

OUT OF ORDER

LIFTS IN A CRIMINAL STATE

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NON-FUNCTIONING lifts at the Kimberley police station – aggravated by the lack of a contract for the servicing of the lifts – has resulted in disabled employees being sent home because they are unable to access their workstations.

Earlier this week an employee, who works on the eighth floor, was stuck in the lift for almost two hours.

There are a total of five lifts – including a lift chair for disabled people – in the building in Phakamile Mabija Road. The lift chair has been out of order for more than two years, while two lifts are completely out of order.

One of the broken lifts is meant for the transportation of equipment, which, in terms of legislation, is not allowed to go into lifts designated for people.

Of the two remaining lifts, the one needs to be reset every few minutes, while the other supposedly “working” lift opens and closes four or five times before moving and stops on every floor. It breaks down on a daily basis and also needs to be reset continuously.

A member of the public said yesterday that he believed that the service contract for the maintenance of the lifts in the building had not been renewed for more than two years.

“As a result, whenever the lifts break, SAPS employees have to call the Department of Public Works, and a clerk is sent out – not even someone who is a trained lift technician – and he just pushes the reset button. The lifts have not been serviced or repaired in years, resulting in an extremely dangerous situation.”

A large number of employees, particularly those working in the 10111 centre, which is housed on the eighth floor, are physically disabled.

“Many are wheelchair bound, while there is one employee who only has one leg and another who had polio – both rely on crutches.”

According to the member of the public, if the lifts are not working, those who cannot climb the stairs have to take a day’s personal leave. If they are stuck on the top floor and the lift is out of order, they have to be physically carried down eight flights of stairs.

The eighth floor also houses the flying squad members, who are often required to carry their full kit. “Their bullet proof kits alone weigh 13kg, and they also have to carry their R5 rifles, 9mm pistols and other equipment and bags up eight flights if the lifts are broken.”

The problem, however, is not limited to one floor.

“The detectives’ offices are on the seventh floor. There is supposed to be a dedicated lift, which skips the bottom floors, in order to transport high-profile prisoners to the seventh floor. Instead they now have to use the normal lift – or go up the stairs – including dangerous suspects in leg chains and hand-cuffs.”

Another problem area is the finance section, which is on the fifth floor and is often visited by members of

the public wanting pay for fingerprints or firearm licences. “Many of them are elderly or medically unfit and cannot climb the stairs.”

There are also several other disabled, as well as ill-health employees, who are not physically able to climb stairs, whose offices are on the other floors.

“Not only is the situation dangerous but it is humiliating for people who have to be carried up and down the stairs.”

He added that often disabled staff members could not access toilet facilities because of the faulty lifts.

Over Easter last year, the lifts were out of order for almost three weeks and disabled members who could not get to their offices were forced to either sit downstairs or were sent home.

One officer, who is wheelchair bound, was stuck in the lift for several hours as she was about to go home after a night shift.

“She was forced to sit in the dark for hours before she was assisted and was extremely traumatised by the ordeal.”

Another officer was injured when the lift was reset by an official from Public Works. The officer stumbled and hit his chest on the side of the lift. According to the incident report, the floor of the lift was approximately 15cm above floor-level when the incident happened.

In terms of regulations, only a suitable qualified technician is allowed to press the reset button of a lift. “However, officials from Public Works regularly just come and reset it. The emergency contact details on the lifts is that of an expired contractor who refuses to assist people who are stuck in the lifts.

“There is a massive safety risk and the situation is totally out of control. Sometimes disabled employees have to be carried down the stairs, while members of the public trying to get hold of 10111 in an emergency aren’t helped because staff cannot access their workstations.”

Dorothy-Anne Howitson, the vice-chairwoman of the National Council of and for Persons with Disabilities in South Africa, questioned how the situation could be allowed to deteriorate into an “inhumane working environment”.

“The Commissioner of Police, together with the MEC for Safety and Liaison, must

take full responsibility for the blatant discrimination against employees with disabilities; for the injuries of any staff member assisting a person with a disability while carrying them down the stairs; the lack of appropriate measures being taken to ensure the proper maintenance of the building, especially the elevators; and the non-existence of all Occupational Health and Safety Practices.”

Howitson pointed out that the total disrespect shown towards persons with disabilities by the management of SAPS was an infringement of the Bill of Rights, Promotion of Equality and Unfair Discrimination Act and the Employment Equity Act.

“The extremely undignified and humiliating manner in which disabled people are being treated demands instant remedial action. The fact that there are no accessible toilet facilities on any of the floors is unacceptable and archaic.”

Howitson stated further that the Employment Equity Act dictated all aspects of reasonable accommodation.

“Furthermore, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which the South African government signed in 2008, and the White Paper on the Rights of Persons with Disabilities (WPRPD), signed by Cabinet in December 2015, stipulates that no discrimination may be made against any person on account of their disability.

“The situation regarding the lifts at the Kimberley police station is so extreme that I would advise employees with disabilities and employees with ill-health that make stair-climbing difficult, to give the Commissioner an ultimatum that if reasonable accommodation is not immediately provided that they be given leave on full pay for however long it takes to provide reasonable accommodation.

“Employees also need to demand that a complete report be sent to the National Ministers of Police and of Public Works and they should approach the CMMA (or the Labour Court) with a case of discriminatory practice.

“The situation calls for extreme measures and these employers must be willing to demand their rights.

They cannot be fired.”

Howitson added that she would also report the matter to the national office of Persons with Disabilities in SA “as this matter must be addressed at the highest level”.

She also pointed out that in an earlier court case, the Port Elizabeth Equality Court ruled in favour of a member of the public who was in a wheelchair and could not get to the office to pay his firearm licence fee at the police station because the building was not accessible.

“The court ruled that offices that assist the elderly and the disabled should be moved to the ground floor and ordered that within two financial years a lift should be installed in the building. The department also had to issue an unconditional apology to the complainant and persons with disabilities generally.

“The abuse the employees have suffered at the Kimberley police station is beyond words. I would go so far as to state that they should consult a Human Rights Lawyer to claim damages for pain, suffering and humiliation.

“Also, every day of leave, which they were forced to take because of lack of access facilities, must be paid out to them.”

Spokeswoman for the Northern Cape Department for Infrastructure and Public Works, Crystal Robertson, referred all enquiries to the national office, pointing out that police stations do not form part of the provincial mandate.

The national spokesman failed to respond to enquiries.

Meanwhile concern has also been expressed about facilities at other government buildings, including the toilets at the Northern Cape High Court. At least two of the toilets have been out of order for more than two years.