


MSUKALIGWA LOCAL MUNICIPALITY

MSUKALIGWA LOCAL MUNICIPALITY BEREAVEMENT POLICY



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INDEX

Table of Contents

1. DEFINATIONS 3

2. OBJECTIVES 3-4

3. APPLICATION OF THIS POLICY 4

4. PRINCIPLES OF THIS POLICY 4

5. ESTABLISHMENT OF THE COMMITTEE 4

6. FUNCTIONS OF THE COMMITTEE 4-5

7. ARRANGEMENT OF MEMORIAL SERVICES AND BEREAVEMENT VISITS..... 5-6

8. FUNERAL ATTENDANCE ARRANGEMENTS 6

9. GENERAL PROVISIONS 6-7

10. COMMENCEMENT OF THIS POLICY	7
11. INTERPRETATION	7
12. WAIVER OR SUSPENSION.....	7
13. AMENDMENT AND/OR ABOLITION OF THIS POLICY	7
14. COMPLIANCE AND ENFORCEMENT	8

POLICY ON BEREAVEMENT

1. DEFINITIONS

The specific meaning of key words is as defined in the Basic Conditions of Employment Act, No 75 of 1997 in these definitions, unless the context indicates otherwise:

“Accounting Officer” A person appointed as Municipal Manager who is the head of administration as defined in Section 55 of the Municipal Systems Act, No. 32 of 2000.

“BCC” Refers to the Bereavement Coordinating Committee established in terms of clause 5 of this policy.

“Bereavement” It is the emotional sadness experienced by employees and councillors including members of the next of kin of the deceased employee's as a result of the death of the employee or councillor.

“Constitution” Refers to the Constitution of the Republic of South Africa Act No 108 of 1996

“Designee” A person assigned by the Accounting Officer or HOD to represent or lead a municipal delegation.

“Employee” A member of staff including intern, learner and other contract worker with the municipality.

“HOD” A person appointed in terms of Section 56 of the Municipal Systems Act. No 32 of 2000 as a head of a Department in the Municipality.

“Manager” A person appointed as head of a Section within the department in the Municipality

“Mourner” A person attending a funeral service or memorial service

2. OBJECTIVES

- 2.1. To provide a framework for management of bereavement processes for a deceased municipal Councillor and employee.
- 2.2. To make a provision for establishment of a sustainable mechanism for provision of support to the family of the deceased Councillor or employee of the municipality.
- 2.3. To provide a framework for cost management and recovery arising out of the support to bereaved family.
- 2.4. To promote good fellowship during the time of need to the bereaved family.
- 2.5. To facilitate extension of condolences to the bereaved family of the deceased person.

3. APPLICATION OF THIS POLICY

- 3.1. This policy will apply to all temporary, contract, intern, trainee, permanent employees and Councillors of the Municipality.
- 3.2. Provisions of this policy will be binding to Council, Councillors, Management and employees of the Municipality
- 3.3. Application of this policy may not be extended to non-employees of the Municipality.

4. PRINCIPLES OF THIS POLICY

- 4.1. This policy is designed to be used as a tool for comforting / consoling the bereaved families.
- 4.2. This policy is designed to enhance the content of our social culture in respect of mourning.
- 4.3. The application of this policy shall be balanced with the interests of the Municipality.
- 4.4. The operation of this policy shall not interfere with nor interrupts the smooth rendering of services to the community.
- 4.5. This policy shall be applied in such a way that, there is a minimum work stoppage resulting from a need to pay last tribute to the deceased during normal working hours.

5. ESTABLISHMENT OF THE COMMITTEE

- 5.1. Management and the Organised Labour shall jointly form a committee to be known as Bereavement Coordinating Committee (BCC).

- 5.2. The Committee shall consist of the following incumbents: Director Corporate Services as Chairperson, Human Resources Manager, one representative from each department and 2 representatives from each union SAMWU and IMATU.
- 5.3. The term of office for this Committee shall be a period not exceeding three consecutive years.
- 5.4. The Bereavement committee shall be dissolved by the Labour Forum if the committee fails to execute its responsibilities in accordance with the policy

6. FUNCTIONS OF THE COMMITTEE

6.1. The functions of the committee

- 6.1.1. All members of the committee shall provide support to the chairperson in finalizing all benefits to be paid to the deceased employee's next of kin.
- 6.1.2. All liaise with the family of the employee.
- 6.1.3. To arrange the all logistics relating to memorial service for the deceased employee.
- 6.1.4. To keep the staff informed about the latest developments relating to the funeral.
- 6.1.5. To inform the staff about the transport arrangements for the memorial service and for the funeral.
- 6.1.6. To attend or send representatives to attend the funeral of the deceased employee.
- 6.1.7. To pay a home visit to the immediate family of the deceased staff members within 48 hours of the receipt of the notification of death or within 3 days after the funeral if the family decided to bury the deceased employee at short notice.

7. ARRANGEMENT OF MEMORIAL SERVICES AND BEREAVEMENT VISITS

- 7.1. The Municipality shall arrange through BCC a memorial service for paying the last tribute to any person referred to in Clause 3.1 of this policy.
- 7.2. Such memorial service shall be held within a period of seven working days or not later than 10 working days after the death of the employee or Councillor, subject to the consent obtained from the bereaved family.

- 7.3. The memorial service shall be held in the appropriate time agreed to by the committee normal working hours if it is held during the week or not on a public holiday at a suitable venue within the area of jurisdiction of the Municipality.
- 7.4. The refreshments may be arranged at the discretion of the Accounting Officer only for the family members attended the memorial service.
- 7.5. The costs of refreshments may be defrayed from the entertainment vote or any other suitable vote chosen by the HOD of the affected department.
- 7.6. A preacher of the family's choice or the municipality's choice shall be arranged by the municipality at no cost.
- 7.7. Employees and /or Councillors who wish to pay a visit to the bereaved family may be allowed to do so during the normal working time determined by the Committee and approved by the Accounting Officer feasible, but if not feasible during the normal working hours should such a visit occur on a working day, within a radius of 300 km from the location of main Municipal Offices, the hours shall be determined by the Municipal Manager.
- 7.8. The transport costs for transportation of the family to the Memorial Service will be defrayed from the Normal transport budget of the Department concerned.

8. FUNERAL ATTENDANCE ARRANGEMENTS

- 8.1. For all funerals, the Municipality shall send an official delegation of not more than 3 employees determined by the Accounting Officer and a vehicle load of kombi or quantum size will be released for other employees/Councillors on a first come first serve basis.
- 8.2. In the event of death of an employee or Councillor, the Municipality shall avail transport for the mourners from the municipality to attend the funeral service within the borders of South Africa on a shared cost basis.
- 8.3. The mourners shall transported municipal own driver if using a municipal vehicle
- 8.4. The mourners shall arrange own driver at no cost to the municipality if vehicle hired from a registered and recognized car rental company.
- 8.5. If a municipal vehicle is used, the transport costs will be calculated according to applicable tariffs for use of privately owned vehicles, issued by the National Department of Transport.

- 8.6. If a hired vehicle is used for funeral attendance purpose, the costs will be shared on a basis of total costs charged or incurred including or excluding other costs like fuel, oil and toll fees, if these are excluded from the contract.

9. GENERAL PROVISIONS

- 9.1. If Councillor's or staff member's vehicle is used for transport purpose, that person will be reimbursed according to the subsistence and travelling allowance policy,
- 9.2. If a privately owned vehicle belonging to a member of the public, other than a bus, taxi or hired vehicle has been used, the applicable tariff set out in the Travel and Subsistence allowance policy will be used.
- 9.3. No cost of accommodation will be incurred in respect of any funeral related arrangement by the municipality unless circumstances dictate.
- 9.4. No cost of food or drinks will be incurred in respect of any funeral related arrangements by the municipality.
- 9.5. There will be no special budget set aside by the municipality specifically for bereavement or funeral service related expenses.
- 9.6. The employees and Councillors of the Municipality attending a memorial service or funeral service shall be regarded as on official duty for the purpose of the Workman's Compensation Act.
- 9.7. No person shall be paid a part of a or full wage for attending a funeral or memorial service or for paying a bereavement visit even if such person was the driver of the vehicle used to attend any of the mentioned occasions.
- 9.8. No Councillor or employee shall claim overtime nor time off for any time spent in attendance of any bereavement related occasion.
- 9.9. No claim for any damage arising out of use of a privately owned vehicle for attendance of any bereavement related occasion will be made to the Municipality.

10. COMMENCEMENT OF THIS POLICY

- 10.1. This policy will come into effect on the date of adoption by Council.

11. INTERPRETATION OF THIS POLICY

- 11.1. All words contained in this policy shall have an ordinary meaning attached thereto, unless the definition or context indicates otherwise.

- 11.2. Any dispute on interpretation of this policy shall be declared in writing by any party concerned.
- 11.3. The Office of the Municipal Manager shall give a final interpretation of this policy in case of a written dispute.
- 11.4. If the party concerned is not satisfied with the interpretation, a dispute may then be pursued with the South African Local Government Bargaining Council or Arbitration

12. PERMANENT/TEMPORARY WAIVER OR SUSPENSION OF THIS POLICY

- 12.1. This policy may be partly or wholly waived or suspended by the Municipal Council on a temporary or permanent basis after consultation with Management and Trade Unions.
- 12.2. Notwithstanding clause No. 10.1 the Municipal Manager may under circumstances of emergency temporarily waive or suspend this policy subject to reporting of such waiver or suspension to Council and Trade Unions.

13. AMENDMENT AND/OR ABOLITION OF THIS POLICY

- 13.1. This policy may be amended or repealed by the Council after consultation with Management and Trade Unions.

14. COMPLIANCE AND ENFORCEMENT

- 14.1. Violation of or non-compliance with this policy will give a just cause for disciplinary steps to be taken.
- 14.2. It will be the responsibility of all Managers, Supervisors, Mayoral Committee and Council to enforce compliance with this policy

APPROVAL



Mr. M Kunene

Municipal Manager

03 July 23

Date