li> <li>c. Excludes any private dwelling, or any portion of an area mentioned in paragraph (a) specifically designated by the employer as a smoking area and which complies with the prescribed requirements.</li> </ul>

## 6. Code of Conduct

All employees of the Da Vinci Institute for Technology Management are expected to:

- a. Report to work in accordance with the laid down hours of work
- b. Attend all staff meetings that are convened from time to time and all organisational structural meetings that are constitutionally obligatory
- c. Maintain a high level of discipline and efficiency, and promote the good image of The Institute at all times
- d. Be fully conversant with all the policies, procedures and other materials of The Institute
- e. Be punctual and honour all appointments and commitments
- f. Play an active role in promoting the aims and objectives of The Institute
- g. Make known to the broader community and community organisations and other appropriate groupings the services that The Institute can provide
- h. Conduct research into any matters with a view to serving the objective outlined herein, and to make known the results of such research through publication or the conducting of educational workshops and the like
- i. Any other group objectives, which are consistent with the carrying out of the aims and objectives as aforesaid

These can only be achieved under strong leadership where staff commits themselves to:

- j. Building a strong and democratic organisation
- k. Practice democratic decision-making
- l. Promote a culture of learning, service and continuous improvement
- m. Develop customer focused attitudes and behaviour among all employees
- n. Reduce errors and enhance quality
- o. Inspire more effective teamwork
- p. Promote involvement
- q. Increase employee learning and motivation
- r. Create a problem-solving capability
- s. Build an attitude of problem prevention
- t. Improve the da vinci institute for technology management and individual communications
- u. Promote personal and leadership development
- v. Develop a no-compromise attitude towards quality of service
- w. Act with integrity, honesty and not bring the institute into disrepute
- x. Culture of the Organisation

### 6.1 Culture of the Organisation

The Da Vinci Institute for Technology Management's organizational culture is underpinned by a focus on learning, which starts with the individual and then the organisation. This organisation will learn through enabling personal growth at the spiritual, emotional and cognitive levels as well as team learning. Each task shall be seen as a learning experience where lessons are recorded and banked in a knowledge repository for future referencing purposes and within an ethos of a knowledge management.

Individual employees should have a personal vision that fits into the organisational vision. This focus is intended at empowering employees. This will enable employees to be more risk averse and seek new solutions to challenges without reckless management. Such new solutions will result from continuous creativity, analysis and intuition. In this regard The Institute will promote flexibility in its operations and programmes.

This organisational culture requires collaboration and co-operation from The Institute and its employees. Such collaboration and co-operation will be encouraged through continuous engagement and team building initiatives.

Within the context of building a culture of accommodation of difference, conflict management and dispute resolution will be used for dealing with organisational conflict arising in the course of duty both in teams and amongst individuals. Facilitation and mediation will be the hallmark for consensus building in the market place of ideas.

## **6.2 Mode 2**

The Da Vinci Institute for Technology Management subscribes to the principles of Mode 2 learning.

A Mode 2 University, is an Institution of learning which is not focused on knowledge production for its own sake, but through its research based methodology and statement of applicable outcomes, interrogates problems and opportunities in the workplace and encourages the learners to co-create innovative solutions that are customised, relevant and current in order to contribute more meaningfully to a socio-economic transformation agenda.

## **7. Organisational Structure and Governance**

### **7.1 Structure**

Due to the dynamic nature of the organisational structure, *the latest organogram can be referenced in **Schedule 1 and 2*** or obtained from the Communications Manager.

### **7.2 Governance Structure**

The Governance Structure to which this policy is subject to is made up of the following:

- 7.2.1. Department of Higher Education and Training
- 7.2.2. SAQA
- 7.2.3. Council for Higher Education
- 7.2.4. Da Vinci Council
- 7.2.5. Chairperson and CEO

- 7.2.6. Academic Board
- 7.2.7. Finance Office
- 7.2.8. Human Resources (HR)
- 7.2.9. QMS
- 7.2.10. Registry
- 7.2.11. Institutional Forum
- 7.2.12. Assessment Committee
- 7.2.13. Research Committee
- 7.2.14. Ethics Committee
- 7.2.15. Finance, Audit and Risk Committee
- 8.2.16. Ad-hoc committees as and when constituted.

### **7.3 Governance**

#### **7.3.1 Ethics**

The Da Vinci Institute for Technology Management is unrivalled in its reputation for business success, ethics and integrity.

This ethical code strengthens the solid foundation on which The Institute is built.

The Institute is committed to a policy of integrity and honesty in doing business. This policy was adopted by the Board of Directors, and applies equally to directors, employees, contract service providers and representatives of the company.

The company and its officers must render a professional service, with integrity and at all times.

Employees must comply with all applicable laws and regulations, which relate to activities for and on behalf of the company. The company will not condone any violation of law or unethical business dealings by any employee, including any payment for, or other participation in, an illegal act such as fraud, bribery or money laundering activities.

Employees must ensure that their business conduct is professional and ethical at all times. They should bear in mind that the perception of their actions by others is important, and should act accordingly. The directors, employees and staff of The Institute must promote the reputation and image of the company through their actions and conduct. Their conduct and behaviour must at all times be beyond reproach.

#### **7.3.2 Confidentiality**

The confidentiality policy is applicable to all matters of the company, whether day-to-day activities, tactical activity programmes, or strategic initiatives. The attention of all staff is drawn to the following:

- 7.3.2.1 Company information, whether in written or verbal form, is private and confidential and is not to be discussed outside of appropriate forums.
- 7.3.2.2. Individuals are personally responsible for the safe-keeping and appropriate restriction of information which flows to them during the course of their employment. Managers in particular, must act with care and due diligence when disseminating reports and other information on a “need to know” basis and must undertake the periodic destruction of obsolete or outdated records, within the legal framework for records management.
- 7.3.2.3 Managers are responsible to ensure that a properly designated and maintained system of records is implemented and must regularly review the system integrity and confidentiality in order to maintain the standards required by this confidentiality policy.
- 7.3.2.4 The company's working relationships with many outside consultants, suppliers, vendors and other stakeholders demands a large measure of disclosure of information. Discretion must be exercised in terms of the type and frequency of the information that is being shared. Consultants, in particular, are appropriately treated as business “partners” in this regard and it is incumbent on the manager to ensure that all such consultants sign a confidentiality agreement prior to embarking on the project for which they are hired.
- 7.3.2.5 All staff must be made aware on a regular basis of the restricted channels whereby company information is communicated beyond the confines of business:
- a. Official statements to the media are restricted to the Chairperson of Council, the CEO, the President, and the Communications Manager. The Human Resources Manager may comment on labour issues, only when appropriately delegated to do so
  - b. No employee is authorised under any circumstances to engage or be engaged by the media, electronically or otherwise
  - c. When requested to comment on any matter by the press, the employee must channel the request via the Communications Manager
  - d. Information relating to market shares, brand shares and volumes will not be published or provided by any means
  - e. No company information may be used for outside conferences or events without first obtaining the written permission of the Communications Manager and such permission will be by means of vetting the entire presentation and the proposed dialogue
  - f. No confidential company information or negative comments should be shared on any social media platform either through voluntary disclosure or through retaliatory comment, save for that which is authorised by the CEO.

7.3.2.6 The company's public communications, in any form, must always seek to avoid criticism of any group, opposition companies or other products.

*The complete Confidentiality Policy can be referenced when required.*

### **7.3.3 Conflict of Interest**

It is The Da Vinci Institute for Technology Management's policy that employees and others acting on The Institute's behalf must be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the company in conducting company's business activities and assignments. The company recognizes that employees may take part in legitimate financial, business, charitable and other activities outside their Da Vinci jobs, but any potential conflict of interest arising from those activities must be disclosed promptly to management.

Employees must not use their positions or knowledge gained through their employment with the company for private or personal gain, advantage or in any manner that conflict or an appearance of conflict arises between the company's interest and their personal trust.

A conflict could arise where a supplier of goods or services is known or related to a staff member who is also in a position to make a decision regarding the procurement of those services by virtue of the staff member's position in the company, thereby resulting in an advantage/gain to the staff member and/or loss/opportunity cost to the company. A person is "known" if he/she is a friend, acquaintance, family member or other relation.

### **7.3.4 Outside Activities, Employment and Directorships**

The Institute's employees should avoid acquiring any business interest or participating in any activity outside the company that would create or appear to create:

- a. an excessive demand upon their time, attention and energy that would deprive the company of their best efforts in their work or
- b. a conflict of interest – that is, an interest which would interfere or appear to interfere with the independent exercise of judgement in the company's best interests
- c. Employees may not take up outside employment or hold outside business directorships without the prior written approval of the company.

### **7.3.5 Relationships with Clients, Customers and Suppliers**

The company recognises that relationships with clients, customers and suppliers give rise to many potential situations where conflict of interest, real or perceived, may arise. Employees



should ensure that they are independent, and are seen to be independent, of any business organisation having a contractual relationship with The Institute or providing goods or services to The Institute.

### **7.3.6 Personal Investments**

The Institute respects the right of all employees to make investment decisions as they see fit, as long as these decisions adhere to the conflict of interest provisions of this code. Employees should not permit their personal legitimate investment transactions to have priority over transactions for the company and its clients. An employee's personal investment decision should not adversely influence their actions on behalf of the company.

### **7.3.7 Public Political Office**

Although the company, per se, does not preclude the holding of public or political office during employment with the company, if such holding of public/political office results in a conflict of interest which the company cannot countenance, the company will have the right to deal with such conflict by either:

- a. Refusing the employee permission to hold such public/political office whilst in the employ of the company or
- b. If already holding that public/political office, requiring the employee to choose which position she/he intends to retain – either employment with the company or the holding of the public/political office position.

With regard to “outside employment”, if the holding of such public/political office can be shown to meet the legislative definition of “employee” (in terms of the dominant impression test which details the nature of the employer/employee relationship) then the employee will be obliged to seek the company's permission to take up such outside employment. In any instance where the employee receives “remuneration” of whatever amount, in either cash or kind, in return for their holding of the public/political office, they will be deemed be “employed” by that Office and would thus require the written permission of the company prior to acceptance of the appointment to such public/political office.

The company will assess each application for permission in this regard on its own merits, but as a general rule the company will not unreasonably withhold such permission unless it believes that such holding of public/political office would adversely affect the employee in the performance of his duties as an employee of the company; or that there is a conflict of interests arising out of the holding of these dual positions; or in the event that the company's reputation may be negatively affected by association, especially in terms of potential perceived bias, etc.

Assuming that there is no conflict of interests and assuming that the employee has sought, and obtained, the company's permission to hold such public/political office in conjunction with his employment with the company, then the conditions set out in the guidelines below will apply.

Reference needs to be made to the detailed Public Political Office Policy by employees who:

- a. Have been appointed to serve on a Public Executive Council; and/or
- b. Have been duly elected to a position within a local, provincial or national government organisation.

## **8. Employment Equity Policy**

### **8.1 Objective of the Employment Equity Policy**

#### **8.1.1 Equal Opportunity**

To ensure that The Institute creates equal opportunities for all its employees and prospective employees and to remove all barriers in order to:

- 8.1.1.1 promote the constitutional right of equality and the exercise of true democracy
- 8.1.1.2 eliminate unfair discrimination in employment
- 8.1.1.3 ensure the implementation of employment equity to redress the effects of discrimination
- 8.1.1.4 achieve a diverse workforce and to promote economic development and efficiency in the workforce (Employment Equity Act 55 of 1998 as amended from time to time).

#### **8.1.2 Motivated Employees**

To provide a framework for institutional guidelines to attract, develop and retain competent, efficient, committed and motivated employees.

### **8.2 Guidelines**

- 8.2.1 The Institute commits itself to promote the provisions of the Employment Equity Act.
- 8.2.2 The Institute rejects unfair discrimination, whether direct or indirect, on all listed grounds, including but not limited to race, sex, marital status, religion or creed, age, HIV status, culture, pregnancy, language, sexual orientation, colour, ethnic or social origin and disability.
- 8.2.3 The Institute strives to have an employee profile that takes into account the national, regional and sectoral demographic compositions.
- 8.2.4 Selection and appointment processes will include potential candidates from different demographic compositions.
- 8.2.5 The employment equity programme shall ensure adequate representation of staff

members from different demographic compositions.

- 8.2.6 No forced retrenchment shall take place for the sake of creating positions for employment equity candidates.

### **8.3 Responsibility for the Policy**

The Chairperson of the Institutional Forum will be responsible for the implementation and success of the policy. He/she will report to The Da Vinci Council on progress made, at least once a year. He/she may delegate responsibility to the CEO, but remains ultimately responsible.

## **9. Human Resource Planning**

### **9.1 Annual Planning**

The HR Manager of The Institute will be responsible for developing an annual human resources plan, which will cover the following areas:

- 9.1.1 Identification of needs for service delivery, which will be informed by the organisational strategic planning processes
- 9.1.2 Profiling, which will determine the following factors:
- a. Numbers of employees
  - b. Competencies
  - c. Breakdown of race, gender and disability
  - d. Occupational categories
  - e. Organisational composition
  - f. Training needs of each employee, which will be informed by performance review processes.
- 9.1.3 Planning and budgeting will cover the following:
- a. Recruitment
  - b. Targets for representativeness
  - c. Training and development.
- 9.1.4 Work Organisation and Job Design

Each post shall have a job description and a job title that reflects main objectives of the inherent requirements of the job and the competency necessary to deliver the requisite outcomes.

Work organisation and job design will involve the following functions:

- 9.1.4.1 Job analysis & specification, which will define what needs to be done, breakdown of work, and clarify objectives
- 9.1.4.2 Job evaluation

9.1.4.3 Job description which will contain the following components:

- a. Organisational goals
- b. Key tasks
- c. Standards
- d. Competencies
- e. Qualifications.

## **10. Recruitment of Staff**

### **10.1 Establishing the Need for Recruitment**

- 10.1.1 A human resource plan as informed by the strategic plan of The Institute shall precede any recruitment action. The position to be filled must have been budgeted for and funds made available.
- 10.1.2 Recruitment Agencies may be utilised to recruit staff for The Institute. However, the cost to be incurred and the validity as well as efficiency of the process should be an important consideration.

### **10.2 Methods of Recruitment**

- 10.2.1 A variety of methods can be utilised depending on the need. Although not conclusive, the following recruitment methods may be utilised:
- a. Electronic and Print Media advertising
  - b. Internal Posting
  - c. Head – hunting
  - d. Referrals
  - e. Recruitment agencies.
- 10.2.2 All vacant positions will be advertised both internally and externally, (within and outside The Institute). Attempts shall be made to ensure that vacant posts are so advertised as to reach, as efficiently and effectively as possible, the entire pool of potential applicants, including persons from historically disadvantaged designations.
- 10.2.3 Internally advertised posts shall be made by means of an internal memorandum electronically or by other written communication.
- 10.2.4 Qualifications shall not be defined primarily or solely in terms of educational attainment, but shall include skills, relevant experience, knowledge and other relevant criteria. Where educational requirements are considered inherently to be essential for the position, these will be set at the minimum level.

- 10.2.5 The language and style of the advertisement shall be clear and concise and generally done in a manner so as to enhance employment equity.
- 10.2.6 Only written applications, whether from outside applicants or current existing staff will be considered.

## **11. Selection**

### **11.1 Selection Principles**

- 11.1.1 The selection process commences after the closing date of the advertisement. The selection shall be done in a justifiable, equitable, fair and transparent manner.
- 11.1.2 Selection of candidates for positions shall be done on merit and this involves the following:
- a. Skills
  - b. Experience
  - c. Abilities
  - d. Personal attributes
  - e. Knowledge
  - f. Potential and
  - g. The need to achieve a representative and diverse workforce.
- 11.1.3 The process shall not discriminate against any applicant, especially not on the listed grounds.

### **11.2 Selection Panel/Committee**

- 11.2.1 In the case of the employment of the CEO, the Executive Committee shall establish a selection committee in consultation with the Council. The said selection committee shall include members who are well versed with the job content as well as persons who are competent in applying selection techniques. The Executive Committee must approve this Committee.
- 11.2.2 A selection committee must, where possible, include representation of historically disadvantaged persons.
- 11.2.3 Reference checking of prospective candidates is an important aspect of the recruitment function and is the responsibility of the selection committee.

### **11.3 Selection Procedure**

- 11.3.1 After interviewing the last candidate, the decision will be made based on the

consensus (majority votes) reached by the selection committee. The final decision must be supported by as wide a range of evidence as possible.

11.3.2 The recommendation of the selection committee regarding the suitability of a candidate shall be made after considering the following:

- a. The training, skills, competence, and knowledge necessary to meet the inherent requirements of the post
- b. The need for development of human resources
- c. The Institute's employment equity plan.

## **12. Appointment of Staff**

Depending on the nature of the position, it might also be necessary to subject the candidate to vetting or security clearance.

The selection committee shall record the reasons for its decision or recommendation.

The HR Manager shall formally inform management of The Institute regarding the employment of a new staff member.

### **12.1 Contract of Employment**

Before beginning work with The Institute, the appointed employee will be given a letter of appointment and contract to be signed by both the HR Manager of The Institute and the new employee and which is binding on both parties.

### **12.2 Induction**

The Institute will welcome, induct and integrate new employees into the organisation so that they can effectively fulfil their responsibility as soon as possible.

An induction programme will give the new staff member an understanding of the culture of the organisation – standards of work, behaviour, power and accountability structures and organisational activities.

A person who will be primarily responsible for the induction process is an immediate supervisor of the new employee.

An induction pack will be given to employees. The contents of which will depend on the specific job.

Refer to **Schedule 3** for the detail on the acceptable Dress Code at The Institute.

### **12.3 Office Keys**

The Institute shall provide each Individual with a key to their office of employment. All office keys shall at all times remain the property of the Institute and must be returned to Management on the individual leaving the employment of The Institute, or on termination of its business relationship with the employee for any reason recognised in law as sufficient reason.

Should a key/s for any reason be misplaced, lost or destroyed, it is the responsibility and for the cost of the employee to ensure that another key is obtained. Should The Institute decide that the key was misplaced, destroyed or lost through the negligence or fault of the employee, the Company reserves the right to institute appropriate disciplinary action against such employee.

Having received a key, this enables the individual to enter the building through the staff entrance. For security reasons this door must be kept locked at all times. After the individual has entered or exited the building it is the employee's responsibility to ensure that the door is locked behind them. It is also the individual's responsibility to ensure that all other doors and windows are securely closed or locked before leaving the building.

The "Issuing of Office Key and Alarm Code" document need to be completed and signed when the office keys are shared with the employee.

### **12.4 Office Alarm Codes**

The Institute shall provide certain individuals with their own Alarm Code to the premises should they deem it necessary that the individual is in possession of an Alarm code for the proper functioning of their employment or job.

Such alarm codes shall at all times remain the property of The Institute and will be erased on the individual leaving the employment of The Institute, or on termination of its business relationship with the individual for any reason recognised in law as sufficient reason.

Should the Alarm Codes for any reason be misplaced, lost or communicated to a third party it is the responsibility of the individual to inform management of this immediately. Any delay herein may result in a breach of this policy and lead to disciplinary action.

Should the Company decide that the Alarm Code was misplaced, lost or communicated to a third party through the negligence or fault of the individual, the Company reserves the right to institute appropriate disciplinary action against that individual.

The "Issuing of Office Key and Alarm Code" document need to be completed and signed when the office alarm code is shared with the employee.

### 13. Relocation

The Institute does not contribute to relocation costs incurred by a new employee.

### 14. Probation

- 14.1 All newly appointed employees of The Institute will be subject to satisfactory completion of a three to six month probation period.
- 14.2 A manager or supervisor of the employee serving a probation period must ensure that the employee, at the commencement of the probationary period, must be properly inducted on the functioning of The Institute and his or her role as defined in the contract of employment that the probationer must enter into, and the agreement must state the performance areas for the employee.
- 14.3 On a monthly basis, the new employee should receive written feedback on his or her performance and compliance with other requirements, should it not be satisfactory.
- 14.4 The Institute as the employer should provide an employee with whatever (within reason) evaluation, instruction or guidance the employee requires in order rendering satisfactory service.
- 14.5 The employee should be given adequate time to improve his/her unsatisfactory performance.
- 14.6 The employee on probation receives written communication at the end of the probationary period if he/she has been found unsuitable for the relevant post.
- 14.7 Dismissal during the probationary period may only be considered after the foregoing has been complied with and should be preceded by an opportunity for the employee to state his or her case (*audi alteram partem rule*) if they so wish to.
- 14.7.1 In addition, the procedure outlined in the Code of Good Practice as contained in Schedule 8 of the Labour Relations Act, 1995 should be followed to the letter.
- 14.7.2 The probation period may be extended for a further 3 to 6 months at the discretion of The Institute. This will be communicated to the employee in writing.
- 14.7.3 Employment may be terminated at any time during the probation period, or extended probation period, after a reasonable opportunity has been given to the employee to improve performance.



## **15. Promotion**

- 15.1 Promotion to a vacant position is made provided that the vacancy has been advertised and the candidate has been selected in accordance with the predetermined criteria.
- 15.2 A promotion shall take effect from the first day of the month following the month that the promotion was approved.
- 15.3 No employee has a right to promotion until the promotion has been officially communicated to him/her in writing.
- 15.4 Promotions will in certain circumstances, be considered as appointment to new and/or more senior positions.

## **16. Termination of Services**

- a. The Institute shall without fail abide by the requirements of the Labour Relations Act, 1995, Basic Conditions of Employment Act, 1997 and all other laws that governs the employer and employee relationships.
- b. All subsequent dues to a departing employee shall be paid on the last day of service of the individual employee provided sufficient notice has been given as outlined in the policy.
- c. The following are the grounds and reasons for termination of an employee's services:

### **16.1 Voluntary Resignation**

- 16.1.1 An employee who is employed on a contract basis and earns a monthly salary shall give a one-month calendar notice failing which an alternative arrangement will be made and approved by the HR Manager. Regarding casual or temporary employees a 24 (twenty four) hour notice period is sufficient.
- 16.1.2 Regarding Supervisors/Managers at least a minimum notice of three calendar months is required unless an expressed approval has been given by the HR Manager, but should not be less than a month.

### **16.2 Discharge**

- 16.2.1 Dismissal of an employee will be effected in accordance with The Institute disciplinary procedures as defined in this policy and shall be based on defensible, fair and lawful reason.
- 16.2.2 All dismissals of employees will be effected by the HR Manager and shall be

implemented after The Institute pass a resolution that has endorsed the dismissal.

### **16.3 Retrenchment**

- 16.3.1 The retrenchment of staff shall be implemented as a last resort after all means and possibilities to re-assign the affected employees have been explored without success.
- 16.3.2 Should retrenchment be a possibility, all employees or their elected representatives should be consulted.
- 16.3.3 If it is deemed unavoidable to retrench an employee(s), a minimum notice of not less than thirty days shall be given. The notice will set out the reasons for the proposed retrenchment.
- 16.3.4 The affected employees or general staff will be given opportunity to discuss relevant matters such as alternatives to retrenchment, the timetable for retrenchment and the selection criteria for retrenchments. Consideration will be given to the conventional method of LIFO but subject to retention of special skills shall be the method adopted for selection.
- 16.3.5 Endeavours shall be made to assist and seek alternative employment for the affected employee(s).
- 16.3.6 Retrenched employees are entitled to a severance package based on the criteria defined. Any accrued benefits shall be paid on the last day of duty.

### **16.4 Retirement**

- 16.4.1 The normal age of retirement for all staff shall be sixty years of age and shall take effect at the end of the year (December) in which the staff members reached the age of sixty years.
- 16.4.2 All contracts of employment of staff shall unless otherwise determined in this policy, automatically terminate at the end of the year (December) in which the staff member reaches the age of sixty years.
- 16.4.3 The Institute recognises the need to retain certain exceptional, highly skilled and key staff beyond the normal age of retirement. Accordingly, The Institute may grant an extension beyond the normal retirement age at the discretion of The Institute and the term will be negotiated with the staff member.
- 16.4.4 Staff who are retiring shall be given at least 6 months' notice of the decision to grant extension beyond retirement or not.

- 16.4.5 There shall be fairness, consistency and transparency in the criteria and procedures for granting extensions beyond retirement. No extension shall be granted purely based on compassionate grounds.
- 16.4.6 The Executive Committee shall consider all applications for extension beyond retirement, and the Institutional Forum, taking into consideration the recommendation of the Executive Committee, shall make the final decision.
- 16.4.7 When there is no change in the workload and level of responsibility, the staff member shall retain his salary as at normal retirement date. It may be decided that the staff member be retained on a reduced workload basis. In such cases the salary shall be determined on a fractional basis, taking into consideration the recommendations of the Executive Committee and the Institutional Forum.

*The complete Retirement Policy can be referenced when required.*

## **17. Conditions of Employment**

The following section serves to confirm the Conditions of Employment applicable to The Institute and is binding on everyone accepting employment with The Institute.

### **17.1 Hours of Work**

- 17.1.1 The normal working hours will be from 08h00 to 17h00 and staff will be required to work a minimum of 40 hours per week exclusive of a maximum of an hour's break daily.
- 17.1.2 Where staff perform duties outside the normal working time, equivalent time off may be taken after agreement with the appropriate manager.
- 17.1.3 There will be no payment for overtime worked.

### **17.2 Absenteeism**

- 17.2.1 Regardless of the reason, employees are not entitled to be absent without leave from work or from their workstations, during working hours. The company's disciplinary code provides for disciplinary action where employees infringe this policy.

- 17.2.2 Where an employee is absent unexpectedly for reasons of ill health or other justifiable but unavoidable reasons, the employee must complete a leave form on his/her first day of return to work and submit it to his/her manager right away. Management may ratify the absence should circumstances merit it and if the employee submits acceptable proof of the reason for the absence. However, in all cases of such absence the employee is himself/herself required to contact his/her manager directly, by no later than 9am on the day(s) of absence so as to provide the following information:
- a. The reason for the absence
  - b. The expected duration of the absence.
- 17.2.3 In this regard, should an employee fail to speak directly, in person to his/her manager or, in the absence of his/her manager, to inform HR of the reason for his/her absence. In respect of the above, the employee will be held responsible should a message not reach his/her manager.
- 17.2.4 Any absence from work without consent or good cause will result in the employee not being entitled to any remuneration for the period of absence.
- 17.2.5 The employee will also not be entitled to payment should she/he fail to submit a valid certificate from a practitioner registered with the Health Professions Council and have been absent on more than two occasions during an eight-week period.
- 17.2.6 Any employee who breaches the above requirements will be subject to discipline in terms of the company's Disciplinary Policy. Sanctions against employees found guilty of misconduct could range from warnings to dismissal depending on the severity of the absenteeism and the number of previous warnings if any.

### **17.3 Desertion**

- 17.3.1 An absent employee can only be confirmed as a deserter if it is confirmed that he has no intention of returning to work.
- 17.3.2 In order to establish the facts an investigation must be instituted to establish the employee's whereabouts and whether he intends to return to work.
- 17.3.3 This should be done via the making of enquiries with the employee's colleagues, phoning the employee or next of kin, sending notes, letters, or e-mails to the employee requesting the employee to explain his/her absence.
- 17.3.4 It is only after this procedure has been exhausted and the employee has been given sufficient opportunity to respond; a disciplinary hearing will be conducted. If the

employee is found guilty, his/her services will be terminated with effect from the employee's last working day.

- 17.3.5 Should the employee return to the workplace after his employment has been terminated, the Deserter Enquiry must be re-opened. This is in order that her/his reasons for absence can be examined. Should he/she show good reason for absence and for failing to contact The Institute reinstatement must be seriously considered.
- 17.3.6 The Deserter Enquiry must follow the structure and procedures of a disciplinary hearing as per the disciplinary policy.

*Refer to the detailed Desertion Procedure.*

## **17.4 Remuneration**

The following shall constitute the remuneration policy of The Institute:

- 17.4.1 The Institute is committed to a fair remuneration system for its employees. Salaries will be as competitive as possible within the constraints of The Institute
- 17.4.2 Salaries will reflect the value and significance of the post to the organisation and will be adjusted to a reasonable extent to take account of individual experience and qualification needed for an individual to perform a job
- 17.4.3 To determine salaries and grading of posts within The Institute, the Chief Executive Officer assisted by the HR Manager and the Finance Manager shall use job evaluations (SSI, CSI and performance contracts) to ensure that work of equal value is remunerated equally
- 17.4.4 All salaries of employees will be treated strictly as confidential and no one will access such information without the express authority of the individual employee involved, unless specifically authorised by their job description
- 17.4.5 All employees will be paid their salaries on the 25th day of every month. If the 25th day falls on a weekend and or public holiday, payment will be made on the last working day prior to the 25th. Should an employee bank with a bank different from the Da Vinci bank, they might receive their salary later than the 25th. It should be noted that this is an advance payment and no one has legal claim until the last day of the month
- 17.4.6 In the last month of employment (whether due to dismissal or resignation), the employee's salary will be paid on the last working day of the month, and not on the 25th of the month

- 17.4.7 Salaries will be paid into each employee's bank account by electronic transfer. It is the responsibility of the employee to supply the necessary correct data to facilitate such transfers. It is also the responsibility of the employee to draw attention to any need for alternative arrangements and to facilitate such arrangement
- 17.4.8 Tax in accordance with S.A. Tax laws as amended from time to time will be deducted from each staff member's salary. It is not within The Institute's power to refrain from making tax deductions. Where a staff member requires any indulgence other than that prescribed by law, such staff member should apply to the relevant authority or tax office for the necessary Tax Directive, which will exempt The Institute from making deductions. The Institute will only institute changes on receipt of a written directive by the relevant tax authority
- 17.4.9 Where The Institute grants tax-deductible allowances or any other benefits to full time staff in terms of the Tax Laws current at that time, the onus is on the staff member to satisfy whatever provisions are necessary to take advantage of such allowances or benefits
- 17.4.10 Remuneration for services rendered will be expressed on the basis of total cost to the Employer, including Employer contributions to the Unemployment Insurance Fund, Occupational Injuries and Disease contributions, SDL and any other statutory charges, which may be applicable from time to time. Such compulsory statutory Employer contributions will, after having been deducted from an employee's salary, be paid over to the relevant authority
- 17.4.11 Should an employee exercise the right to vary the components of the total cost to the Employer, such restructured package shall be reduced to writing and shall be agreed to by both parties.

## **17.5 Payroll Deductions**

An employer may not make any deductions from an employee's remuneration unless:

- 17.5.1 The employee in writing agrees to the deduction in respect of a debt specified in the agreement, or
- 17.5.2 The deduction is required or permitted in terms of a law, collective agreement, court order or arbitration award.

*Refer to the detailed Payroll Deduction Authorisation Policy and form to authorise payroll deductions.*

## **17.6 Salary Review and Increases**

- 17.6.1 A general review of salaries shall be done once a year.
- 17.6.2 This general review is totally dependent on the available funds held by The Institute, its financial performance during that year and on employee performance. The review of salaries will be at the discretion of The Institute and must be approved by the CEO and Finance Manager, with input from the management team.
- 17.6.3 The contemplated salary review or adjustment subject to the availability of funds will be based on the following:
- a. A cost of living increase as decided upon by the Administration and Finance department determined on the basis of an annualised Consumer Price Index (CPI)
  - b. An increase in recognition of performance during the past year as measured by the described performance criteria.
- 17.6.4 The salary review procedure, which will be applied to all full time staff, will involve a staff assessment process, which will be set and reviewed periodically.
- 17.6.5 Once The Institute has approved all salary increases, all full time staff will be given letters confirming their salary for the following year.
- 17.6.6 Salary increases are not automatic and employees are not entitled to expect any increase.
- 17.6.7 No salary will be adjusted without written recommendation of the Chief Executive Officer.
- 17.6.8 Promotions will, in certain circumstances be considered as appointment to new and/or more senior positions, which will entitle staff to have an extraordinary salary review.

## **17.7 Cheque, Bonus and Incentive Scheme**

- 17.7.1 The Institute has no obligation to pay a 13th cheque or a bonus to its employees.
- 17.7.2 In 2013 The Institute implemented the Purple Cow Incentive programme for staff to be rewarded for remarkable service and work.

Refer to **Schedule 4** for the detail on the Purple Cow Incentive Programme.

## **17.8 Long Service Awards**

Any staff member who may be entitled to long service awards will be remunerated or recognised in line with the long service awards policy in place at the time. Any employee who had been employed for 10 years will receive a gift equal to R1 000.00. This amount could be increased annually and will be communicated by the HR department.

## **17.9 Staff Benefits**

The Institute will attempt to maximize the extent of staff benefit in order to offer as much support as is possible to staff, subject to the constraints of available funds.

All employees will receive a farewell gift when resigning from The Institute. The amount of such will be calculated as follows:

- a. R500 for having been in the employment of The Institute for the first 12 months.
- b. R250 to be added for every year thereafter. This will imply if someone resigns from The Institute in a particular year, a pro rata payment will be calculated as related to that year, and added to that of all previous years.

### **17.9.1 Medical Aid**

All employees are free to join any registered medical aid scheme of their own choice and at their own cost.

The Institute does not contribute towards any medical aid scheme.

### **17.9.2 Allowances and Re-Imbursement of Expenses**

Expenses that are incurred by an employee for work related issues must have the prior approval of a superior and then the employee will be re-imbursed by The Institute after the completion of an expense claim form.

### **17.9.3 Study Benefits**

It is the policy of The Institute to grant study benefits to staff members (hereafter defined and specified) to assist them regarding the tuition fees for study and the study of their spouses and/or children at The Institute. The categories of persons that qualify for study benefits and the applicable tariffs were approved by Council and are set out below.

The granting of a study benefit is wholly at the discretion of The Institute, whether at a general level or in any individual case, and the benefit becomes utilisable subject the rules of The Institute.

*Refer to the detailed Study Benefits Policy.*



#### **17.9.4 Petrol Allowance**

Certain senior management or directors may be issued with a petrol card for The Institute's use.

Should an employee be required to travel long distances for work related business, prior agreement should be made with management with regards to the employee claiming for such expenses.

All Employees, except Management who travel on behalf of the Institute for business, is required to keep a logbook of business kilometres travelled. These kilometres need to be signed off by your Line Manager and claimed back at the current SARS reimbursement rate of R3.55 per kilometre.

#### **17.9.5 Use of Office Equipment**

The staff should ensure that all office equipment is treated with care, and prevent wastage, which can be very costly.

#### **17.9.6 Personal Telephone Calls and Faxes**

The Institute's staff members are expected to keep personal calls to a minimum and to be aware of time spent on the phone, especially when the call is not local.

Mechanisms are in place to record all outgoing calls. Through this system, printouts may be presented to staff to identify personal calls made if necessary.

Staff members may be expected to pay for personal telephone calls.

#### **17.9.7 Photocopying and Printing**

All photocopies and printing must be recorded using the relevant assigned codes. This will enable The Institute to keep track of the number of copies made for each project.

Staff members may be expected to pay for personal copies made.

## **17.9.8 Mobile Cellular Phones**

The Institute does not provide mobile cellular phones to employees, and will not be responsible for the payment of any costs, work-related or otherwise. This will not be applicable to the CEO.

## **17.9.9 Leave**

### **17.9.9.1 Annual Leave**

- a. The annual leave is accumulated from 1 January to 31 December of each year.
- b. Leave entitlement will be 20 working days annually, plus the number of working days between Christmas and New Year and any other days decided on by The Institute.
- c. Leave will accrue at a rate of 1.67 days per month during the year. Not more than 10 days of leave may be carried over from the previous leave year/cycle. Any leave days over and above these 10 days will be forfeited, unless prior arrangements have been made with the HR Manager. Any leave due will be paid out on termination of service for that particular leave cycle only.

Payment of leave will be calculated at the rate of 1.67 days per month. Where the offices of The Institute are closed in December and opened again in January, such days being ordinary working days will be counted as leave days except for the days between Christmas and New Year.

### **17.9.9.2 Study Leave**

If an employee wishes to further their education and apply for any training and or education with The Institute or another educational institution, they must notify their superior, who will motivate the matter to the Bursary Committee. The prescribed application procedures must be followed.

The Institute will allow its employees to apply for a maximum of 10 (ten) days study leave per calendar year.

A maximum of 3 (three) days can be applied for every examination sitting i.e. if the employee is writing an exam, 2 (two) days prior to the exam and 1 (one) day of the exam may be applied for.

As with any other leave request, a leave form must be completed and signed by a manager, 2 (two) weeks before the time, save for emergencies such as funerals or emergency medical challenges.

As the South African Department of Labour does not stipulate any policy with regards to study leave, The Institute reserves the right to alter the allocation of study leave that employees are granted at any time, as it sees fit.

### **17.9.9.3 Sick Leave**

- a. This applies to all permanent full-time employees of The Institute, and is in line with the Basic Conditions of Employment Act 75 of 1997.
- b. The 'Sick leave cycle' means the period of 36 (thirty six) months employment with The Institute immediately following:
  - an employee's commencement of employment or;
  - the completion of that employee's prior sick leave cycle.
- c. During every sick leave cycle, an employee is entitled to an amount of paid sick leave equal to the number of days the employee would have normally worked during a period of 6 (six) weeks.
- d. During the first 6 (six) months of employment, an employee is entitled to 1 (one) day paid sick leave for every 26 (twenty six) days worked.
- e. During an employee's first sick leave cycle, The Institute may reduce the employee's entitlement to sick leave in terms of subsection 2 of the Basic Conditions of Employment Act by the number of days sick leave taken in terms of subsection 3 of the said Act.
- f. Subject to section 23 of the Act, The Institute must pay an employee for a day's sick leave:
  - the wage the employee would ordinarily have received for work on that day; and
  - on the employee's usual pay day.
- g. The Institute is not required to pay an employee in terms of section 22 of the Act if the employee has been absent from work for more than 2 (two) consecutive days or on more than 2 (two) occasions during an 8 (eight) week period and, on the request by The Institute, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.
- h. The Institute in its sole discretion may decide if they wish to waive this requirement.
- i. Every medical certificate must be issued and signed by a medical practitioner or any person who is certified to diagnose and treat patients and who is registered with a professional council established by an act of Parliament.

### **17.9.9.4 Temporary Disability**

- a. In exceptional individual circumstances, The Institute will apply its discretion in matters relating to temporary disability. This refers to a situation where an individual employee may have exhausted his or her sick leave credit, the employee may, subject to approval, be granted additional sick leave provided that:
- b. A medical practitioner has certified that the employee requires being absent due to a disability of a temporary nature;
- c. A recommendation is made by the supervisor or delegated manager to the HR Manager;

- d. The Institute may grant a maximum period of 30 (thirty) consecutive working days leave with full pay during which an investigation must be conducted in accordance with the provisions of item 10(1) of Schedule 8 of the Labour Relations Act, 1995 (Act No. 66 of 1995); and
- e. The discretion to granting of leave under such circumstances is at the discretion of The Institute depending on each individual case.

#### **17.9.9.5 Permanent Disability**

An employee, whose degree of disability has been certified by a medical practitioner as permanent in nature, must with the approval of the HR Manager be granted a maximum of 30 (thirty) working days of sick leave (as available) with full pay or any other such period as may be required, during which period, the HR Manager must:-

- a. ascertain the feasibility of alternative employment, or adapting duties or work circumstances to accommodate the employee;
- b. determine whether, despite the disability, an employee can still render a service, be redeployed horizontally with retention of his or her benefits;
- c. where redeployment requires reallocation to a position of lower grading, the reallocation must be explained to the employee, which redeployment is subject to the consent of the employee;
- d. ensure that redeployment that entails retraining or retooling of the employee is approved upon consideration of the requisite resources for such redeployment;
- e. ensure that the redeployment of an employee optimizes utilization of his or her competencies and does not compromise his/her duties; and
- f. where the employee will be unable to render effective services at his or her level or rank, authorize a process for discharge of the employee as a result of ill health.

#### **17.9.9.6 Leave for Occupational Diseases**

If an employee who suffers occupational injuries or contracts an occupational disease as a result of his or her work, the said employee must on the recommendation of the designated authority be granted sick leave. This will be leave with pay for the duration of the period for which he or she is unable to work. Where the injury is a result of an accident involving a third party, the employee;

- a. must bring a claim of compensation against the third party.
- b. must use compensation received in terms of the Compensation for Occupational injuries and Diseases Act, 1993 (Act No. 103 of 1993) to compensate as far as possible for the cost arising from the accident.
- c. The Institute must take reasonable steps to assist an employee to claim compensation in terms of this paragraph.

#### **17.9.9.7 Family Responsibility Leave**

This section applies to an employee

- a. who has been in employment for longer than 4 (four) months; and
- b. who works for at least 4 (four) days a week for The Institute.

An employer must grant an employee, during each annual leave cycle, at the request of the employee, 3 (three) days paid leave, which the employee is entitled to take;

- a. when the employee's child is born
- b. when the employee's child is sick; or
- c. in the event of the death of:
  - the employee's spouse or life partner or
  - the employee's parent, adoptive parent, grandparent, child, adopted child, grandchild, or sibling.
- d. An employee may take family responsibility leave in respect of the whole or a part of a day.
- e. Before paying an employee for leave in terms of this section, an employer may require reasonable proof of an event contemplated in subsection (b) for which the leave was required.
- f. An employee's unused leave entitlement in terms of this section lapses at the end of the annual leave cycle in which it accrues.

#### **17.9.9.8 Unpaid Leave**

- a. Unpaid leave will only be granted by The Institute in special circumstances. This will be at the sole discretion of the HR Manager, on receipt of such a request in writing. A reasonable notice period prior to the event is required.
- b. When staff members, by agreement facilitate for another institute, they will put in unpaid leave for the facilitation days.
- c. Should all normal and sick leave be used, the remainder of the leave days will be recorded as unpaid leave.

#### **17.9.9.9 Maternity Leave**

- a. All female employees are entitled to at least 4 (four) consecutive months maternity leave.
- b. An employee may commence maternity leave;
- c. at any time from 4 (four) weeks before the expected date of the birth, unless otherwise agreed; or
- d. on a date from which a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of the unborn child.
- e. No employee may work 6 (six) weeks after the birth of her child, unless a medical practitioner or midwife certifies that she is fit to do so.

- f. An employee who has a miscarriage during the 3<sup>rd</sup> (third) trimester of pregnancy or bears a stillborn child is entitled to maternity leave for 6 (six) weeks after the miscarriage or stillbirth, whether or not the employee had commenced maternity leave at the time of the miscarriage or stillbirth.
- g. An employee must notify the Institute in writing, unless the employee is unable to do so, of the date on which the employee intends to:
  - commence maternity leave and
  - return to work after maternity leave.
- h. Notification must be given:
  - at least 4 (four) weeks before the employee intends to commence maternity leave or
  - if it is not reasonably practical to do so, as soon as is reasonably practical.
- i. Full rights apply to anyone with 12 (twelve) months service.
- j. No one can be retrenched while they are on parental/maternal leave.
- k. No pregnant job applicant will be refused a job on the grounds of pregnancy or any other reason connected with pregnancy.
- l. No staff will be dismissed or disciplined on the grounds of pregnancy or any other reason connected to pregnancy.
- m. Any members of staff will receive full pay while on maternity leave should they have completed at least 12 (twelve) calendar months of employment.
- n. Any member of staff who has worked less than 12 (twelve) calendar months and who wishes to take maternity leave will be allowed leave pro-rata to the amount she has been employed at the Da Vinci Institute for Technology Management.
- o. All members of staff wishing to take more than 4 (four) calendar months maternity leave may do so if agreed upon by The Institute and staff will receive no pay during this time.
- p. Any new member of staff who, knowing she is pregnant, fails to make The Institute aware of her pregnancy at the beginning of work may forfeit any rights to maternity leave.
- q. The Institute guarantees that a staff member returning from maternity leave will be given the same level and salary benefits as prior to maternity leave.
- r. The Institute guarantees to hold the same position open during a staff member's absence.
- s. The Institute will abide by any and all legal rulings of the Department of Labour or any other policy requirements concerning pregnant staff.

#### **17.9.9.10 Adoption Leave**

An employee, who adopts a child of less than 2 (two) years of age, qualifies for adoption leave of up to 45 (forty five) working days and may, thereafter, apply for unpaid leave or vacation leave.

#### **17.9.9.11 Sabbatical Leave**

An employee may apply for paid sabbatical leave to the maximum of 30 days. This has to be approved by the Board at least one month prior to the commencement of the leave.

#### **17.9.9.12 Termination of Services**

- a. The Institute shall without fail abide by the requirements of the Labour Relations Act, 1995, Basic Conditions of Employment Act, 1997 and any other laws that governs the employer and employee relationships.
- b. All subsequent dues to a departing employee shall be paid on the last day of service of the individual employee, provided sufficient notice has been given as outlined in the policy.

#### **17.9.9.13 Religious Holidays**

The Institute recognises that employees may wish to observe festivals and religious or cultural days required by their customs or religious beliefs. The employee may apply for annual leave in terms of the Annual Leave Policy. Unpaid leave will only be granted in exceptional cases.

### **18. Performance Management**

#### **18.1 Objectives**

The Institute will be guided in its performance management by the following objectives:

- 18.1.1 To identify and improve poor performance
- 18.1.2 To recognize and reward remarkable performance
- 18.1.3 To ensure efficient and effective utilization of organizational and human resources
- 18.1.4 To take corrective measures where same are considered necessary
- 18.1.5 To identify training and or other appropriate interventions
- 18.1.6 To improve service delivery
- 18.1.7 To align performance with the Institute's strategic plan
- 18.1.8 To link skills to career development
- 18.1.9 To retain a well-motivated and committed staff
- 18.1.10 To ensure openness, fairness and administrative justice.

#### **18.2 Planning and Contracting**

The Institute shall develop an annual strategic plan based on its medium term 3 (three) year strategic objectives. Each unit shall develop a work plan for the year (short term objectives and deliverables for the unit) from the overall strategic plan of The Institute. Each employee shall develop a plan for his/her work for the year (performance contract aligned to the strategic

plan). The line manager and employee must mutually negotiate the performance management contract and the Council shall sign off the annual strategic plan.

### **18.3 Monitoring Progress**

Each employee shall conduct self-reviews annually (SSI). Customer reviews shall be done bi-annually through circulation of a questionnaire to those serviced by the individual in the preceding six months (CSI). These will be complemented by informal peer and supervisor reviews. The last semester's evaluation shall become the annual review (taking into account the performance in the first evaluations), which shall be documented. This annual review shall then be the basis for identifying good performance and correcting poor performance.

## **19. Human Resources Development**

The Institute is committed to developing cadre-ship of personnel that are competent, committed and can render professional and competent services to their clients.

- 19.1 Any training of employees seeks to improve work performance through increased staff competency and productivity.
- 19.2 Any training of staff will be inextricably linked to a performance management system and improvement of staff capabilities in general or specifically linked to an Individual Development Plan.
- 19.3 The Institute derives its HR strategy from the Skills Development Act 97 of 1998, Skills Development Levies Act 9 of 1999. HR at The Institute will:
  - a. Ensure equitable access by employees to all resources
  - b. Empower employees to be able to deliver excellent services to The Institute
  - c. Promote lifelong learning
  - d. Enable career-path development that is within the budget of The Institute
  - e. Promote flexibility and decentralised decision making
  - f. Encourage the participation by employees in implementation of strategic objectives.
- 19.4 HR at The Institute shall be internally and externally driven. Internally The Institute shall promote seminars, coaching and team participation. Externally, it shall focus on formal education and training.
- 19.5 The Institute, as an employer, shall contribute to the required percentage of the salary bill as part of its commitment to contribute a skills development levy (SDL).
- 19.6 The Institutional Forum shall constitute a Committee, which will be responsible for



overseeing the implementation of the development of skills.

19.7 Training shall be demand-driven.

19.8 The CEO may from time to time develop a mentoring/coaching programme for The Institute's employees. Such a programme may entail internal managers acting as mentors/ coaches for other employees or external consultants doing so. Mentoring/ coaching shall be assessed for its effectiveness annually.

## **20. Employee Assistance Programme**

### **20.1 HIV/AIDS**

AIDS (Acquired Immune Deficiency Syndrome) is a life threatening progressive illness caused by the Human Immunodeficiency Virus (HIV) in which the immune system is disabled. Infection with HIV (the virus that causes AIDS) may make a person highly vulnerable to serious and life-threatening conditions. Presently, there is no known cure for AIDS. The Institute acknowledges the seriousness of the HIV/AIDS pandemic and the importance of managing its impact.

The Institute is committed not to discriminate against any student or member of staff who has, or is suspected to have, AIDS, AIDS related conditions, or a positive HIV antibody test.

20.1.1 Admissions: Consideration of AIDS related conditions or HIV infection is not a part of the admissions criteria.

20.1.2 Job Status/Promotions: Previous testing, regardless of outcome, or HIV/AIDS related condition, is not a criterion for consideration for job status and/or promotions.

Employees or applicants for employment who have HIV infection or AIDS will not be discriminated against in recruitment, hiring, training, promotion, transfer, or any other terms and conditions of employment based on their status.

Faculty members, instructors, or teaching personnel with HIV infection or AIDS, will not be discriminated against in terms and conditions affecting their employment with The Institute based on their status.

Employees with HIV infection or AIDS will be allowed to continue working as long as they are able to perform the essential functions of the job, with or without a reasonable accommodation.

Students or applicants seeking admission to study being HIV positive or AIDS infected will not be discriminated against in admissions or financial aid decisions based on their status.

Students with HIV infection or AIDS will not be discriminated against based on their status in education, extracurricular, or other opportunities made available by The Institute.

Students with HIV infection or AIDS will be allowed to continue studying as long as they are in compliance with all The Institute's rules and regulations.

It is not the policy of The Institute to conduct HIV tests, nor to require that such tests be taken. The Institute does, however, encourage individuals who may have engaged in high risk behaviour to seriously consider being tested for their welfare.

The Institute will adhere to the legal requirements and obligations concerning confidentiality of medical records and will maintain the personal privacy of any student or employee who is antibody positive or is diagnosed as having AIDS or ARC (AIDS related complex).

### **20.1.1 When results are positive**

Employees receiving HIV positive results are not under any obligation to inform The Institute. However, HIV positive employees who work in the kitchen or whose work performance is affected, are urged to inform either the HR Manager or their immediate manager, so that the challenge can be dealt with and the employee assisted. When the employee discloses test results to the company, and where counselling has not taken place, this should be arranged and medical aid assistance should be explained. Counselling may also be required for the employee's family.

The results of tests are to be kept strictly confidential. Only management who need to know should be informed confidentially. Disclosure or a breach of confidence could be regarded as an unfair labour practice or a violation of the rights of the employee.

### **20.1.2 First Aid**

Every First Aid Box must contain disposable gloves for use by the First Aider when dealing with cuts and abrasions so that they cannot be infected. Employees providing assistance should wash their hands thoroughly with disinfectant, soap and water afterwards and destroy the gloves.

### **20.1.3 Continued Employment**

Aids will be treated like any other life threatening disease and employees may continue to work for as long as their condition allows, provided that they meet required performance standards and are not a threat to their own safety or that of others.

## **21. Disciplinary Matters**

### **21.1 Disciplinary Principles**

- 23.1.1 The Institute shall uphold the following principles in dealing with complaints, grievances and matters of discipline:
- a. Must deal fairly and expeditiously with complaints and grievances at the workplace and must at all times strive to use amicable dispute resolution procedures
  - b. The contemplated disciplinary procedure is corrective and seeks to rehabilitate rather than punish
  - c. All staff shall be apprised of their duties and responsibilities as well as the performance and behaviour expected of them. It is a condition of employment that in addition to the Induction sessions, the employees must study and seek to understand this document and all other supporting policies and procedures.
- 23.1.2 All staff members will abide by the disciplinary procedures as defined in this policy that will be reviewed from time to time.
- 23.1.3 An employee who is aggrieved by a decision of a designated authority on a matter or that fall within the mandate of The Institute has a right to lodge a complaint or grievance with a designated authority that is:
- a. The CEO in all other cases other than for grievances of the CEO
  - b. The Chairperson of Council of The Institute in the case of the CEO.
- 23.1.4 Should an employee be suspended for whatever reason, The Institute as the employer will investigate the matter to decide on a course of action.
- 23.1.5 The following shall among other things, be considered as critical for suspending an employee from duty:
- a. The employee's presence at the workplace will hinder or jeopardize the investigation or the employee is likely to interfere with witnesses
  - b. The continued presence of an employee at the workplace as a result of the alleged offence is likely to elicit public outcry and thus bring The Institute's image into disrepute
  - c. If the employee is alleged to have committed a serious offence that is considered dismissible
  - d. Other than a precautionary measure it is a sanction in a disciplinary hearing.
- 23.1.6 Suspension from duty, depending on the nature of the allegation or offence should not exceed 8 (eight) calendar weeks and may ONLY be extended through further postponements of the hearing.

## **21.2 Disciplinary Code and Procedures**

The essence of a disciplinary code and procedure is to encourage a better management of an employee's work performance and the implementation of curative measures for unbecoming conduct. The intention is to prevent unacceptable conduct and by so doing contribute to the well-being of both The Institute and its employees. Where the transgression or lapse of conduct is considered to be of a serious nature, summary dismissal of an employee may be the only appropriate sanction.

Refer to **Schedule 5** the *Disciplinary and Maximum Penalty Guideline Chart*.

### **21.2.1 Corrective Action – Training And Counselling (Steps For Supervisor / Line Manager)**

- a. The manager of each and every employee has a role to give counselling to the employee so as to find out the causes and possible remedies to the alleged misconduct.
- b. It must be treated with confidentiality and never in public or in the presence of other employees.

### **21.2.2 Warnings - Punitive**

#### **21.2.2.1 Verbal Warnings**

This should be issued in instances where the misconduct is of a trivial nature in such a way that it warrants a warning.

Although this is not a written warning, it should be noted in writing and the employee should be warned that in the case of a repetition of a similar offence, more serious steps might be taken.

#### **21.2.2.2 Written Warning**

An employee may be given a written warning depending on the nature of the misconduct and may also be issued after a verbal warning has failed to achieve the desired result and has to be given immediately after the transgression.

### **21.2.2.3 Final Written Warning**

Depending on the nature of the misdemeanour, a final written warning can be issued as a first sanction without necessarily following the mentioned protocol.

### **21.2.2.4 Dismissal**

This is a final disciplinary sanction that should ALWAYS be preceded by a duly conducted hearing.

Dismissal may as well be imposed as a sanction on first offence if the misconduct is so serious in that no other sanction is appropriate. A repetition of similar offences and ignorance of previously issued warnings might as well result in dismissal.

**NB.** A proper hearing should ALWAYS precede summary dismissal. The Employer is advised to refer employees who appear to have a problem and those who are serving warnings, for counselling. This is aimed at early detection of any problems that may be resolved through professional counselling.

## **21.2.3 Disciplinary Enquiry**

The Institute shall comply with the principles and values as contemplated in Labour Relations Act (Act 66 of 1995) in conducting disciplinary hearings. The HR Manager and where appropriate, delegated authority must constitute a disciplinary panel that will consist of a Chairperson, a person to record the proceeding and an additional person who are of a more senior level than the employee being charged. Employee representation is allowed.

A disciplinary hearing must be held within 14 (fourteen) calendar days after the notice of hearing has been received and confirmed by the person that is charged.

- a. An employee must be notified at least 3 (three) calendar days before the date of enquiry or hearing
- b. Notice should be in writing and the employee should sign receipt of the notice. If she/he refuses to sign, a witness should be obtained to confirm that the notice had been served on the employee.
- c. In instances where the employee is also a shop steward, the employer will notify the employee's organisation before any action is instituted.
- d. Before the scheduled enquiry, the Chairperson must ensure that all the parties to the enquiry have been informed of the date, time and venue of the pending enquiry.

A written notice should provide the following:-

- a. Description of alleged misconduct

- b. Main evidence on which the employer will rely
- c. Date, time, place, and venue of the hearing
- d. Rights of the employee including right to be represented by a fellow employee.

#### **21.2.4 Appeal**

An employee has the right to appeal against a decision of the hearing as provided in law.

##### **21.2.4.1 Appeal Procedure**

The employee must lodge an appeal within 5 (five) working days of receiving the outcome of the disciplinary hearing or other disciplinary procedure e.g. final written warning.

*Refer to the detailed Appeal and Review Procedure.*

##### **21.2.4.2 Members of The Appeal Authority**

- a. The Institute shall constitute an appeal authority and will be represented by its CEO.
- b. Notice of the date, time and venue of the appeal hearing must be provided to all affected parties.

##### **21.2.4.3 Appeal Decisions**

- a. The appeal authority may:
  - uphold the decision or
  - reduce the sanction or
  - substitute the decision or sanction as deemed appropriate.
- b. The employer shall immediately implement the decision of the appeal authority.

**NB:** The employee retains the right to utilise dispute-settlement mechanisms provided under the Labour Relations Act.

#### **21.3 Grievance Procedure**

The Institute acknowledges that any employee who has a grievance or is dissatisfied with any matter concerning the employee's work situation or conditions of employment, shall have the right to lodge a grievance. The Institute resolves to enquire into and attempt to resolve any such grievance at the earliest possible opportunity to the satisfaction of both parties.

The main purpose of the grievance procedure will be to prevent and resolve conflict in the workplace and to protect and promote the interests of all parties.

### **21.3.1 Principles**

- a. Any employee or group of employees have the right to lodge grievances about any issues that relate to the working environment and which directly concern them.
- b. Any grievance lodged will be attended to as speedily as possible and will not be unreasonably delayed.
- c. Management will consider all grievances in a fair and just manner.
- d. No victimisation of any employee who has lodged a grievance will be tolerated.
- e. An interpreter should be used if there is any risk of misunderstanding due to language differences.
- f. Parties should be allowed to call witnesses to testify and to question witnesses if necessary.
- g. The aggrieved party should be present during any investigations to a grievance as far as is practically possible.
- h. Any employee who has lodged a grievance may be accompanied and represented at any stage of the procedure by a colleague of his/her choice who is an employee of The Da Vinci Institute for Technology Management.
- i. Employees will be remunerated at their normal pay rates for the time spent with management in discussing grievances on condition that the laid down procedure have been complied with.

*Refer to the detailed Grievance Procedure.*

### **21.3.2 Conflict of Interest**

By definition a conflict will arise where there is the abuse of a position of privilege of a staff member, or confidential information obtained as a staff member, for private gain to improperly benefit such employee or any other person.

- a. All staff members must declare to The Institute in writing any personal or private financial or business interest that the staff member may have in a matter of potential conflict.
- b. In a case where an employee is required to take a decision on a matter that he/she has an interest in and which the employee is able to influence the outcome of the decision, he/she must recuse themselves from the meeting. The matter will then be referred to the HR Manager.
- c. In a case where an employee is required to take a decision on a matter that involves a relative of another employee (e.g. appointment of the relative as a staff member or using the relative as a service provider), the matter will then be referred to the HR Manager or the CEO for approval.
- d. In a case where the CEO is required to take a decision on a matter that involves a relative of the CEO (e.g. appointment of the relative as a staff member or using the relative as a service provider), the matter will then be referred to the Board for approval.

- e. All employees are obliged to declare her/his financial or business interests in a matter where he/she is required to take a decision/adjudicate upon.
- f. If a member is to substitute one member who has declared his/her interest and has recused her/his self, the substituting member must also declare his/ her interest in the matter.
- g. For purposes of sentences 1, 2, 3, 4 & 5 the interests referred to are those in the knowledge of the member including his/her spouse, permanent companion or family members.

The HR Manager will maintain a list of all conflicts of interest declared.

If two, three or more members of the staff have been involved in any conflict within the workplace, the supervisor should immediately take the first step in resolving it. In the absence of resolution, the CEO or HR Manager should step in to resolve the matter as deemed fit under the circumstances.

## **21.4 The Institute's Property**

A staff member of The Institute may not use, take, acquire, or benefit from any property or asset owned, controlled or managed by The Institute.

## **21.5 Sexual Harassment**

### **21.5.1 Principle**

Sexual harassment includes all forms of conduct whether implicit or explicit where there is:

- a. unwelcome physical contact, or
- b. sexually explicit language or gestures, or
- c. uninvited or unwanted sexual advances, or
- d. an offensive overall environment, including the use of vulgar language, the presence of sexually explicit photographs or other materials, and the telling of sexual stories and jokes or reprisal or threat of reprisal for submitting a complaint, participating in the investigation of complaint, rejection of sexual advance.

The Institute will not tolerate any form of sexual harassment amongst its employees.

The Institute is mindful that men as well as women can be victims of sexual harassment, and encourages the reporting of incidents of sexual harassment and will take action to stop the harassment and prevent its reoccurrence

All proven sexual harassment offenders will be dealt with through the disciplinary procedure.

*Refer to the detailed Sexual Harassment Policy.*



### **21.5.2 Reporting Duty of Staff Members**

Whenever a staff member of The Institute has reasonable grounds for believing that there has been a breach of this code, the staff member is encouraged, without delay to report the matter to their superior or the HR Manager.

### **21.6 Drug-Free Workplace**

The Institute is committed to providing a drug-free environment, since our employees are our most valuable resource. We have therefore developed a policy to help contribute to the solution of this very difficult health and social problem. Our policy is to detect and deter substance abuse, while respecting the privacy and dignity of all our employees.

*Refer to the detailed Drug-Free Workplace Policy.*

### **21.7 Electronic Communication and Security**

The Institute's electronic communication and information systems have become an integral part of The Institute's operations. On the one hand it provides an efficient and effective communications tool and on the other hand it provides access to company information, which is vital for the quality of work produced, and the access to accurate and timely information. The operation of the Company is therefore dependent upon the systems used and information maintained electronically form part of company assets.

The policy describes the reasonable steps that need to be taken to ensure the security of critical information as well as The Institute's standards and guidelines with regard to the use of the system.

This policy applies to all users of The Institute's systems and applies to all company information, and includes any electronically generated and stored information, and all handwritten, typed, printed, faxed, e-mailed, or scanned information.

As The Institute provides the Systems to assist employees in the performance of their jobs, usage of the Systems should be restricted to company-related business only. Incidental and occasional personal use of the System is permitted but any personal usage will be subject to the same access and disclosure principles applicable to System usage.

*Refer to the Electronic Communication and Security Policy for a detailed explanation of the Content of Communications, Unacceptable Usage of the System, Security and Confidentiality, etc.*

## **21.8 Gifts and Bribes**

The Institute's policy with regard to the receipt and giving of gifts, bribes and payments through which one person gains a dishonest advantage over another:

### **21.8.1 Fraud and Corruption**

These are serious offences, which can result in criminal conviction. In terms of the Prevention Of Corrupt Practises Act 12 of 2004, it's a criminal offence for an employer not to report corruption, theft or fraud or a suspicion of the mentioned offences.

Fraud and corruption in these terms are defined as the acceptance of bribes, receiving of money, goods or services for personal gain, which are not disclosed to The Institute.

Equally any company/ individual or employee of a company who gives bribes of money, goods or services to gain a business advantage is considered to have committed a criminal offence in terms of legislation.

Fraud and corruption, or attempted fraud and corruption are breaches of standards of conduct required of employees. The Company will not condone them.

Where The Institute suffers a loss or disadvantage of what so ever kind, steps will be taken against the employee to make good the loss.

Appropriate action will be taken against the offender whether or not a loss has been suffered. Fraud and corruption of any amount are dismissible offences.

The police may be called in where the evidence justifies such action.

### **21.8.2 Acceptable gifts**

The receipt of gifts from suppliers and business associates is to be discouraged. However, on disclosure staff may accept gifts, which comply with the following criteria:

- a. Lunches or meals
- b. Gifts, which can be used in the office (calendars, desk pads, pens bearing a logo etc.)
- c. Food or drink of a reasonable nature (single bottles of wine, boxes of chocolates)

Gifts should be of a low value (less than R500) so that the staff member does not feel obligated to the giver. All gifts received should be disclosed to the staff member's immediate manager and entered into the Gift Register. Gifts that are unsuitable will be returned to the

supplier. The Company reserves the right to take disciplinary action with regard to employees receiving gifts that aren't disclosed.

The giving of gifts to customers must be approved by the Business Development Manager and must be in line with the customer's gift receiving policy. All gifts given must carry the Company logo.

Entertainment of a client must be pre-approved in the budget allocated to that department and must have a clear business purpose.

## **21.9 Smoking**

To protect the interests of employees, clients and visitors who don't smoke, smoking will only be permitted in the designated smoking areas.

*Refer to the detailed Smoking Policy.*

## **21.10 Social Media**

Social media usage has become widespread in the business environment and we understand that many of our employees enjoy sharing their knowledge and enthusiasm for our industry online and we encourage these activities. We also encourage employees to expand their knowledge and understanding of our industry by interacting with their colleagues online and in traditional meeting environments.

At the same time, management is responsible to protect the privacy, security and image of The Institute, customers, and stakeholders. This policy is intended to foster an open and expressive environment whilst at the same time maintaining corporate security and seeking compliance with the evolving law.

As a general rule, unless an employee is specifically asked to do so, employees are not authorized to speak on behalf of the company. When sharing information about our industry or your area of expertise, please make it clear that you are offering your own, personal opinions that do not necessarily reflect the opinions of The Institute or other employees.

The same principles and guidelines found in our other policies and three basic beliefs apply to your activities online.

- a. Ultimately, you are solely responsible for what you post online.
- b. Before creating online content, consider some of the risks and rewards that are involved.
- c. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow staff members or otherwise adversely affects members, customers,

suppliers, people who work on behalf of The Institute or our legitimate business interests and other Stakeholders may result in disciplinary action.

As social media is a fast-developing means of communication, any suggestions that may help us adapt to new issues or improve on these guidelines are welcomed.

When a staff member leaves the employment of The Institute, they are responsible to update their social media profiles accordingly.

*Refer to the detailed Social Media Policy.*

## **22. Monitoring and Review of This Policy**

The Human Resource Manager shall be responsible for reviewing this policy on an annual basis to ensure that it meets legal requirements and reflects best practice.

## **23. Related Policies and Procedures**

- 23.1 Grievance Procedure
- 23.2 Appeal Review Procedure
- 23.3 Confidentiality Policy
- 23.4 Drug-free Workplace Policy
- 23.5 Electronic Communications Security Policy
- 23.6 Payroll Deductions Authorisation Policy and Form
- 23.7 Public Political Office Policy
- 23.8 Retirement Policy and Procedure
- 23.9 Sexual Harassment Policy
- 23.10 Smoking Policy
- 23.11 Social Media Policy
- 23.12 Study Benefits Policy
- 23.13 Desertion Procedure

## **24. Related Forms**

- 24.1 Acknowledgement of Debt Form
- 24.2 Certificate of Service
- 24.3 Employee Details Change Form
- 24.4 Employee Resignation Form
- 24.5 Exit Interview Form
- 24.6 Issuing of Office Keys and Alarm Code Form
- 24.7 Leave Application Form
- 24.8 New Employee Information Form
- 24.9 Nomination for Training Form

- 24.10 Overtime Agreement
- 24.11 Policies and Procedures Acknowledgement Signature Page
- 24.12 Retrenchment Checklists (for HR use)
- 24.13 Sample Employment Contract
- 24.14 Staff Exit Form
- 24.15 Training Cost Agreement

## **25. Review of This Policy**

Regular review and amendment of this policy will be done in line with the approved institutional policies and regulatory requirements. This will take place in consultation with the relevant quality assurance structures at departmental and institutional level, under the auspices of the official custodian of this policy, namely the Executive: Operations.