



DIRECTORATE  
OFFICE OF THE  
CITY MANAGER

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Your Ref: Clr T Van Der Walt	Our Ref: 12/1/9/4/2
Room 201, Bram Fischer Building	Date: 02 August 2022

Clr D Van Der Walt  
Democratic Alliance  
Mangaung Metropolitan Municipality

**RESPONSE TO RULE 38 QUESTION. OUTCOME OF DISCIPLINARY HEARINGS FOR SOLID WASTE EMPLOYEES ON 21 DECEMBER 2020**

Your e-mail dated 13 January 2022, received on 27 July 2022, regarding the above-mentioned matter refers.

**Question 1:**

**How many workers had returned to work and provided workplace services by 15h30 on 24 December 2020?**

Response: The employees were reportedly on site the entire day of the 24 December 2020.

**Question 2:**

**How many workers had been identified for possible suspension or disciplinary or other steps? Please provide details.**

Response: The general rule with disciplinary inquiry is that it must be held within a reasonable time from the date on which the alleged misconduct occurred or from the date from which the employer first became aware of it. The passing of time (2020-2022) is a significant period, whereby, realities, such as change in management echelon, departures of employees for various reasons such as resignations, deaths, change of positions, albeit with tangible evidence related to the incident. It is against such background, that the incident (not condoned, but treated with the contempt it deserves) does not have the prospects of successful result.

**Question 3:**

**If zero, why?**

Refer to response in (2) above.

**Question 4:**

**What steps were taken since the illegal work stoppage that started on 15 December 2020, according to you?**

Discipline should be understood correctly within the correct context of being a **Corrective** rather than a **Punitive** process. The Intervention Team has noted with concern, all previous and recent industrial strikes. The Intervention Team is strongly advocating and supporting the Labour Relations Section (Corporate Services) to start implementing and building best practices in dispute prevention and resolution by reviving already dead Local Labour Forum (LLF) and its sub committees.

The foundations of Social Dialogue, stakeholder recognition with clear engagement framework was re-established and now the LLF has met and for the first time the meeting concluded its agenda.

The LLF Sub-committee on Workplace and Service Restructuring has also met and engaged on the Macro structure and Public Office Bearers structure.

A delegation from the National Department of CoGTA was also activated to train all LLF members on the new staff regulations that came into effect on 1 July 2022.

**Question 5:**

**How many workers were impacted by the implementation of no work, no pay between December and 24 December 2020?**

Response: Refer to response in (2) above.

**Question 6:**

**What was the financial implications of the “no work no pay” at the Waste Department for December 2020?**

Response: Refer to response in (2) above.

**Question 7:**

**If no “work ‘no pay” was not implemented, why not:**

Response: Refer to response in (2) above.

**Question 8:**

**Is there any truth to the allegation that a worker, a supervisor or Manager is/or has been running a cash loan business to waste workers during working hours?**

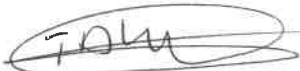
Response: The current Acting; HoD is not aware such allegations. The previous and current Managers have not reported same. The Directorate will highly appreciate if the Cllr can provide tangible evidence regarding the allegation.

**Question 9:**

**If yes, does/did this person/have any involvement in the administration of/payment of /or demand for overtime payment in the department?**

Response: Refer to response in 8 above.

Yours faithfully



Tebogo Motlashuping  
**Acting City Manager**  
Date: 16/08/2022