



MOGALAKWENA LOCAL MUNICIPALITY BEREAVEMENT POLICY

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1. DEFINITIONS

- 1.1. "Employer" means the Mogalakwena Local Municipality / Council that utilizes the efforts of employee to render services to communities.
- 1.2. "Employee" means a person employed by the employer to carry out certain duties and responsibilities in return for remuneration.
- 1.3. "Council" means the Council of Mogalakwena Local Municipality.
- 1.4. "Funerals within jurisdiction of Mogalakwena Local Municipality" means those funerals that are within boundaries of Mogalakwena Local Municipality.
- 1.5. "Funerals outside the jurisdiction and outside the province" this implies those funerals that will take place outside the area of jurisdiction of Mogalakwena Local Municipality and outside the province.

2. PREAMBLE

The Bereavement Policy is aimed at regulating the processes to be followed in the provision of assistance in the event of death of a council employee, councillor, experiential trainee, MFMA Interns.

To set out clear guidelines that are needed with regard to assistance to the bereaved families by colleagues in cases where an employee, Councillor, experiential trainees, MFMA interns of the Council has passed away.

3. LEGISLATIVE FRAMEWORK

All transfers of funds of this policy shall comply with the following legislation:

- Constitution of the Republic of South Africa, Act 108 of 1996
- Labour Relations Act no. 66 of 1995.
- Basic conditions of Employment Act no. 75 of 1997
- Employment Equity Act no. 55 of 1998.
- Occupational Health and Safety Act no. 85 of 1993.
- Municipal Systems Act, 32 of 2000
- Municipal Structures Act, 117 of 1998
- Municipal Finance Management Act, 56 of 2003
- Any other applicable legislation, regulations and policies that may govern the transfer of municipal funds and that are not in contradictions to the above.

4. OBJECTIVES OF THE POLICY

To provide assistance to bereaved families in the event of death of a Council employee, councillor, MFMA Interns and experiential trainees who dies whilst in the service of the Council.

5. SCOPE AND APPLICATION

The policy applies to all council employees, councillors, experiential trainees and MFMA Interns of Mogalakwena Local Municipality. The policy shall be applied on approval by council.

6. RESPONSIBILITY OF THE COUNCIL

6.1. DEATH OF AN EMPLOYEE.

6.1.1. Human resource must notify the Head of Department concerning the death of an employee.

A memorial service shall be held for the official. The family must be approached to obtain permission and agreement before arrangements are made for the memorial service.

6.1.2. An official delegation from the municipality consisting of the following will attend the memorial service arranged by the Human Resources in conjunction with the family,

(a) Head of the relevant department or his/her delegate,

(b) The Supervisor of the deceased employee or his/her delegate;

(c) The portfolio Councillor or his/her delegate.

(d) All Council employees (if the memorial service is held within the premises of the council).

6.1.3. The municipality will provide transport up to a maximum of two mini-busses to attend the bereavement of the deceased employee by his/her colleagues. However, this will depend on the number of employees' availability. The union under which the employees fall, will be responsible for providing a list of employees to attend the funeral.

6.1.4. Subsistence will be paid to one official to attend the funeral on behalf of the Council in case the employee is to be buried outside the jurisdiction of Mogalakwena municipal area.

6.1.5. The Municipality will contribute R20 000.00 to the bereaved family of the Councillor or employee.

6.1.6. The head of department will nominate the person to represent council as stated above in both the memorial service and funeral service.

6.2. DEATH OF RETIRED EMPLOYEES.

6.2.1. The human resource division will only assist in reporting of the death to the Pension Fund where the deceased qualifies for benefits.

6.2.2. The spouse/family of the deceased employee will **not** be financially assisted.

6.2.3. Council will **not** be involved in providing transport.

7. BENEFITS AND RESTRICTIONS

7.1. The policy is applicable to funerals of active employees including MFMA interns, experiential trainees, Councillors in Mogalakwena Local Municipality.

7.2. The Municipality will contribute as follows to the bereaved family;

(a) Councillors and Employees - R20 000.00

(b) Interns / Experiential trainees - R5 000.00

7.3. Provisions should be made annually on the budget of R200 000.00 to be adjusted if needs arise during that year.

8. IMPLEMENTATION AND MONITORING

The policy will be implemented and become effective on Council Resolution, on the date determined by Council.

9. COMMUNICATION

The policy will be communicated to all employees/ councillors using a full range of communication methods available in the municipality. An awareness program will be utilized to communicate the policy to all employees

10. POLICY REVIEW

The policy shall be reviewed on and when the need arises.

11. DISPUTE RESOLUTION AND DEVIATION

Any employee who feels aggrieved by the application of the policy may submit his/her grievance in terms of the grievance procedure (SALGBC) as well as the Labour Relations Act, Act 55 of 1995.

Notwithstanding the provisions of this policy, the Director: Corporate Services after consultation with the Municipal Manager and the Mayor, may authorize any deviation from this policy under justifiable circumstance to be condoned by Council within sixty (60) days.

12. APPROVAL

The bereavement policy will be implemented on approval by Council.

**APPROVAL
MUNICIPAL MANAGER**

DATE

APPROVAL BY COUNCIL

DATE

SAMMWU

DATE

IMATU

DATE