

## V & A Agency (PTY) LTD

### HR POLICY

#### **DRESS CODE**

- Navy Blue pants/skirt.
- Males may wear white pants.
- Navy/White nursing top.
- **No sandals/open toe shoes.**
- V & A ID tag to be visible when on V & A assignment.
- Distinguishing devices are a South African Nursing Council ("SANC") pre-requisite.
- **If you are not correctly attired, the Unit Manager may, at her discretion send you home and not allow you to complete the shift; you will not be alligable for a cancellation fee.**

#### **HOW TO ENSURE REGULAR WORK**

- Phone the V & A offices on a weekly basis with your availability.
- Ensure that V & A always has your updated contact details.
- Ensure that you are contractable by phone.
- Ensure that V & A has current proof of Professional Indemnity and current SANC Registration.
- Your repetitive employment opportunity depends on your work performance, which will be evaluated by the Unit Manager of each department.
- You must adhere to the policy and procedure of each hospital and ward or unit to which you are allocated.

#### **CANCELLATION POLICY**

- If you have been booked for a shift and are unable to go to work please notify the Agency as soon as possible.
- If you are booked for a night shift and cancel AFTER 16H00 you will be required to furnish the Agency with a sick certificate or any other legal certificate confirming your absence from work.
- If you are booked for a day shift and cancel AFTER 20H00the night before the shift you will be requires to furnish the Agency with a sick certificate or a legal certificate confirming your absence from work.
- Failure to furnish the Agency with the necessary documentation may result in claiming a three (3) hour cancellation fee from the next shift that you work.
- If you are booked for a night shift and the hospital cancels the shift at 17H00, you are entitled to a three (3) hour cancellation fee.

- If you are on route to work or already on site you will receive a six (6) hour cancellation fee.
- **Cancellation fee = 3 hours x rate you would have received had you worked the shift.**
- Please ensure that you check your messages on your landline / cell phone.
- V & A cannot take responsibility for messages not received.
- **All contact numbers are on the back of your ID tag.**

### WORK HOURS

- Ensure that you are on duty fifteen (15) minutes before the start of shift.
- Certain hospitals only pay for the number of hours worked i.e. you are not paid for your lunch break. Please determine from the Unit Managers how long a break you are entitled to.
- Some hospitals that pay for your lunch break but the length (half hour) is determined by the Unit Manager. Confirm with the Manager prior to going for your break.

### HOW TO ENSURE REGULAR PAYMENT

- It is your responsibility to ensure that your current Nursing Council receipt is forwarded to V & A offices before the 31<sup>st</sup> March each year.
- Ensure that V & A is notified in writing of any changes in the bank details.
- When you are booked for a shift, ensure that you complete the V & A register accurately and neatly.
- If the date “start” and “end “of the shift, the department are incorrect or you do not sign next to your entry, **you will not be paid until the corrections are made. It is your responsibility to go back to the hospital to make the corrections.**
- When allocated to a Netcare Hospital make sure that you are loaded onto the hands on system. Remember to ‘hands on ‘at the start and the end of the shift as well as completing the V & A Register.
- Pay queries are handled in office hours only. Please allow twenty-four (24) hours for resolution of the query.
- You may request payslips from the V & A office. If you are unable to collect your payslips from the offices and do not have access to a fax machine, please provide the office with a stamped, self-addressed envelope.

### CELL PHONES

- When on V & A assignment, for security purposes, keep your cell phone with you, but on silent mode.
- Answering of your phone while on duty is not permissible.

## INCOME TAX

- As per S.A.R.S: if V & A is your only source of income you will be taxed according to tables.
- If V & A is your second income you will be taxed 25%
- High income earners have the option of requesting in writing a higher % tax deduction.
- Please notify the Agency in writing if your employment status changes.
- IRP 5's are issued annually. It is your responsibility to collect your IRP 5 from the office.
- You will be notified by SMS and the hospital memo when IRP 5's are available and what arrangements have been made for you to access your IRP 5 without having to come to the offices.

## INJURY ON DUTY/NEEDLESTICK INJURY

- Should an accident occur while on duty:
  - 1). Render the necessary emergency intervention.
  - 2). Notify the person in charge of the hospital.
  - 3). Notify V & A (After hours please make use of the cell number)
  - 4). Follow the Hospital policy.
  - 5). Complete the Incident Report Form.
  - 6). Ensure that the Incident Report Form is faxed to the offices within twenty-four (24) hours.
  - 7). should you be seen by a doctor the first medical report must be completed by the doctor and faxed to the offices.
  - 8). **It is your responsibility to ensure that all the necessary documentation is forwarded to the V & A offices.** Without the necessary documentation the Agency is unable to submit the claim to the Commissioner and the accounts for services rendered will then remain your responsibility.

## **HIV POLICY**

1.1 The Policy's primary objective is to set out guidelines for employees to ensure individuals with HIV infection are not unfairly discriminated against in the workplace. This includes provisions regarding:

- (i) Creating a non-discriminatory work environment;
- (ii) Dealing with HIV testing, confidentiality and disclosure;
- (iii) Providing equitable support and counselling benefits;
- (iv) Dealing with dismissals; and
- (v) Managing grievance procedures.

1.2 The Policies secondary objective is to provide guidelines for employers, employees and on how to manage HIV/AIDS within the workplace. Since the HIV/AIDS epidemic impacts upon the workplace and individuals at a number of different levels, it requires a holistic response which takes all of these factors into account. The Policies therefore includes principles, which in more detail under the statues listed in item 5.1., on the following:

- (i) Creating a safe working environment for all employers and employees;
- (ii) Developing procedures to manage occupational incidents and claims for compensation;
- (iii) Introducing measures to prevent the spread of HIV;
- (iv) Developing strategies to assess and reduce the impact of the epidemic upon the workplace; and
- (v) Supporting those individuals who are infected or affected by HIV/AIDS do that they may continue to work productively for as long as possible.

## **2. POLICY PRINCIPLES**

2.1 The promotion of equality and non-discrimination between individuals with HIV infection and those without, and between HIV/AIDS and other comparable health/medical conditions.

2.2 The creation of a supportive environment so that HIV infected employees are able to continue working under normal conditions in their current employment for as long as they are medically fit to do so.

2.3 The protection of human rights and dignity of people living with HIV or AIDS is essential to the prevention and control of HIV/AIDS.

2.4 HIV/AIDS impacts disproportionately on woman and this should be taken into account in the development of workplace policies and programmes.

2.5 Consultation, inclusivity and encourages full participation of all stakeholders are key principles which should underpin every HIV/AIDS policy and programme.

#### **SICK LEAVE - POLICY**

##### **VARIATION SOUGHT IN TERMS OF SECTION 22(1) AND (2):**

Instead of working on the 30 days per 36-months cycle of sick leave, to apply the formula of Sec 22(3) of one day's paid sick leave for every 26 days worked for the duration of the 36-months cycle.

Motivation for the variation in terms of Sec 22(1) and (2):

It could not have been the intention of the Legislation to allow employees to abuse the provisions of the Act. In relation to the Nursing Agency Industry there is a real possibility of this happening. If a leave benefit is to be granted in terms of Sec 22(1) and (2) of the Act, the following will be possible should the same employee be registered with more than one Agency:

- 1.1 With the same sick note the employee will be able to claim the full sick leave benefit from all Agencies he/she is registered with and/or the primary employer;
- 1.2 If the employee has worked for only 24hours per month for the Agency for a 6-months period, the employee can utilise the full benefit afforded under Section 22(2) of the Act and never work for the Agency again. This can be done without formal resignation, This places an unwarranted financial burden on the agency.

### **RELOCATION TO ANOTHER PROVINCE.**

- If you are clinically active through one of the V & A branches you may work through one of the other branches in the other Provinces.
- Notify the branch where you are currently active. A consultant will furnish you with a contact number and name of the branch to where you are relocating.
- Your personnel file will be forwarded to the new branch.

### **SAVINGS FACILITY**

- V & A offices a saving facility whereby you may request a specific amount to be deducted weekly from your earnings. A two week grace period is required to release your savings. More information is available from the V & A administration staff.

### **BENEFITS**

Basic Benefits are available to all our assignees, namely:

- Funeral Cover.
- Commuter Insurance
- H.I.V Personal Protection Plan.

The Basic Benefits are necessary to qualify for:

- Medical Aid.
- Micro Loans.
- Cell Phone Contract.
- Terms and Conditions apply.

### **INDEMNITY INSURANCE**

- Indemnity Insurance is essential to work for V & A.
- Professional Indemnity (medico legal malpractise) is provided by Indemnus Insurance Brokers available through V & A, for all categories of nursing staff. Terms and Conditions apply. For further information please contact V & A cell phone number.

### **WARNING AND DISMISSAL PROCEDURE**

<b><u>CATEGORY</u></b>	<b>NATURE OF OFFENCE</b>	<b><u>FIRST OFFENCE</u></b>	<b><u>SECOND OFFENCE</u></b>	<b><u>THIRD OFFENCE</u></b>	<b><u>FOURTH OFFENCE</u></b>
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<b><u>TIMEKEEPING OFFENCES</u></b>	Late for work or Leaving work early without good reason.	Verbal Warning	Written Warning	Final Written Warning	Dismissal
	Unwarranted absence from place of work without good reason.	Verbal Warning	Written Warning	Final Written Warning	Dismissal
	Absence – away from work for three days without permission, or without good reason.	Dismissal			
	Fraudulent timekeeping	Dismissal			
	Leaving the premises without permission.	Written Warning	Final Written Warning	Dismissal	
<b><u>WORK OUTPUT OFFENCES</u></b>	Poor performances (low quantity of output and unsatisfactory attitude to such performances)	Verbal Warning	Written Warning	Final Written Warning	Dismissal
	Sleeping on duty	Final Written Warning	Dismissal		
	Refusal to work	Dismissal			
	Refusal to obey reasonable instructions related to work	Final Written Warning	Dismissal		
<b><u>QUALITY OF WORK OFFENCES</u></b>	Poor quality of and / or not working to standards	Written Warning	Final Written Warning	Dismissal	
	Poor maintenance of Vehicle / machinery / equipment	Final Written Warning	Dismissal		
	Wastage of material	Final Written Warning	Dismissal		
	Negligent or malicious damages to equipment or material	Dismissal			
	Injury to other through negligence or horseplay	Final Written Warning	Dismissal		
	Negligent and / or malicious harm caused to a patient	Dismissal			
	Unauthorised possession of company or patient property	Dismissal			
<b><u>SOCIAL OFFENCES</u></b>	Under the influence of alcohol or intoxication drugs at work	Dismissal			
	Unauthorised possession of alcohol or non-medical drugs on work premises	Dismissal			
	Possession of dangerous weapons at work on company premises without permission	Dismissal			
	Assault	Dismissal			
<b><u>SOCIAL OFFENCES cont.</u></b>	Threat of assault	Dismissal			

	Threat of assault to Supervisor	Dismissal			
	Intimidation or incitement to violence	Dismissal			
	Committing unsanitary acts	Final Written Warning	Dismissal		
<b><u>ATTITUDINAL OFFENCES cont.</u></b>	Smoking in a 'No Smoking'	Dismissal			
	Being in an "out of bound" area without authorisation or without good reason	Final Written Warning	Dismissal		
	Use of abusive and/or derogatory and/or offensive language or signs	Final Written Warning	Dismissal		
	Gross insubordination, serious disrespect, impudence or insolence	Dismissal			
	Gross Negligence	Dismissal			
<b><u>OTHER OFFENCES</u></b>	Without damages to company materials, equipment, possessions or property	Dismissal			
	Industrial sabotage	Dismissal			
	Driving company vehicles whilst under the influence of alcohol or drugs	Dismissal			
	Driving company vehicles without authority	Dismissal			
<b><u>OTHER OFFENCES cont.</u></b>	Dishonesty during the course of employment	Dismissal			
	Divulgence of confidential company information	Dismissal			
	Deliberately supplying incorrect or falsified information	Dismissal			
	Any other reason recognised in law as being sufficient grounds for instant dismissal	Dismissal			
	Verbal abuse of colleagues, superiors or patients	Dismissal			
<b><u>ATTITUDINAL OFFENCES</u></b>	Breach of Employees' duty of good faith to the Company	Dismissal			
	Failure to wear protective clothing, equipment or uniform where supplied	Final Written Warning	Dismissal		
	Failure of refusal to carry out a reasonable and lawful instruction	Final Written Warning	Dismissal		
	Failure to observe security and safety regulations	Dismissal			



## **DISCIPLINARY ACTION FOR OTHER MISCONDUCT**

Any misconduct not specified covered in the code will be dealt with according to the seriousness of the offence.

### **NOTE**

The code makes provision for progressive disciplinary action in each category of offence. Discipline will therefore be taken progressively in each category of offence and not necessary only in regard to a specific offence. The disciplinary by the code may be deviated from where justified by the particular circumstances of the case. Accordingly, such action may be more severe than the prescribed guideline where aggravating circumstances exist, or less severe where mitigating circumstances exist. In certain circumstances and in the case of certain offences, dismissal even for a first offence would be appropriate.

## **GRIEVANCE PROCEDURE**

A Grievance is defined as any cause of dissatisfaction or feeling of injustice on the part of an employee or group of employees arising out of the work situation, or the application of conditions of employment other than that occasioned by a penalty confirmed in terms of the disciplinary procedure. To facilitate the management of grievances, a series of procedural steps are defined which have to be adhered to by all relevant parties in order to bring the grievances to a speedy and appropriate conclusion. If this procedure is not adhered to, it may lead on to further complications in the employee-employer relationship.

### 1. OBJECTIVE

The main purpose of implementing the procedure will be to prevent and resolve conflict in the workplace, to protect the interest of management and the employees and to recognise the right of an employee.

### 2. INTENTION

2.1 The Parties agree that it is to their mutual interest to observe a grievance procedure by which issues arising between them can be resolved.

2.2 It is the intention of both parties that grievance can be resolved as soon as possible and within set time limits.

2.3 Employees have the right to be accompanied by a representative (i.e. a fellow employee) of their choice at any stage. Both the employee and the employee's representative are free to submit a grievance without prejudice whatsoever regarding employment conditions and without fear of victimisation.

### 3. PROCEDURE

#### 3.1 STEP 1

(a) An employee who has a grievance must first report such a grievance to his supervisor (first reporting level) and discuss the matter with him on an

informal basis. The employee may be accompanied by a co-employee if he so wishes, (This is submitted without prejudice by the employee concerned). In the event of the grievance not being resolved during these discussions, the employee must inform his supervisor that he wishes the matter to be treated as a formal grievance by completing a grievance form in writing.

- (b) The supervisor must, to the best of his ability:-
  - (i) Listen to the employee in private.
  - (ii) Encourage the employee to express his grievance freely and openly.
  - (iii) Obtain all relevant facts about the grievance (distinguishing facts from opinion)
- (c) The supervisor must endeavour to resolve the grievance as speedily as possible and resolve this within, at most, three working days.
- (d) In the event of the grievance not being resolved by the supervisor, Step 2 becomes effective; in the supervisor must advise the employee of the subsequent stages of the procedure and of the employee's right to seek the assistance of a representative.

### 3.2 STEP 2

- (a) If the employee elects to proceed with his grievance he must, with the assistance of his representative, record the relevant details on the grievance form (Annexure VIII).
- (b) The signed form must be handed to the supervisor, who must record his findings on the grievance form and return it to the employee.
- (c) If the employee is not satisfied with the outcome, he may proceed to Step 3.

### 3.3 STEP 3

- (a) The employee will hand the grievance form to the department manager, who shall hold an enquiry into the matter within four (4) working days of receipt thereof.
- (b) The enquiry shall be attended by the department manager, the supervisor, the employee and his representative. A record of the enquiry must be kept.
- (c) The department manager must give his decision within one working day of the enquiry.
- (d) The department manager's decision must be recorded on the grievance form and a signed copy handed to the employee.
- (e) If the employee is not satisfied with the outcome, he may proceed to Step 4.

### 3.2 STEP 4

- (a) The employee will hand the grievance form to a director who shall hold an enquiry into the matter within four (4) working days of receipt thereof.
- (b) The director must give his decision within one working day of the enquiry.
- (c) The director's decision must be recorded on the grievance form and a signed copy handed of the employee.
- (d) If the employee is still not satisfied with the outcome, he may proceed to Step 5.

### 3.2 STEP 5

The employee may refer the matter to the CCMA / Bargaining Council.

## 4 THE ROLE OF THE PARTICIPANTS IN THE GRIEVANCE PROCEDURE.

### 4.1 The role of Management.

- (a) Encourage the employee to express his grievances freely and openly.
- (b) Clarify the grievance with the employee.
- (c) Distinguish fact from opinion.
- (d) Note the relevant facts relating to the grievance.
- (e) Ask the employee what settlement is desired.
- (f) Verify facts from witnesses and other people who may be able to contribute.
- (g) Obtain assistance from other members of management if necessary.
- (h) Seek acceptance of the decision to resolve the grievance from the employee in writing.
- (i) Monitor adherence to the grievance procedure by all participants at all times.

### 4.2 THE ROLE OF THE EMPLOYEE REPRESENTATIVE

- (a) Listen to the employee's grievance and encourage the employee to express his grievance freely and openly without fear of victimisation or intimidation.
- (b) Investigate, together with the employee, his grievance to ensure that all the circumstances and facts relating to the grievance are accurate and assist the employee to prepare a reasonable case for presentation to management.
- (c) Counsel the employee as to whether his grievance is valid or not and if it does not merit management's attention to assist the employee by advising how best he can resolve his grievance.

