

**INCWAJANA LECHAZA NGEKUTIPHATSA KWETISEBENTI
TAHULUMENDE**

**SELULEKO LESIVAKALAKO LESIMAYELANA NETINKINGA
LETINGAVELA EMSEBENTINI**

**Ishicilelwe yi: Public Service
Commission
Private Bag X121
Pretoria
0001**

2002 Public Service Commission
First Edition, first impression

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Imibuto mayelana nalomsebenti ingabukiswa ku:

Directorate: Professional Ethics Promotion
Public Service Commission
Private Bag X121
Pretoria
0001

Inombolo yelucingo (27-12) 328-7690

Inombolo ye-Fax (27-12) 325-8382

Lencwajana igcotjwe, yaphindze yahlanganiswa baka-Creda Communications

IMITSETFO

IMITSETFO LELISHUMI LEHAMBABA EMBILI KUHULUMENDE
WASENINGIZIMU AFRICA

Umtsetfosisekelo waseNingizimu Africa (SAHLUKO 10) utsi hulumende kufanele.....

- Alawulwe mitsetfo lehambisana **nentsandvo yelinyenti** njengaloku kubhaliwe kumtsetfosisekelo;
- Agcine, aphindze atfutukise lizinga lelisetulu **lekutiphatsa** emsebenzini;
- Atfutukise indlela lekahle yekuphatsa **imali** kanye **netimphahla** takhe;
- Asebentele **intfutuko**;
- Anikete imiphakatsi **tinsita** ngaphandle kwekukhetha bantfu labatsandzako, futsi angabandlululi;
- Aphendvule tidzingo tebantfu, aphindze akhutsate **sive kutsi singenele** umsebenzini wekwakha imitsetfo;
- **Abike** ngalakwentako;
- **Avele sobala** ngalakwentako, futsi anikete imiphakatsi imniningwane leliciniso leliphelile;
- Akhutsate kukhula **kwebantfu** emsebenzini nekutfutukiswa kwemakhono abo;
- Acashe bantfu betinhlanga letahlukene ngenhloso **yekumela** tonkhe tinhlobo tebantfu baseNingizimu Africa. Loku kwentelwe kulungisa tinkinga letadalwa nguhulumende welubandlululo.

LOKUCUKETFWE NGULENCWAJANA

1.	EMAVI ESINGENISO.....	4
2.	EMAVI EKUBONGA.....	5
3.	INCWAJANA LECHAZA NGEKUTIPHATSA KWETISEBENTI TAHULUMENDE.....	6
	3.1 Singeniso.....	6
	3.2 Kuceceshwa.....	6
	3.3 Umsebenti webacashi, kanye netisebenti.....	6
4.	SELULEKO NGALOKUCUKETFWE NGULOMTSETFO.....	7
	4.1 Budlelwane nesishayamtsetfo kanye netindvuna tembuso.....	7
	4.2 Budlelwane nesive/umphakatsi.....	10
	4.3 Budlelwaneemkhatsini wetisebenti.....	15
	4.4 Kwenta umsebenti.....	21
	4.5 Kutiphatsa kwesisebenti ngasinye, kanye netidzingo taso.....	28
5.	KUTIPHATA KWETISEBENTI TAHULUMENDE EMSEBENTINI (ANNEXURE A).....	31

1. EMAVI ESINGENISO

Litiko lemisebenti wahulumende (iPublic Service Commission) liphocelwa ngumtsetfosisekelo wanga1996, kutsi litfutukise liphindze ligcine lizinga lelisetulu lekutiphatsa emsebentini. Nga1997 umtsetfo wekutiphatsa wasakatwa, wase uyatfutukiswa ngekubamba imifundzasikolwa netikhulu tabohulumende besive kanye nebetifundza. Kwase kubamcoka-ke kwakha incwajana leseluleko lesivakalako ngekutiphatsa emsebentini.

Egameni lePublic Service Commission, ngitva ngihloniphekile kutsi ngetfule kuto tonkhe tisebenti tahulumende waseNingizimu Africa lencwajana lekhuluma ngekutiphatsa kwato emsebentini. Lomtsetfo uyinsika lemcoka nangabe kufanele kwakhiwe hulumende lotawubusa kahle, kanye netisebenti letitsembekako. Ukhuluma nangetihloko letiphatselene nekuhlonipha emalungelo ebantfu, umtsetfo wesive, kuphumela sobala ngemsebenti, kubika ngemsebenti kanye nekufeza tidzingo temiphakatsi letahlukahlukene.

iPublic Service Commission icela tonkhe tisebenti tahulumende, letincane naletinkhulu, kutsi tikhombise kutsi tiyawuvisisa umtsetfo longamele kusebenta kwato. Loku kumcoka kakhulu nangabe tinsita kufanele tifike esiveni. Lokunye lokumcoka kutsi tisebenti tati kutsi akukafaneli titfole titho ngoba loku kungatsatfwa njengekutsi tiyadizelwa.

Sitsandza kubonga nekudvumisa bonkhe baphatsi netikhulu labatfutukisa kutiphatsa kahle emsebentini. Ngiyanicela kutsi nichubeke nente umsebenti wenu lomuhle, futsi lobabatekako.

iPublic Service Commission iyetsemba kutsi lencwajana itawusita kweluleka tisebenti kutsi titiphatsa ngenhlonipho emsebentini, ngenhloso yekucedza kukhwabanisa nenkhohlakalo.

Kwekugcina, ngitsandza kucela tonkhe tisebenti tahulumende kutsi tilandzele umtsetfo letibekelwe wona, futsi tati kutsi lencwajana icuketseni.

Prof. SS Sangweni

Sihlalo welitiko lemisebenti wahulumende (iPublic Service Commission)

2. EMAVI EKUBONGA

Umsebenti wekubhala lencwajana lekhuluma ngekutiphatsa kwetisebenti tahulumende bewungeke ube yimphumelelo ngaphandle kwelusito nekutimisela kwetihlangano letimbalwa, kanye nalabanye bantfu lekufanele sibabonge:

- Ematiko ahulumende lahlukene etifundzeni kanye newavelonkhe lasinikete teluleko letihle, kanye naleminye imininingwane ;
- Lihhovisi letekuvikelwa kwemphakatsi (Public Protector) lenalo lelifake sandla ngendlela lemangalisako kulomsebenti;
- Tinhlango tebacashi, kanye netinyonyane tetisebenti lebetihambela imihlangano lengapheli, kanye nemifundzasikolo ngenhloso yekwengeta kulomsebenti;
- Tisebenti telihhovisi lePublic Service Commission letilekelele ngekucwaninga nangekubhala lencwajana;
- Kwekugcina, sitsandza kubonga lihhovisi lelincusa laseBrithani leliphatselene nentfufuko emhlabeni, iBritish Department for International Development, ngekukhipha timali tekushicilela lencwajana lekhuluma ngekutiphatsa kwetisebenti tahulumende emsebentini.

3. INCWAJANA LECHAZA NGEKUTIPHATSA KWETISEBENTI TAHULUMENDE

3.1 SINGENISO

- 3.1.1 Inhloso yalencwajana kuchaza ngalokucuketfwe ngumtsetfo wahulumende ngalokugcwele. Kudzingeke kutsi kusetjentiswe emagama lamafishane, lacondzile, kanye nematemu lasemtsetfweni ngesikhatsi kubhalwa lencwajana. Lencwajana ihlose kwenta kutsi lomtsetfo uvakale kamalula kuto tonkhe tisebenti tahulumende.
- 3.1.2 Lencwajana ayengeti leminyane imitsetfo lemisha. Ihlelwe ngendlela lefanako kanye nemtsetfo losavele akhona kute kubemalula kuyicatsanisa. Ematiko ahulumende ngekuhlukana kwawo kufanele asebantise tibonelo tawo nakachaza ngalomtsetfo.
- 3.1.3 Kufanele kugcizelelwe kutsi kubuyeketwa kwalencwajana kungumsebenti lochubeka njalo.

3.2 KUCECESHWA

- 3.2.1 Tisebenti tahulumende kufanele tikhutsatwe kutsi ticabange, futsi titiphatse ngendlela lenebuntfu ngenhloso yekutfufukisa lizinga lelisetulu lekusebenta. Ngako-ke, lencwajana kufanele isite ekutfufukiseni tinhlelo letimfishane tekucecesha tonkhe tisebenti. Lencwajana icuketse tibonelo letinyenti letikhombisa tindlela letahlukene tekutiphatsa kwebantfu emsebentini. Ngekuysibentisa nalelotiko lingatakhela tinhlelo talo tekucecesha tisebenti.
- 3.2.2 Ngekusebentisana nemtsetfo wahulumende, lencwajana ingasita kugcina litsemba lesive kuhulumende, kanye nekutsi singalindzela imphatfo lenjani nasifuna lusito.

3.3 UMSEBENTI WEBACASHI KANYE NETISEBENTI

- 3.3.1 Kuliciniso, futsi kuyamukeleka kutsi bonkhe bantfu bafundza ngekubona. Ngako-ke bacashi (tindvuna tembuso kanye netindvuna tato), kanye nalabanye baphatsi bematiko ahulumende banemsebenti lokhetsekile wekucinisekisa kutsi bakha inkhundla lekahle letawudala kutsi tisebenti titiphatse kahle, futsi tikwati nekutfolela tibonelo letihle. Loku kufanele kwenteke ezingeni letepolitiki, kanye nakuwo onkhe emagatja ahulumende.
- 3.3.2 Sigaba 195(1)(a) Semtsetfosisekelo sithi “kufanele kutfutukiswe futsi kugcinwe lizinga lelisetulu lekusebenta, ikakhulukati kuhulumende. Mayelana nesivumelwano lesatsatfwa nguhulumende, tinyonyane tetisebenti takhe,

kanye nalabanye lasebentisana nabo (iPublic Service Co-ordinating Bargaining Council Resolution 2 of 1999), tonkhe tisebenti kufanele tilandzele umtsetfo lobekiwe. Loku kwenta kutsi bacashi bakwati kutikhuta natonile, kukhulumisana nato, kanye nekucondzisa tigwegwe nakufanele. Bacashi kufanele bacinisekise kutsi tisebenti tiyakwati konkhe lokucuketfwe ngumtsetfo lobekiwe.

- 3.3.3 Kumcoka kuphindza kutsi inhloso lenkhulu yalomtsetfo kwakha, kanye nekutfufukisa kutiphatsa ngendlela lesibonelo. Ngaphandle kwaloku, sisebenti sitawutfweswa licala ngaphasi kwePublic Service Co-ordinating Bargaining Council Resolution 2 of 1999). Ngakulokunye, singahle sitsatselwe tinyatselo letihambisana nesigaba 18 kuya ku27 ngekusho kwePublic Service Laws Amendment Bill of 1997 nangabe sephula noma nguyiphi incenye yemtsetfo wahulumende wekutiphatsa emsebentini.

4 SELULEKO NGALOKUCUKETFWE NGULOMTSETFO

4.1 BUDLELWANE NESISHAYAMTSETFO KANYE NEMBUSO (TINDVUNA TEMBUSO)

4.1.1 Sisebenti sitsembeke kuhulumende wakuleli, sihlonipha umtsetfosisekelo, futsi silandzele umtsetfo welitiko laso mihla yonkhe.

Nakukhulunywa “ngeRepublic” kushiwo iNingizimu Africa. Kubaluleke kakhulu, futsi kuyafuneka, kutsi tonkhe tisebenti tahulumende titsembeke.

Umtsetfosisekelo ukhuluma ngetihloko leticondzene nemalungelo, kanye netidzingo tetakhamiti takuleli. Kwekucala nje, lomtsetfo ufuna kutsi tisebenti titsembeke kuhulumende lokhetfwe ngaphasi kwentsandvo yelinyenti. Kwesibili, wonkhe umuntfu kufanele amukele, futsi ahloniphe kwekutsi lelive lingamelwe ngumtsetfosisekelo. Kwesitsatfu, tonkhe tisebenti tahulumende kufanele tikwati lokucuketfwe ngumtsetfosisekelo, kanye nemgomo wawo kute tikwati kwengamela live.

Sibonelo sekucala: Tisebenti tahulumende letahlukene tinesandla ekubhaleni lisu lekwa kha umtsetfo. Emasu lafana naleli kufanele ahlolisise kutsi awawuphuli yini umtsetfosisekelo. Kufanele kucinisekiwe kutsi sive sifaka umbono waso, nekutsi kute lokufihlwako nakwentiwa lomsebenti.

Sibonelo sesibili: Sigaba 33(2) semtsetfosisekelo sishi nangabe kukhona umuntfu lekuphulwe lilungelo lakhe ngenca yekusebenta kwahulumende, lowo muntfu kufanele aniketwe tizatfu letibhaliwe letichaza kabanti ngaloku. Loku kusho kutsi tisebenti tahulumende kufanele tacinisekise kutsi tilandzela umtsetfosisekelo ngekuniketa tizatfu letivakalako. Wonkhe umuntfu lonenkinga lefanako kufanele aniketwe tizatfu letibhaliwe. Tonkhe tento temahhovisi ahulumende kufanele tingafihlwa.

4.1.2 Tonkhe tisebenti kufanele tibeke embili tidzingo temphakatsi emsebetini wato.

Loku kusho kutsi nangabe kufanele kutsatfwe tincumo letitsite, sisebenti lesenta loku kufanele sicabange ngekubeka tidzingo temphakatsi embili. Tidzingo talesosisebenti atisimcoka kwendlula temphakatsi ngalesosikhatsi.

Sibonelo sekucala: Makhenikha losebenta esibhedlela ubophelelwe yincwadzi yakhe yekucashwa kutsi acale kusebenta nga8:00 ashayise nga16:30. Kute sivumelwano lesimile lesiphatselene nekutsi asebente sikhatsi leseccile. Litulu lishaye emapali agesi kulesibhedlela, kwase kusetjentiswa i-generator emagumbini ekuhlindza bantfu. Nale-generator inetinkinga, wacelwa kutsi ayilungise nga16:00. Kulindzeleke kutsi achubeke nemsebenti wakhe aze acedze naloku sikhatsi sakhe sekushayisa sesindlulile.

Sibonelo sesibili: Tisebenti letinyenti telihhovisi lesifundza lalinye litiko lahulumende tifuna kutsatsa ilivu ngaDecember. Nangabe tiniketwa lelivu kungasho kutsi tinsita letiniketwa umphakatsi tingatsikameteka. Kutawufanele kukhulunywane emakhatsini waletisebenti nebaphatsi bato, kwentela kutsi umsebenti uchubeke, kumbe nalabaphatsi basebente nabo.

4.1.3 Sisebenti silandzela umtsetfo wahulumende wangalesosikhatsi ngekutsembeka nasenta umsebenti waso.

Umtsetfosisekelo uvikela emalungelo awo wonkhe umuntfu ekutikhetsela noma ngabe nguliphi licembu letepolitiki lalitsandzako. Licembu leliphumelele elukhetfweni ngilo lelitawubusa. Loku kungasho kutsi lomphumela ungahle unghambisani netidzingo taletinye tisebenti tahulumende. Kungaphindze kusho kutsi tindhlelo talohulumende lomusha tingahle unghambisani netidzingo tetisebenti letahlukahlukene. Noko tisebenti tahulumende tilindzeleke kutsi tisebentisane nanoma ngumuphi hulumente lokhetfwe ngaphasi kwentsandvo yelinyenti ngekutimisela, futsi tilandzele nemigomo yakhe.

Sibonelo sekucala: Sisebenti sahumende sikholwa kutsi kuniketwa kwemiphakatsi umtfolamphilo ngiko lokumcoka kakhulu eveni, kantsi futsi siseka licembu letepolitiki lelihambisana nalombono. Hulumente lobusako, noko, ucabanga kutsi lokumcoka kuniketa bantfu tindlu nekulwa nebugebengu. Lesisebenti kutawufanele samukele kusebentisana, siphindze silandzele imigomo yahulumende wangaleso sikhatsi. Noko loku akusho kutsi akukafaneli silalelwe nasinombono.

Sibonelo sesibili: Nangabe hulumente wangalesosikhatsi afuna kuchubeke neluhlelo lolutsite, kantsi futsi kusemahlombe esisebenti lesitsite kutsi sente lomsebenti, lesisebenti, nanoma asihambisani naloluhlelo, kufanele sibeke eceleni tidzingo taso, sicabangisise kutsi nguyiphi indlela lencono kunato tonkhe letawujabulisa imiphakatsi lekufanele kutfulwe ngayo loluhlelo.

4.1.4 Sisebenti noma ngabe ngusiphi sitama kwati nekulandzela yonkhe imitsetfo lephatselene nekutiphatsa kanye nemsebenti waso.

Kute tikwati kusebentela kahle hulumende wangalesosikhatsi kanye nesive, tisebenti kufanele tiwati umsebenti wato kutsi ucuketseni, imitsetfo lephatselene nekuwenta, kanye nato tonkhe tindhlelo lekufanele tilandzelwe.

Kungumsebenti wetindvuna kucinisekisa kutsi tonkhe tisebenti tiyati kutsi umsebenti wato ucuketseni. Nato tisebenti kungumsebenti wato kutfole lwati ngaletikwentako, tikwati kusebenta ngendlela legculisako, lehambisana nemitsetfo netindhlelo tendzawo letisebenta kuyo; kwentela kutsi tifeze tidzingo temphakatsi letiyisebentelako.

Sibonelo sekucala: Ngobe asiwati umtsetfo longamele kusetjentiswa kwetimali tahulumende, sikhulu lesitsite sitawuvumela kutsengwa kwemshini ngaphandle kwekutfole imvume yelihhovisi leligcina timali tahulumende. Kwenta loko kutawusho kutsi lesisebenti besite ligunya lekutsenga lomshini, kantsi futsi kungacine sekumikiswana enkantolo, kucitfwe timali letinyenti kute kutfolakale lemali yahulumende.

Sibonelo sesibili: Ngenca yekutsi sisebenti asinalwati, singatjeli umuntfu lofake sicelo sekutfole impesheni lonkhe liciniso, noma imali lekufanele ayitfole. Loku kungayikhinyabeta kakhulu imphilo yalowo muntfu emphakatsini.

4.1.5 Sisebenti sahumende sisebentisana nawo onkhe ematiko akhe lakhiwe ngaphasi kwemtsetfo kanye nemtsetfosisekelo kute kutfutfkiswe tidzingo temphakatsi.

Kwakhiwe ematiko lambalwa ngaphasi kwemtsetfosisekelo (Litiko letekushushiswa kwemphakatsi, lekuvikela umphakati, lemcwaningi wemabhuku ahulumende, lelibukene nekulinganiswa kwebantfu ngebulili emisebentini etc.) nalamanye ematiko lakhiwe ngaphasi kwemtsetfo (emabhodi emathenda, emakomishane laphenya ngenkhohlakalo etc.). Onkhe lamatiko anemsebenti wekucinisekisa kutsi tintfo tihamba kahle. Ngako-ke tisebenti tahulumende akukafaneli tiwatsatse kabi lamatiko, kepha kufanele tiwasite kutsi ente umsebenti wawo kahle, kumbe ngekuwaniketa yonkhe imininingwane netinchazelo letifunekako.

Sibonelo sekucala: Nangabe lihhovisi letekuvikelwa kwemphakatsi kufanele liphenye ngesikhalo sesakhamiti sakuleli lesiphatselene nelitiko lelitsite lahulumende, litawulindzela kutsi lisitwe tisebenti talelotiko ngekuliniketa yonkhe imininingwane leliyifunako.

Sibonelo sesibili: Nangabe umcwaningi wemabhuku ahulumende atfole kutsi timali telitiko lelitsite atigcinwa kahle, lelitiko akukafaneli liyitsatse kabi lendzaba. Kufanele lamukele lokutfole ngulelihhovisi, liphindze lisebentisane nalo ekulungiseni tinkinga letikhona.

4.2 BUDLELWANE NESIVE

4.2.1 Sisebenti sitfutukisa lubumbano nenhlalakahle yesive saseNingizimu Africa ngekwenta umsebenti waso.

Singeniso semtsetfosisekelo sitsi kwamukelwa kwawo kwentelwe (kutsi) –

- kucedza kungevani lobekukhona ngaphambilini, kwakha imiphakatsi lehambisana nemitsetfo yentsandvo yelinyenti, kwahlulela ngendlela lefanele, kanye nekuphakamisa emalungelo ebantfu;
- kwakhiwe insika letawusimisa iphindze iseke hulumende lokhetfwe yintsandvo yelinyenti, kantsi futsi tonkhe takhamiti takuleli tivikelwe ngumtsetfo ngekufana.
- kutfutukiswe lizinga lemphilu lawo wonkhe umuntfu losakhamiti, kukhutsatwe nemakhono emuntfu ngamunye; futsi
- kwakhiwe iNingizimu Africa lebumbene, lelandzela umtsetfo wentsandvo yelinyenti, lekwatiko kutimela emkhatsini walamanye emave emhlaba.
- Kute kwateke kugcina imigomo yemtsetfosisekelo, tonkhe takhamiti takuleli kufanele tisebentisane. Tisebenti tahulumende titsatfwa njenga”Hulumende”, ngako-ke kumcoka kakhulu kutsi nato tilandzele lomgomo.

Sibonelo sekucala: Kubambana emsebentini, kuvana, nekusebentisana kahle, kanye nesimo, nemoya lomuhle emkhatsini wetisebenti tetinhlanga letahlukene letisebentisana nesive, kutawubasibonelo lesihle emiphakatsini yakuleli. Sibonelo saloku, lihhovisi leliniketa bantfu tincwadzi tabomatisi, kanye nema-pasipoti.

Sibonelo sesibili: Sisebenti kufanele sitame kufundza lolunye lulwimi lolusetjentiswa endzaweni lesisebenta kuyo ngekutsatsa tifundvo talo. Kufanele sikhutsate kusetjentiswa kwebahummushi ngaletinye tilwimi emihlanganweni nangabe kufanele.

4.2.2 Sisebenti sitawusebenta ngaphandle kwekutsatsa luhlangotsi ngenhloso yekucinisa litsemba lemiphakatsi kuhulumende.

Hulumende usebentela yonkhe imiphakatsi, kantsi nayo ilindzele kuphatfwa ngendlela lefanako, lekhombisa kutimisela, kanye nalekhombisa bungani. Ngako-ke kufuneka kutsi tisebenti titifeze letifiso temiphakatsi ngekuphatsa bonkhe letisebentisana nabo ngekufana, ngendlela letawakha litsemba, iphindze idale kutsi lemiphakatsi ibonge tonkhe tinsita leyititfolako.

Sibonelo sekucala: Sisebenti sinesikhundla etikweni lahulumende lelitsatsa tincumo ngeticelo temiphakatsi tekutfole tinsita. Makhelwane walesisebenti uyati kutsi lesisebenti sinemandla latsite emsebentini, bese usicela kutsi sisebentise lawomandla. Sisebenti kufanele siyicabangisise lendzaba, ngobe tinyatselo taso tingasho kutsi lomakhelwane sewutfole lusito lolundlula lwalabanye.

Sibonelo sesibili: Sisebenti kufanele sicele emakhasimende aso kutsi ame alayinini, kute akwati kutfole lusito nasekufike sikhatsi, ngaphandle kwekukhetsa lesibatsandzako.

4.2.3 Sisebenti silungile, siyasitana futsi akusilukhuni kangako kutsi sitfolakale emsebentini, siphatsa sive njengamkhasimende lekufanele atfole lusito loluhamba embili ngaso sonkhe sikhatsi.

Kumcoka kutsi tisebenti tikwati kutsi ngekusebentela hulumente, titibophelela ekusebenteleni yonkhe imiphakatsi.

Sive silindzele kusitwa, futsi sifuna kutsi tisebenti tahulumende titfolakale, futsi tikwati kusisita ngendlela lelungile, nalegculisako.

Sibonelo sekucala: Sisebenti sitfole lucingo loluvela kulelinye lilunga lemiphakatsi, kepha kuyakhanya kutsi lolucingo belufanele luye kulelinye litiko. Lesisebenti sitjela lelilunga kutsi alitame kulenye indzawo. Loku kungadala kutsi lowekunene agcine afakwa yonkhe indzawo ngaphandle kwekusitwa. Kuyintfo lembi etingcondvweni temphakatsi. Sisebenti kufanele sitfole kutsi nguliphi litiko lelikahle, bese sishayela lelikhasimende.

Sibonelo sesibili: Nangabe sinye setisebenti letisita bantfu labeme emalayinini site lesingakwenta. Lesisebenti kufanele silekelele umlingani waso ngekubita labantfu kutsi bete elayinini laso. Loko kwenteka nangabe lesisebenti siyakwati lokucuketfwe ngumsebenti waso.

Sibonelo sesitsatfu: Nangabe lilunga lemiphakatsi likhulumisana nesikhulu sahumende mayelana nekubeka sikhatsi sekusibona, asesitsi kute litfole imininingwane lefunekako kute litfole indlu yahulumende, lesosikhulu kufanele sitame kuhlangana nalelilunga ngekushesha. Loko kutawusho kutsi tikhulu tahulumende tiyatfolakala natifunwa, futsi tiyafuna nekusita sive.

4.2.4 Sisebenti siyatihlupha ngetintfo letiphatsa kabi noma letikhatsata sive nasenta umsebenti waso, ikakhulukati nakufanele sincume ngentfo letitsite.

Naloku tidzingo, noma tintfo letiphatsa kabi imiphakatsi tingahle, emehlweni etisebenti, tingabonakali njengaletimcoka noma letiphutfumako, tisebenti kufanele tititfobe, futsi tinikete laba bekunene lusito loluphelele, imininingwane noma teluleko kute kucatululeke lenkinga.

Tikhalo letivela emacenjini noma kumuntfu ngamunye kufanele tilalelwe.

Sibonelo sekucala: Kuhlelwe kwakhiwa kwentfolamphilo endzaweni lesemakhaya, kepha kusengakhiwa sibhedlela lesidvonswako. Umphakatsi kufanele ukhulunyiswe kute ukwazi kutikhetsela kutsi ufunani. Loku kutawucinisekisa kutsi kutsatfwa sincumo lesijabulisa wonkhe muntfu usacalwa lomsebenti.

Sibonelo sesibili: Sisebenti sahumende sinemsebenti wekubuketa ticelo letiphatselene nekutfole timali tekusita bantfu labeswelako labafuna tindlu. Nangabe leticelo atibuketwa ngekushesha nangekutimisela, kungasho kutsi lonkhe loluhlelo lwekakha tindlu luhamba kancane, kantsi nalabantfu kutawufanele bahlale emikhukhwini sikhatsi lesidze kungakafaneli. Nangabe bekusheshisiwe bekungeke kwenteke loku.

4.2.5 Sisebenti sitimisele ekuniketeni bantfu lusito ngesikhatsi, kutfutukisa kanye nekuphakamisa tonkhe takhamiti takuleli.

Hulumende wangalesosikhatsi ubeke kwacaca kutsi ufuna kubukana nekutfutukiswa kwemiphakatsi lebeyincishwa ematfuba ngaphambilini, njengaloku kubhaliwe eluhlelweni lwakhe lweReconstruction and Development Programme, i-RDP. Loluhlelo lufanele lulandzelwe ngiwo onkhe ematiko.

INingizimu Africa ilive lelitfutukako, kantsi linyenti letakhamiti takhona, ngenca yetizatfu letahlukene, aliwazi emalungelo ato, tinsita lekufanele tititfole, imitsetfo lekufanele tiyilandzele, kanye nekutsi tifanele tikhulumisane nabani natinetinkinga. Njengaloku humende asita bantfu, tisebenti takhe tinemsebenti wekufundzisa labo labangawazi emalungelo abo, kanye nekubaniketa yonkhe imininingwane lekufanele bayitfole, nekubasiza noma ngayiphi indlela labayifunako. Loku kufanele kwentiwe ngekutitfoba, kulunga nangendlela legculisako, noma ngabe kusho kutsi labantfu abatfunyelwe kulelinye litiko noma libhilidi lahumende.

Sibonelo sekucala: Tonkhe tisebenti kufanele titsatse tinhlelo tentfutuko letihlelwe ngenatiko ato. Kufanele titimisele emsebentini wato, futsi tacinisekise kutsi leto tinhlelo titfulwa ngendlela legculisako, futsi lenemiphumela ngesikhatsi lesibekiwe emiphakatsini noma esiveni.

Sibonelo sesibili: Nangabe tisebenti tisebentisana nemphakatsi emtfolamphilo, kufanele tiwunikete teluleko letigcwele natisola kutsi umniningwane lokhona awutifezi tonkhe tidzingo tawo noma awukapheleli. Nangabe tiyehluleka kukwenta loku, kufanele ticele lusito lwalamanye ematiko, noma lindlulisele lomphakatsi kulabanye bantfu.

4.2.6 Sisebenti asibandlululi emalunga emphakatsi ngekusebentisa buhlanga, bulili, umbala, umnyaka, kukhubateka, inkholo, emasiko, tilimi, kutsi avelaphi nekutsi atsanzana nebantfu bebulili lobunjani.

Njengaloku besekuchaziwe, tisebenti tahulumende tisebentela yonkhe imiphakatsi yakuleli. Akunandzaba kutsi ingulenjani. Tonkhe takhamiti takuleli tinelilungelo

lekuphatfwa ngendlela letiniketa sitfunti. Tisebenti kufanele ticinisekise kutsi kuyenteka loku, futsi tilunge natisebenta nesive.

Sibonelo sekucala: Sisebenti singahle sicabange kutsi umuntfu lekufanele simusite utsandzana nalabanye labanbulili lobufana nebakhe. Noma ngabe lesisebenti asihambisani nalemphilo, akukafaneli simubandlulule lowekunene. Kufanele simuphatse ngendlela lefanako nalabanye.

Sibonelo sesibili: Bantfu labambalwa beme elayinini bese kungena sikhulu lesiphakeme emphakatsini sifune kusitwa ngekushesha. Nangabe sisebenti sahumende sivumela lesikhulu kutsi sece lelilayini, kusho kutsi sibandlulula labo labamele lusito.

4.2.7 Sisebenti asisebentisi kabi sikhundla saso kute sitfutukise noma sicindzetele tidzingo tanoma nguliphi licembu letepolitiki noma licembu lelilwela umphakatsi.

Njengaloku humende asebentela yonkhe imiphakatsi, lefaka ekhatsi bantfu labanetidzingo noma labalwela tintfo letahlukene, emacembu etepoliti, kanye nebantfu labanenkholo lehlukene, etc, kuyalandzela-ke kutsi tisebenti tahlumende tingatingeni tindzaba letingenta kutsi tibonakale shengatsi tikhetsa linye licembu etikwalelinye.

Umtsetfo wahulumende utsi bonkhe bantfu labasebentisana naye kufanele baphatfwe ngendlela lefanako lehambisana nemitsetfo, kanye nemigomo wembuso wangaleso sikhatsi. Sisebenti-ke kufanele sikwati kwehlukana emkhatsini wemsebenti lekufanele siwentele humende wangaleso sikhatsi, kanye nekungenela tindzaba temacembu etepolitiki.

Sibonelo sekucala: Sisebenti sililunga lempakatsi lotsite lochudzelana naleminye kute atfole timali tekulekelelwa nguhulumende njalo ngemnyaka. Lesisebenti sinesikhundla lesisetulu etikweni lekufanele libukete ticelo letitawuniketwa indvuna yembuso lefanele. Sisebenti lesinjalo akukafaneli sisebentise sikhundla saso kukhetsa ticelo letivela emphakatsini noma ecenjini laso, futsi asikavumeleki kutsi singanakekeli ticelo taleminye imiphakatsi. Leso sisebenti kufanele satise baphatsi baso ngelicembu laso.

Sibonelo sesibili: Tonkhe tisebenti tilindzeleke kutsi tiseke tindvuna tato tembuso kanye netetifundza natakha imibiko letsite, etc letawusetjentiswa ngalokusemtsetfweni, lefana netinkhulumo-mphikiswano noma kuhlelwa kwemtsetfo. Noko tisebenti akukavumeleki kutsi tisite tindvuna tembuso noma tetifundza ngemibiko letawusetjentiswa emacenjini ato etepolitiki.

4.2.8 Sisebenti siyahlonipha futsi sivikela sitfunti sawo wonkhe umuntfu, kanye nemalungelo awonkhe wonkhe njengaloku kubhaliwe kumtsetfosisekelo.

Tisebenti kufanele titiphatse ngendlela lehloniphako natihlanganyele nebalngani bato, kanye nemphakatsi, akunandzaba kutsi bantfu letisebentisana nabo banjani, babukeka

kanjani, noma bakusiphi sigaba emphakatsini etc. Kufanele tisebenti titiphatse ngendlela lejabulisako, nalelusito sonkhe sikhatsi.

Sibonelo sekucala: Nangabe tisebenti letisebenta nemphakatsi tivakashelwa ngumuntu lonatsile emsebenzini wato, noma lonemsiqondiso, kufanele timphatse ngendlela lefanako nalabanye, ngekwahlisa umoya bese tiyamsita ngendlela lefanele. Kumcoka kwati kutsi sive sitawube sibukile kutsi uphetfwe njani lowekunene, ngako-ke tisebenti tingasakha noma tingasibhidlita sitfunti sato ngendlela letiphatsa ngayo bantfu labanatsile. Nangabe letisebenti atikhoni kukhuta umuntu lonatsile, kufanele tibite umphatsi wato longakhulumisana nalowekunene ngasese.

Sibonelo sesibili: Tidzingo tebantfu temali letenta kutsi bacele lusito kuhulumende. Tisebenti letibuketa ticelo temali yetenhlalakahle kufanele tivelane nalabo letibasitako ngaso sonkhe sikhatsi.

4.2.9 Sisebenti siyawati emalungelo emiphakatsi ekutfola imininingwane, ngaphandle kwaleyo levikelekile ngaphasi kwemtsetfo.

Umtsetfosisekelo unetigaba letimbili ngaphasi kwalesihloko. Sekucala kutfutukisa kutfolakala kwemininingwane, lokwenta kutsi sive sikwati kutfola noma ngabe yini lemcoxa kuso. Loku kutawenta kutsi umphakatsi ukwati kufaka imibono yawo emigomeni leyingatsandza kutsi isetjentiswe. Kwesibili, loku kutawenta kutsi takhamiti takuleli tikwati kuvikela emalungelo ato latsite. Tingakwati kucela tizatfu letibhaliwe nangabe tingakasitali ngendlela lebetiyilindzile.

Njengaloku tonkhe tisebenti tahulumende tati, kulukhuni kwehlukhanisa kutsi sive kufanele satiswe ini, noma singatiswa ini. Leminye imininingwane ivikelekile, kantsi akulungi kutsi inakekelwe matiko ngaphasi kwemtsetfo weGuidelines on Minimum Information Security Standards lovela etikweni letebunhloli, iNational Intelligence Agency. Nemtsetfo we-Open Democracy Bill uhlose kwakha indlela letawungamela kutsi nguyiphi imininingwane lengavikelwa matiko ahulumende. Loku kuphindze kube lukhuni ngenca yekutsi iLabour Relations Act ya1995 (umtsetfo lovikela emalungelo etisebent) inetincenye letitsite letenta kutsi tisebenti titfole imininingwane kuhulumende njengemcashu kute kuvikele emalungelo ato latsite.

Ingcikitsi yalenzaba kutsi:

- Tisebenti, ngaso sonkhe sikhatsi, kufanele tiwati emalungelo esive ekutfola imininingwane.
- Onkhe ematiko kufanele akhe imitsetfo yawo lehambisana nemtsetfo wavelonkhe kute akwati kubukana nalenzaba emisebenzini yawo.
- Tisebenti kufanele tiwati lomtsetfo.

- Tizatfu netindlela letente kutsi litiko litatse sincumo lesistite kufanele tibhalwe phasi, tiginwe kute kutsi titfolakale natifunwa.
- Nangabe imininingwane lefunwa lilunga lempakatsi ingatfolakali, kufanele kukhishwe tizatfu letivakalako mayelana nekutsi loku angeke kwenteke, futsi lelolunga kufanele latiswe.

Sibonelo sekucala: Kumcoka kakhulu kuniketa emalunga emphakatsi imininingwane ngesikhatsi. Nangabe umuntfu ucela imininingwane nge-busary bese uphendvulwa sesendlulile sikhatsi sekufaka ticelo tekusitwa ngetimali, sizatfu sekukhipha lemininingwane asikafezeki.

Sibonelo sesibili: Nakutsiwa imininingwane ifanele itfolakale, kusho kutsi ifanele igcinwe kahle futsi ingetelelwe nakufanele ngaso sonkhe sikhatsi. Nangabe lilunga lePhalamende lifuna imininingwane letsite lephatselene nenkhulumo-mphikiswano ePhalamende, kwehluleka kwelitiko kuyikhipha ngalokugcwele kungakhinyabeta luhlelo kanye nemigomo yembuso wentsandvo yelinyenti.

Sibonelo sesitsatfu: Kukhipha umningwane longasilo liciniso kuyinkinga. Emalunga emphakatsi, asesibekise, angahle abute ngekuchubeka kweluhlelo lolusha lokusengakavunyelwana ngalo. Sisebenti lesingakwati loku, kepha lesitivele nje kutsi loluhlelo luhamba kanjani singahle sinikete umphakatsi imininingwane lengekho emtsetfweni. Hulumende angahlazeka nangabe kungetiwa tingucuko kuloluhlelo, lugini seluchubeka ngendlela lebeyingakagadvwa ngumphakatsi.

4.3 BUDLELWANE EMKHATSINI WETISEBENTI

4.3.1 Sisebenti siyasebentisana naletinye kute kutfufukiswe tidzingo temphakatsi.

Kumcoka kutsi tisebenti tati kutsi inhloso yemsebenti wato iyafana. Loku kusebentela hulumende wangalesosikhatsi nemphakatsi/sive ngekutetsemba nekutimisela. Ngako-ke tisebenti kufanele tente taba tekusebentisana. Ngekwesekana nangekusitana, nekushiyelana lwati nemibono (lapho kufanele khona), tisebenti titawukwati kusebenta ngendlela legculisako lefeza tidzingo tahulumende kanye netemiphakatsi.

Sibonelo sekucala: Kumcoka kwati inhloso noma umgomo wahulumende, nekutsi yonkhe indzima lencane ledlalwako iyasita ekuletseni buhle lobufunwa nguwonkhe wonkhe. Sisebenti kufanele silalele teluleko noma tiphakamiso taletinye tisebenti takulamanye ematiko. Kute sikhatsi semona kuhulumende.

Sibonelo sesibili: Nangabe sisebenti sibona kutsi lilunga lempakatsi lingasitakala ngekusebentisana nalelinye litiko lahulumende, lesisebenti kufanele sibute ngaloku, noma ngabe letisebenti talelotiko atifuni kusisita ekucaleni.

Sibonelo sesitatfu: Sikhulu sicelwa ngulelinye litiko kutsi siyolisita ekucasheni bantfu labasha. Lesisebenti kufanele sisite nangabe sicelwa. Noko leso sisebenti kufanele sicabange ngemsebenti waso kucala, siphindze sitfole imvume kumphatsi waso.

4.3.2 Sisebenti senta konkhe lesitjelwa kona baphatsi baso, nabantfu labaneligunywa etikwaso, kepha loku akukafaneli kutsi kuphule umtsetfosisekelo noma ngabe ngumuphi umtsetfo wakuleli.

Kumcoka kutsi tisebenti tente letitjelwa kona kute ticinisekise kutsi imiphakatsi itfolo tinsita ngendlela lefanele, futsi lehlelwe kahle. Tinhlango letinkhulu letifana nahulumende tingasebenta kahle nakukhanya kutsi tisebenti tiphendvula kubani, futsi tihlonipha umtsetfo. Nangabe tisebenti tenta letitjelwa kona, tonkhe tintfo tihamba kahle.

Sibonelo sekucala: Sisebenti sicelwa ngumphatsi waso noma lilunga letepolitiki leliphakeme kutsi sente umsebenti lotsite longahambisani nemtsetfo wahulumende. Leso sisebenti kufanele siwati umtsetfo kutsi utsini, futsi sitjele lomphatsi kutsi lalakufunako akukho emtsetfweni. Nangabe lomphatsi unenkhani, leso sisebenti kufanele simcele kutsi abhale phasi lalakufunako, abhale nekutsi lesisebenti sitseni, bese sewubikela labanye labamphetse naye.

Sibonelo sesibili: Nangabe sisebenti sitjelwe ngumphatsi waso kutsi sibeke li-oda lekutsenga tintfo letitsite, kantsi awukalandzelwa umtsetfo wemathenda, lesisebenti kufanele sicele kutsi lendzaba indluliselwe kumgcinimabhuku kutsi atsatse sincumo.

4.3.3 Sisebenti asikhetsi tihlobo nebangani nasisemsebentini, futsi asisebentisi kabi emandla aso, noma siphoccelele letinye tisebenti, noma siphoccelelwe kutsi sisebentise kabi emandla aso.

Hulumende kufanele acashe, atfutukise noma abonge tonkhe tisebenti letiwatiko umsebenti wato. Akunandzaba kutsi titsandza maphi emacembu etepolitiki, tinetikhundla letinjani emphakatsini noma tihlobene nabani. Loku kulandzelako akukavumeleki;

- (a) Kukhetsa bantfu – loku kusho kutsi tisebenti letitsite tiyacashwa, tiniketwa umsebenti loncono, tifunyelwa kulenye indzawo yekusebenta noma tiphafwa ngendlela lehlukile ngobe tingebangani bebacashi etc.
- (b) Kucashwa kwebantfu ngekusebentisa buhlobo – loku kusho kutsi sisebenti sicashwa, siniketwa umsebenti loncono noma siniketwa ematfuba lancono ngenca yekutsi sinebudlelwane/buhlobo nebaphatsi.

Sibonelo sekucala: Tisebenti letimbili (A-na-B) ticala kusebentela hulumende. Tiniketwa tikhundla letifanako, tingebangani, futsi tisebentisa ehhovisini linye. Sisebenti B siniketwa sikhundla lesisetulu kutsi siphatsi sisebenti A. Sineligunya lekuniketa sisebenti A umsebenti lokhetsekile, kute sikwati kumjaja ngendlela lendlula letinye tisebenti. Nakufika sikhatsi seluhlolo, lolutawetfulwa ngumnumzane B, mnumzane A atfole umklomelo naloku kungakafaneli.

Sibonelo sesibili: Sisebenti siyincenye yelibandla lelicasha bantfu kuhulumende. Lesisebenti sinconota lomunye umuntfu ngobe ungumngani noma ulilunga lelicembu lelifanako letepolitiki. Loku kucasha umuntfu ngekusebentisa buhlobo. Akuhambisani nemigomo yemtsetfosisekelo, kanye netidzingo tahulumende.

Sibonelo sesitsatfu: Sisebenti lesinesikhundla lesisetulu emsebentini sinetindlela letinyenti lesingasebentisa ngayo kabi emandla aso. Asesibekise, tisebenti letigadze indzawo yekupaka titjelwe kutsi indzawo letsite ibekelwe tikhulu letisetulu kuphela noma tivakashi letisemtsetfweni. Ngako-ke umphatsi walelihho visi angakulaleli loku atjele umkakhe kutsi apake kulenzawo njalo nakafuna kuyisebentisa. Loku kwenta kutsi tisebenti tingawulandzeli umtsetfo, futsi tingabahloniphi nebaphatsi. Kuphindze kutsikamete umsebenti walelihho visi noma litiko.

4.3.4 Sisebenti sisebentisa tindlela letifanele kutsi sivakalise tikhalo taso, noma sicele kumelwa.

Naloku kwamukeleka kutsi tikhalo tingavela ematikweni ahulumende ngalesinye sikhatsi, kutawuzuzwa onkhe emacembu latsintsekako nakucatulula tinkinga tawo ngesikhatsi. Ngiko-ke kwakhiwe tindlela letitsite letingasetjentiswa bantfu labacabene kutsi bacatulule tinkinga tabo. Nakavela tinkinga, kumcoka kwati loku lokulandzelako:

- (a) Kungevani, noma tinkinga, kungacedvwa nakukhulunywana ngenhloso yefikelela esivumelwaneni lesitawujabulisa wonkhe muntfu.
- (b) Nangabe kunekungevani, sisebenti singasebentisa letindlela;
 - (i) Luhlelo lwekucatulula tinkinga (ndlulela kusigaba 35 sePublic Service Act, 1994. Fundza umtsetfo lophatselene nekuphatsa tikhalo tetisebenti tahulumende, Regulation no.6575, 1 July 1999) lolutsi sisebenti singatjela umphatsi waso ngenkinga yaso, lokufanele ayindlulise kulabanye baphatsi labakhulu nangabe uyehluleka kuyicatulula.

Sibonelo sekucala: Umphatsi ubika ngendlela lembi ngemsebenti wemuntfu nakahlolwa ngaphandle kwekumniketa litfuba lekutsi atikhulumele. Loku akuhambisani nemtsetfo weLabour Relations. Umphatsi kufanele akwati kutsi hulumente kufanele abe sibonelo kuletinye tinhlango ngekulandzela imitsetfo yelive, aphindze acinisekise kutsi usebenta ngendlela lengabandlululi.

- (ii) Luhlelo lwelibhodi lelibukene nekuhlanganisa bantfu (mayelana nesigaba 15 Schedule 7 weLabour Relations Act, 1995) lutsi sisebenti singabika ngenkinga yaso kulabasiphetsa, bese bona bakha libhodi lekusihlanganisa nalesinekinga nabo. Lelibhodi kufanele libikelwe ngalenkinga nangabe baphatsi abakwati kuyicatulula.

Sibonelo sesibili: Sisebenti lesikhala ngekutsi sicoshwe ngendlela lengakafaneli, singahle sikhale kumphatsi welitiko laso, lokufanele ayibukisise lendzaba, acinisekise kutsi lenkinga iyacatululwa. Nangabe umphatsi welitiko angayicatululi lenkinga kungakapheli emalanga langemashumi lamabili, sisebenti singacela kutsi kwakhiwe libhodi lelihlanganisa bantu kungakapheli emalanga lalishumi. Nangabe lelibhodi liyehluleka kukwenta loku, sisebenti kufanele sicele lusito lwenkantolo yetisebenti – iLabour Court.

- (iii) Nangabe inkinga iphatselene nekungaphatfwa kahle kwelitiko nguhulumende, sikhalo singandluliswa ehhovisini letekuvikelwa kwemiphakatsi.

Sibonelo sesitsatfu: Sisebenti lesatiko ngetintfo letingahambi kahle emsebentini singabikela umphatsi welitiko laso. Nangabe asigculiseki ngetinyatselo takhe, singadlulela ehhovisini letekuvikelwa kwemiphakatsi. Singaphindze sihambe siticondzele sona kulelihhovisi nakunetizatfu letitsite.

4.3.5 Sisebenti sitimisele kucinisekisa kutfutfuka kwebantfu labasebenta ngaphasi kwaso, kanye nekusebentisa imitsetfo levumelekile, futsi levakalako.

Kute kufezeke yonkhe imigomo yahulumende, lefaka ekhatsi kuniketa imiphakatsi tinsita letiphelele, letihamba embili, bonkhe baphatsi bematiko ahulumende kufanele bacinisekise kutsi tisebenti tabo tinemakhono lafanele ekwenta umsebenti wato ngalokuphelele, futsi tihlala tikhutsatekile kutsi tisebente. Nakenta loku, umphatsi kufanele acabange loku lokulandzelako;

(a) Kutfutfkiswa kwemakhono etisebenti kusho kutsi sisebenti lesiphetse kufanele –

- (i) sivilise kutsi kutfutfkiswa kwetisebenti kukuketseni;
- (ii) sichubeke nekubuka tidzingo tekutfutfkiswa kwetisebenti;
- (iii) sakhe luhlelo lwekutfutfkisa letinye tisebenti;
- (iv) sicinisekise kutsi loluhlelo luyalandzelwa; futsi
- (v) sichubeke nekugadza kutsi loluhlelo luhamba kanjani

Sibonelo sekucala: Umphatsi kufanele, ngekusebentina nesisebenti lesisha, asho kutsi sidzingani kute sitfutfikise emakhono aso. Leto tidzingo kufanele tifikwe ngaphasi kweluhlelo lwekuticecesha, loluhambisana nalomsebenti. Kufanele kuhlelwe luhlelo lolutawukhombisa kutfutfuka kwaleso sisebenti.

(b) Kukhutsatwa kwetisebenti kusho kutsi sisebenti lesiphetse labanye bantfu kufanele –

- (i) sivilise kutsi kukhutsatwa kukuketseni/kuyini;
- (ii) sibuyekete lizinga lekukhutsateka kwetisebenti;
- (iii) sicale indlela letawuphakamisa lizinga lekukhutsateka kwetisebenti; siphindze
- (iv) sichubeke nekunakekela kutsi lomsebenti uhamba kahle.

(c) Kusetjentiswa kwetisebenti kusho kutsi umphatsi wato kufanele –

- (i) avisise kutsi kuyini kusetjentiswa kwetisebenti;
- (ii) kufanele abuyekete nelizinga lekusetjentiswa kwetisebenti;
- (iii) acale tindlela letitawucinisekisa kutsi tisebenti tisebenta ngekutimisela; futsi
- (iv) achubeke nekunakekela kutsi kusetjentiswa kwetisebenti kuhamba kahle.

Sibonelo sesibili: Baphatsi kufanele bachubeke nekunakekela lizinga lemsebenti wetisebenti tabo kute bacinisekise kutsi tisebenta ngendlela lefanele. Loku kutawuvimbela inkinga yekutsi kube khona bantfu labasebenta kakhulu, kanye nalabasebenta kancane. Tisebenti kufanele tikhutsatwe kutsi tiyati yonkhe imisebenti nalengesiyo yato, kwentela kutsi tikhule emsebentini wato.

(d) Kutfutukiswa kwebudlelwane lobugculisako kusho kutsi umphatsi kufanele –

- (i) avisise kutsi budlelwane lobuhle emkhatsini wetisebenti buyini;
- (ii) ahlolisise ngekusebenta kwako;
- (iii) acambe tindlela tekutfutukisa budlelwane lobuhle;
- (iv) ahlale abuyeketa budlelwane betisebenti.

Sibonelo sesitsatfu: Baphatsi kufanele bahlale baligadzile lizinga lenfutuko yetisebenti tabo, batsatse tinyatselo nangabe tisebenti ativani.

4.3.6 Sisebenti siphatsana ngendlela lekahle naletinye, futsi lekhombisa kutsi siyawati umsebenti waso. Asibandlululi ngekwebuhlanga, bulili, umbala, iminyaka, emasiko, inkholo, kukhubateka, lulwimi kanye nekutsi bantfu batsandzana nalabanye labenebulili lobufanako.

Umtsetfosisekelo, umtsetfo longamele kucashwa kanye nekusebenta, kanye nemtsetfo waseveni kuniketa tisebenti tahulumende lilungelo lekuphatfwa ngendlela lefanako. Nangabe lelilungelo liyanyatselwa, letisebenti tingasebentisa umtsetfo wePublic Service Act wanga1994, Public Services Regulations and the Labour Relations Act wanga1995, noma tivakashele inkantolo yemtsetfosisekelo, inkantolo lenkhulu iSupreme Court noma lihho visi letekuvikelwa kwemiphakatsi kute tisitakale. Ngako-ke kumcoka kutsi baphatsi bakwati kutsi imphatfo lenhle iyini.

(a) Nangabe afuna kusebentisana nalabanye bantfu, umphatsi kufanele -

- (i) ahloniphe njalo emalungelo labhalwe kumtsetfosisekelo, kanye nasemtsetfweni wesive, noma ngumiphi umtsetfo lomile;
- (ii) anikete letinye tisebenti litfuba lekutikhulumela;
- (iii) avumele letinye tisebenti kutsi timelwe nakacelwa;
- (iv) avume kuphumela ebaleni nakakhulumisana nalabanye.

Sibonelo sekucala: Nangabe sisebenti, asesitsi, sibekwa licala lekutiphatsa kabi, kufanele sitsatselwe tinyatselo letihambisana nemtsetfo.

Kulingana kwebantfu kusho kutsi kufanele kulandzelwe indlela letsite yekucondzisa tigwegwe, kantsi sisebenti kufanele -

- sitjelwe kusenesikhatsi ngelicala lesitfweswe lona;
- siniketwe litfuba lekutikhulumela embikwelikomishane leliphenyako;
- sibe nelilungelo lekumelwa;
- sikwati kutfola yonkhe imininingwane lefunekako;
- sibe nelilungelo lekufaka fakazi kulelicala imibuto, futsi
- sibe nelilungelo lekuphikisa sincumo lesitsatsiwe.

Kuphatfwa ngendlela lefanako kusho kutsi kufanele kucabangisiswe ngawo onkhe emaciniso embikwekutsi kutsatfwe sincumo.

(b) Kute sisebentisane ngendlela lefanele naletinye tisebenti, sisebenti kufanele –

- (i) sibe nelwati lolugcwele ngalokukhulunywa ngako;
- (ii) siphendvule ngekushesha nangabe kukhona lesicelwe kutsi sikwente;
- (iii) sisebentise ingcondvo yaso kuleto tintfo letimcoka;
- (iv) sisebentisane nalabanye ekucatululeni tinkinga;
- (v) sihloniphe emalungelo aletinye tisebenti; futsi
- (vi) siphindze sicabange ngetindzingo talabanye.

(c) Kusebentisa ngekulingana naletinye tisebenti kusho kutsi sisebenti kufanele –

- (i) singabandlululi letinye tisebenti noma ngabe ngayiphi indlela;
- (ii) siphatse letinye tisebenti ngekulingana ngaso sonkhe sikhatsi;
- (iii) sisebentise indlela lefanako nasitsatsa tincumo letitsintsa labanye.

Sibonelo sesibili: Umphatsi uniketa tisebenti tenkholo yakhe emaholide, kepha akafuni kuniketa letinye letingasiwo emalunga alenkholo emaholide. Loku kubandlulula. Onkhe emacembu enkholo kufanele aphaatfwe ngendlela lefanako.

4.3.7 Sisebenti asiyingeneli imisebenti yemacembu etepolitiki emsebentini.

Umtsetfosisekelo utsi hulumende akukafaneli kutsi asebentise tindlela tepolitiki nakaniketa imiphakatsi tinsita. Loku kusho kutsi tisebenti tahulumende kufanele tisite tonkhe takhamiti takuleli, tingakhetsi. Futsi tisebenti tahulumende akukafaneli kutsi tiftufukise imigomo noma tidzingo telicembu lelitsite letepolitiki.

Sibonelo sekucala: Umuntfu logcoka sikipa lesinemfanekiso welicembu lelitsite ngesikhatsi aniketa umphakatsi tincwadzi tabomatsi angasolwa ngekutfutfkisa tidzingo talelicembu nangabe uyehluleka kwakha letincwadzi ngesikhatsi, noma ngabe akusiso

siphosiso sakhe. Futsi nelilunga lempakatsi lingaphatseka kabi ngekusitwa ngumuntfu lomele tidzingo telicembu lelitsite.

Sibonelo sesibili: Sisebenti lesiniketa emacembu latsite imininingwane lekufanele itfolwe ngumphakatsi, kepha salele lamanye kutsi atfole lemininingwane sehlulekile emsebentini waso wekusita bonkhe bantfu bakuleli, noma ngabe baliphi licembu.

4.4 KWENTA UMSEBENTI

4.4.1 Sisebenti siyatimisela kute sifeze imigomo yelitiko laso, letawusita umphakatsi.

Njalo ngemihla, tisebenti kufanele titibute kutsi umsebenti wato uyangetelela yini emigomeni welitiko lato wekuniketa umphakatsi tinsita. Loku kusho kutsi tonkhe tisebenti kufanele tiyati imigomo yematiko ato, nekutsi yini umsebenti wawo.

Bonkhe baphatsi bahulumende kufanele batibute kutsi umsebenti wabo uyangetelela yini emigomeni welitiko labo wekuniketa tinsita.

Baphatsi netisebenti kufanele bagadze kutsi abawuphindzi yini umsebenti lokufanele wentiwe ngulelinye litiko.

Sibonelo sekucala: Sisebenti sidlala imidlalo ku-computer lesehhovisini ngesikhatsi semsebenti. Loku kusho kutsi sitsatsela phasi umfutfo walabanye, futsi kumosha sikhatsi nemali yahulumende. Nangabe umuntfu ute langakwenta kufanele atjele umphatsi wakhe kute amunikete lomunye umsebenti lotawutfufukisa imigomo yalelitiko.

Sibonelo sesibili: Sikhulu lesibukene nekwabela imali ngaphasi kweluhlelo lolutsite sifanele sicaphele kutsi sisebentisa imali yesive kute sifeze imigomo yaloluhlelo. Loku kusho kutsi lesikhulu kufanele sihlele kahle umsebenti waso, kute sivimbele kutsatsa tincumo ngekushesha.

4.4.2 Sisebenti siyacabanga nasenta umsebenti waso, sifuna tindlela letihlakaniphile tekucatulula tinkinga.

Tisebenti kufanele titsintseke ngalokugcwele natenta umsebenti wato. Kufanele ticabange ngaletikwentako ngaso sonkhe sikhatsi, tisheshise natenta umsebenti wato kute tibe nemphumela lomuhle. Tinyenti tinkinga letingavela ngesikhatsi semsebenti. Tisebenti kufanele titame kucatulula letinkinga ngekushesha, tiphindze titame nekucabanga ngetindlela letingavimbela letinkinga kutsi tiphindze tenteke.

Sibonelo sekucala: Nangabe sisebenti selitiko leliniketa titifiketi sitfola kutsi bantfu labanyenti bayakhala ngetindlela letilandzelwako nakwentiwa lomsebenti noma sikhatsi labasilindzako asibajabulisi, singacabanga ngetindlela letingenta kutsi lomsebenti wentiwe ngekushesha, bese sitjela umphatsi waso.

Sibonelo sesibili: Nangabe sisebenti selitiko lesisebentisana nemphakatsi sibona kutsi uyasokola kutfolo indzawo yekupaka noma kufanele ame emalayinini sikhatsi lesidze. Lesisebenti kufanele sicabanga ngetindlela tekukucedza loku. Mhlawumbe ngekususa lelihhovisi liyiswe kulenye indzawo.

4.4.3 Sisebenti siwenta ngesikhatsi umsebenti waso.

Tisebenti kufanele tikwati kutsi umsebenti wato umcoka kakhulu, kantsi kute lokwendlula loku. Kungumsebenti wemuntfu ngamunye kucinisekisa kutsi umsebenti wakhe uwucedza singakashayi sikhatsi sekushayisa.

Tisebenti kufanele titimisele emsebentini wato, titikhutsate tona, tente umsebenti wato ngekwetsembeka, tilandzele imitsetfo lebhawle phasi ngaphandle kwekukhumbutwa ngumuntfu.

Sibonelo sekucala: Sisebenti sifika emsebentini sidziniwe ngenca yekuphuta kulala ngayitolo ebusuku, futsi asikwati kwenta umsebenti waso kahle. Leso sisebenti sinelicala lekutiphatsa kabi nekumosha imali yahulumende.

Sibonelo sesibili: Nangabe sisebenti kufanele sicedze umsebenti lophutfumako ngesikhatsi, kufanele sisebente ngendlela letawenta kutsi sicedze ngesikhatsi. Loku kungasho kutsi kufanele sisebente ngesikhatsi selitiya, semadina noma emuva kwemsebenti. Singaphindze sicele lusito lwebalingani baso nangabe lomsebenti munyenti.

4.4.4 Sisebenti senta umsebenti waso ngendlela lebabatekako, futsi lekumbisa kutsi siyawati.

Tisebenti kufanele titibute kutsi tigculisekile ngemsebenti wato-na, nekutsi betitawunetiseka yini nangabe benkungito letifola lusito. Tisebenti kufanele titibute kutsi tibaphatsa kanjani labanye bantfu (balingani bato, baphatsi kanye nemaphakatsi). Tibaphatsa ngendlela lehlonipha sitfunti sabo kanye nemalungelo abo, lelilungile, lenelusito kanye nesimilo. Lizinga lekuniketa imiphakatsi tinsinta lihambisana nelwati lwetisebenti ngaletikwentako. Loku kufakazela bumcoka bekuceleshwa kwetisebenti nebaphatsi.

Sibonelo sekucala: Ngalesinye sikhatsi sisebenti sitfolo kutsi umuntfu lesimunitako akeva kutsi kuya ngani tintfo tentiwe ngendlela letsite. Lesisebenti akukafaneli sikwate, kepha kufanele sitame kwehlisa umoya sinikete lowekunene tizatfu taloku. Nangabe lomuntfu akagculiseki, lesisebenti kufanele simcele kutsi abhale phasi sikhalo sakhe, simnikete likheli lalapho angasitfumela khona.

Sibonelo sesibili: Nangabe sisebenti sinemsebenti wekuphendvula tikhalo temphakatsi, kufanele sicinisekise kutsi letikhalo tiphendvulwa ngekushesha, kantsi nalemphendvulo iyevakala, iliciniso. Nangabe kwenta loku akusimalula, lesisebenti kufanele sisho kutsi siyitfolile incwadzi yetikhalo.

Sibonelo sesitsatfu: Sisebenti lesisha sisebenta ngaphandle kwekugadvwa, kantsi futsi asikaceceshwa. Kungashiwo kutsi lesisebenti kufanele sitifundzele lomsebenti, kepha akukafaneli kukhohlwe kutsi loku kungadala umonakalo lomkhulu nangabe lesisebenti asiwenti umsebenti lomuhle. Kungawati umsebenti kungadala kutsi bantfu labafuna lusito babambeleleke kungakafaneli.

4.4.5 Sisebenti asiwenti umsebenti lophikisana noma losivimbela kutsi singawenti umsebenti waso losemtsetfweni.

Kute tisebenti tahlumende tihlale titsembekile, kufanele tisebente ngekutimisela. Loku kusho kutsi akukafaneli tingenele letintfo letilindzelako, noma ngabe tisebentini, noma ngabe atikho. Tintfo:

- (a) letiphatselene nenkhohlakalo nekweba;
- (b) letitsikameta kwenta umsebenti wato;
- (c) letiphocelala indlela letenta ngayo umsebenti wato;
- (d) letitsikameta kutimela kwato natitsatsa tincumo;
- (e) letingahlaza hulumende njengemcash; noma
- (f) letingakhombisa kutsi letisebenti titsandza licembu lepolitiki lelitsite

Kutiphatsa kwetisebenti ngaso sonkhe sikhatsi kufanele kube ngendlela leyenta kutsi hulumende nesive batitsembe kutsi tingenta umsebenti wato ngekutimisela, tiphindze tifeze tidzingo temiphakatsi.

Sibonelo sekucala: Sisebenti lesibukene nekubuyeketa ticelo tentsela asikavumeleki, ngesikhatsi semsebenti noma sesishayisile, kutsi sisite emalunga emphakatsi kutsi abalekele kubhadala intsela. Loku kushiwo noma sitawubhadalwa noma singeke sibhadalwe.

Sibonelo sesibili: Sisebenti asikavumeleki kutsi sisebentele libhodi lenhlangano lesebentisana nelitiko laso.

4.4.6 Sisebenti sitawucela kutikhipha etintwefeni noma ekutsatseni tincumo letitawenta kutsi sizuze ngendlela lengakafaneli, futsi kufanele sikusho kuvakale loku.

Nangabe sisebenti sicabanga kutsi angeke sikwati kuwenta umsebenti waso, noma sitsatse sincumo ngaphandle kwekutsikameteka, kufanele siwuyeke lomsebenti. Loku sikwentela kutsi sivikele ligama lahulumende lelihle lelitfutukisa kwetsembeka.

Sibonelo sekucala: Nangabe sisebenti siyincenye yelicumbu lelitawucasha umuntfu kutsi agcwalise sikhundla lesitsite, bese sitfola kutsi sihlobene namunye walabantfu, kufanele sicele kukhishwa kulelicumbu ngobe angeke sente umsebenti waso ngaphandle kwekutsikameteka. Lesisebenti kufanele sikubhale phasi loku.

Sibonelo sesibili: Nangabe sisebenti siyincenye yelicumbu lelitsenga umhlaba kute kuchutjwe luhlelo lwahulumende, kantsi lomhlaba wesihlobo salo, kufanele sitjele baphatsi baso, bese sicela kungachubeki nekutsenga lomhlaba.

4.4.7 Sisebenti siyavuma kutsi sitawutfolakala nakufanele singenele tindhlelo tekuticecsha, kanye netekutfufukisa emakhono aso emsebentini.

Kungumsebenti webaphatsi kucinisekisa kutsi tisebenti tabo tiyacecshwa njalo ngekuhamba kwesikhatsi kute tikwati kwenta umsebenti wato ngekutimela, nekulungiselela intfutuko yato. Noko, sisebenti ngasinye sinemsebenti wekutsatsa tinyatselo letitawucinisekisa kutsi –

- (a) sinelwati, futsi siyakuvisisa konkhe lesifanele sikwente emsebentini;
- (b) siyati kutsi umsebenti waso wentiwa kanjani; futsi
- (c) sitfutukisa lwati lwaso nemakhono kute konkhe loku kusetjentiswe kusasa

Sibonelo sekucala: Nangabe sisebenti lesisha asati kutsi umsebenti waso wentiwa kanjani, kufanele sifundze tinwadzi letikhuluma ngawo, futsi sicele nelusito lwebalingani baso kanye nelwemphatsi.

Sibonelo sesibili: Tisebenti lesetisite imiphakatsi iminyaka tingakhombisa kungatimiseli emsebentini wato. Kutawutisita kutsi tingenele tindhlelo tekuticecsha, asesibekise nje, ticedzele tifundvo letiphatselene nemsebenti wato.

4.4.8 Sisebenti sitsembekile nasikhuluma ngetimali tahulumende. Sisebentisa kahle imishini yahulumende kanye naletinye timphahla kute tente umsebenti losemtsetfweni.

Sive siyetsemba kutsi tisebenti tahulumende titawutisebentisa, tiphindze titiphatse kahle timali takhe, kanye naletinye tintfo.

Tisebenti kulindzeleke kutsi tilondvolote timali tebantfu labakhokha intsela. Kumcoka kutsi tati kutsi natisebentisa imali lencane, kungasitakala bantfu labanyenti ngaleyomali.

Sibonelo sekucala: Nangabe sisebenti sinemshini we-fax, akukafaneli sitfumele noma sitfola ema-fax aso angase ngaphasi kweligama lekutsi asemsetfweni. Nangabe sifuna kutfumela i-fax yaso, kufanele sitfole imvume, futsi sibhadalele kusebentisa lomshini.

Sibonelo sesibili: Sisebenti lesisebentisa timphahla tembuso (timoto, imishini, ifenisha etc) ngendlela lebudlabha bese siyatiphula. Loku kusho kutsi imali yahulumende

imoshekile, kantsi nebantfu bangatfolo tinsita letingagculisi. Loku akufezi tidzingo temphakatsi.

Sibonelo sesitsatfu: Sisebenti sisebentisa timphahla tembuso kute sente umsebenti waso wangasese. Loku akufezi tidzingo temphakatsi, ngobe lomuntfu akebi nje kuphela kuhulumende nesive lesibhadala intsela, wenta kutsi imiphakatsi ingasamuhloniphi hulumente.

4.4.9 Sisebenti sitfutukisa indlela yekusebenta nekuphatsa lekhutsata kuphumela ebaleni ngetintfo.

Kukhutsata indlela yekusebenta lesobala kusho kutsi tonkhe takhamiti takuleli kufanele tibe nemandla lafanako natifuna kutfolo tinsita kuhulumende. Loku kufanele kusebente ngaphandle kwekubandlulula ngekwebuhlanga, bulili etc. Tisebenti kufanele ticabange ngemigomo lecuketfwe kumtsetfosisekelo natenta umsebenti wato. Ngaso sonkhe sikhatsi tisebenti kufanele titame kucedza umsebenti wato ngaphandle kwekubambelela. Kufanele titame ngaso sonkhe sikhatsi kwenta umsebenti loncomekako, akunandzaba kutsi lomsebenti unjani.

Sibonelo sekucala: Nangabe sisebenti siniketwe umsebenti wekwenta ema-copy embiko lotsite lahambisana netincwadzi lekufanele titfunyelwe kulamanye ematiko, lama-copy kufanele abesesimeni lesikahle. Loku kutawengeta egameni lalelitiko lelihle.

Sibonelo sesibili: Sisebenti lesiphetse lihhovisi lahulumende letekutfutsa kufanele sicinisekise kutsi tonkhe tincwadzi tetimoto tiniketwa baphatsi ngesikhatsi, futsi tikhombisa emakhilomitha laliciniso.

Sibonelo sesitsatfu: Tonkhe tintfo letitsengiwe noma letentekile kufanele tibhalwe kahle phasi kwentela kutsi sisebenti sikwati kutivikela nakavela inkinga. Loku kutawutfutukisa kuphumela sobala ngalokwenteka ematikweni ahulumende.

4.4.10 Sisebenti sitawubikela tikhulu letifanele nangabe sibona tintfo letifana nenkhohlakalo, kukhwabanisa, kuphatsa kabi, kubanbdlulula, kanye nekucasha kwebantfu ngekusebentisa bungani emsebentini. Sitawubika nalokunye lokungafezi imigomo yahulumende, kanye netidzingo tesive.

Inkhohlakalo isho tintfo letifana nekudzizela bantfu noma kukhwabanisa. Iyahambisana naletinye tinhlobo tebugebengu letifana nekushushumbiswa kwetidzakamizwa, kukhwabanisa, kubhadalwa kwetisebenti letingasebenti kanye nebugebengu lobuhleliwe, lobungahle butsikamete umnotfo. Kwekucala, loku kukimata nakunoma ngumuphi umphakatsi. Kuhambisana nebukhali bebantfu bebufuna kunjinga malula. Kwesibili, kubukela phasi umtsetfo ngekubulala listemba lebantfu kuhulumende.

Kwesitsatfu, kutsikameta umnotfo ngekuvimbela batjalitimali kutsi basebentisane neNingizimu-Africa. Inkhohlakalo iphikisa imigomo yembuso wentsandvo yelinyenti. Kufanele icedvwe.

Kungumsebenti wato tonkhe tisebenti tahulumende kubika noma ngabe nguluphi luhlobo lwenkhohlakalo, nekutiphatsa kabi etikhulwini letifanele. Inkhohlakalo ibangwa tintfo letifana nekucasha bantfu ngekusebentisa buhlobo.

Sibonelo sekucala: Umuntfu lonemsebenti wekutfutsa tisebenti tahulumende ngebhasi yakhona angahle ahambe nayo aye ekhaya lakhe. Balingani bakhe beve kutsi uyisebentisa njengethekisi lengenisa imali. Kufanele bambike emsebentini ngekushesha kute atsatselwe tinyatselo. Nangabe loku akwenteki, lendzaba ingabikelwa litiko letekuvikelwa kwemphakatsi.

Sibonelo sesibili: Nangabe sisebenti selitiko letekutfutsa lesiniketa bantfu emathikithi ekuphula umstetfo emgwacweni sidizelwa, kufanele sibike lomuntfu kute ashushiswe. Nangabe sitsatsa lemali, sikhohlakele.

Sibonelo sesitsatfu: Nangabe sisebenti singatenti tintfo letikhohlakele, kepha sinelwati ngalabatentako. Nangabe singakhulumi ngato kusho kutsi siyasita ekuchubekiseni lenkinga. Kufanele sivikele sitfunti sahumumende.

4.4.11 Sisebenti siniketa baphatsi labakhulu teluleko letitsembekile, letitsatfwe emuva kwebuketa yonkhe imininingwane lemcoka.

Nangabe sisebenti sicelwa kutsi sinikete baphatsi labakhulu imininingwane ngendzaba letsite, kufanele sikwente loku ngekutimisela lokukhulu. Leteluleko atihambisani nekutsi umuntu utsandzani, noma yini langayitsandzi.

Sibonelo: Sisebenti lesibukene nesikhalo semuntfu lesimovelako akukafaneli kutsi sigodle lesikwatiko nangabe sicelwa kutsi sivete imininingwane ngalomuntfu. Kugodlwa kwalemininingwane kungafaka lelitiko enkingeni.

4.4.12 Sisebenti siyawulandzela umstefo wekuvikela timfihlo, tinkhulumo kanye nemaphepha latsite lekungakafaneli kutsi afundvwe ngunanoma ngubani.

Kuveta lokwentiwa matiko sobala ngenhloso, kusho kutsi wonkhe umuntfu unelilungelo lekutfole imininingwane legcinwe ngumbuso, nangabe lomniningwane uyadzingeka ekuvikeleni emalungelo alowo muntfu. Kungahle noko, kube nemniningwane loyimfihlo. Nakunjalo, kungumsebenti wetikhulu tahulumende kulandzela umstetfo lovikela lomniningwane.

Sibonelo sekucala: Sisebenti sitabe siyona nangabe siniketa tintsantseli imininingwane leyimfihlo, lefana nalephatselene nemihlangano yetindvuna tembuso, noma kuhlelwa kwemtsetfo lotsite wahulumumende wangalesosikhatsi.

Sibonelo sesibili: Imininingwane yangasese lephatselene netisebenti kufanele ivikeleke ngaso sonkhe sikhatsi. Lemininingwane akukafaneli, asesibekise, iniketwe tinkapani temshwalensi nanoma ngabe ngubani ngaphandle kwesizatfu lesigculisako.

Sibonelo sesitsatfu: Kuchumana ngekwetebuchwephesha

Imininingwane lekhethsekile naleyimfihlo ingatfunyelwa ngema-fax nangabe kute lenye indlela lencono lengasetjentiswa. Kufanele kuvunyelwane emkhatsini wemuntfu lotfumela leyo fax kanye nalolokufanele ayitfole embikwekutsi ihanjiswe. Imininingwane lekutsiwa ivikeleke kakhulu akukafaneli itfunyelwe nge-fax, ngaphandle kwekucinisekisa kutsi angeke kwenteke lutfo kiyo. Lemininingwane kufanele ihlale ikhiyelwe.

KUGADVWA KWEMININGWANE: Imininingwane lehlukene kufanele itfolakale kulabo labayifunako. Kufanele kutfolwe indlela yekuhlola kutsi lemininingwane itfolwa ngubani. Kuniketa bantfu emalungelo ekutfole iminingwane letsite kufanele kuhambisane nekucinisekisa kutsi ibhizinisi iyachubeka. Imvume (ema-passwords), akukafaneli kuniketwe lomunye umuntfu. Nangabe lemininingwane itfolakala ngekusebentisa iRemote, kufanele kusetjentiswe tindlela letitawucinisekisa kutsi iphephile.

E-MAIL neWWW: Loku kufanele kusetjentiselwe kuchuba ibhizinisi, hhayi kwenta tintfo letingekho emtsetfweni. Nangabe kusakatwa imininingwane lekhethsekile, kufanele kucinisekiswe kutsi yonkhe imvume lefunekako itfolakele. Kufanele kwentiwe kuma-computer langanagciwane. Nangabe kukhona lokusolwako, le-email ingavulwa. Umuntfu lotfumela le-email kufanele agadze kutsi akaphuli umtsetfo lovikela umsebeni walabanye bantfu, asho kutsi lombiko awusingewakhe nangabe uwutsatse kulenye indzawo. Asho nalapho awutsatse khona.

KUGCINA UMNININGWANE: Umininingwane loyimfihlo kufanele utfunyelwe noma usakatwe nangabe ubhalwe ngesandla. Tisebenti kufanele titjelwe ngetindlela tekuvikela lomniningwane nangabe kukhona lophula umtsetfo. Kufanele kucace kutsi bantfu labatawutfole umniningwane batawuphatsa kanjani embikwekutsi usakatwe. Kuvikelwa kweminingwane akusho kusetjentiswa kwema-passwords kuphela, kusho nekusebentisa tindlela letifana nekutsi, litiko lingakhetsa umuntfu lelimutsandzako kutsi alikhulumele. Tinkhulumo talesisebenti kufanele tihlelwe kahle. Kufanele kucinisekiswe kutsi emakheli, kanye netinombolo tema-fax lokubhalwe kulombiko, kuliciniso.

KUCEDZA BUGEBENGU KUMA-COMPUTER: Kufanele ema-computer agadvwe ngalokukhulu kucophelela. Kufanele kubuyeketwe njalo ngekutsi kungetiwa kanjani kucinisa kuphepha kwema-computer, kunciphiswe netingoti tekuhlaselwa magciwane. Kufanele kucinisekiswe kutsi kunetindlela tekulungisa tinkinga ngekushesha.. Umuntfu lotfolakala aganga ngekusebentisa ema-computer angashushiswa ngaphasi kwemtsetfo we-Electronic Communications Transactions Act, i-Interception and Monitoring Act, kanye naleminye imitsetfo legadze bugebengu. Tisebenti kufanele tihlale tikugadzile loku.

4.5 KUTIPHATSA KWESISEBENTI, KANYE NETIDZINGO TASO TANGASESE.

4.5.1 Sisebenti sigcoka, futsi sitiphatsa ngendlela letfutukisa sitfunti sahumende.

Hulumende, kanye nemphakatsi balindzele kutsi tisebenti titiphatsa kahle ngaso sonkhe sikhatsi. Loku kusho kwenta tintfo ngesikhatsi, kufika ngesikhatsi emsebentini, kutimisela kanye nekutfole emakhono lafanele ekwenta umsebenti. Tisebenti kufanele tigcoka ngendlela lefanele ngaso sonkhe sikhatsi lekhombisa inhlonipho. Tingabukeki shengatsi atinakekeli.

Sibonelo sekucala: Tisebenti, ikakhulukati leto letisebentisana nemphakatsi, akukafaneli tigcoka emabhokhathi ladzabukile, noma lanetimbobo.

Sibonelo sesibili: Kute sisebenti lekufanele site emsebentini sigcoka budlabha. Nangabe, asesibekise, sisebenti lesisebenta lapho kungena khona tivakashi letiphuma kulamanye emave sita emsebentini singakashevi noma sinuka tjwala, leso sisebenti sona ligama lahumende.

4.5.2 Sisebenti siyatikhuta, noma sinatsa tjwala ngendlela lekhombisa kutihlonipha.

Tisebenti akukafaneli tinatse emsebentini. Ngaphandle kwekutsi tingahlazeka, loku kungenta kutsi tingawenti kahle umsebenti wato natisita sive, noma tisebentisana naletinye tisebenti.

Umdlndla wetisebenti kanye nekubambisana kumcoka kakhulu emsebentini wetinhlango letahlukene. Tisebenti akukafaneli titihlaze embikwebalingani bato ngekunatsa kakhulu nakunemicimbi.

Noma ngabe sesishayisile emsebentini, sisebenti sisaphetfwe nguhulumende. Kufanele sitiphatsa ngendlela lekhombisa kutihlonipha.

Sibonelo sekucala: Sikhulu lesinatsa kakhulu ephathini bese siyadzakwa, sitawuhlazeka embikwebaphatsi baso nasembikwebalingani baso. Loku kungahle kudale tinkinga emsebentini wato.

Sibonelo sesibili: Nangabe sisebenti, ikakhulukati lesisebentisana nemphakatsi, sifika sidzakiwe emsebentini noma sinika tjwala, sinelicala lekutiphatsa kabi, kantsi futsi kutiphatsa kabi kwaso kungagcolisa ligama lahumende. Tisebenti kufanele tati kutsi tingatfweswa licala ngekutiphatsa kabi.

4.5.2 Sisebenti akukafaneli, ngaphandle kwemvume lebhaliwe yemphatsi waso, kutsi sitsatse tipho tangasese noma imali (sikhuluma ngesipho lesingetulu kwaR350) lokuvela kunanoma ngubani ngesikhatsi semsebenti. Loku kungahle kutsatfwe njengekutsi siyadizelwa.

Nangabe sisebenti sicashwa nguhulumende, loku kusho kutsi sinemsebenti lomcoka kakhulu. Kusho kutsi sitsengiela hulumende emakhono aso, kantsi futsi sitawubhadalwa ngentsela levela kumalunga emphakatsi. Leso sisebenti kufanele sinikete umphakatsi tinsita letikahle.

Tisebenti nemphakatsi kufanele bati kutsi kute umuntfu lokufanele angete imali layibhadalela tinsita ngalokungekho emtsetfweni. Mhlawumbe nangabe ubhadalela kutfole incwadzi yamatsi. Lomtsetfo kufanele watiwe, futsi ubhalwe kuwo onkhe ematiko ahulumende. Nangabe emalunga emphakatsi kufanele akhokhe imali, loku kufanele kucace ekucaleni nakagcwalisa emaphepha latsite.

Nebantfu labasebenta etinkapanini letitimele letiniketa tinsita kufanele bati kutsi tisebenti tahulumende tinemsebenti wekugcina ligama lakhe lelihle ngekusebenta ngendlela lekahle. Kusebenta kwato kuhambisana nemtsetfo sisekelo. Kudizelwa kwetisebenti kuyayiphula yonkhe imitsetfo yahulumende. Futsi kudala kutsi bantfu bacabange kutsi bangagucula imicondvo yetikhulu tahulumende ngekutidizela. Loku kuvimbela kuchudzelana kwetinkapani letitimele letiniketa tinsita.

Loku lokulandzelako kuhlose kusita kweluleka ematiko lahlukene. Akusimalula kuniketa lamatiko teluleko letigcwele, ngako-ke nawanetinkinga kufanele avakashele kuPublic Service Commission kute ayotfole teluleko mayelana nekutsi angatilungisa kanjani tinkinga tawo.

Nangabe sisebenti sifanele sitfole siph o emsebentinini waso, noma ngabe yimali, kufanele sitfole imvume lebhaliwe kumphatsi waso.

Kumcoka kwati kutsi tipho letivela kunanoma ngubani ngaphandle kwemalunga emndeni kufanele tibikwe. Loku kwentiwa nangabe tibita ngetulu kwa350. Tisebenti tingatsintsa iPublic Service Commission nangabe kukhona letingakuvisisi.

4.5.3 Sisebenti akukafaneli sisebentise iminingwane lesemtsetfweni kute titizuzele noma tizuzele labanye.

Tisebenti letihlangana neminingwane leyimfihlo ngesikhatsi tisebenta, akukafaneli kutsi titjele labanye ngayo kungakafaneli, ngaphandle kwemvume. Imininingwane akukafaneli kutsi isebentiselwe inzuzo yesisebenti, noma labanye bantfu. Tisebenti kufanele ticabangisise kutsi ngabe kutawuzuza bani natifuna kukhipha iminingwane letsite. Ngabe umphakatsi utawuzuza na?. Tisebenti kufanele tati kutsi naloku hulumende afuna kuphumelwe ebaleni ngalakwentako, loku akusho kutsi sekufanele kukhishwe

budlabha nemininngwane leyimfihlo. Tisebenti tiyacelwa ngaso sonkhe sikhatsi kutsi ticele teluleko tebaphatsi bato nangabe kukhona letingakuvisisi.

Sibonelo sekucala: Kubikela bantfu labafuna umsebenti ngemibuto lebatawubutwa yona noma kubatjela ngaphambilini kutsi kutawusetjentiswa indlela lenjani nakukhetfwa umuntfu lotawucashwa, kukhombisa kukhetsa bantfu labatsite, futsi kwephula emalungelo alalabanye labafuna umsebenti.

Sibonelo sesibili: Nangabe sisebenti, ngenca yemsebenti waso, sinelwati ngeluhlelo lwahulumende lolutawukhulisa intsengo yetindlu noma letinye timphahla tebantfu endzaweni letsite, lesisebenti akukafaneli kutsi sisebentise lomningwane kute sitinjingise sona, noma bangani nemalunga emndeni waso.

4.5.4 Sisebenti asikavumeleki kutsi sicashwe ngaphandle kwemsebenti waso singakatfoli imvume yebaphatsi, futsi asikavumeleki kutsi sisebentise imishini yahulumende kwenta umsebenti wangaphandle.

Tisebenti kufanele ticitse sikhatsi lesinyenti tinake umsebenti wato. Umsebenti wekuniketa sive tinsita ungahle ube sengotini nangabe tisebenti ticitisa sikhatsi tenta umsebenti letingakacashelwa wona. Kumcoka kakhulu kutsi tisebenti titfole imvume nangabe titawenta umsebenti lotawutibhadala nasesishayile sikhatsi semsebenti.

Sibonelo sekucala: Sisebenti sahumende singenela ibhizinisi nalomunye umuntfu. Kunesivumelwano lesitsi lesisebenti sitawusebenta kulebhizinisi nasesishayisile. Kungakalindzelwa, lesisebenti sekufanele sisebente sikhatsi lesecile etikweni laso. Loku kungahle kudalele lesisebenti tinkinga ngoba sitawutsatsa muphi umsebenti, sishiye muphi.

Sibonelo sesibili: Dokotela locashwe esibhedlela sahumende, angeke ngaphandle kwekutfola imvume yemphatsi wakhe, asebentele lomunye umngani wakhe esibhedlela sakhe abe atawubhadalwa. Akavumeleki futsi kutsi asebentise imishini nemaphilisi ahulumende.

Sibonelo sesitsatfu: Sisebenti sisebenta kulomunye umsebenti nasesishayisile lokusho kutsi sigcine sesiphuta kulala. Loku kungadala kutsi lesisebenti sifike emsebentini sidziniwe, singakwati kwenta umsebenti waso kahle. Loku akufezi tidzingo temphakatsi, futsi kumosha imali yesive.

SAHLUKO SESIBILI

KUTIPHATSA KWETISEBENTI TAHULUMENDE EMSEBENTINI

A INHLOSO

- A.1 Tonkhe tisebenti tilindzeleke kutsi tilandzele umtsetfo wahulumende wekutiphatsa kahle emsebentini kute kuvakale kahle lokucuketfwe ngumtsetfosisekelo.
- A.2 Lomtsetfo kufanele usetjentiswe njengeseluleko mayelana nekutsi yini lefuneka yentiwe tisebenti natisebentisana naletinye noma natisebentisana nebalingani bato. Kulandzela lomtsetfo kutawucinisekisa kutsi tiwenta kahle umsebenti wato, ngekutimisela lokukhulu.

B SINGENISO

- B.1 Sikhona sidzingo sekukhombisa tisebenti indlela lemayelana nebudlelwane bato nesishayamtsetfo, ipolitiki, tikhulu letiphakeme tahulumende, letinye tisebenti kanye nemiphakatsi kute kucace kutsi kufanele tisebente kanjani. Kute kwentele kutsi kungasuki umsindvo longakafaneli emsebentini.
- B.2 Naloku umtsetfo wahulumende ucuketse lokunyenti, akusiyo imitsetfo lentelwe kudzina noma kuphoca bantfu. Noko tikhulu tematiko, mayelana nesigaba 7 (3) (b) semtsetfo lophatselene nekucinisekisa kuphatfwa kahle kwematiko kanye nekucondzisa tigwegwe, kufanele ticinisekise kutsi tisebenti tiyilandzela yonkhe imisebeneti yahulumende. Baphatsi kufanele bacinisekise kutsi tisebenti tiyawati umtsetfo longamele kuphatfwa kwematiko ato, futsi tiwulandzele.
- B.3 Inhloso yalomtsetfo nguleyakhako, letfutukisa kutiphatsa lokugculisako. Ngaphandle kwaloku, sisebenti lesiphula umtsetfo sitawutsatselwa tinyatselo letifanele.

C UMTSETFO LONGAMELE KUTIPHATSA

C.1 BUDLELWANE NESISHAYAMTSETFO KANYE NETINDVUNA TEMBUSO

Sisebenti –

- C.1.1 sitsembekile kuhulumende waseNingizimu Africa, futsi sihlonipha umtsetfosisekelo ngaso sonkhe sikhatsi, nanoma sisemsebentini;
- C.1.2 sibeka tidzingo temphakatsi embili nasenta umsebenti waso;

- C.1.3 sisebentisa imitsetfo yahulumende ngekutitsemba nasenta umsebenti waso;
- C.1.4 siyatama kwati yonkhe imitsetfo, futsi siyilandzele, ikakhulukati leyo lephatselene nemsebenti waso;
- C.1.5 sisebentisana nelamanye ematiko ahulumende lakhiwe ngaphasi kwemtsetfo walelive kanye nemtsetfosisekelo kute sitfutukise tidzingo temphakatsi.

C.2 BUDLELWANE NESIVE/UMPHAKATSI

Sisebenti –

- C.2.1 sitfutukisa kubumbana kanye nenhlalakahle lenhle eNingizimu Africa nasenta umsebenti waso;
- C.2.2 sitawusebenta ngendlela lengeke ikhombise kukhetsa bantfu ngekusebentisa buhlobo, noma letsatsa luhlangotsi kute sitfutukise kwetsembeka kwahulumende esiveni;
- C.2.3 silungile, siyasitana futsi siyatfolakala nasifunwa sive ngaso sonkhe sikhatsi. Siyati kutsi bantfu bafanele batfole lusito lolusembili;
- C.2.4 sititsatsela etulu tidzingo temiphakatsi/tesive, futsi siyavelana nayo nasitsatsa tincumo letitawuyitsintsa;
- C.2.5 sitimisele kusita sive ngesikhatsi, kanye nekutfutukisa yonkhe imiphakatsi yaseNingizimu Africa;
- C.2.6 asibandlululi emalunga emphakatsi ngekusebentisa buhlanga, bulili, umbala, umnyaka, kukhubateka, inkholo, emasiko, tilimi, kutsi avelaphi nekutsi atsandzana nebantfu bebulili lobunjani;
- C.2.7 asisebentisi kabi sikhundla saso kute sitfutukise inkholo yaso noma yelicumbu lelitsite lepolitiki
- C.2.8 sihlonipha, futsi sivikela sitfunti sawo wonkhe umuntfu, kanye nemalungelo akhe labhalwe kumtsetfosisekelo; futsi
- C.2.9 siyawati emalungelo emphakatsi ekutfole imininingwane, ngaphandle kwemininingwane leyimfihlo.

C.3 BUDLELWANE EMKHATSINI WETISEBENTI

Sisebenti –

- C.3.1 sisebentisana ngalokugcwele naletinye tisebenti kute sitfutukise tidzingo tempakatsi;
- C.3.2 senta konkhe lesitjelwa kona baphatsi nangabe kusemtsetfweni, futsi nangabe kuhambisana nemtsetfosisekelo.
- C.3.3 asikhetsi tihlobo nebangani etintfweni letiphatselene nemsebenti, futsi asisebentisi kabi emandla aso kute sente lesinye sisebenti kutsi sigucule umcondvo waso;
- C.3.4 sisebentisa tindlela letifanele nangabe sifuna kufaka tikhalo letitsite;
- C.3.5 sitibophelele ekutfutukiseni tisebenti taso, kanye nekutfutukisa indlela lenhle yekusebenta nebudlelwane lobuhle;
- C.3.6 sisebenta ngendlela lekhombisa kuphatsa bantfu ngekulingana, asisebentisi buhlanga, bulili, umbala, umnyaka, kukhubateka, inkholo, emasiko, tilimi, kutsi bavelaphi nekutsi batsandzana nebantfu bebulili lobunjani;
- C.3.7 asiwungeneli umsebenti wetepolitiki emsebentini.

C.4 KWENTA UMSEBENTI

Sisebenti –

- C.4.1 sitama ngayo yonkhe indlela kucinisekisa kutsi sifeza imigomo yelitiko laso, kanye netidzingo tempakatsi ngendlela lengeke imoshe imali;
- C.4.2 sisebentisa ingcondvo nasisebenta, sitama nekutfolela indlela lehlakaniiphile yekucatulula tinkinga;
- C.4.3 sifika ngesikhatsi emsebentini kute sente umsebenti waso kahle;
- C.4.4 sitiphatsa ngendlela lefanele emsebentini, futsi lekhombisa kutsi siyawati umsebenti waso;
- C.4.5 asiwungeneli umsebenti longahambisani nemigomo yelitiko laso, noma losivimbela kutsi singawenti kahle umsebenti lesicashelwe wona;
- C.4.6 sitawucela kukhishwa noma siyekeliswe emsebentini longahle udale kutsi sitizuzele ngekwaso kantsi akukafaneli. Sisebenti kufanele sibike ngaloku;
- C.4.7 siyavuma kungenela tihlelo tekuticecesha njalo nakunesidzingo;

- C.4.8 sitsembekile, futsi siyakwati kutiphendvulela ngekusetjentiswa kwetimali tahulumende. Kufanele sisebentise imishini yakhe naletinye timphahla ngekunakekela lokukhulu;
- C.4.9 sitfutukisa indlela yekusebenta lekhutsata kuphumela sobala, lekhutsata kusebenta ngekutimisela nekwetsembeka;
- C.4.10 ngesikhatsi sisemsebentini sitawubikela baphatsi labafanele ngenkhohlakalo, kukhwabanisa, kusita bantfu ngekusebentisa bungani, kuphatsa kabi litiko, kanye nanoma ngabe nguyiphi inhlobo yenkhohlakalo;
- C.4.12 sihlonipha umtsetfo wahulumende lomayelana nekugadvwa kwemininingwane leyimfihlo.

C.5 KUTIPHATSA, KANYE NETIDZINGO TESISEBENTI

Sisebenti –

- C.5.1 sigcoka ngendlela lefanele ngesikhatsi semsebenti, letawutfutukisa ligama lelihle lahulumende;
- C.5.2 sitiphatsa kahle nasisebentisa tjwala, kanye naletinye tintfo letidzakanako.
- C.5.3 asikavumeleki, ngaphandle kwemvume lebhalwe ngumphatsi waso, kutsi sitsatse tipho, kanye nemali (konkhe lokungetulu kwaR350) lokucela kunanoma ngubani ngesikhatsi sisemsebentini. Loku kungatsatfwa njengekutsi siyadizelwa;
- C.5.4 asiveti noma sisebentise imininingwane lesemtsetfweni kute sitizuzele sona, noma kuzuze labanye; futsi
- C.5.5 asitsatsi umsebenti lotasibhadala ngesikhatsi semsebenti, ngaphandle kwemvume yemphatsi, futsi asisebentisi imishini yahulumende nasenta lowomsebenti.

