

## NTINGA O.R. TAMBO DEVELOPMENT AGENCY SOC LTD



### STAFF ACCOMMODATION FACILITY POLICY & PROCEDURE

<b>POLICY NUMBER</b>	3/P
<b>POLICY TYPE &amp; CATEGORY</b>	Human Resources Policy
<b>COMMENCEMENT DATE</b>	30 August 2020
<b>APPROVAL DATE</b>	28 August 2020
<b>PREVIOUS REVIEWS</b>	Nil
<b>NEXT REVIEW DUE</b>	30 August 2021
<b>RESPONSIBLE MANAGER</b>	Head: Corporate Services

## TABLE OF CONTENT

<b>Page</b>		
1.	Introduction:.....	3
2.	Purpose .....	3
3.	Objectives:.....	3
4.	Scope of applicability:.....	4
5.	Legislative Framework:.....	4
6.	Definitions,Abbreviations and Acronyms:.....	4
7.	Roles and Responsibilities:.....	15
8.	Budget and Resources:.....	17
9.	Non Compliance/Penalties.....	18
10.	Monitoring, review and evaluation:.....	18
11.	Dispute Resolution:.....	18
12.	Policy Approval and Signatures:.....	19

## **1. Introduction**

This policy sets out the guidelines, provisions and practices in relation to accommodation provided for Ntinga employees (permanent, fixed term contract, seasonal workers and other people living in the facility).

## **2. Purpose**

The Agency provides housing facility and/or accommodation for employees to help them to effectively and efficiently deliver their services.

The offer of housing facility and/or accommodation for employees is conditional upon the acceptance of certain arrangements. Some of these have been incorporated into employment agreements. Others are matters of policy or prescribed standards and vary according to the Agency's operational needs.

Accommodation in this policy is described into two types of housing facility as follows:

- A. General Living Facility
- B. Communal Living Facility

The Agency accepts the responsibility of housing facility and/or accommodation for employees of ensuring that accommodation is adequate, safe, hygienic, secured and meets any requirements of the law for people living in it.

## **3. Legislative Framework**

- 3.1** Constitution of Republic of South Africa, 1996
- 3.2** Unemployment Insurance Contributions Act, N0 4 of 2002
- 3.3** Municipal Finance Management Act N0 56 of 2003
- 3.4** Municipal Systems Act N0 32 of 2000
- 3.5** Occupational Health and Safety Act
- 3.6** Labour Relations Act N0 66 of 1995

- 3.7 Basic Conditions of Employment Act N0 75 of 1997
- 3.8 Compensation for Occupational Injuries and Diseases Act of 1993
- 3.9 Companies Act N0 71 of 2008 as amended
- 3.10 South African National Standards (SANS)
- 3.11 Sectoral Determination 13 for Farm Workers Sector (2009)

#### **4. General Living Facility**

- 4.1 The house should be located and not adjoin to any production areas for example Chemical storage area, workshop or cropping area or any area that could threaten the health, safety or welfare of residents.
- 4.2 The Agency will take all measures to protect employees and their families living in the farms or trading enterprises in exposure of chemical sprays.
- 4.3 The General living facility must be in a clear visible access route for the purpose of firefighting and rescue.
- 4.4 No building may be erected on site unless the site provides access to local authority firefighting services.
- 4.5 The Agency will provide a system of ensuring that the living facilities are clean, and safe in order to avoid safety hazards and to protect employees from diseases and illnesses.
- 4.6 In case where employee accommodation is already established a full risk assessment will be carried out/or undertaken to identify any areas of risk that might affect the health and safety of employees/residents, for example, where living facilities are close to production areas the Agency will put controls in place to minimize risk of exposure to chemical sprays.
- 4.7 Controls that will include:
  - a) A physical barrier between the production areas and living areas
  - b) A buffer zone between living areas and production areas
  - c) Informing the residents when spraying will take place in the area
  - d) Designing and constructing the living facilities to minimize risk, for example, having non-opening windows on the side facing production site.

- e) Informing residents of the dangers of chemical and of the plan of action when spraying takes place and/or have access to medical assistance and health checks.

**5. General Conditions Governing Provision of General Living Facilities are mentioned hereunder as:**

- 5.1 Housing facility that is safe and hygienic
- 5.2 Living facilities that are built with suitable materials and structural sounds
- 5.3 The Sectoral Determination 13 of Farmworkers and/or trading enterprises prescribed certain minimum requirements for Employers like Ntinga if deductions for accommodation are made from farm or trade enterprises employee's wages. These include:
  - a) A roof that is durable and waterproof
  - b) Glass windows that can be opened
  - c) Electricity in the house if the infrastructure exists on the farm or trading enterprises
  - d) Safe water available inside the house or close to the house (not more than 100 meters away from the house)
  - e) A flush toilet or pit latrine is in or close proximity of the house
  - f) The house must not be less than 30m<sup>2</sup> in size

**6. Deductions for Accommodation**

**6.1 Family Housing:**

- 6.1.1 The deduction for family housing facility will not exceed 10% of the primary employee's wage (usually the highest earning employee in the family living in a farm or trading enterprises) provided that Electricity is free of charge

**6.2 Communal Accommodation:**

- 6.2.1 Where more than two workers/employees live in a communal accommodation, the maximum deduction that the Agency will make in total in respect of all the

workers/employees who live in that accommodation is 25% of the applicable minimum wage payable to an individual worker/employee, for example if the minimum wage is R1 053.90 per month, where 10 employees are living in a communal accommodation, the maximum amount to be deducted/charged will be 25% of R1 053.90 divided by 10 employees, which equals to R37.60 per month for each employee

## **7. Drainage and Sewerage**

- 7.1** Drainage and sewerage systems currently in place are maintained as per provisions of SANS 10252:2004; SANS 10400; Part P (Waterborne sewerage) and Part Q (Non-Waterborne Sewerage)
- 7.2** There must be at least one (1) toilet per 8 males and 2 toilets per e females

## **8. Insulation, Ventilation and Lighting**

- 8.1** Insulation, Ventilation and Lighting are sufficient as per provisions of SANS 10400 Part O (Lighting and Ventilation): The Environmental Regulation for Workplaces 1987:2281 (Regulation 3 Annexure for Luv Values)
- 8.2** Employees/residents uses gas/paraffin burners must be very cautious and/or prohibit the usage as it is dangerous and threatening lives.

## **9. Water and Water Storage**

- 9.1** The Agency will avail adequate supply of potable and regularly tested water to all employees at their living facilities as per SANS 241:2006.
- 9.2** Disused chemical containers must be not be re used by employees at their living facilities to store or collect water for drinking or cooking or washing.
- 9.3** There must be one (1) bath/shower per 8 people living in the facilities

## **10. Waste Water and Solid Waste**

- 10.1** Waste water, sewerage and other waste materials must be properly discharged with no major impact on people living in the facilities or on the environment or surrounding community as per provisions of SANS 10400: Part P; SANS 10252:2004

## **11. Rubbish bins and Collections**

- 11.1** All accommodation areas must have rubbish containers for litter that is discarded by residents.
- 11.2** Litter must be removed before it becomes nuisance or causes negative impact to environment.
- 11.3** Waste must be managed in such way that it does not endanger health or environment or cause a nuisance through noise, smell/sight or dispersed by wind
- 11.4** Manholes must be covered and must not be health and safety risk of people in living facilities.
- 11.5** Pest control Plan will be carried regularly or seasonal or as when discovered.

## **12. Communal Living Facility**

- 12.1** The standards of Communal Living Facilities that allows employees to rest and maintain good standards of hygiene and that the facilities are adequate for the number of residents living there to avoid overcrowding.
- 12.2** Males and Females sleeping areas must be separated rooms, except in cases where provision is made for family accommodation.
- 12.3** Accommodation space must be adequate for employees communal living in that an average of 5 square meters per person be kept and maintained and the ceiling must be a minimum height of 2.10 meters

### **13. Use of Surplus Employee Accommodation**

- 13.1** The provision of surplus accommodation to other persons must be by way of a formal rent agreement and in accordance with taxation requirements where the value is to be offset against work carried out as an employee of the Agency.

### **14. Furniture, fixtures and fittings**

- 14.1** Housing facilities and/or accommodation of the Agency are unfurnished. The fixtures and fittings in housing facilities and accommodation are maintained by the Agency.
- 14.2** However, staff will be required to pay for maintenance and repairs arising from willful damage or sub-standard care of the accommodation provided.

### **15. Alcohol/Illegal substances**

- 15.1** Employees and Live-in residents must comply with all Agency policies on the use of alcohol and illegal substances on Agency premises.

### **16. Cleaning and Inspection**

- 16.1** Housing Facilities and/or employee accommodation must be kept clean and tidy at all times. This includes the adjacent courtyards, corridors, balconies and carports and other outside areas attached to the accommodation.
- 16.2** Housing Facilities and/or employee accommodation may be inspected at any time, with the provision of one-week prior notice. An employee or resident must be present during inspection.



**16.3** All accommodation will be routinely inspected as part of the induction of new staff and when employment terminates.

**16.4** On termination of employment, staff are expected to leave the vacated accommodation in a clean and tidy state as enshrined in the Labour Legislation requirements.

## **17. Dangerous Weapons/Substances**

**17.1** No dangerous weapons (eg firearms) or hazardous materials are permitted on Agency premises or grounds. Alternative arrangements for the storage of these items off-site must be made by Employee living and visiting on Agency premises.

## **18. Insurance**

**18.1** The Agency's insurance policy does not cover the loss of employees' personal belongings and money.

**18.2** The risk of theft, loss or damage to employee/resident belongings is each member's personal responsibility and employee/resident may wish to consider taking out insurance to cover these risks.

## **19. Keys & Accessibility**

**19.1** The respective Head of Department or delegated person will keep master keys for all accommodation but will respect the privacy of live-in employees/residents and only enter employee accommodation by prior arrangement or in an emergency.

**19.2** Keys will be kept in a locked and secure area in the respective Head of Department or delegated person's office and accessed only in an emergency.

- 19.3** All keys to employees/resident's accommodation are to be returned on termination of employment.
- 19.4** The Agency will require entry to Housing Facilities/Accommodation for the following purposes (this list is not exhaustive):
- (a) undertaking planned maintenance;
  - (b) carrying out emergency repairs;
  - (c) assessing the Employee Accommodation for planned improvements;
  - (d) carrying out risk assessments; and
  - (e) complying with health and safety legislation.

## **20. Pets and other animals/livestock**

Respective Head of Department approval will consider the safety of employees and residents, health issues, carry diseases and sicknesses, the matter of liability, the degree of nuisance involved and location, as well as any benefits to the Agency.

## **21. Smoking**

Smoking is only permitted outdoors or designated areas.

## **22. Telephone Facilities**

The Agency does not provide a telephone connection point in employee/resident accommodation. Where a telephone number is listed by the Agency for operational requirements after-hours contact, the telephone is provided rent free.

## **23. Accommodation Agreement**

- 23.1** All employees/residents provided a housing facility and/or accommodation living in Agency premises/ on-site accommodation are required to abide by this Accommodation Policy.

**23.2** The employees shall sign a lease agreement

**23.3** A copy of this Agreement will be provided after it has been signed.

#### **24. Budget and Resources**

Corporate Services department shall be responsible for budgeting for the implementation, monitoring and evaluation of the policy. Head of Departments must take note of cost implications of the approved policy that should be borne by the respective department.

#### **25. NON-COMPLIANCE/PENALTIES**

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of Disciplinary Code and Procedure.

#### **26. MONITORING, EVALUATION AND REVIEW**

**26.1** The Human Capital Management Component is responsible for communicating the provisions of this Policy to all employees.

**26.2** This policy will be reviewed annually from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time as necessary to reflect substantial organisational changes at the Entity or any change required by law.


#### **27. DISPUTE RESOLUTION**

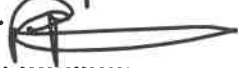
Internal dispute resolution processes must be followed in the event of any grievances and disputes arising out of the implementation of this policy. For all external candidates, the recognised labour relations mechanisms must be applied.

## 28. POLICY REVIEW

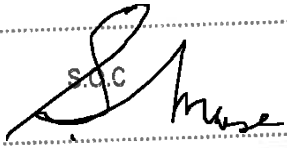
This policy will be reviewed annually from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time as necessary to reflect substantial organisational changes at the Entity or any change required by law.

## 29. APPROVAL AND SIGNATURES

FORMULATED BY: .....  ..... DATE 28/08/2020

CEO RECOMMENDATION: .....  ..... DATE 28/08/2020

BOARD APPROVAL: 

<b>BOARD APPROVED COPY</b> NTINGA O.R. TAMBO DEV. AGENCY
Date:.....
Signature: 

 ..... DATE 28/08/2020