

WINNIE MADIKIZELA- MANDELA LOCAL MUNICIPALITY



EMPLOYEE WELLNESS POLICY

Approved by the COUNCIL on:

13 MAY 2021

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1. PREAMBLE

The Winnie Madikizela-Mandela Local Municipality is committed to promoting equal opportunities and fair treatment in employment for all its employees, through the elimination of unfair discrimination and integrated wellness programmes and policies.

The Municipality has adopted a holistic approach to address social and work related problems through awareness programmes for its employees on the issues of HIV and AIDS, Chronic illnesses, Disability, Occupational Health and Safety as well as Sport and Recreation for its employees.

2. DEFINITIONS

- 2.1. **Accessibility** means the provision of a voluntary, confidential and a free service which is accessible to all employees and their immediate families and promotes dual accountability between employer and employee.
- 2.2. **Confidentiality** means employees have the right to confidentiality and cannot be compelled to disclose personal information to their managers or any other employee. Employee Wellness practitioners will adhere to confidentiality and ethical standards.
- 2.3. **Non-discrimination** means all employees of WMM Local Municipality shall be treated with respect regardless of rank, age, gender culture and state of health. A culture of non-judgemental, caring and compassionate and responsiveness will be upheld and fostered at all times.

3. LEGAL FRAMEWORK

- 3.1. Constitution of the Republic of South Africa, Act 108 of 1996;
- 3.2. Compensation for Occupational Injuries and Disease Act, No 130 of 1993;
- 3.3. Employment Equity Act, No 55 of 1998;
- 3.4. Medical Scheme Act, No 131 of 1998;
- 3.5. Labour Relations Act, No 66 of 1995;
- 3.6. Occupational Health and Safety Act, No 85 of 1993;
- 3.7. National Patients Right Charter, 1999;

- 3.8. Skill development Act, no 97 of 1998;
- 3.9. Tobacco Products Control Amendment Act, 12 of 1995;

4. OBJECTIVES

- 4.1. Create and promote health, safety and wellness of the employees;
- 4.2. Create and monitor an environment that is safe and non-hazardous to the health of employee;
- 4.3. Promote healthy life styles that will foster good working relationship amongst employee, reduce absenteeism, abuse of sick leave and improve productivity and performance;
- 4.4. Facilitate the management of HIV and AIDS and other chronic illness;
- 4.5. Promote quality lifestyle to all employees through active participation in sport, recreation and bio kinetic;
- 4.6. Create an environment which reasonably accommodates and integrates people with disabilities in WMM Local Municipality, as well as raising awareness amongst employees on disability issues.

5. POLICY PRINCIPLES

- 5.1. Accessibility: the provision of a voluntary, confidential and a free service which is accessible to all employees and their immediate families and promotes dual accountability between employer and employee;
- 5.2. Confidentiality: Employees have the right to confidentiality and cannot be compelled to disclose personal information to their managers or any other employee. Employee Wellness Officer will adhere to confidentiality and ethical standards as prescribed by the various professional boards to which they are affiliated;
- 5.3. Non-discrimination: All employee of the Winnie Madikizela Mandela Local Municipality shall be treated with respect regardless of rank, age, gender, culture and a state of health. A culture of non-judgemental, caring and compassionate and responsiveness will be upheld and fostered at all times.

6. CARE AND SUPPORT PROGRAMMES

6.1. Consultations:

- 6.1.1 Employee Wellness offers professional counselling service to employees and their immediate family members i.e. the areas of psycho-social problem, trauma; rehabilitation and workplace conflict in the following:
- 6.1.2 Consultation to Employee Wellness can be either self-initiated, supervisor's referral or by a concerned person;
- 6.1.3 In cases where the supervisor refer an employee, this becomes a formal referral, feedback will be provided taking into account the confidentiality of the process; and
- 6.1.4 Employees and their immediate families will be eligible for face to face consultation after initial needs assessment has been conducted by the employee wellness officer. The assessment will determine the appropriate interventions.
- 6.1.5 The employee as well as their immediate families will be informed about the whole process of intervention

6.2. Rehabilitation

- 6.2.1 Employee Wellness Officer will facilitate access to appropriate specialised rehabilitation centres in the event of employee is not responding to the support offered by the WMM Local Municipality, and have given consent for further referral;
- 6.2.2 The WMM Local Municipality shall incur medical expenses related to rehabilitation in cases where:
- 6.2.3 The employee does not have a medical aid;
- 6.2.4 The employee has a medical aid that does not cover rehabilitation.
- 6.2.5 In case where the employee defaults from the rehabilitation programme, the WMM Local Municipality shall recover the rehabilitation costs.

6.3. Confidentiality

- 6.3.1 Any employee who seeks assistance shall not jeopardise his or her security, compensation, career opportunities and/or reputation;
- 6.3.2 Employee Wellness case records and general reports shall be kept for all least five (5) years at Corporate Service Employee Wellness section and only Employee Wellness Officer and Senior Manager Corporate Service shall have access to the files;
- 6.3.3 An Employee Wellness Officer may be required to divulge information under the following circumstances:
- 6.3.4 Where public life and safety of other employees and/or individuals are endangered, the
- 6.3.5 Employee Wellness Officer will have an obligation to warn the intended victims;
- 6.3.6 Where fraud and child abuse has taken place; an Employee Wellness Officer who is subpoenaed to surrender records, or to testify in the court of law is not in breach of his/her confidentiality obligations, written consent from the employee would be required where confidentiality needs to be breached.

7. MANAGEMENT OF HIV AND AIDS AND OTHER CHRONIC DISEASES

7.1. Medical Testing

- 7.1.1 No employee or prospective employee shall be required to undergo any medical examination to assess his or her immune status or disability, unless the Labour Court has declared such testing to be justifiable;
- 7.1.2 Notwithstanding 7.1.1 (above) medical testing may be conducted in the context of medical surveillance programmes for the purposes of assessing medical fitness of employees.

7.2. Medical Surveillance Programme

- 7.2.1 A Medical Surveillance Programme must be used to identify and record the presence of any occupational disease and the degree of exposure. The information must be used to ensure that the health of the employee will not be compromised by placement in a particular job.
- 7.2.2 Employees who have a health condition which will or could be compromised will not be placed in high risk areas. General health information, not required for the job, is used to identify health needs and the health care that the individual would require.

7.3. Periodic Screenings (PS)

- 7.3.1 Employees working in specific areas or shifts must undergo screening at various intervals, depending on the health risk profile to risk – e.g. drivers must be examined annually. A certificate of fitness must be issued.

7.4. Employment Contract and Non-Discrimination

- 7.4.1 No employee shall be forced to disclose his/her status on HIV and AIDS and other chronic diseases before or during the employment contract, unless it is an inherent requirement of the job and testing is done in accordance with the Employment Equity Act.
- 7.4.2 Employees with HIV and AIDS and other chronic diseases shall be governed by the same contractual obligations as all other employees. If a person makes his/her status known voluntarily, this shall not be a basis for refusing to conclude or to continue or to renew an employment contract.
- 7.4.3 HIV and AIDS and other chronic diseases shall not be used as a justification for the non-performance of duties agreed to by the parties. No employee shall be dismissed or have his/her employment terminated merely on the basis of the medical status, nor shall their status influence retrenchment procedures.

7.5. Confidentiality

- 7.5.1 Employee with HIV/AIDS and other chronic diseases have the right to confidentiality and privacy concerning their health status;
- 7.5.2 Employee Wellness Officer shall maintain absolute confidentiality of all records relating to the personal health status of employee. They may never disclose this status to any other person, without the written consent of the employee, except in cases involving a clear threat to or disregard of an identifiable individual's life interest.

8. OCCUPATIONAL HEALTH AND SAFETY

The Occupational Health and Safety Act 85 of 1993 stipulates that the Municipality shall provide and maintain a work environment that is safe and without risk to the health of employees. The Municipality intends to comply with the requirements of the act at all times by ensuring that employees work in a safe environment where there is minimal exposure to the health risks.

8.1. Work environment

- 8.1.1 Each office shall be kept safe, hygienic and without risk to employee's health and wellbeing;
- 8.1.2 Employees have a right to safe working environments and if complaints arise in connection with the working conditions, such complaints must receive immediate attention;
- 8.1.3 All offices shall display prominently all relevant notices and signs that are visible at strategic areas;
- 8.1.4 Each office of the Municipality shall ensure that certain employees obtain training in first aid and such employees are designated in writing to be competent persons in first aid;
- 8.1.5 Each office shall provide first aid box which shall be accessible to employees at all times under the control of the first aiders. First aid kits should be only made available to people who are injured in the workplace;

8.1.6 Personal protective clothing should be provided and enforce the use thereof where there is a likelihood of exposure to stress factors (chemical, physical or biological). Any item of protective clothing or uniform issued to an employee:-

- a) remains the property of the Municipality;
- b) may not be used for any other purpose than that for which it was issued;
and
- c) Must be returned to the Municipality on termination of the employee's employment unless the Municipal Manager determines otherwise.
- d) All Occupational Health and Safety inspection shall be conducted on quarterly basis.

8.2. Investigation

8.2.1 The employee Wellness Officer shall on behalf of Corporate Service department report such incidents whereby:

8.2.2 A dangerous substance was spilled;

8.2.3 Uncontrolled release of substance under pressure took place;

8.2.4 Machinery caused uncontrollable moving objects;

8.2.5 Machinery ran out of controlled to the Municipality.

8.2.6 All the Occupational Health and Safety records opened for investigation shall be kept for 3 years.

8.3. Occupational Injuries and Diseases

8.3.1 The Compensation for Occupational Injuries and Diseases Act 130 of 1993 for the compensation for the disablement caused by occupational injuries or diseases sustained by employee in the course of their employment or death resulting from such injuries or diseases. Occupational Health and Safety Policy must be made available to deal with Occupational Injuries and Diseases.

8.3.2 Notwithstanding 8.3.1 (above) employees who incurred occupational injuries or diseases that result in permanent incapacity so much that they are unable to

continue with the official duties; the municipality shall investigate possible rearrangement of duties.

- 8.3.3 In the event the Municipality is failing to rearrange duties or placement of the employee medical boarding will be applied.
- 8.3.4 The above shall be included in the leave policy and will be referred to as leave due to incapacity thus it maybe permanent or temporal as advised by the medical reports of such employee
- 8.3.5 Remuneration of the above cases will also be calculated through remuneration policy of the municipality.

9. DISSABILITY MANAGEMENT PROGRAMME

- 9.1. The purpose is to create an environment which reasonably accommodates and integrates people with disabilities in the Municipality, as well as raising awareness amongst employees on disability issues.
- 9.2. The Municipality shall ensure that the existing facilities are adapted to provide access to the employees and the public with disability. These will include the following:-
 - 9.2.1 Adapting existing facilities and equipment to make them accessible;
 - 9.2.2 Reorganising work stations;
 - 9.2.3 Changing training and assessment materials and systems;
 - 9.2.4 Reconstruction jobs so that non-essential functions are reassigned;
 - 9.2.5 Adjust work time and leave;
 - 9.2.6 Provision of readers, sign language interpreters, and
 - 9.2.7 Providing specialised supervision, training and support.
 - 9.2.8 Employment practices shall not unfairly discriminate against people with disabilities particularly in the cases of dismissal and recruitment practices;
 - 9.2.9 The Municipality may only gather private information relating to employee with disability if it is necessary to achieve a legitimate purpose, and must protect the confidentiality of such information.

10. EMPLOYEE WELLNESS AWARENESS

The purpose is to promote healthy lifestyle of employees and should be guided by national programs that appear in the calendar.

11. IMPLEMENTATION OF THE POLICY

- 11.1. The Municipality shall appoint a Wellness Committees comprising of appointed representatives at each department;
- 11.2. Wellness Committees shall be appointed in writing by the Municipal Manager/his/her delegates;
- 11.3. The Committees shall meet on quarterly basis;
- 11.4. The Committees shall identify and evaluate risks, hazards associated with the work environment and make recommendations to Senior Manager Corporate Service;
- 11.5. The Committee shall keep records of incidents relating to health risks and hazards;
- 11.6. The Committee shall be responsible for coordinating sport and recreation events;
- 11.7. The Committee shall increase awareness among their peers regarding issues of HIV, AIDS and other chronic diseases through participation in Wellness events calendar days;
- 11.8. The Committee shall organise talks on HIV and AIDS and other chronic diseases in the workplace;
- 11.9. The Committee shall assist with the management of disability in the workplace.

12. POLICYREVIEW AND REPORT

12.1. The policy document shall be reviewed annually and/or when deemed necessary especially if there is a change in collective agreement or legislation and submitted as part of the budget approval process.

Signed on the 22 day of 06 2022



MUNICIPAL MANAGER