

# Language board boss under fire

## Zwane dispensing patronage through institution's funds, say staff

BONGANI NKOSI

**I**NSTEAD of stabilising the limping Pan South African Language Board (PanSALB), acting chief executive Mxolisi Zwane has been accused of hampering it even further. He is alleged to have irregularly hired people connected to him to fill unfunded posts.

Minister of Arts and Culture Paul Mashatile is accused of protecting Zwane. Mashatile is allegedly dragging his feet in appointing a board to which employees of the language board could complain against Zwane, many months after the National Assembly's committee on arts and culture recommended names for him.

And now 28 employees of the language board have gone to court to seek an order that would declare Zwane's appointment unlawful and invalid.

Their litigation papers, submitted to the Labour Court in Joburg last month, argue that Zwane was improperly appointed in the first

place. Only a board can appoint a chief executive.

Mashatile appointed Zwane to the language board as acting chief executive in June 2012, following the removal of the then-acting chief executive and board for financial mismanagement. The body has not had even an interim board.

The workers, who belong to the Public Servants Association and were all employed before Zwane was brought in, are also demanding the removal of 44 people he has appointed.

Their sworn affidavit, which The Sunday Independent has seen, blames Zwane's conduct and procedure in appointing new employees for the financial crisis PanSALB is apparently facing.

Zwane "has made PanSALB an employment bureau and is dispensing patronage using the resources of the (body)", charges the affidavit.

"And as a result thereof, PanSALB's finances are depleted and our medical aid and provident fund contributions are not being met and are not paid regularly."

In total, Zwane is alleged to have appointed 49 people since taking over in June 2012. This has taken the language board wage bill from R38 million a year to about R56m, according to the applicants.

The affidavit maintains the positions were not budgeted for.

This has compelled PanSALB to pay them "from little money that was meant for (its) core mandate".

Treasury allocated about R78m to the body, meaning only R22m is left for its important job of protecting and promoting all languages in the country, including sign language.

PanSALB now owes creditors about R21m, "which means there is no end in sight for the current state of affairs" in the agency, the applicants submitted to the court.

"Because these positions are not funded, they continue to deplete PanSALB's budget such that it is not able to meet its financial obligations," the affidavit said.

Its 11 national lexicography units have not been allocated their full amounts since last September. In

that month the Zulu and Tsonga units were paid R40 000 when they were previously paid R119 841, said the affidavit.

"The rest was paid on 26 September 2013 and this has been the pattern ever since and this hampers the operations of the (units) in the provinces and constant complaints to PanSALB are ignored."

At office level, "working tools are a challenge as some of us have dysfunctional computers and we last received cleaning material in 2010".

"This is the extent to which the affairs of PanSALB have deteriorated ever since (Zwane) was appointed." Zwane has appointed "about 49 people to come and do nothing while drawing a salary every month".

Many were appointed without interviews, while others were employed in posts never advertised, the applicants claim.

One person without a matric was appointed to a deputy director position, and earns about half a million rand a year.

The "worst scenario" was when Zwane advertised a post for an exec-

utive head of languages, "and after interviews appointed all the people who were candidates for different positions". Three candidates were shortlisted.

"When some of us asked Zwane about the appointment of the two, he informed us that he realised that they had potential when he interviewed them for position of executive head (of) languages."

The affidavit adds: "We are reliably informed that most of the people (Zwane) appointed knew one another and some are related."

In fact, the applicants submitted to court they've "come to realise that the majority" of those Zwane gave jobs knew each other from Foundation for African Business and Consumer Services (Fabcos), a financially troubled company of which he was president.

"We saw this as the off-loading of individuals who were either redundant at Fabcos or whose salaries Fabcos could not pay," says the affidavit.

But Mashatile is "delaying the appointment of the board to which

we would report what Zwane is doing and the names of candidates shortlisted for appointment having been forwarded to him more than 18 months ago".

Mashatile's spokesman, Mogo-motsi Mogodiri, said the minister was still seeking legal advice on the matter "and will take a view once that process is completed".

"As everyone will appreciate, the substantive matters as raised in the said notice of motion are presently sub judice and our department is therefore not at liberty to respond," added Mogodiri.

Sibusiso Nkosi, PanSALB's spokesman, said it would oppose the application in court. "Please note that PanSALB intends to defend the matter should it come to court and we are in the process of finalising our answering affidavits."

"Due to the said notice of motion, this matter is now sub judice and PanSALB will prefer, for now, not to respond to the matters as raised but will defend itself in court at an appropriate time."

bongani.nkosi@int.co.za