

# intelligentPLACEMENT NEWSLETTER

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## Congratulations



Intelligent Placement has been a supplier of MIE Fingerprint Zone since September 2017.

We now have 3 certified agents to assist with all our clients background checks and employment screening needs.

Verify and check qualifications, criminal records by AFIS, credit records, identity, drivers licences, employment references, Background checks.

*Deidri Ziemerink (left) and Diane Koert (right) are now certified MIE Biometric Agents*

Contact us for more  
information and prices  
021 201 5077



**IS FOR**

## November

### STOP MEN DYING TOO YOUNG!!

**Know the numbers**—At 50, talk to your doctor about prostate cancer and whether it's right for you to have a PSA test. If you are of African or Caribbean descent or have a father or brother with prostate cancer, you should be having this conversation at 45. Know your numbers, know your risk, talk to your doctor.

*70% of men say their friends can rely on them for support, but only 48% say that they rely on their friends. In other words: we're here for our friends, but worried about asking for help for ourselves.*

**Reaching out is crucial.**

**"It's not the men in your life that matters,  
it's the life in your men."**

*Mae West*

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# DAGGA IN THE WORKPLACE

People may no longer be prosecuted for cultivating, possessing and using small amounts of dagga for private purposes. But what are the consequences for the workplace?



The recent decision of the Constitutional Court in *Minister of Justice & Others v Prince & Others* to decriminalise the cultivation, possession and use of dagga for private purposes set the cat among the pigeons for employers. Questions raised by employers include whether employees are now allowed to use marijuana (dagga) during working hours; whether possession of it on the employer's premises is permitted and whether an employer may still take action against an employee who is under the influence of dagga or has dagga in his system.

**Right to privacy**—What complicates matters is that the court declared that people have the right to consume cannabis 'in private' and not only in the privacy of their homes. This implies that one may also consume cannabis at places other than one's house, as long as it is not in public. However, as is the case with all human rights provided for in the Constitution, the right to privacy is not an unlimited right.

**Workplace rules**—The employer's premises are not 'private'. Employers may, therefore, implement rules that regulate the possession and use of dagga at the workplace. This may include a total prohibition on its use and possession. In fact, the General Safety Regulation 2A of the Occupational Health and Safety Act commands employers not to allow any person who is or who appears to be under the influence of an intoxicating substance, to be allowed access to the workplace. Neither may an employer allow any person to have intoxicating substances in his or her possession in the workplace. Cannabis is an intoxicating substance.

If there is proof on a balance of probabilities that an employee is under the influence of dagga, the employer would be entitled to take disciplinary action. Depending on the circumstances – e.g. the frequency of transgressions and safety considerations – this could result in dismissal. If the employee can show that he or she has a dependency problem, the matter should – as is the case with alcohol dependency – be treated as an incapacity (ill health) issue. The status quo regarding alcohol and drug possession and use, therefore, remains. Employers should, however, remove references to dagga as an 'illegal' substance from their policies and merely refer to it as an 'intoxicating substance'.

**'Under the influence'** - The active compound in marijuana, tetrahydrocannabinol (THC), apparently can linger in a person's system for weeks and even months for heavy users. This means that an employee who legally used cannabis on a Friday evening is likely to show traces of the drug if tested at work on a Monday, but will no longer be under the influence, and is unlikely to be impaired. In other words, even if a person is no longer 'high', he or she can still test positively for the substance.

The mere presence of dagga will not be sufficient to prove that a person is under its influence. Whether employers can take action against someone for allegedly being under the influence of dagga will depend on whether the substance is still affecting the employee's ability to function and perform normally. It appears, however, that the tests for cannabis cannot accurately determine this effect. So what can employers do given this uncertainty?

Employers may continue to conduct random tests for alcohol and substance use, or test an employee ad hoc if there is reason to suspect that the employee may have consumed substances that are forbidden at work. Experts say that saliva tests have a relatively short cut-off level - it can show a positive result for THC for about six hours post-use, rather months as is the case with urine or blood tests. Employers should consult with experts in the field.

**Dagga in system**—One way of overcoming the difficulty of establishing whether an employee is under the influence of dagga, is to implement a rule that anyone who is found to have THC in his or her system after a saliva test will be guilty of a disciplinary transgression. Given the employer's continuing duty under the OHS Act to ensure workplace safety, we believe that such an offence can justifiably be regarded as serious. While a first transgression probably will, in the normal course of events, not justify dismissal, a repeat transgression may well result in the ultimate sanction.

Because of the high risk associated with intoxication in respect of certain occupations (e.g. operating heavy machinery, pilots, medical staff or other circumstances where an intoxicating substance poses a risk to the property of the employer or the safety of the employee or others), it is arguable that the mere presence of dagga or any other intoxicating substance in the blood may render the employee unsuitable for the job. An employer could, in respect of such occupations, implement a rule stating that a first transgression of a positive test may justify summary dismissal. However, dismissal remains a measure of last resort and all circumstances should be taken into account before a decision is made to dismiss the employee.

**Test**—As with alcohol abuse, an employer may take disciplinary action against an employee, without a test, if the effects of cannabis are clearly observable.

Where an employee is tested, such test must comply with s7 of the Employment Equity Act, No 55 of 1998. The employer must also ensure that testing for cannabis is voluntary and confidential. The employer may introduce a condition of employment that makes it obligatory to undergo regular medical testing if employment conditions justify this.

## Conclusion

The Constitutional Court judgement has given rise to much speculation and confusion. Employers should therefore educate employees about the implications of the judgment and how it affects them.

*Barney Jordaan for [www.labourwise.co.za](http://www.labourwise.co.za)*

# **We have the right candidate for you!**

## **For more Top Candidates visit our website**

**@ [www.intelligentplacement.co.za](http://www.intelligentplacement.co.za)**



### **WESTERN CAPE—DURBANVILLE—ADMINISTRATOR**

An established professional with over 10 years administrative and support experience within the travel, tax, environmental and research industry, with a phenomenal ability to manage accounts and business objectives.

A career highlight was gaining extensive skills associated within hospitality industry and client relationship management while attending trade exchange events and being exposed to admin management, support and development of business system.

Professional in presentation of herself and has strong, clear communication skills.

She is seeking a stable opportunity with definite room for growth. She is available to start immediately and her salary expectations are R15 000.

*Contact Hayley Kagerer—079 680 1982*

### **WESTERN CAPE—GORDON'S BAY—SALES EXECUTIVE**

Our candidate is a highly efficient, innovative, results driven and methodical professional with more than five years' experience in the Sales and Marketing Industry.

With a proven ability to effectively develop, manage and control relationships between clients and staff members. He thrives working in a fast paced, hands-on environment and possess the ability to ensure brand messages, standards and communications are understood and implemented efficiently.

He has experience in working closely with clients and understand the client's vision and needs.

He is available within 30 days and his salary expectations are R18 000.

*Contact Diane Koert—021-201 5077*

# More Top Candidates...

## **EASTERN CAPE—UITENHAGE—SUPPLY CHAIN AND LOGISTICS**

Our excellent Indian Male candidate has invaluable Supply Chain and Logistics experience and currently holds a BTECH in Logistics, while he is busy with his Master's Degree as well. He is also an avid Facilitator and able to transfer skills and experience to more junior peers in the industry.

He would be excellent to any Automotive Manufacturing Logistics department as he has solid experience of firming & manipulating orders as per MRP recommendations (SAP), timeously communicating changes and actual requirements to suppliers (Local & International), expediting releases against due dates (Local suppliers) or collection dates (International suppliers) and liaising with Purchasing & Engineering on New Product introduction or changes.

He comes highly recommended for any similar or growth opportunities that can elevate his career in Logistics.

His salary expectation is very reasonable and in line with current market related opportunities. He will definitely be an asset to any future employer!

***Contact Janine Julyan—083 235 0707***

## **GAUTENG/KWAZULU NATAL- PROPERTY MANAGEMENT**

Our African female is highly experienced in Property Management. She has a National Diploma in Commercial Practice, National Certificate in Real Estate, Certificate in Project Management and attended various Property Development programmes.

She has 20 years experience in Property Management, 15 years experience in Procurement, Tenders, SLA's, Project Management, Financial Management and 10 years experience in Facilities Management. She has 10 years experience at Senior Management level.

The following experience and skills make her an exceptional candidate:

1. Problem solving
2. Asset Management
3. Financial Management
4. Client relation and management
5. People management

She is a strategic and analytical person, with excellent interpersonal and communication skills.

Her availability is negotiable with a salary expectation of R50 000.

***Contact Johalize Swart—021 201 5077***



## That time of the year again!!!



Your co-workers don't want the same old work party, year after year, here are some fun ideas for this year.

### BAR GAMES

Darts, billiards, foosball, and Ping-Pong are a great way to bring a spirit of fun and competition to the corporate Christmas party.

Bar games can be relaxed and laid back, or they can turn into championships in a heartbeat. You can either set up tournaments beforehand, or simply let your employees organise themselves. All you have to do is make sure the venue is filled with the games!

### DANCE COMPETITIONS

What could be more fun than showing off your dancing skills? Dance competitions are so much fun to include as one of your Christmas party ideas. Your guests get a chance to show off their skills at just about every dance style, and the winners take home a trophy or a bottle of bubbly to enjoy on the night. You may find incredible dancers in the most surprising of employees! The quiet colleague who always sits in the corner may be hiding some serious dance moves, and now they have a chance to unleash them on the dance floor. What a great way to end the year!

### SOCIAL PHOTO BOOTHS

People have enjoyed taking photo booth selfies since 1925 — and that hasn't changed in the past 93 years. What has changed? The technology that powers them. Today's social photo booths make it easy for people to take stills, videos, or gifs, and share the images

### CONTESTS

A little friendly competition can liven up your corporate event in no time. Some fun ideas include a scavenger hunt, caption contest, or even a pub-quiz-style trivia game focused on questions about the business

“There's no magic formula for great company culture. The key is just to treat your staff how you would like to be treated,”

*Bill Berman*

## Office Funnies...

