

Nkosi Phathekile Holomisa, MP: Introductory Remarks: Response to Alleged Unprocedural Dismissals of Official Abuse of Power: 2 September 2020

Discipline by its nature is in line with management functions that must be executed within the legislated labour instruments, tribunals and within a broader understanding of labour relations, conditions of service and other employment practices for employees.

The Department of Correctional Services (DCS) has been experiencing influx of disputes referrals by employees about unfair dismissal and unfair labour practise.

The very nature of the Correctional System requires a strict code of behaviour supported by clear and effectively enforced disciplinary code with disciplinary procedures.

The disciplinary code and procedures of the department is consistent with the principles of administrative justice, while at the same time ensuring effective and timeous action in instances where the safe, secure and orderly management of correctional institution is at stake.

We need strong, competent and skilled Labour Relations Unit that is impartial and objective to ensure sound labour relations in the department. Therefore, we need to revisit the purpose and main objective of labour relations unit in the organisation.

The labour relations in the Department of Correctional Services, must be, without fear or favour be always available to advise both the employer and employees.

The employer ought to remain consistent in handling out sanctions and transgressions. In cases of dismissal as a sanction, the Department must satisfy these requirements in terms of the Code of Good Practise where substantive and procedural fairness is exercised.

Discipline must never be used tool of the abuse of power. Similarly, taking emotional decisions that not based on substantive facts must be avoided.

All labour disputes must be handled in accordance with the Constitution as Labour Relations Act 66 of 1995, as amended. In this respect, the management must be trained on handling of grievances and disciplinary processes. It is equally important that employees must exercise high discipline in the department and avoid all temptations to collude with the offenders, whatsoever.

Chairperson, as a government that is caring and listening, it would be prudent for this committee to extend an opportunity to the complainants in question to express their side of the story in relation to what the Department of Correctional Services has to present to us in this meeting, within the prescripts of the administration of justice.

Meanwhile we should remain vigilant and not be manipulated by the wrong-doers, we should not deprive ourselves an opportunity to exercise oversight and track down the syndicates that are operating in our correctional centres, and elsewhere in our country.

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