

• IN THIS ISSUE

-
- **October is Public Transport Month**
- **The Unemployment Insurance Fund**
- **Congrats Rio de Janeiro**
- **Annual Leave**
- **The Difference between Poor Work Performance and Misconduct**

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Congratulations! Rio de Janeiro won the vote to stage the first Olympic Games in South America in 2016!



It is often found that employees and their employers do not have enough knowledge as to how the UIF exactly works. The purpose of this article is to straighten out a few questions in order for employers to explain to their employees what the provisions of the UIF entail.

Firstly, for an employee to claim from the UIF, said employee should be registered with the fund and have been contributing to the fund on a monthly basis during his or her employment with the company. Note that this monthly payment is 1% of the employee's salary.

October is Public Transport Month

The October Transport Month campaign is a national initiative that seeks to profile public transport services, highlight socio-economic and environmental benefits from the use of public transport and informing the public about measures to reduce congestion on the roads.

Themed 'Safety in all modes of Transport: System readiness for 2010, Sisonke siyaphambili akujiki', the campaign will be focusing on the user, operator and infrastructure in ensuring safety of commuters.

The national department and the Passenger Rail Agency of South Africa (PRASA) will also launch the mobile police station coach to be used on the Shosholozha Meyl rail service during the 2010 FIFA World Cup. The coach will be used to ensure the safety of the long distance passenger rail service and soccer loving people.

The Gauteng MEC will also lead a delegation comprising members of



Mayoral Committee responsible for transport, executive mayors and other dignitaries on a tour to the South African National Roads Agency Limited's Gauteng Freeway Improvement Programme at the N1 Allandale off-ramp in Midrand. They will also visit the Network Management Centre where the intelligent traffic system (ITS) is being operated.

The Unemployment Insurance Fund (UIF)

An employee that has resigned does not have the right to claim from the fund. The employee may only claim if he or she has been dismissed or retrenched from the company.

The benefits available to the employee that are covered by the UIF are the following:

- Unemployment benefits
- Illness benefits
- Maternity benefits
- Death benefits

An employee may claim from the UIF if said employee has been ill for a period longer than 2 weeks. Furthermore maternity benefits can be

claimed if an employee is pregnant and takes maternity leave. If an employee passes away, the wife or husband or

minor child of said employee may claim if the employee contributed to the fund.

A question that is generally raised is how much money an employee may claim. If an employee has been contributing to the fund for 4 years or longer, said employee can claim for up to 238 days. However if the employee has been contributing for a period shorter than mentioned above, said employee can claim 1 day for every 6 days that he or she has been working whilst contributing to the fund.

The fund pays out a percentage of an employees' wage or salary that the employee was earning whilst contributing to the fund. The highest amount that can be paid out however is 58% of the employee's salary or wage per month.

The Difference between Poor Work Performance and Misconduct

Many employers – if not most – confuse poor performance with negligence, incapacity and even misconduct. This is because of a lack of understanding of the clear distinctions that separate the various conditions – in other words, the employer does not know what the charge should be. He only knows that what is happening is unacceptable to him, and the employee must be dismissed as quickly as possible.

The result of this uninformed action is that the employee is charged with negligence, poor performance, incapacity, misconduct and, as if that is not enough, the charge sheet also states that the trust relationship has irretrievably broken down and that the employment relationship has become intolerable.

The poor employee goes into a cold sweat, is so stressed about all this that he/she does not even prepare a defence, and in fact has not the faintest idea what he is being charged with, nor even why he is being charged.

Based on all this, the final outcome is that the employee is dismissed, he/she goes to a labour lawyer or consultant, who, upon hearing the facts laughs gleefully and sends the employer an invitation to have tea at the CCMA and bring along his cheque book!!

Lets look at exactly what poor performance is, and the remedy for it. Poor Performance does not look at the behaviour of the employee at work

Problems of behaviour are addressed under misconduct.

Poor Performance looks at whether the job, which the employee is being paid to do, is being done properly.

Therefore, in establishing whether poor performance exists, one must ask the following questions in relation to the employee and the job :

- is the output sufficient?
- is the quality acceptable?
- are company operating procedures being followed?
- are costs kept within budget or is the amount of rejects unacceptably high?



- is the effort put in by the employee sufficient?
- Is it perhaps inability to do the job at the required level – can the employee perform satisfactorily at a lower level?
- is just plain incompetence? i.e. not insufficient effort, but a clearly a lack of ability to do the job?
- is it carelessness – lack of attention to detail?
- is it a form of negligence but not misconduct? In other words “I don’t care.”

From the above, it now becomes clearer what the differences are between misconduct (behaviour) and poor performance (ability)

Misconduct deals with behaviour – performance deals with ability. Misconduct or unacceptable behaviour occurs when a rule is broken, or some other unacceptable behaviour happens. Assault, swearing at a customer, that sort of thing.

For example, an employee is never absent, performs well, always gives output above standard in terms of both quality and quantity – but the employee is caught stealing. This is clearly misconduct – not poor performance.

Misconduct usually results in immediate and severe disciplinary action – perhaps

even dismissal.

Poor Performance results in investigation, counselling, meeting and discussion with the employee, training and so on, before dismissal is even contemplated.

The procedures for handling poor performance are completely different from the procedures for handling misconduct.

Performance is all about how the employee does the job – i.e. quality.

Misconduct is all about behaviour or conduct of the employee on the job in relation to company rules, policies and procedures.

Now, before we go any further, you must clearly understand that the employer MUST ensure that the employee is fully aware of the Company Standards for the job, and that the employee is fully trained to do the job.

The employee cannot meet standards of quality and quantity when those standards have never been communicated to him/her, and likewise the employee cannot perform if no training has been given.

If the required standards have never been communicated to the employee, and you have never taken steps to ensure proper training, your case of poor performance goes out the window and ends up on the compost heap!!!