



Province of the
EASTERN CAPE
EDUCATION

Iphondo leMpuma Kapa: Isebe leMfundo
Provinsie van die Oos Kaap: Departement van Onderwys
Porafense Ya Kapa Boljahabela: Lefapha la Thuto

OFFICE OF THE CHIEF DIRECTOR: EMPLOYEE RELATIONS & WELLNES SERVICES
Steve Vukile Tshwete Complex, Zone 6 Zwelitsha, 5608, Private Bag X0032, Bhisho, 5605 REPUBLIC OF SOUTH AFRICA:
Enquiries: **Mr S Mnguni** . Tel: 040 608 4345. Fax :040 608 4372. Email: sihle.mnguni.gov.za
Website: www.eceducation.gov.za

Employee Relations Circular 1 of 2025

**TO: DEPUTY DIRECTORS GENERAL
CHIEF DIRECTORS
DIRECTORS
SCHOOL PRINCIPALS
ALL EDUCATORS**

FROM: HEAD OF DEPARTMENT

DATE: 07 MAY 2025

SUBJECT: GUIDELINES IN MANAGING ABSCONDMENTS BY EDUCATORS

1. The above subject has reference.
2. This document does not substitute or replace any policy or legislation on leave management, instead it helps as a guide in managing what is commonly known as abscondment.
3. Employees and management have an obligation to ensure that management of leave is done according to existing policies.
4. Management of leave is a joint responsibility.
5. Employees have a responsibility to apply, arrange and account for any leave of absence taken.
6. Management too has a responsibility to process, keep records and account for any leave of absence taken by employees.
7. The department has observed that management of leave in relation to the provisions of the Employment of Educators Act is not followed properly by some managers and supervisors.

8. This sometimes leads to late terminations on the system and blurred communication lines between the employee and the manager/supervisor concerned when the employee pleads for reinstatement. It also compromises systems set to control and monitor leave utilisation.

9. Section 14 of the Employment of Educators Act 76 of 1998 as amended reads as follows:

(1) "An educator appointed in a permanent capacity who-

(a) is absent from work for a period exceeding 14 consecutive days without permission of the employer.

(b) while the educator is absent from work without permission of the employer, assumes employment in another position.

(c) while suspended from duty, resigns or without permission of the employer assumes employment in another position; or

(d) while disciplinary steps taken against the educator have not yet been disposed of, resigns or without permission of the employer assumes employment in another position,

shall unless the employer directs otherwise, be deemed to have been discharged from service on account of misconduct, in the circumstances where-

(i) paragraph (a) or (b) is applicable, with effect from the day following immediately after the last day on which the educator was present at work; or

(ii) paragraph (c) or (d) is applicable, with effect from the day on which the educator resigns or assumes employment in another position, as the case may be.

(2). If an educator who is deemed to have been discharged under paragraph (a) or (b) of subsection (1) at any time reports for duty, the employer may, on good cause shown and notwithstanding anything to the contrary contained in this act, approve the reinstatement of the educator in the educator's former post or in any other post on such conditions relating to the period of the educator's absence from

10. Principals/ Supervisors/ Senior Managers must note and observe the following when implementing the provisions of section 14 of the Act:

- ❖ Absence of the educator is without permission or unauthorised.
- ❖ The absence must be for 14 consecutive days.
- ❖ Days here refer to working days. (don't count weekends and public holidays).
- ❖ The educator's whereabouts is not known.

11. Principals/Supervisors/Senior Managers must do the following:

- ❖ Make sure attendance registers are signed daily.
- ❖ Make sure all leaves of absence taken are recorded and filed with supporting documents where applicable.
- ❖ On day 5 of an educator's unauthorised absence the principal/supervisor/manager must write to the educator bringing to his/her attention the unauthorised absence with an instruction to report for duty the next day.
- ❖ The correspondence referred to above may be emailed or posted or hand delivered to the last known email/address of the educator. If hand delivered whoever is 16 years and above at the last known address may be required to sign as proof of delivery.
- ❖ The copy of the correspondence must be filed together with proof that it has been sent to the educator.

12. Should the educator fail to report for duty up to the 14th day inclusive, the official responsible must make a submission to Employee Relations (district in case of districts and head office in case of head office and clusters) notifying them of the abscondment with all relevant documents viz attendance registers and attempts made to contact the educator.

13. Should the educator resurface after the 14-day period such an educator should not be allowed to assume duties but instead be advised to follow the provisions of section 14(2) of the Employment of Educators 'Act.

14. The submission by the school to Employee Relations must include the recommendation by the Circuit Manager and must reach Employee Relations within three working days.

15. Employee Relations must facilitate for the signing of the submission by the Head of Department or his/her delegated authority.

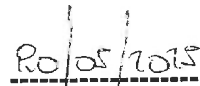
16. Employee Relations must finalise its processes within three days and advise HRA to effect termination.

NB: This circular must be circulated to all educators immediately.

Yours in education



S.A Maasdorp
HOD



Date



OFFICE OF THE HEAD OF DEPARTMENT

Steve Vukile Tshwete Complex, Zone 6 Zwelitsha, 5608, Private Bag X0032, Bhisho, 5605 REPUBLIC OF SOUTH AFRICA:

Enquiries: **Ms N Jali**: Tel: 040 602 7016 Email: nomawethu.jali@ecdoe.gov.za

Website: www.ecdoe.gov.za

19 May 2025

Mr Q. Luthuli
A/DDG: Corporate Services
Department of Education
Zwelitsha
Via email: qaphela.luthuli@ecdoe.gov.za

Dear Mr Luthuli,

RE: APPOINTMENT AS ACTING HEAD OF DEPARTMENT FROM 20 MAY 2025

In terms of section 32 of the Public Service Act, 1994 (as amended), you are hereby directed to perform the function/duties and responsibilities assigned to the post of Head of Department from 20 May 2025. This assignment is additional to your current post of DDG: Corporate Services.

In the performance of the assigned duties, please be mindful of all the appropriate legislation, prescripts, control measures and delegations that are applicable.

Kindly report on any decisions you have executed in terms of this delegated authority.

Please note that unless specifically authorised, you may not sub-delegate/assign any decision-making authority assigned to you.

Thank you for your ongoing support, cooperation, and the positive attitude you portray in the management of your responsibilities and functions.

Yours faithfully,

Ms. S. Maasdorp
Head of Department: ECDOE

19 May 2025

Date