

## **OVERSTRAND MUNICIPALITY** **UNAUTHORISED ABSENCE**

### **1. INTRODUCTION**

Overstrand Municipality is complying with the Basic Conditions of Employment Act and any other applicable laws or agreements governing an employee's right to take leave after a prescribed period of employment.

### **2. OBJECTIVE**

Management has the right to take action against employees who are absent without permission:-

- ❖ Where employees absent themselves without valid reason.
- ❖ Where employees fail to notify management of their whereabouts.
- ❖ Where employees fail to comply with correct application procedures.

An employee is deemed to be a “deserter” when he /she disappears does not make contact with the organisation within 3 working days and has no intention to return.

### **3. GUIDELINES**

In cases of unauthorised absence, managers are expected to adhere to the following guidelines:

#### **3.1 Establish Whereabouts**

Be able to prove that genuine attempts have been made by management to establish the whereabouts of the particular employee including but not necessarily so, sending a senior employee to the employees *domicilium citandi et executandi*.

#### **3.2 Notify Employee**

Despatch by hand, registered mail, a notification advising the employee to report for work or advise management of his/her whereabouts.

#### **3.3 Notification of Enquiry**

If no response is received after requesting the employee to return to work, a notification of disciplinary enquiry should be sent to the employee. Should the employee respond and report to work thereafter, an enquiry must still be held.

#### **3.4 Enquiry in absentia**

Should the employee fail to attend the disciplinary enquiry, the enquiry will proceed.

### 3.5 Notifying the Employee of the Outcome of the Enquiry

After the enquiry the employee will be advised in writing of the outcome of the enquiry and his/her right to an appeal.

Policy Section	Human Resources
Current update	N/A
Previous review	N/A
Approval by Council	26 November 2008

**MODEL LETTER OF TERMINATION OF EMPLOYMENT – DESERTION**

Full address Date:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Mr/Mrs/Miss \_\_\_\_\_

**RE: TERMINATION OF EMPLOYMENT**

We refer to our letters and telephone calls of \_\_\_\_\_ and \_\_\_\_\_ (dates of advises regarding Disciplinary Enquiry), a disciplinary enquiry has been held into your prolonged and unexplained absence from work.

We regret to advise you that your contract of employment has been terminated with effect from \_\_\_\_\_ (last day of work). In terms of the Employer's disciplinary procedure, you may exercise your right of appeal against this dismissal within 5 working days of the delivery of this letter to your residential address.

Remuneration due to you, as well as your certificate of service is enclosed. OR (..... may be collected at \_\_\_\_\_ on \_\_\_\_\_ (date)).

Yours faithfully

**MUNICIPAL MANAGER**