



MINUTES OF MEETING

Meeting: HR SUB COMMITTEE MEETING
Date: 26 APRIL 2017
Time: 10H30
Venue: ELRC BUILDING
260 WEST AVENUE
CENTURION

1. OPENING AND WELCOME

1.1 The Chairperson Mr. D Lerm opened the meeting and welcomed all members.

2. ATTENDANCE AND APOLOGIES

2.1 Present

Mr. D Lerm	Chairperson
Ms. L Munday	Department of Basic Education
Mr. N Ngcobo	Department of Basic Education (arrived late)
Mr. D Phango	Department of Basic Education
Mr. S Twala	SADTU
Ms. K Frank	SADTU
Mr. A Mohone	SADTU
Mr. A Dlamini	CTU-ATU
Mr. M Moloji	CTU-ATU
Ms. N O Foca	ELRC General Secretary
Mr. M Matlose	ELRC Senior Manager DMS
Ms. N Shadung	ELRC CFO
Ms. M Zikalala	ELRC HR Manager

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2.2 Apologies

Ms. O Makofane
Mr. S Moloisi

ELRC Senior Manager CS
ELRC Senior Manager CBS

3. CONFIRMATION OF THE AGENDA

3.1. The Employer moved and SADTU / CTU-ATU seconded the adoption of the agenda.

Decision 1:

The agenda was unanimously adopted.

4. MINUTES OF THE PREVIOUS MEETING

4.1. 13 February 2017

4.1.1. The Employer moved and SADTU / CTU-ATU seconded the adoption of the minutes.

Decision 2:

The minutes of the HR Sub Committee meeting held on 13 February 2017 were unanimously adopted.

4.2. 7 March 2017 (Special HR Sub Committee)

4.2.1. CTU-ATU indicated that Mr A Dlamini was not present at the meeting thus should be moved to Apologies.

4.2.2. The Employer moved and SADTU / CTU-ATU seconded the adoption of the minutes as amended.

Decision 3:

The minutes of the Special HR Sub Committee meeting held on 7 March 2017, as amended, were adopted.

5. MATTERS ARISING FROM THE MINUTES

5.1. 13 February 2017

No matters arising.

5.2. 7 March 2017 (Special HR Sub Committee)

No matters arising.

6. BUSINESS MATTERS

6.1. Fourth Quarterly Report

6.1.1. The HR Manager presented the report and highlighted the following:

- 6.1.1.1. That during the period under review the Council advertised one permanent position in the month of February which was for a Supply Chain Management Officer and the successful candidate has commenced employment in the first quarter of the 2017/18 financial year.
- 6.1.1.2. That during the period under review, one employee, whose probation was ending in April 2017, was not confirmed for employment due to poor performance.
- 6.1.1.3. That an incapacity hearing for the Supply Chain Management Manager took place and the outcome of the hearing was not to extend the probation period.
- 6.1.1.4. That the employee referred the matter to CCMA, and Council was yet to receive a date for the hearing.
- 6.1.1.5. That the Council had workshopped 47 employees on Risk Management, Compliance Management, Fraud Prevention and Employee Self Service.
- 6.1.1.6. That the performance contracts for the new financial year and assessments for the fourth quarter would be conducted and concluded in April 2017.
- 6.1.1.7. That Council had a Wellness Day during the period under review, where employees were pampered for Valentine's Day.
- 6.1.1.8. That three employees resigned in the months of February and March 2017 from the Supply Chain Management, Finance and Collective Bargaining Services units.
- 6.1.1.9. That the Officer in the Supply Chain Management unit indicated in the exit interview that he received an offer closer to his home town.
- 6.1.1.10. That the Finance Officer indicated that she no longer fits the culture of the Council. It must further be noted that the employee had an active final written warning in her personal file due to poor performance, the status of which had not improved even upon resignation. She had further taken Council to the CCMA claiming constructive dismissal.
- 6.1.1.11. That the Officer in the CBS unit cited the reason for resignation as personal and that he wished to explore other avenues.

6.1.2. CTU-ATU expressed concern over the many resignations as much money was spent on interviews and enquired what the trend / cause for resignations were.

6.1.3. The HR Manager indicated the following:

6.1.3.1. That the current trend was that employees were resigning based on receiving better opportunities in other organisations.

6.1.3.2. That there was nothing alerting out of the norm with regards to the resignations.

6.1.4. The General Secretary indicated the following:

6.1.4.1. That the Collective Bargaining Officer resigned in January 2017 and she had engaged with him to try and persuade him to stay because she was happy with his performance thus she refused to sign the resignation.

6.1.4.2. That the CBS Officer stayed on for the month of February 2017 because the concern she had was that he did not have any other job, but he felt that he had worked for the ELRC too long without any movement.

6.1.4.3. That the problem was that he could not move within the organisation as he did not have the qualification.

6.1.4.4. That in February 2017 the CBS Officer indicated that he has taken a conscious decision to leave the ELRC.

6.1.4.5. That with regards to the SCM Officer it was a matter of career prospects as the ELRC has a structure that does not allow for junior officials to grow within the organisation.

6.1.4.6. That she was unable to provide a counter offer as the other company was offering R4000 more on his salary.

6.1.4.7. That the ELRC was happy with his performance as SCM Officer.

6.1.4.8. That with regards to the Finance Officer who resigned and has since gone to the CCMA claiming constructive dismissal, there had been a series of performance issues with that individual such that the last time she was reprimanded she was served a final written warning.

6.1.4.9. That her performance issues were serious such that there were instances where employees medical aid were not paid, instances where the Council was paying more than what was deducted from the employees, therefore looking at those

performance issue they were not minor issues.

- 6.1.4.10. That the issue of payroll was serious which could result in exposing not only the employee but Council at a risk of being sued because if an employee got involved in an accident and was taken to hospital only to find out that the medical aid refuses admission purely because an official at the ELRC has not done his/her job.
- 6.1.4.11. That management had not taken any action other than serving her with a letter indicating performance issues that kept recurring which date back as far as the era of the Auditor General where there were audit findings with regards to the payroll.
- 6.1.4.12. That the official was afforded an opportunity to respond to the supervisor on why she should not be subjected to an incapacity hearing and her response was serving a letter of resignation then claiming constructive dismissal.
- 6.1.4.13. This explanation was to alleviate the perception that staff were resigning because they were being ill-treated.

6.1.5. The Chairperson thanked the General Secretary for the explanation.

Decision 3:

The Fourth Quarterly report was unanimously recommended to the Executive Committee for adoption.

6.2. HR Sub Committee Charter

- 6.2.1. The HR Manager presented the HR Sub Committee Charter and highlighted the following:
 - 6.2.1.1. That the HR Sub Committee Charter summarised the responsibilities and purpose of the HR Sub Committee.
 - 6.2.1.2. That the Charter was developed in line with the constitution of the ELRC, coupled with King IV and other HR best practices.
 - 6.2.1.3. That the Charter illustrated the composition and operations of the committee, and the frequency of the meetings to be convened on an annual basis as well as the reporting to EXCO thereof.
 - 6.2.1.4. That the purpose of this Charter was to assist EXCO in assuring that legislation and laws were complied

with as prescribed by the Council's policies and procedures.

- 6.2.1.5. That the Charter provided a focus on governance that would enhance the performance of the ELRC, to convene meetings on a quarterly basis or as when required by the Secretariat of the Council.
- 6.2.1.6. That the recommendations to EXCO shall be subjective and shall address HR risks at large.
- 6.2.1.7. That the composition and operations, reporting, meetings, authority and responsibilities, and accountability remained as in the ELRC constitution.

- 6.2.2. SADTU, CTU-ATU and the Employer recommended the HR Sub Committee Charter to the Executive Committee for approval.

Decision 4:

The HR Sub Committee Charter was unanimously recommended to the Executive Committee for approval.

7. CONFIRMATION OF THE DATE OF THE NEXT MEETING

- 7.1. The Secretariat would communicate the date of the next meeting.

8. CLOSURE

- 8.1. The meeting closed at 11H00 with the vote of thanks from the Chairperson.

Chairperson

General Secretary

Date