

CBE BULLETIN

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for a better built environment

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Dear Reader

What trended in May? Starting with championing the rights of workers on the 1st to elections on the 8th through to the inauguration of a 'new' President of South Africa on the 25th. Exercising your right to vote was much more than placing your X. The result of the election represents the voice of South Africans; it marks new beginnings, and hope to steer our country out of the morass of corruption and state capture that dogged it of late.

In keeping with Workers Day associated with May, this issue is a particularly interesting one. There are two feature articles; both focus on the work environment albeit with different perspective making for a very interesting mix. Council Member, Ms Sinehlanhla Mthembu's article exposes a refreshingly positive slant on labour laws and workers' rights, while Ms Inge Vieira's informs on how CBE

needs to keep its shoulder to the wheel to maintain its clean audit status and comply with the required legislation.

New kid on the block, SACPCMP's voluntary association ACPM, introduces its new President Mr Anthony Afordofe.

SACAP introduces their newly inaugurated Fifth Term Council; President Nduku outlines their vision for the next four years.

**Enjoy your read,
Evelyn Bramdeow**

"Leadership is the ability to get extraordinary achievement from ordinary people."
- Brian Tracy

Disclaimer

We welcome your comments and contribution to this publication. Views expressed in this newsletter, specifically in articles that profile other built environment stakeholders, are not necessarily those of the CBE.

Email us on newsletter@cbe.org.za

Amazing Changes in our Labour Sector



**Sinenhlanhla T. Mthembu LLM (Human Rights Law), LLB,
Advanced Labour Law (certificate)
CBE Council Member**

In May we celebrate Workers' Day where we look back and remember how difficult the conditions were for workers the world over, including South Africa. We commemorate the great strides achieved over the years. Work conditions have not always been easy. The greatest achievement was on 1 May 1886 when it was agreed that a normal work day would be no longer than eight hours. Hence, May Day is celebrated on 1 May annually (www.sahistory.org.za). While it has been adrenalin pumping to discuss state capture, land expropriation without compensation, the economic downturn and unemployment, it is equally exciting to pause and discuss labour related issues this month.

On 27 November 2018, the Labour Amendments Act (Act 10 of 2018) published. The Labour Amendments Act ("The Labour Act") seeks to amend the Basic Conditions of Employment Act ("The Basic Conditions") by recognising leave benefits previously not recognised in South Africa and adjust the Unemployment Insurance Act to cater for that. The Labour Act amends section 25(7) of the Basic Conditions - "maternity leave benefits" which had the effect of excluding other forms of leave benefits now introduced by the Labour Act. The Labour Act introduces section 25(A) which provides for "parental leave". Section 25(A)(1) states that "an employee who is a parent of a child, is entitled to at least ten consecutive days parental leave". This is a breakthrough especially for male employees who probably felt excluded in the past. Daddies now have an opportunity to support

moms during that difficult time when a baby is born. It is also a victory for moms who will now get the much-needed support from their partners. Section 25(B) introduces a ten consecutive week "adoption leave" to the Basic Conditions. Section 25(C) caters for "Commissioning parental leave" (surrogacy in simple terms). An employee who is a commissioning parent in surrogate motherhood is entitled to commissioning parental leave or parental leave of at least ten consecutive weeks. Maternity leave remains part of the Basic Conditions. The Labour Act amends the Unemployment Insurance Act to add parental and commissioning leave benefits. The Unemployment Insurance Act is also amended to include employees on learnership programmes. Unemployment Insurance Fund (UIF) benefits have increased, and the whole administration process has improved - if this is not amazing, then we are difficult to please.

The fuel price hikes make it all seem doom and gloom, but there are still many reasons to smile. The introduction of the National Minimum Wage Act (Act no.9 of 2018) introducing a minimum wage in South Africa is exciting. The minimum wage shall ensure that employees are paid R20 per hour or R3 500.00 per month. It shall be adjusted annually, so it shall be prudent for employers to keep updated about any changes in future. Section 4(7) of the Wage Act requires the minimum wage to constitute a term of the worker's contract except to the extent that the contract, collective agreement or law provides a wage that is more favourable to the worker. It is therefore prudent for employers to review the employment contracts they have with their employees. I am of the view that this shall benefit both employers and employees because well-paid and happy employees are productive employees.

THERE ARE STILL MANY REASONS TO SMILE



Service Delivery and Compliance - a balancing act



Ms Inge Vieira
CBE Council Member

The CBE is proud to be recognised for recording a clean audit for the last two years, otherwise known as an unqualified audit. Simply, this means the organisation had no material financial and compliance findings or internal control deficiencies in the annual audit report issued by the Auditor General South Africa (the AG).

There is a fine balance to achieve between delivering service and complying with legislation. A stable management, understanding requirements and exercising personnel characteristics - integrity, confidentiality, professional competence and behaviour and objectivity - will assist a financial and procurement department to meet requirements and ensure compliance.

Achieving a clean audit status is one thing, maintaining it is another. Policies and processes implemented must be regularly reviewed to keep updated with new legislations issued. All audit findings (from both the internal and external audits) should be implemented to assist the organisation to strengthen its internal control. Employees must be trained to enhance their skills and successfully implement changes and the required governance. Segregating duties and acknowledging the need for temporary staff to assist in critical periods like year-end audits must be factored into planning and budgets to meet vital deliverables.

The CBE is a Schedule 3A Public Entity with specific regulations applicable to it, different from those for Departments, State-Owned Entities, (SOE's) trading entities, constitutional institutions and public entities. Some key legislations that guide the CBE in ensuring compliance are the Public Finance Management Act 1 of 1999 (PFMA), the Preferential Procurement Policy Framework Act, 2000 (Act No.5 of 2000) and Preferential Procurement Regulations 2011. A useful link to the Department of National Treasury (NT) for legislation is <http://www.treasury.gov.za/legislation/PFMA/default.aspx>

A team is only as strong as its weakest link, so support is imperative in the work environment. Supply chain regulations are usually the most at risk in organisations where bribery, corruption, manipulation and circumvention of policies and procedures are the order of the day. Most news articles highlight irregular, fruitless and wasteful expenditure. Treasury Instruction No 1 of 2018/2019, issued on 25 September 2018 with the Irregular Expenditure Framework, is to assist accounting officers and accounting authorities to identify, investigate and act on instances identified and implement controls to mitigate the repeat of transgressions.

Travel and subsistence is closely monitored and governed, with specific guidance in the Addendum to NT Instruction No 04 of 2017-18: Domestic Accommodation Maximum Allowable Rates.

Deviations, extensions and other alternative procurement options are available, guided by specific instruction notes issued by NT.

In terms of section 40(c)(i-ii) of the PFMA, the accounting officer has a reporting responsibility to submit the organisation's annual financial statements within two months after the end of the financial year to the AG (for auditing) and to the relevant treasury (to enable it to prepare consolidated financial statements). The CBE compiles its annual financial statements in compliance with Generally Accepted Accounting Practice (GRAP). A useful link for compliance in terms of annual financials is: <https://oag.treasury.gov.za/>.



Mr Anthony Afordofe
PrCPM, MACPM

New President of the ACPM



The Association of Construction Project Managers (ACPM) has appointed **Mr Anthony Afordofe** as President. Anthony is the founder and CEO of Akweni Group (a 13-year-old company), a group that provides Project Management, Construction Management, Property Development Management, Turnkey Construction Development and related services within the built environment, an ISO 9001:2015 certified company. He is also a founder & shareholder in Asanele Consulting, an Occupational Health & Safety company.

Anthony graduated as an Architect at the Cape Peninsula University of Technology (previously known as Cape Technikon) and has previously worked in the corporate environment for Boogertman & Krige Architects in Cape Town before moving to the Airports Company South Africa (ACSA) in Cape Town as Project Manager. He was later promoted to join the Project Management team of ACSA at the OR Tambo International Airport. He later joined Abland Property Development to hone his skills within the property development environment.

About ACPM

The ACPM is an accredited SACPCMP Voluntary Association which operates as an independent body for individual and corporate members with expertise in Construction Project Management. In addition, the ACPM in pursuit of excellence, is the custodian of the affairs and interests of CPM professionals. The formation of ACPM was initiated in early 1998 at the request of South African Property Owners Association (SAPOA) and Property Owners Council of South Africa (PROCSA) and ACPM was finally launched On the 09th of May 2000. This was as a result of an ever-increasing use of Project Management Services in both the local and international building industries in the 90s. It furthermore promotes professionalism and standards expected of CPM professionals are adhered to such as: transform, sustain and excel.

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ACPM is re-igniting the association to ensure that it is the voice of Construction Project Managers (CPM) and we're excited about what Anthony's unique 19 years of experience in the Built Environment Industry as a Construction Project Manager will bring in taking ACPM to another level as far as business is concerned. There is enormous opportunity for ACPM that lies ahead, and we couldn't be happier with Anthony taking the reins of leadership and driving strategy to ensure that our individual and corporate members achieve continued success.

Anthony's appointment is a clear reflection of the Association's current state: ready to take on the future as the custodian of the affairs and interest of CPM professionals and fired up after another strong year of growth. His extensive hands-on construction expertise has brought positive results in developing strategies aimed at transformation towards a highly skilled, competent, efficient and inclusive Construction Project Management profession. Anthony is a Registered Professional Construction Project Manager with the South African Council of the Project and Construction Management Professionals (SACPCMP).

Speaking of his new position Anthony said, "I am very excited to lead the ACPM team. I believe ACPM has a great business model and talented Committees and Management team that uniquely position it to capitalize on the changing Project Management environment. As the industry evolves through restructuring, consolidation and technology migrations, I believe ACPM is in a position to promote professionalism and adherence to standards expected of CPM professionals"

"The EXCO and I are confident that Anthony is the right person to build on this momentum, he is a seasoned leader with significant experience working within the Built Environment, operating efficiently at scale, and delivering value to the Construction Industry. We are blessed to have him as our new President," said **Ms Nomvula Rakolote**, ACPM- CEO.

END.

ACPM is an Affiliate Member of -



New SACAP Council to continue path of 'restoring confidence in architectural sector' – Nduku



Far left to far right: Mr Lufuno Mutsherane, Mr Vusi Phailane, Mr Kevin Bingham, Ms Mandisa Princess Daki, Ms Karuni Naidoo, Mr Charles Ntsindiso Nduku (President), Mr Mohammed Allie Mohidien, Dr Sitsabo Dlamini
Front: Ms Letsabisa Shongwe née Lerotholi (Vice President) and Ms Lwazikazi Ngodwane
Absent: Mr Rowan Graham Nicholls

The newly-elected President of the South African Council for the Architectural Profession (SACAP), Charles Ntsindiso Nduku, has committed the organisation to continue on the path of rebuilding and restoring confidence in the profession following several years of strained relations between the regulator and key stakeholders such as the Department of Public Works, Registered Persons and Voluntary Associations.

Nduku was elected on 3 May 2019, following the appointment of the Fifth Term Council by the Minister of Public Works, Thulas Nxesi. Letsabisa Shongwe was elected as the new Vice President.

Nduku is currently the President of Border Kei Institute of Architects (BKIA) and Chairman of the South African Black Technical and Allied Career Organisation (SABTACO). His stellar career includes time as the Chairperson of the Professional Fees Committee of the Fourth Term Council.

In an historic move meant to accelerate the transformation of the sector and promote the inclusion of women and previously-disadvantaged communities, four women – Shongwe, Lwazikazi Ngodwane, Mandisa Daki and Karuni Naidoo – were all appointed as members of the Council.

"The appointment of these ladies will go a long way in helping us transform and grow the sector. We strongly believe that the sector can only be reflective of the society that we live in if we actively ensure that the voices and views of all members of our society are included. We thank the Minister for his progressive stance in this regard," the SAIA (South African Institute of Architects) Border-Kei President said.

The rest of the 11-person strong Council is made up of Mohammed Allie Mohidien, Dr Sitsabo Dlamini, Kevin Bingham, Rowan Nicholls, Vusi Phailane and Lufuno Motsherane and Nduku.

Described by colleagues and friends as a humble man with a passion for the architectural profession, Nduku is well-known for his commitment to changing the sector and get more youngsters into it.

"We need to introduce more young people, especially from rural and township schools, to the sector at an early age. Importantly, we need to support these youth so that they can succeed as we are well-aware of the high barriers of entry into the profession," he said.

The new Council will be in charge of SACAP's affairs for the next four years.

Out-and-About



The CBE's Skill Development Department, led by Mr Sandile Boyi (front, right) conducted work integrated learning (WIL) induction at Tshwane University of Technology (eMalahleni campus).



Mangosuthu University of Technology's (MUT) two-day career fair on 9-10 May culminated in an Awards & Gala Dinner where Lotty Mathabatha (Transformation Projects Coordinator) (2nd from left) and Mokgema Mongane (Chief Operations Officer) (3rd from left) accepted the CBE award from MUT's Fundiswa Nofemela (Director: Department of Co-Operative Education)(1st from left) and Professor Ramogale (Deputy Vice Chancellor: Academic)(4th from left).