



social development

Department:  
Social Development  
PROVINCE OF KWAZULU-NATAL

# POLICY ON ABSCONDMENT

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## 1. INTRODUCTION

The Department is committed to promote a conducive working environment and fair labour practice for all its employees. This Policy is designed to provide comprehensive guidance and information to all employees in the management of abscondments.

## 2. PURPOSE

This Policy provide guidelines in the management of abscondment.

## 3. OBJECTIVE

The objective of the Policy is to:-

- (a) ensure that fair procedure is followed when dealing with abscondment;
- (b) ensure that Supervisors and supervisees share a common understanding in dealing with matters of abscondment; and
- (c) prevent arbitrary and discriminatory actions by Supervisors towards supervisees who have absconded.

## 4. SCOPE OF APPLICABILITY

This Policy is applicable to all employees of the Department.

## 5. LEGISLATIVE FRAMEWORK

- 5.1 Constitution of South Africa, 1996;
- 5.2 Labour Relations Act, 1995 (Act No.66 of 1995);
- 5.3 Public Service Act, 1994 (Proclamation No.103 of 1994),
- 5.4 Public Service Coordinating Bargaining Council, 1999 (Resolution 2 of 1999); and
- 5.5 White paper on Human resource management in the Public Service.

## 6. DEFINITIONS, ABBREVIATIONS AND ACRONYMS

For the purpose of this Policy:

- 6.1 “**Abscondment**” means an employee, other than a member of the services or an educator or a member of the Intelligence Services, who absents himself/herself from his/her official duties without permission of his/her head of department, office or institution for a period exceeding one calendar month.
- 6.2 “**Department**”; means the KwaZulu-Natal Provincial Department of Social Development;
- 6.3 “**Employee**” means any person in the employ of the Department, as defined in terms of Section 1 of the Public Service Act;
- 6.4 “**MEC**” means the Member of Executive Council for the Department of Social Development in the Province of KwaZulu–Natal;

## **7. PRINCIPLES**

- 7.1 The principles of natural justice must be observed;
- 7.2 Supervisors must adhere to stipulated time frames;
- 7.3 An employee shall not absent herself or himself without authority;

## **8. PROCEDURE IN DEALING WITH ABSCONDMENT**

- 8.1 It should be noted that it is the obligation of the employee to notify the Supervisor if the supervisee is unable to report for duty.
- 8.2 It is the responsibility of every employee to notify the employer of any change of address or telephone number.
- 8.3 If an employee does not report for duty within three (3) days, the Supervisor must immediately make all attempts to trace the employee to establish the reason for not reporting for duty.
- 8.4 Written record must be kept of attempts made by Supervisors when tracing the employee;
- 8.5 If an employee cannot be traced and seven (7) days have elapsed the Supervisor must send a registered letter to the employee's last known address informing the employee to return to work immediately, failing which relevant legislative provisions shall be invoked. A copy of the record of attempts made to trace the employee must be given to Human Resource Office. Supervisors should however still continue to establish the whereabouts of the employee.
- 8.6 In an event the employee does not return for duty after the expiry of fourteen (14) days, a letter should be delivered to the last known address of the employee by the supervisor accompanied by a witness. The supervisor must retain the signed copy of the delivered letter.
- 8.7 If the employee returns for duty before the expiry of one (1) calendar month, he/she must be charged with misconduct for absenteeism;
- 8.8 In an event one (1) calendar month has elapsed since employee last reported for duty, the employee is deemed to have dismissed himself/herself from the service on account of misconduct with effect from the date immediately succeeding his/her last day of attendance at his or her place of duty. If the employee is so deemed to have dismissed himself/herself from the service the salary shall be frozen.
- 8.9 If an employee who is deemed to have been so dismissed, reports for duty at any time after the expiry of the period (one calendar month), the relevant MEC may, on good cause shown and notwithstanding anything to the contrary contained in any law, approve the reinstatement of that employee in the public service in his/her former or any other post or position, and in such a case the period of his or her absence from official duty shall be deemed to be absence on vacation leave without pay or leave on such other conditions as the said authority may determine.
- 8.10 On receipt of the application for reinstatement, the MEC shall consider the application and communicate his/her decision and

8.11 In an event the MEC approves the reinstatement of that employee in his/her former or any other post or position, his/her period of absence from duty shall be deemed to be absence on vacation, leave without pay or leave on such conditions as the MEC may determine.

## 9. ROLES AND RESPONSIBILITIES

### 9.1 Supervisors are responsible for:-

- (a) providing necessary training and communication to employees of the department relating to this Policy; and
- (b) following the processes outlined in this Policy.

### 9.2 Employees are responsible for:-

- (a) reporting to the supervisor if they will not be at the workplace.

## 10. NON COMPLIANCE

An employee who fails to comply with this this Policy shall be guilty of an act of misconduct.

## 11. MONITORING, EVALUATION AND REVIEW

11.1 The Human Resource Management Component is responsible for communicating the provisions of this Policy to all Employees.

11.2 The Policy will be monitored, evaluated and reviewed after three years or as and when the need arises.

## 12. EFFECTIVE DATE

The effective date of this Policy will be the date of approval.

## 13. POLICY VERSION

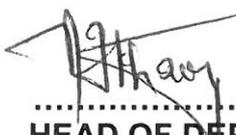
This is the 2<sup>nd</sup> version of the Policy and is available in the English version.

## 14. TITLE OF THE POLICY

This Policy shall be called Policy on Abscondment.

## 15. POLICY APPROVAL

This Policy supersedes all other Policies in existence. This revised Policy is approved with effect from the 09<sup>th</sup> day of March in the year 2015



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**HEAD OF DEPARTMENT**  
**DEPARTMENT OF SOCIAL DEVELOPMENT**