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### DATES TO NOTE IN MARCH

- Saturday 21 March - Human Rights Day.
- Friday 28 March - School Holidays start for inland provinces.

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[www.foundationgroup.co.za](http://www.foundationgroup.co.za)

## Fast Cars and Golfing Greats

Foundation played a significant role in two recent major sporting events, the prestigious 2009 Joburg Open which took place from Thursday 8 January to Sunday 11 January at the Royal Johannesburg and Kensington Golf Club; and the A1 Grand Prix, held at Kyalami Circuit between Friday 20 and Sunday 22 February.

At the Joburg Open, Foundation provided 250 staff and a management team of 9 over the four day period, catering to the daily VIP events including breakfast, lunch and gala dinners.

Over 500 staff under a management team of 18 were deployed for the A1 GP at Kyalami over a period of three days and included complex logistics and operational implementation of the largest event Foundation has serviced to date, which had over 30 000 spectators. This event was also unique in that Foundation were working for two separate clients at the same event, over all three days, each with completely different needs and challenges.

Both events were deemed a tremendous success for the Foundation teams involved. According to National Head of Operations, Brent Gamley, *"Both events have an international flavour with a global television audience. We are exceptionally proud of our service delivery to large numbers of spectators as well as celebrities, VIPS, Heads of State and government officials."*



*"We have proved ourselves with the handling of these international events,"* added Brent, *"and look forward to more such events in the future."*



## Election Date Announced

Wednesday 22 April has been proclaimed as the date of the next national elections and will once again be a public holiday.

The issue of South Africans voting abroad will be heard in front of the Constitutional Court during early March and this could change the outcome of the proclaimed date.

This is due to the Pretoria High Court ruling that registered voters abroad should be given the right to vote and should the Constitutional Court agree with this ruling, the date may have to be changed to accommodate further voter registrations.

## 2010 World Cup Tickets on Sale

Tickets for the 2010 FIFA World Cup in South Africa are now on sale with around 3 million tickets available for the 64 matches.

450 000 tickets have been set aside for South Africans. Fans can apply online, through [www.fifa.com](http://www.fifa.com), or over the counter at any First National Bank (FNB) branch - and either way stand an equal chance of successfully booking tickets.

All ticket orders will be entered into a random selection draw at the same time on 15 April 2009, regardless of whether they were submitted on the first or the last day of the first sales phase, which runs from 20 February to 31 March. Category 4 tickets are reserved exclusively for South African residents, and were priced the



lowest to enable citizens of the host country who would not normally be able to afford World Cup tickets to see the games. Category 4 seats are located behind the goals, and range in price from R140 (for a group match) to R1050 (for the final).



## Calls for More Paternity Leave

A preparatory meeting ahead of the 53rd session of the United Nations Commission on the Status of Women, to be held in New York next month, has urged the South African government to review its policies on paternity leave.

Reporting on the preparatory meeting, Minister in the Presidency Manto Tshabalala-Msimang said the government was asked to look at reviewing current legislation on paternity leave to allow fathers more time to care for and bond with their newborn babies.

The current three days of paternity leave, she said, was insufficient for a father to be trained in the care and nurturing of a newborn baby.

Currently, full time workers may take 3 days of paid family responsibility leave during each annual leave cycle (12 month periods from date of employment).

You may take family responsibility leave:

- when your child is born
- when your child is sick
- in the event of the death of your
  - spouse or life partner
  - parent or adoptive parent
  - grandparent
  - child or adopted child
  - grandchild
  - sibling

Employers may require reasonable proof of the birth, illness or death for which a worker requests leave.

# Can you read your Employee's Emails?

The main issues around whether or not the employer can intercept (read, download, etc) employees e-mails are clarified in the Regulation of Interception of Communications and provision of Communication-related information Act, 2002, (the Act) and of course other sources, not the least of which is accepted custom and practice.

If an employer provides resources for business purposes, then he is entitled to prohibit private use of those resources.

An employer is entitled to expect his employees to come to work to carry out their contractual duties – not to attend to private affairs.

The Act states, in Chapter 2, Part 1 section 5, that any person other than a law enforcement officer, may intercept any communication if one of the parties to the communication has given prior consent in writing to such interception.

The first thing then that the employer needs to do is to include a clause in the employment contract to the effect all electronic communications equipment is provided by the employer for business purposes, and that private use thereof is prohibited.

The second thing is that the employer must include a clause in the employment contract, stating that, in accepting employment with (name of Company), the employee agrees that the employer will from time to time intercept all e-mails communications, that are sent or received by the employee.

The Act also makes the following provision : (Chapter 2 , Part 1 section 6 sub-paragraph 1)

“Any person may, in the course of carrying on any business, intercept any indirect communication (e-mail) :

- a. by means of which a transaction is entered into in the course of that business.
- b. Which otherwise relates to that business
- c. Which otherwise take place in the course of the carrying on of that business in the course of its transmission over a telecommunications system. The Act states further (sub-paragraph 2) that a person may intercept an indirect communication (e-mail)

d) in order to establish the existence of facts

e) or purposes of investigating or detecting the unauthorized use of that telecommunications system

The above provisions – from a) to e) are the reason why the employer stipulates that all electronic communications equipment is provided for business purposes only, and that private use is prohibited.

and includes further

d. if the telecommunications system concerned is provided for use wholly or partly in connection with that business

e. if the system controller has made all reasonable efforts to inform in advance a person who intends to use the telecommunications system concerned, that indirect communications transmitted by means thereof may be intercepted or if such indirect communication is intercepted with the express or implied consent of the person who uses that telecommunications system.

The above provisions cover the employer in that the employee has been informed in the employment contract.

To summarize, the employer is entitled to stipulate (and indeed should stipulate) in the employment contract that all electronic communications equipment is provided for business use only and that private use is prohibited, further that interception of communications shall take place from time to time , and that any breach of these requirements shall result in disciplinary action which may lead to dismissal.

