

ABSCONDMENT POLICY AND PROCEDURES

Introduction

All the employees that are employed by KHANIMAMBA TRAINING AND RESOURCE CENTRE have a contractual obligation to avail themselves for work according to the specifications of the employment contract.

Scope

This policy addresses all employees employed KHANIMAMBA TRAINING AND RESOURCE CENTRE on permanent basis and including employees that work on contract or fixed term employees, volunteers, interns and experiential learners.

General provisions

- 1.1) An employee has an obligation to tender his or her services to organization in accordance with his or her employment contract.
- 1.2) If an employee is unable to report for duty he or she must, where reasonably possible, notify his or her immediate supervisor immediately.
- 1.3) Where an employee is absent without leave and has not notified his or her immediate supervisor of his or her inability to report for duty, the organization will consider such absence as abscondment from work unless otherwise the supervisor is notified.
- 1.4) An employee who is absent without leave for a period exceeding 1 week and whose whereabouts are not known by the organization shall be deemed to have discharged from KTRC on account of his or her conduct.
- 1.5) An employee who is absent without leave and assumes other employment shall be deemed to have been discharged from KTRC.
- 1.6) An employee who is absent without leave or has a valid reason to be absent from duty, shall not be entitled to remuneration for the duration of his or her absence from work.
- 1.7) An employee has an obligation to furnish the organization with his or her full contact details and to advise the organization of any changes to such details
- 1.8) If an employee, who has been discharged in terms of paragraph 1.4 and 1.7, is of the view that he or she has been unfairly treated regarding these procedures, he or she has the right to follow the relevant grievance procedures and the relevant dispute resolution procedures and the relevant dispute resolution procedures in order to settle the matter.

PROCEDURE ON DEALING WITH ABSCONDMENT

2.1) Where an employee has been absent without leave and returns to work prior to the organization sending any correspondence in terms of this policy.

2.2) The organization may, where the employee has no valid reason for his or her absence, proceed against such employee on the basis of misconduct.

2.3) Where an employee has been absent without leave for a period of 3 days and the organization ascertains his or her whereabouts, the employee's immediate supervisor must, immediately arrange for such employee's salary to be frozen.

2.4) The organization shall determine whether the employee given the reasons for such absence shall be subjected or charged with misconduct.

2.5) The Head of organization or his or her assignee must ratify the discharge of the employee in question

Procedures where the employee's whereabouts are not ascertained

3.1) Where an employee has been absent without leave for 3 or more days and the organization is not able to ascertain the employee's whereabouts, the employee's immediate supervisor must, immediately arrange for such employee's salary to be frozen, and must furnish the employee with a letter in the form of Annexure "D" instructing the employee to report for duty and advising of the consequences of his or her failure to do so.

3.2) The letter referred to in paragraph 3.1 must be hard delivered or forwarded by registered mail to the employee's last known physical address by the employee's immediate supervisor.

3.3) A copy of the letter referred to in paragraph 3.1 must be forwarded to the HR Department.

3.4) Where the employee referred to in paragraph 3.1 tenders his or her services prior to the expiry of 1 calendar month, the employee's immediate supervisor must consult with such employee and, where the employee has no valid reason for absence, the said supervisor should follow the disciplinary procedure.

3.5) Where the employee referred to in paragraph 3.4 has a valid reason for his or her absence, the employee's immediate supervisor must determine the correct remedy, which may include with or without pay.

3.6) Where the employee referred to in paragraph 3.1 has been absent without leave for a period exceeding 1 calendar month, the employee's immediate supervisor must immediately furnish the relevant HR Department with a

commendation regarding the discharge of such employee from KTRC together with all other relevant documentation

3.7) The managing director or his or her assignee must, where the correct procedure have been followed, immediately ratify the employee's discharge from KTRC and a letter in the form of Annexure "E" must be forwarded to the employee confirming such discharge.

3.8) Where the correct procedures have not been followed, the HR department must recommend the correct procedures

3.9) As soon as the employee's discharge from the KTRC has been ratified by the managing director or his or her assignee, the relevant documentation must be furnished to the HR Department by the employee's immediate supervisor.

3.10) Where the employee referred to in paragraph 3.6 tenders his or her services and makes representations as to why he or she should not be discharged from the KTRC, the managing director or his or her assignee must consult with such employee and may, on good cause shown by employee, approve his or her reinstatement into the KTRC on terms and conditions determined by the managing director or his or her assignee.

3.11) An employee who has been reinstated into KTRC may be placed in his or her former post or position or in any other post or position available in the organization

3.12) Where an employee has been reinstated into the KTRC, the period of his or her absence from duty shall be deemed to be an absence on annual leave without pay or leave on such other conditions determined by the organization.

3.13) Whenever a contractor is contracted for a particular project, the superior contracting the contractor should always have a second contractor details handy as a back-up.

Procedures where the employee is incarcerated

4.1) Where an employee has been incarcerated pending criminal proceeding, such employee must, where reasonably possible, notify his or her immediate supervisor of his or her inability to report for duty within 3 working days of incarceration.

4.2) Where the employee referred to in paragraph 4.1 notifies his or her immediate supervisor of his or her inability to report for duty due to incarceration or where the employee has been absent from duty for a period of 3 days and the organization ascertains that he or she has been incarcerated pending criminal proceedings, the employee may be granted leave without pay.

4.3) Where the employee referred to in paragraph 4.1 is acquitted of the criminal charge and returns to work, the period of unpaid leave granted in terms of paragraph 4.2, must be converted to paid annual leave to the extent that

such employee has annual leave due to him or her and, the period of unpaid leave stands in respect of the period of incarceration that exceeds the employee's annual leave entitlement.

4.4) Where the employee referred to in paragraph 4.1 is convicted of the criminal charge and given a fine as a criminal sentence, the period of unpaid leave granted in terms of paragraph 4.2 stands and the Company must determine whether or not the employee's criminal record has an impact on his or her employment by the organization.

4.5) Where an employee's criminal record has an impact on his or employment by the Company, the Company may, where appropriate, proceed against such employee on the basis of incapacity or misconduct

4.6) Where the employee referred to in paragraph 4.1 is convicted of the criminal charge and incarcerated as a criminal sentence, the employee's immediate supervisor must immediately furnish the employee with a letter in the form of Annexure "F" advising the employee of the right to make representations as to why his or her services should not be terminated on the grounds of such employee's inability to perform his or her contractual obligations.

4.7) Where the employee fails to submit representations in terms in terms of paragraph 4.6 or the Company determines, on reasonable grounds, that the employee's services may be terminated on the grounds of such employee's inability to perform his or her contractual obligations, the employee's immediate supervisor must furnish such employee with a letter confirming the termination of his or her services

4.8) Where the employee submits representations in terms of paragraph 4.6 or the Company determines, on reasonable grounds, that the employee's services may not be terminated, the employee's immediate supervisor must furnish such employee with a letter regarding his or her continued employment and any terms and conditions that are applicable to such continued employment.

4.9) Where the employee referred to in paragraph 4.1 is not acquitted or convicted of the criminal charge and criminal proceedings are still pending, the period of unpaid leave granted in terms of paragraph 4.2 stands and the employee's immediate supervisor must immediately furnish the employee with a letter in the form of Annexure 'G' advising the employee of the right to make representations as to why his or her services should not be terminated on the grounds of such Employee's inability to perform his or her contractual obligations.

4.10) Where the employee fails to submit representations in terms of paragraph 4.9 or the Company determines, on reasonable grounds, that the employee's services may be terminated on the grounds of such employee's inability to perform his or her contractual obligations , the employee's immediate supervisor must furnish such employee with a letter confirming the termination of his or her services.

4.11) Where the employee submits representations in terms of paragraph 4.9 or the Company determines on reasonable grounds, that the employee's services may not be terminated, the employee's immediate supervisor must furnish such employee with a letter regarding his or her continued employment and any terms and conditions that are applicable to such continued employment.

4.12) Where the employee referred to in paragraph 4.1 fails to notify his or her immediate supervisor of his or her inability to report for duty and the Company is not able to ascertain the employee's whereabouts, the Company must, after 3 days of such employee's absence from duty, follow the abscondment procedures set out in paragraph.

Signed at: _____ on this ____ day of _____ 2025

Management signature
signature

Board of Directors' representative