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**Zondo Commission – Myeni hired and fired at will at SAA, sometimes assisted by fabricated complaints**

Apart from giving instructions for the appointments and dismissals of senior executives without following due processes, former South African Airways (SAA) chairperson Dudu Myeni was not above fabricating whistleblower complaints to taint members of staff whom she wanted removed.

Former SAA general manager of human capital Mathulwane Mpshe has told the commission of inquiry about the eventful year of 2015, during which she acted in the position of CEO. Myeni and her right-hand woman, fellow board member Yakhe Kwinana, were at the helm of a dubious transformation campaign.

One of the cases that Mpshe believes was developed with the purpose of removing an executive was that of former chief commercial officer Sylvain Bosc, whose suspension followed shortly after that of former acting chief executive Nico Bezuidenhout and former chief finance officer Wolf Meyer.

Bosc was charged with the misrepresentation of performance figures to the board, relating to the airline's routes. He was investigated by ENS Attorneys for allegedly doctoring the figures concerned, and although cleared in the investigation, Mpshe received a clear instruction from Kwinana that Bosc should not return to SAA. He spent a total of 16 months on paid suspension, with the latter months coming after the ENS findings.

Meanwhile, similar investigative processes were employed in the cases of Bezuidenhout and Meyer, who were probed by ENS as well, and later by Boqwana Burns, another law firm appointed outside proper processes. Kwinana signed off on their appointment when Mpshe refused to do so, on the basis that they had not been properly procured, nor were they in SAA's legal practitioners' database at the time.

The impact on senior executive staff was serious. "It was a very difficult time, chair," said Mpshe, responding to a question by commission chairperson Deputy Chief Justice Raymond Zondo on the effect of all the disciplinary actions. "The exco members were really concerned, they were also concerned for me because as the acting CEO the instruction would always come to me.

"Morale was very low at the time, when there were all these instructions happening. It was really negative, because it was not what we should be doing as the exco."

Mpshe said she received several instructions, among them one in early 2015 to appoint Captain Mpho Mamashela as chief operations officer of the airline, despite there not being provision for such a position on SAA's reviewed structure, given that it was in the middle of a restructuring process.

"When we embark on retrenchments, you have to define the new roles, in consultation with labour, and look at the structures," Mpshe said.

She would later be asked to remove a senior employee from the position of head of flight operations to make way for one Captain Eric Manentsa, in the name of transformation. According to Mpshe, Manentsa's name came up at a meeting of the board's remunerations committee, when Kwinana mentioned that that the two of them had been on a flight to Port Elizabeth, and Manentsa had allegedly lamented the lack of recognition

for his contribution. On this basis, Kwinana placed his appointment on the table and told Mpshe to explain to the incumbent that the changes were happening in the interest of transformation.

Luckily, said Mpshe, the incumbent was loyal to SAA and agreed to step down. The structure of the organisation at this point was such that the positions of chief pilot and head of flights were held by one person. Soon after his appointment, Manentsa was found to not be coping with the dual responsibilities, and was removed.

Another example was that of Kendy Phahloli, who had been interim general manager of commercial, while SAA was looking for a permanent appointee. Phahloli, explained Mpshe, did not meet the criteria for permanent appointment, and was placed in another post when the position was filled, as part of a project to assist SAA's expansion to other African countries. Because this new appointment was on a contract basis, SAA needed to make sure that it was not extended more than a certain number of times, as required by labour legislation. Nevertheless, Phahloli had been in the post for almost two years when Mpshe alerted the remunerations committee, prompting Myeni to unilaterally declare a resolution for his appointment to a managerial post in her office. Company secretary Ruth Kibuuka was instructed to sign off on the resolution, as Phahloli would report to her, but Kibuuka later decided to follow process and invited Phahloli to an interview, which the latter declined.

The commission continues to hear evidence related to SAA.

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