



## RECRUITMENT AND SELECTION POLICY

### Policy Governance

Policy Title	<b>RECRUITMENT AND SELECTION POLICY</b>	
<u>Role &amp; Process</u>	<u>Responsible Individual Name and/or Date</u>	<u>Responsibility Accepted Signature</u>
<b>DCSS Director</b>		
Policy Custodian	DCSS	
Policy Author	DCSS	
LLF Consultation Date		
LLF Consultation Reference	(ITEM #)	
Council Approval Date	PENDING	
Council Approval Reference	(COUNCIL RESOLUTION NUMBER)	
<b>DCSS Director</b>		
Policy Approved	PENDING	
Policy Inception Date	DATE OF APPROVAL AT COUNCIL	
Review Cycle Period	2 YEARS (AS AND WHEN NECESSARY)	
Review Start Date		
Review Completion Date	(AFTER NECESSARY CONSULTATION AND SUBSEQUENT APPROVAL)	
Legislative References	<ul style="list-style-type: none"> <li>• Constitution of RSA</li> <li>• Employment Equity Act, 1998 (Act 55 of 1998);</li> <li>• Skills Development Act, 1998 (Act No. 97 of 1998);</li> <li>• The Basic Conditions of Employment Act, 1997 (Act No.75 of 1997);</li> <li>• Labour Relations Act, 1995 (Act 65 of 1995);</li> <li>• Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);</li> </ul>	

	<ul style="list-style-type: none"> <li>Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)</li> <li>The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No.4 of 2000) (PEPUDA)</li> <li>Collective Agreements</li> <li>The South African Qualifications Authority (SAQA)</li> <li>Government Gazette Act No, 40167 of the 29 July 2016.</li> <li>Any relevant legislation.</li> </ul>	
Policy Review "Triggers"	CHALLENGES	
<b>Comments</b>	<b>PER REQUEST</b>	

**Document Control Sheet**

**No.: .1**

**Name of the Policy: Recruitment and Selection Policy**

**Distribution List**

Copy	Person	Location
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Revision	Page Number	Date	Description of Amendment
New	All	.....	New document
Annual review No.1 of 2013/14		.....	Annual review
Annual review No.2 of 2020/21		.....2021	Annual review

## Document Approval

<b>This document has been approved for use by Council as per the process outlined below:</b>	
Recommended by:	<b>Local Labour Forum dated..... as per item ..... Portfolio committee dated..... as per item ..... Mayoral committee dated..... as per item .....</b>
Approved by:	<b>Council</b>
Item number:	<b>Council Resolution number .....</b>
Date:	<b>(Date/Month/Year).....</b>

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## 1. Policy Purpose

- 1.1 The purpose of this policy is to set out the policy standards and principles for recruitment and selection. This includes the following:
- 1.1.1 Introducing fair and objective principles and procedures for staffing.
  - 1.1.2 Providing standards for the appointment of candidates.
  - 1.1.3 Establishing principles and procedures manual ensuring that municipality complies with legislative principles in respect of employment equity and affirmative action.
  - 1.1.4 Setting out the procedural steps for the advertisement of a vacant post, the selection of applicants for interviews, the conducting of interviews and the appointment of candidates to the permanent staff complement.
  - 1.1.5 Engaging in a process to improve the representatives of the personnel establishment of the Council to reflect the racial and gender composition of the residents, while recognising the need to focus on customer needs, standards of effectiveness and efficiency in service delivery and an absence of discrimination based on any form of stereotyping.

## 2. Policy Scope

The terms of this policy shall be observed in Rustenburg Local municipality in terms of the Collective Agreement and applicable legislation.

## 3. Definitions

KEY CONCEPT	DESCRIPTION
<b>Affirmative action</b>	Measures designed to ensure that suitably qualified people from designated groups have equal opportunities and are equitably represented in all occupational categories and levels of the workforce of Rustenburg Local Municipality.
<b>Applicant</b>	Anyone who applies for an officially advertised vacant position on the service establishment of the Rustenburg Local Municipality.
<b>Application</b>	An action or process of making a formal request for employment.
<b>Appointee</b>	A candidate who has accepted a written offer of employment.
<b>Appointment</b>	The final step in the recruitment process where a successful applicant/candidate who has been selected through a process of shortlisting to be interviewed with a view to possible employment is appointed.

<b>Candidate</b>	An applicant who has been selected through a process of shortlisting to be interviewed with a view to possible employment.
<b>Collective agreement</b>	A written agreement concerning terms and conditions of employment or any other matter of mutual interest, concluded by one or more registered and recognised trade union(s), in this case SAMWU and IMATU, on the one hand and the employer, in this case Rustenburg Local Municipality.
<b>Fixed Term Employee</b>	An employee appointed for a specific time longer than three months as is the case with temporary employees.
<b>Directorate</b>	A Directorate of Rustenburg Local Municipality, (a section of Municipal Department in charge of a particular function/ discipline).
<b>Designated groups</b>	Blacks (African, coloureds and Indians) women and people with disabilities.
<b>Discrimination</b>	Any form of unfair treatment, impairment, limitation of opportunities or unfair differentiation.
<b>Employee</b>	Shall include a permanent employee or a temporary/fixed term employee as defined but excludes an independent contractor or its employees.
<b>Employer</b>	Rustenburg Local Municipality.
<b>Employment Equity</b>	Refers to employment equity as defined in the Employment Equity Act 55 of 1998 as amended.
<b>Employment Equity Monitor</b>	Refers to Employment Equity Monitor of Rustenburg Local Municipality which has been approved by Council.
<b>External applicant</b>	Any person who is not in the employment of the Rustenburg Local Municipality.
<b>Fair discrimination</b>	Means consistent and just differentiation between employees (applicants where applicable) for employment, <ul style="list-style-type: none"> <li>• To take affirmative action measures consistent with the purpose of the Employment Equity Act 55 of 1998 as amended and</li> <li>• Distinguish, exclude or prefer any person on the basis of inherent requirements of a job.</li> </ul>

<b>Grading scheme</b>	The official document containing all positions, job levels, salary scales, acknowledgement of experience, progression requirements and minimum appointment requirements.
<b>Head of Directorates</b>	Directors directly accountable to the Municipal Manager.
<b>Unit Head/Manager</b>	Unit Manager reporting directly to the Director
<b>Section Manager</b>	Section Manager reporting directly to the Unit Manager
<b>Inherent requirement</b>	The possession of an essential and particular personal characteristic or special skill or competency – some inherent/particular attributes that are required to effectively carry out the duties attached to a particular position, which characteristic/skill/competency is objectively justifiable.
<b>Internal Applicant</b>	Employees who are in the employ of the Rustenburg Local Municipality.
<b>Job category</b>	The combination of homogeneous positions, as indicated in the organisational structure.
<b>Job description</b>	A clear, descriptive delineation of the work to be performed by a particular individual.
<b>Job specification</b>	Employee characteristics and qualifications required for satisfactory performance of defined duties and tasks comprising a specific job or function.
<b>Job level</b>	The number of job levels in the organisation, as indicated from the approved organisational structure.
<b>Labour legislation</b>	Means Labour Relations Act 66 of 1995, Basic Conditions of Employment Act 75 of 1997, Occupational Health and Safety Act 85 of 1993, Employment Equity Act 55 of 1998 and Skills Development Act 97 of 1998 and all amendments to the Acts.
<b>People with disabilities</b>	People who have a long-term or recurring physical impairment which substantially limits some of their prospects of entry into or advancement in employment.
<b>Person specification</b>	A profile (as recommended by the head of the Directorate/Unit/Section and approved by the Human Resources Division) specifying the minimum requirements for success in a position, and forming the basis for evaluating and interviewing a candidate, and which entails: <ul style="list-style-type: none"> <li>• Key performance area;</li> </ul>

	<ul style="list-style-type: none"> <li>• Main output of the job;</li> <li>• Physical and psychological requirements;</li> <li>• Educational qualifications;</li> <li>• Knowledge and experience;</li> <li>• Aptitude/abilities personal qualities (e.g. potential incumbent's record of service and performance) must attest to reliability, good human relations, independence in carrying out duties, positive attitude, good communications skills (verbal and written) and trainability.</li> </ul>
<b>Placement</b>	Placing the right person in the right position with the aim of using all available manpower/human resources so that the minimum requirements are met in all jobs in the municipality.
<b>Recruitment</b>	The process by which applicants are invited to apply for a particular position
<b>Reasonable accommodation</b>	Any modification or adjustment to a job or to the working environment to enable a person to have access to or participate or advance in employment.
<b>Security competence</b>	A person's ability to act in such a manner that he/she does not cause classified information or material to fall into unauthorised hands, thereby harming or endangering the security or interest of the Municipality
<b>Vetting/Screening</b>	The systematic process of investigating an applicant's background and authenticity of qualifications prior to appointment by RLM
<b>Selection</b>	The process by which applicants are evaluated against job and person specifications in accordance with the inherent requirements of the position.
<b>Shortlisting</b>	The process during which all applications received in time for a specific advertised position and are evaluated.
<b>Staff establishment</b>	The official register of all officially approved positions as depicted on the ratified organisational structure.
<b>Suitably qualified candidate</b>	A person who is suitably qualified and/or meet job requirements in line with approved Employment Equity Plan of the Rustenburg Local Municipality

	Suitability - the capacity to do the job, based on qualifications, knowledge, experience, potential and, or demonstrated ability, provided that the emphasis is on meeting the minimum and/or inherent requirements for the job.
<b>Temporary employee</b>	An employee who is not permanently employed by the Municipality for a period not exceeding three months.
<b>Tertiary qualification</b>	Any relevant post-matric qualification.
<b>Trade union</b>	The South African Municipal Worker Union (SAMWU) and the Independent Municipal Allied Trade Union (IMATU).
<b>Working day</b>	Any day on which an employee is normally required to work according to the service requirements applicable to the employee's position and as agreed to in the conditions of employment.
<b>Workplace</b>	Refers to the places/areas/points/premises where the employees of the Rustenburg Local Municipality work.

#### **4. Legislative Framework**

4.1 This document is established within the framework of the following legislation and policies:

4.1.1 Constitution of RSA;

4.1.2 Employment Equity Act, 1998 (Act 55 of 1998);

4.1.3 Skills Development Act, 1998 (Act No. 97 of 1998);

4.1.4 The Basic Conditions of Employment Act, 1997 (Act No.75 of 1997);

4.1.5 Labour Relations Act, 1995 (Act 65 of 1995);

4.1.6 Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);

4.1.7 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

4.1.8 The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No.4 of 2000) (PEPUDA)

4.1.9 Collective Agreements

4.1.10 The South African Qualifications Authority (SAQA)

4.1.11 Government Gazette Act No, 40167 of the 29 July 2016.

4.1.12 Any relevant legislation.

## **5. RECRUITMENT PRINCIPLES**

- 5.1 Employees are to be recruited, selected, appointed, head hunted on the basis of fairness and non-discrimination in line with Employment Equity Act 55 of 1998, and the Employment Equity Plan of the Rustenburg Local Municipality, as well as any other applicable legislation and RLM policies and applicable collective agreements
- 5.2 The Composition of the workforce is to be such that it is able to serve all members of the community and employees of the RLM in an effective and equitable manner, taking the demographics of the South African population into account.
- 5.3 The person specification, which contains the minimum requirements for success in the position and can be verified by the official job description/duty sheet, job specification and health and safety requirements, as well as the grading scheme, is to form the basis for evaluation and interviewing. The person specification for the job must be revised if necessary and approved by the departmental head before the advertisement process has commenced and before the advert is placed.
- 5.4 Care must be taken that only the requirements essential for success in a position are contained in the person specification and that they are not altered/amended at any stage during the selection process, leading to discrimination against a candidate or candidates.
- 5.5 Care must be taken that equal and similar selection process applies to all candidates and that no exception is made that is to the advantage or disadvantage of any candidate.
- 5.6 All information obtained during the selection process, including the interview, is confidential and must be handled according to ethical principles. No information obtained during the selection process may be given to anyone outside the approved selection/interview panel, without the prior knowledge and consent of the Municipal Manager or the Director: Corporate Support Services.

## **6. GUIDING PRINCIPLES**

- 6.1 The following principles underpin the policy and procedure regarding the recruitment and selection of staff:

- 6.1.1 The objective of recruitment and selection of candidates is to invite individuals to apply, and to appoint the applicant, who is suitable for a position, subject to collective agreement, Employment Equity Policy and any applicable legislation.
- 6.1.2 Rustenburg Local Municipality is an equal opportunity employer that aims to eliminate all forms of unfair discrimination in the recruitment and selection of staff.
- 6.1.3 All prospective employees are allowed a fair opportunity to apply and progress through the selection process.

## **6.2 Policy Statements**

The foundational principles for this policy are:

- 6.2.1 The staffing policy and its implementation will be fundamentally aimed at matching the human resources to the strategic and operational needs of the Municipality and ensuring the full utilisation and continued development of these employees.
- 6.2.2 Each appointment must be rationally and objectively justifiable by reference to the strategic and operational needs of the Municipality.
- 6.2.3 All appointments will be permanent, except fixed term contracts and temporary appointments, the latter of which should not be more than 3 months.
- 6.2.4 The responsibility of the Municipality is to determine the strategic and operational needs of the Municipality, and the relevant reporting.
- 6.2.5 All aspects of the staffing, structuring, recruitment, selection, interviewing and appointment of employees will be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions, except as provided in this policy with reference to employment equity.
- 6.2.6 With reference to the Constitution of the Republic of South Africa, Act 108 of 1996, and the provisions of Chapter II of the Employment Equity Act 55 of 1998, under no circumstances should any person be refused employment on any arbitrary or discriminatory basis, including but not limited to race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV Status, conscience, belief and/or opinion, taking into account the provisions of Chapter III of the EE Act, Act 55 of 1998.
- 6.2.7 The municipality is an employment equity employer, and as such, preference will be given to suitably qualified candidates who are members of designated groups as defined in section 1 of the Employment Equity Act of 1998 as consisting of black people, women and people with disabilities.
- 6.2.8 Recruitment shall be done according to the Human Resource Plans, aligned with the competency requirements of the post in accordance with Integrated Development Plan and Service Delivery and Budget Implementation Plan and with consideration of the organisational culture.

6.2.9 The same recruitment process followed for the permanent positions should be followed for fixed-term contract positions in line with the Recruitment and Selection Policy.

## **A. Employment Equity**

### **6.3 Elimination of Unfair Discrimination**

6.3.1 The municipality shall take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.

6.3.2 It is affirmed that it will not constitute unfair discrimination to take affirmative action measures consistent with the purposes of the Employment Equity Act of 1998 as set out in this policy or to distinguish, exclude or prefer any person on the basis of an inherent requirement of any job.

6.3.3 Harassment of an applicant, including sexual harassment of any form, constitutes unfair discrimination and such harassment will attract disciplinary action against any employee found to have committed harassment.

### **6.4 Application of the Employment Equity Act of 1998 as amended**

As a defined designated employer in terms of section 1 of the Employment Equity Act of 1998, and, as such, the provisions of Chapter III of the Employment Equity Act are directly applicable to the Employer.

6.4.1 As employer, municipality must take reasonable steps to consult and reach agreement on matters listed in section 17 of the Employment Equity Act with its employees or representatives nominated by the employees, subject to the provisions of section 16 of the Employment Equity Act.

6.4.2 The municipality must collect information and conduct an analysis in the prescribed form, of its employment policies, practices, procedures and the working environment in order to identify employment barriers which adversely affect people from designated groups in terms of the provisions of section 19 of the Employment Equity Act of 1998.

6.4.3 The municipality must prepare and implement an employment equity plan which will achieve reasonable progress towards employment equity in the Employer's workforce, and such plan shall contain, at the very least, the information listed in section 20[2] of the Employment Equity Act of 1998.

6.4.4 The municipality shall comply with the provisions of section 21 [reporting to the Department of Labour], section 23 [preparation of successive employment equity plans] and all other provisions of Chapter III of the Employment Equity Act of 1998.

## **6.5 Authority**

The responsibility for implementing affirmative action measures and ensuring compliance with the provisions of the Employment Equity Act of 1998, rests with the Municipal Manager of the Employer or his/her delegated assignee(s) in terms of section stipulations of the Employment Equity Act, 1998 (Act 55 of 1998).

## **6.6 Affirmative Action**

6.6.1 As a designated employer the municipality must, in order to achieve employment equity, implement affirmative action measures for people from designated groups as defined in section 1 of the Employment Equity Act of 1998. Designated Groups means black people, women and people with disabilities and black people is defined in the Employment Equity Act as a generic term meaning Africans, Coloureds and Indians.

6.6.2 Affirmative Action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of the Employer.

## **6.7 Affirmative Action Measures**

Affirmative Action measures include, but are not limited to, the following:

6.7.1 Measures to identify and eliminate employment barriers, including unfair discrimination, which adversely affect people from designated groups.

6.7.2 Making reasonable accommodation for people from designated groups in order to ensure that they enjoy equal opportunities and are equitably represented in the workplace of the Employer.

6.7.3 Measures to ensure the equitable representation of suitably qualified people from designated groups in all occupational levels in the workplace of the Employer.

6.7.4 Measures to retain and develop people from designated groups and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.

6.7.5 No provision in this policy should be construed as requiring the Municipality to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups.

6.7.6 This includes, but is not limited to, any decision relating to the termination of employment of any employee of the Municipality for reasons not relating to the conduct or capacity of the employee or the operational requirements of the employer in terms of the provisions of Chapter VIII of the Labour Relations Act of 1995 as amended.

## **6.8 Elements of Recruitment and Selection**

6.8.1 The responsibility for the appointment of personnel rests with the Municipal Manager of the Employer or his/her delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

## **7. RECRUITMENT PROCESS**

### **7.1 Recruitment**

7.1.1 Potential incumbents are recruited through advertisement that complies with the principle of fairness, transparency and representativeness.

7.1.2 The Municipality's recruitment plan, inter alia, shall be taken into consideration when determining whether recruitment activities are internal or external or both.

7.1.3 Before the advertisement and shortlisting are conducted, the Directorate Corporate Support Services must ensure that the most recent employment equity plan and, or the employment equity monitor, where applicable is on the table, as well as the approved organisational structure and labour budget of the Directorate that shows Unit, Section and the position in question.

#### **7.1.4 Validation of Inherent Requirements**

a) The inherent requirements of a job must reflect the needs of the Municipality and must be appropriate to achieve the business interests of the Municipality.

b) Prior to the recruitment process commencing, the outputs, skills, knowledge and competencies and stated educational requirements as contained in the competency/job profile or job description are scrutinized as to relevance and applicability.

7.1.5 A vacancy on the staff establishment from level 2 -15 must be advertised, first internally for a period of seven (7) working days, then externally for a period of fourteen (14) working days, once there are no suitable candidate found internally and proper authorisation from the Director Corporate Support Service or his/her nominee must be obtained.

7.1.6 Vacancies on the staff establishment on Level 16 must be advertised externally.

7.1.7 Fixed-term contractual positions shall be advertised externally, but this is not an exclusion of internal candidates who meet minimum requirements.

7.1.8 The advertisement must:

- a) State the designation and the salary scale and level of the vacant position;
- b) Number of positions to be filled;
- c) Clearly state the inherent minimum job and qualification requirements as well as the job content;
- d) State the name(s) and telephone number(s) of the contact person(s);
- e) State the closing date and time for the applications;
- f) State that no late applications will be accepted;
- g) Run long enough (seven (7) working days internally, then externally for a period of fourteen (14) working days, once there are no suitable candidate found internally and proper authorisation from the Director Corporate Support Service or his/her nominee must be obtained) to give all interested parties an opportunity to respond and submit their applications;
- h) Have a reference number;
- i) State that the candidate who does not receive any notification from the Rustenburg Local Municipality within 90 days after the closing date; must accept that his/her application has been unsuccessful;
- j) State that no application will be considered during shortlisting if certified copies of qualifications are not attached. Validity period of certified copies shall be three months and copies of certified copies shall not be accepted;
- k) State that correspondence will be limited to shortlisted candidates;
- l) Completion of Application form for Senior Managers (Annexure C of Regulations of Appointment of Senior Managers) shall be compulsory for section 57 Managers and Municipal Managers;
- m) Job application for post Levels 2 to 16 must accompany the application forms;
- n) Job application forms can be accessible on Rustenburg Local Municipality website;
- o) No faxed and emailed application will be accepted; and
- p) No recruitment actions shall lead to direct or indirect discriminatory practices or unfair differentiation in any way unless it is in accordance with the principle of fair discrimination and broad parameters of applicable legislation in general and the intention of the Employment Equity Act, 55 of 1998 in particular, (in which case the Employment Equity Monitor will have been used to advise or direct to Directorate what suitable candidate or designated person may be appointed for a particular position in line with the approved Employment Equity Plan of the Municipality).

7.1.9 External recruitment shall take place through the printed media (i.e national or local newspapers), the internet or notice boards (municipal web site) and/or any other suitable means that complies with principle of fairness, transparency and representativity.

7.1.10 Internal advertisements shall be placed on designated notice boards and other appropriate places.

7.1.11 For both internal and external advertisements, a formal request (filling of vacancy form) approved by the Director of the recruiting Directorate or his/her nominee must be submitted to Directorate Corporate Support Service for the latter to initiate and finalise the recruitment process.

7.1.12 Before advertising is done, the Directorate: Corporate Support Services must ensure that the most recent employment equity plan and, or the employment equity monitor, where applicable is on the table, as well as the approved organisational structure and labour budget allocation of the Directorate. These documents must be sent to the Unit Manager Human Resources. They will be attached to the interview documents and subsequently to the employees' file after appointment.

7.1.13 Approval must be obtained from the Municipal Manager or his/her nominee before an advertisement is placed in a newspaper.

7.1.14 Interviews must be conducted within three (3) months after the closing date of the advertisement. The shelving of applications is not permitted and failure to comply will result in the re-advertisement of the position after three (3) months being denied and consequence management will be invoked.

7.1.15 A late application for a position will not be accepted nor considered

7.1.16 No external application will be considered for any internally advertised positions.

7.1.17 If a position was advertised internally and it is found that the internal resources are exhausted, the position shall be advertised externally. In this case the internal and external candidates have an equal chance/opportunity of being appointed to the position.

## **7.2 Receipt of Applications**

7.2.1 Applications for advertised positions are received by the Unit Human Resources up to the specified closing date and time for applications.

7.2.2 Upon submission of applications, applicants must complete the application register for record purposes

7.2.3 It is not the responsibility of the Rustenburg Local Municipality to contact applicants to clarify incomplete, unclear or illegible information on the CV.

7.2.4 All applications and CV's must be posted to: The Director Corporate Support Services, P.O. Box 16, Rustenburg, 0300 or may be hand delivered to Cnr Nelson Mandela Drive and Beyers Naude, Missionary Mpheni House, Rustenburg with envelopes marked Vacancy.

### **7.3 Processing of Applications**

7.3.1 In order to deal with the issue of any claim that an application for a specific position advertised was indeed received in time, the Unit Human Resource must date-stamp CV's and also keep record of all applications received prior to the closing date and time.

### **7.4 Relevant Documentation**

7.4.1 Applicants must attach certified copies, not originals, of relevant documents to their CV's. Applications without certified copies of the relevant documentation, such as proof of identity document and qualifications shall not be considered during the shortlisting session.

7.4.2 If the certified copies of the relevant documents are not of a satisfactory quality, the applicants invited for interview shall be asked to bring along the original documents to the interview.

### **7.5 Records Management**

7.5.1 Records shall be maintained for all applications received in response to advertised posts applications received by Human Resources. Such records shall be kept for the prescribed period in terms of the National Archives and Records Service of South Africa Act No, 43 of 1996 as amended.

### **7.6 Recruitment of Temporary Employees**

7.6.1 The recruitment and selection of a temporary employees must take place in accordance with the approved Recruitment and Selection Policy and procedures.

7.6.2 The recruitment and selection will be done from the data base as established by the Human Resources Unit and the data base should be reviewed on an annual basis.

## 8. SELECTION

### 8.1 General

- 8.1.1 Selection is conducted in accordance with this Recruitment and Selection Policy, as amended from time to time and applicable at the time of selection, as well as with all applicable Bargaining Council resolutions, collective agreements and national legislations.
- 8.1.2 Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.
- 8.1.3 The central guiding principle for selection shall be competence in relation to the inherent requirements of the job provided that selection shall favour, as determined by the targets, suitably qualified applicants as defined in section 20[3] of the Employment Equity Act.
- 8.1.4 Unless formal or statutory qualifications are clearly justified as essential for the job, relevant experience/performance, training [internal/external] as reflected and measured through competencies, and potential for the prospective vacancy shall be an important criterion.
- 8.1.5 Canvassing, i.e. attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Council's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.
- 8.1.6 In instances where the selection panel is of the view that a candidate must have had access to interview questions, the candidate must be disqualified from the selection process and for internal candidates, disciplinary steps be taken against the employees involved in the act of dishonesty.
- 8.1.7 The Director: Corporate Support Services or his /her nominee is responsible for ensuring that each selection process is managed in accordance with the Recruitment Policy and that Directorate/Unit heads are advised accordingly.
- 8.1.8 Subject to the availability of funds, travel and subsistence payments may be payable to candidates attending interviews and/or any other phase of the selection process. These payments must be approved by the Director Corporate Support Service or his/her nominee [*before making the arrangement with the candidate.*] directly after the conclusion of the interviews.

## **8.2 Selection Criteria**

- 8.2.1 Selection criteria must be based on the key performance areas and inherent requirements of the position and must be applied consistently.
- 8.2.2 Previous arrest, detention, conviction or dismissal may not constitute a reason for immediate refusal of an application, unless the reason for the conviction or the dismissal makes the applicant unsuitable for the position in terms of its inherent job requirements and applicable legislation, such as the SA Police Service Act, and the Regulations for Municipal Police/Traffic Services and Law Enforcement and Security.
- 8.2.3 Employment barriers such as qualifications, experience or skills that are more extensive than necessary and not job-related, shall not be included in the job requirements to dis-advantage others.
- 8.2.4 Selection is conducted by means of a phased process of progressive elimination (health and safety in terms of physical fitness, criminal records etc.) that is concluded when the selection panel identifies and recommends the successful candidates for appointment.
- 8.2.5 At the end of the selection/shortlisting process, the candidate(s) selected by the selection panel in accordance with the Recruitment and Selection Policy as amended from time to time are recommended for appointment.
- 8.2.6 Application of former employees dismissed for misconduct, shall be regulated in terms of Government Gazette Act No, 40167 of the 29 July 2016.

## **8.3 Selection Panel**

- 8.3.1 The Selection Panel will be responsible for both Shortlisting and Interviews.
- 8.3.2 Composition of the selection panel: (Level 2 – 16)
  - a) Director Corporate Support Service or his/her nominee (Scorer)
  - b) Unit Head Human Resource or his/her nominee (Scorer)
  - c) Director of the recruiting Directorate or his/her nominee (Scorer)
  - d) Unit Head of the recruiting Directorate or his/her nominee (Scorer)
- 8.3.3 Employment Equity Monitor (As an Observer to provide a short briefing with regard to Employment Equity Targets per advertised positions, the minutes of which shall be kept by the Director Corporate Support Services).

8.3.4 One (1) representative from each of the recognised Trade Union (SAMWU and IMATU) (To observe fairness, transparency and reasonableness in the selection process and are excluded from the decision making and shall also not disrupt the process but may raise objections with the office of the Municipal Manager at a later stage).

## **8.4 Shortlisting**

8.4.1 The selection panel, is responsible for the shortlisting of candidates.

8.4.2 The shortlisting process should be completed within 30 days after the advert's closing date.

8.4.3 All shortlisted candidates' qualifications will be vetted or verified for authenticity.

8.4.4 The selection panel shall evaluate all applications received for a specific position against the actual job requirements of the positions as reflected in the specification, such as qualifications, experience and skills.

8.4.5 Candidates from designated and non-designated groups who applied for advertised positions may be excluded from the shortlisting process if it can be proved that their candidature will not promote equal representation in their Directorates, taking into consideration representation in their occupational categories in line with the applicable Employment Equity Plan of the Municipality.

8.4.6 Preference in shortlisting is to be given to employees for whom the advertised position is an upward mobility provided that they meet all the necessary requirements.

8.4.7 The Directorate: Corporate Support Service designated personnel must make all the arrangements for the interview, such as inviting the candidates and arranging an interview venue.

8.4.8 In the event that a vacant position has been advertised more than once and only one (1) candidate meets the inherent requirements of the job, that candidate may be shortlisted and interviewed.

## **8.5 Assessment/ Evaluation**

8.5.1 Evaluation, reference checks and structured interviews take place to establish candidate's suitability for position in terms of the person specification criteria, which must have direct relevance to the positions for which the candidates are evaluated.

8.5.2 The physical testing and assessment of employees or candidates are prohibited unless such evaluations or assessments being used meet the following requirements:

- a) Can be applied fairly to all employees or candidates, and
- b) Are not biased against any employee or group.

8.5.3 Selection tools or instruments include the following:

- a) Structured personal interviews/structured questionnaires,
- b) Reference checks,
- c) Curriculum vitae,
- d) Physical ability test (driving skills/ability, typing test, physical training ability/battery test, and
- e) Medical examinations.

These tools may be used only if they are applicable to the inherent job/legal requirements and the request must be submitted by the recruiting directorate subject to approval by Director Corporate Support Services or his/her nominee.

8.5.4 The Director: Corporate Support or his/her nominee may advise the Head of the recruiting Directorate on the selection process and procedure before any assessment/ evaluation/ interview is conducted and finalised.

## **8.6 Interviews**

8.6.1 Interviews constitute the final phase in the selection process the object of which is to finally determine who the successful candidate is for the appointment.

### **8.6.2 Preparation for Interviews**

- a) Recognised trade Unions (IMATU and SAMWU) must be invited to attend interviews five (5) days prior to interviews taking place. The invitation shall be made in writing. Trade Unions (SAMWU and IMATU) must acknowledge receipt of the invitation. Interviews may continue in their absence if they elect not to attend with or without notice but same may also be postponed on mutual agreement with them, which agreement must be made in writing and be kept as record of same by the Unit Head: Human Resources.
- b) A structured questionnaire for each interview will be drafted by the Directorate Corporate Support Service and the recruiting Directorate before commencement of interviews. All questions must be drafted in English and questions will also be

asked in English unless the position is of the lowest levels (16 & 13) in the Municipality in which case questions may be asked in the language best understood by the applicant and such language is recognised as the official language of South Africa. The services of the interpreter shall be sourced where needed. All questions must have model answers as to what is expected from the candidate.

- c) Candidates will be invited to the interviews by Directorate Corporate Support Service. Candidates must receive no less than 5 working days' notice of the interviews and must be informed of what may be required from them (such as original documents/qualifications), the type of interview to be conducted and the travelling arrangements that are applicable i.e. if interviewees reside in areas outside the boundaries of Rustenburg Local Municipality.
- d) All interviewees for same position must be asked similar/identical questions to ensure equitable and fair evaluation. At most ten questions may be asked per candidate consisting of 5-6 technical (about the job questions) and 4-5 general questions (i.e. management skills, conflict handling and resolution, about the municipality and, or personality attributes) depending on the level of the position.
- e) The selection panel for a specific position must not be altered in the course of selection process. Panel members who arrive late will not be allowed to score in the interest of progression, consistency, transparency and fairness. Panel members, who do not attend the interviews from the start, will not be allowed to participate in the final decision. Panel members are not allowed to leave the interview venue during a candidate's interview. If interviews are conducted over more than one day, only panel members attending all interviews (i.e. those attending from inception to finish) will be allowed to participate in the final decision and only their scores will be considered when determining the successful candidates(s)
- f) Interviews shall not be disrupted in any way, nor be interrupted for the delivery of messages or answering of telephones calls. Cell phones shall be switched off and kept away to maintain confidentiality.
- g) The panel members are only allowed to discuss individual candidates after all candidates were interviewed and all scores were calculated. Scores are not a final determinant in appointing a person. Employment Equity plan must also be considered.

- h) If a candidate does not bring along the original documents, the panel will continue with the interview but still request the candidate to present originals within seven working days of the interviews which request shall be recorded. If a candidate fails to deliver the original documents during this period, the panel may reconvene and take final decision whether to reject that candidate and appoint the next suitable candidate, or to re-advertise the position.
- i) The members of the selection panel shall hand over the records of individual assessments of interviewed candidates to the Unit Manager Human Resource, or his/her nominee immediately after the last candidates has been interviewed. All panel members must sign Selection Panel form and the declaration of confidentiality form and these forms shall be kept as records of the interview by the Unit Manager Human Resource and shall also be filed as evidence of the interview proceedings in successful candidate's files.
- j) The remuneration/notch progression of interviewed candidate(s) may be determined or negotiated at offer stage, and not during the interview.
- k) Selection panel members and Unions representatives should complete the declaration of confidentiality form and shall not divulge nor disclose the outcome of the interviews. Transgression of this clause is a gross misconduct and shall subject the transgressor to a disciplinary hearing.
- l) Representatives of the Trade Unions (SAMWU and IMATU) in the shortlisting and interviews are not allowed to actively participate in the selection process or to influence the panel to appoint a specific candidate.
- m) Appropriate feedback regarding tests or other forms of assessment will be made available to the selection panel at the end of the interviews and may be used to influence the panel's decision with regard to the suitability and subsequent appointment of the candidate to the position which was the subject matter of the interview.

### **8.6.3 Decision-making Process during Interviews**

- a) The members of the panel as indicated in clause 8.3.2, shall take part in the decision making and are responsible for making recommendation to the Municipal Manager.
- b) General consensus must be reached before the selection panel can make a recommendation. Any member of the selection panel who arrived late and was not

present at the start of the interview or has not been present at all such interviews, will not be allowed to have a say in the decision of the panel.

- c) If there is a tie between candidates, the selection panel may reach consensus by taking the employment equity profile of that particular position into account or any other consideration it may deem fit, just and reasonable to appoint a particular candidate.
- d) The selection panel must make a decision in determining the successful candidate(s) and may also identify suitable back-up candidate(s) for the position.

## **8.7 Panel Decision**

8.7.1 The Director: Corporate Support Services or his/her nominee must record (interview report) the selection panel's decision on whether or not a candidate is recommended for appointment and the reasons for the decision. The Unit Manager Human Resource shall collect all interview documents and ensure that all has been recorded, appropriately stored and filed.

8.7.2 The Corporate Support Services personnel on instruction by the Director: Corporate Support Services, shall inform the interviewed candidates of the Municipal Manager's decision on the approval of the appointments.

8.7.3 An offer of employment confirms that the candidate was successful. This is only sent out after all the relevant qualifications referred to in his/her CV have been submitted to enable the Unit Head Human Resource to vet /verify the qualifications to determine suitability.

8.7.4 Any misrepresentation in the qualifications or CV of the successful candidate and / or back-up candidates(s) or their failure to present proof of qualifications, will disqualify such candidate(s) for appointment. If it is an internal candidate, he/she shall be disciplined for misconduct. In such a case, the selection panel shall recommend appointment of the second-best candidate or repeat the recruitment process in case there was no second-best candidate, or such candidate is not suitable for the position based on representativity or job requirements.

8.7.5 Rustenburg Local Municipality has the prerogative to verify the qualifications of an applicant or employee without obtaining his/her consent. Before the appointment of an applicant is confirmed, his/her qualification shall be screened/checked/verified through accredited institutions at the request of the Municipality and appointment/employment shall be terminated forthwith if qualifications were inflated or fraudulently obtained. The Municipality reserves the right to register a criminal case against the applicant/employee who deceived it in

the manner stated above. The Municipality further reserves the right to reclaim amounts that were gained by the applicant/employee (through remuneration and or any other form) who deceived it to wrongfully gaining appointment through fraudulent qualifications.

- 8.7.6 After having been authorized by the Director: Corporate Support Services or his/her nominee, the HR Officer must telephonically notify all interviewed candidates (i.e. both successful and unsuccessful) of the outcome of the interviews.
- 8.7.7 Candidates may request feedback (in writing) from the Director: Corporate Support Services or his/her nominee on the selection process and the results. Director Corporate Support Services or his/her nominee, in consultation with relevant Head of Directorate or his/her nominee(s), may give feedback to the candidates on their performance during the selection and interview process.
- 8.7.8 All information obtained before; during and after the selection process must be kept confidential by the members of the interviewing panel. If it can be determined/proved on balance of probabilities that a panel member has been responsible for leaking information, such person will be subjected to a disciplinary hearing. Each member of the interview panel will be expected to sign the Declaration of Confidentiality Form before the commencement of any interview.
- 8.7.9 If a recognized Trade Union (SAMWU or IMATU) is dissatisfied with the interview process it must raise its objections before the interview panel adjourns. Objections must be further submitted in writing to the Director Corporate Support Services or his/her nominee within two (2) working days of the conclusion of the interviews. If no such objection is received, the recommendation of the panel shall be binding if the Director Corporate Support Services or his/her nominee is satisfied that the appointment complies with the relevant Rustenburg Local Municipality Policies and applicable/enabling Legislation.
- 8.7.10 Internal candidates shall follow the grievance procedure as enshrined in the South African Local Government Bargaining Council' Disciplinary Procedure and Code Collective Agreement (applicable at that period) to appeal against any alleged unfairness in the interview process after having submitted his/her objection in writing and it has been responded to by Director Corporate Support Services.

## **8.8 Reference Check**

- 8.8.1 Screening of applicants may include contacting their previous employer(s) and, or referees, and/or establishing the creditability of their qualifications, on condition that the applicants are informed of the intention to do so. Referees

may only be contacted to determine applicants' suitability for the position. No unfair or discriminatory questions may be asked.

- 8.8.2 A structured questionnaire to check a reference must be drawn up and a representative of the Directorate: Corporate Support Services (Unit Manager: Human Resources Management) must do the reference check.
- 8.8.3 Only referees that are listed in the applicant's CV may be contacted – the previous employer may only be contacted with the prior notification and consent of the candidate.

## **8.9 Security Screening or Vetting**

- 8.9.1 The security screening of applicants must be carried out before appointment and in accordance with legislation.
- 8.9.2 Previous detention, arrest, conviction or dismissal may not constitute a reason for the immediate refusal of an application, except when the reason for the conviction or the dismissal makes the applicant unsuitable for the position in terms of its inherent job requirements and applicable legislation, such as the SA Police Service Act (Act 68 of 1995), and the Regulations for Municipal/Traffic Police Services or Law Enforcement and Security.

## **9. MEDICAL EXAMINATIONS**

Medical evaluation and testing of an employee will only be conducted when:

- 9.1 Legislation permits or requires the testing
- 9.2 It is justifiable in view of medical facts, employment conditions, the fair distribution of employee benefits or the inherent requirements of a job; and, or
- 9.3 Required by the Occupational Health and Safety Section.

## **10. APPOINTMENTS**

### **10.1 General**

- 10.1.1 No person shall be appointed in Rustenburg Local Municipality unless the recruitment process prescribed in this document has been followed, and the process and the appointment has been fair, transparent and reasonable.

- 10.1.2 Former employees whose services were terminated due to permanent medical incapacity to perform specific duties or any work, shall not be appointed permanently\contractually\temporarily\by personnel agencies to perform similar duties in Rustenburg Local Municipality.
- 10.1.3 Former employees who resigned to avoid disciplinary action and or those that have received severance packages cannot be appointed permanently\contractually\temporarily in Rustenburg Local Municipality without the approval of the Municipal Manager.
- 10.1.5 Employees who left the Rustenburg Local Municipality`s service voluntarily must follow the normal procedures in applying for positions and will be regarded as ordinary external applicants.
- 10.1.6 Appointment requirements can only be waived in accordance with agreed criteria and\or when allowed by national legislation, and the waiver is subject to approval by the Municipal Manager or his\her nominee.
- 10.1.7 No one over the retirement age shall be appointed in positions or vacancies whether as contract, permanent or part-time employees.

## **10.2 Approval of Appointments**

- 10.2.1 The appointment of the employees below section 56 and 57 appointments, will be approved by the Municipal Manager and handled according to the Recruitment Policy of the Rustenburg Local Municipality.
- 10.2.2 The authority to finalise remuneration, packages with prospective successful applicants lies exclusively with the Municipal Manager or his/her nominees, as will have been advised by Director Corporate Support Services, in consultations with the relevant Head of Directorate or his\her nominee also considering the Labour budget.

## **10.3 Appointment of Successful Candidates**

- 10.3.1 The interview panel shall make a recommendation for appointment, but the appointment process commences only after approval has been given by the Municipal Manager or their nominees.
- 10.3.2 No one, whether involved in the panel interview or not, shall inform an interviewed applicant of the outcome of an interview before the recommendation has been issued by the Director Corporate Support Services. The Municipal Manager will take disciplinary action against any person guilty of divulging information before it has been officially announced to the applicants by authorised personnel i.e.

Personnel Administrative Officer or as will have been delegated by the Director Corporate Support Services.

10.3.3 The Municipal Manager should finalise the appointments based on the recommendations of the panel within 14 days.

10.3.4 Should the Municipal Manager differ with the recommendation of the panel, he/she should provide his/her reasons in writing to the panel. The issue should be resolved within 14 days after the receipt of the reasons to map a way forward.

10.3.5 The Corporate Support Services' HR Officer, authorised by the Director Corporate Support Service must telephonically notify the successful \unsuccessful candidates who attended interviews. Upon request by the applicant a written notification shall be given to the applicant and may not be denied under any circumstance should telephonic information be the one that was initially utilised.

#### **10.4 Appointment of Family Members, Intimacy Partners and Relatives of Present Employees and Councillors**

10.4.1 Nepotism, that is the practise of employing family members and relatives in preference to other applicants, is not allowed.

10.4.2 Relatives of present employees and councillors who apply for the positions in the Rustenburg Local Municipality must be treated the same and in accordance with the Recruitment Policy and in the same way as any other applicant.

10.4.3 All members involved in the process of shortlisting and interviewing of applicants in position which a family member or relative has applied for, must declare their interest in this regard and excuse themselves before the process starts and any omission to do so, shall render the appointment of the family member null and void.

#### **10.5 Appointment of the Employees on a Temporary Basis**

10.5.1 Services of temporary employment may be used upon approval of the Municipal Manager or his/ her nominee(s):

- a) For specialised positions.
- b) If special skills are required.
- c) If insufficient applications were received during the normal advertising period of a position
- d) For the urgent temporary replacement of an employee (e.g. someone on maternity leave), where acting cannot apply.

e) If a position was advertised twice externally and no suitable candidate could be found after interviews were conducted.

f) Provided that no temporary employment shall exceed a period of three (3) months.

10.5.2 A candidate who has been appointed as a temporary employee will be considered as an internal candidate and can apply for any vacant position.

10.5.3 The recruitment and selection of a temporary employee must take place in accordance with the approved Recruitment and Selection Policy and procedures. The recruitment and selection will be done from the data base as established by the Human Resources Unit and the data base should be reviewed on an annual basis.

10.5.4 A written contract of appointment must be concluded between the candidate and the Rustenburg Local Municipality before appointment.

10.5.5 No temporary employee shall have the right to expect the renewal of their contract of employment or permanent employment in the position without the position being advertised internally and externally and the recruitment and selection process taking place.

10.5.6 Contractors and, or their employees are not subjects of employment contract with the Rustenburg Local Municipality and cannot be considered for internally advertised positions. They are regarded as external candidates and are referred to as Contractors and not employees of the Municipality. This does not apply to temporary employees as they are regarded as subjects of temporary employment contract with the Rustenburg Local Municipality and will be considered for internally advertised positions.

10.5.7 The appointment of contract employees in highly specialised positions that require scarce skills or competencies cannot be approved unless the positions have been advertised internally and externally. All positions must be advertised to enable the Municipality to choose the best candidates with scarce skills or competencies in all fields.

10.5.8 All section 56 and 57 appointments, are not considered in this Recruitment Policy. These appointments will be handled according to the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) (Amendment Act 7 of 2011), section 54A & 56 (1) (a) and the Local Government: Regulations on appointment of Senior Managers (effective from 17 January 2014).

## **[8.6 Appointment of candidates with criminal records**

8.6.1 *The appointment of a person with criminal record shall be authorised by the Municipal Manager, subject to full disclosure and applicable legislation.]*

## **10.6 Promotion**

10.6.1 No employee is promoted automatically to a vacant position.

10.6.2 An employee is promoted to a vacant position only after the normal recruitment and selection procedures, including medical examinations where applicable, have been followed and after the proper approval of the promotion.

## **[11 FOREIGN RECRUITMENT**

11.1 *Foreign recruitment shall be undertaken for key positions, but only after local recruitment actions have been exhausted and no suitable local candidates could be identified.*

11.2 *Foreign recruitment must take account of Central Government's guidelines on foreign recruitment, immigration, and work and residence permits. Section 38 of the Immigration Act, 2002 (Act 13 of 2002) applies here.*

11.3 *Foreign applicants shall be employed on the condition that the Rustenburg Local Municipality cannot guarantee the issue of a temporary or a permanent work permit or the extension of an existing permit.*

11.4 *Foreign applicants shall be appointed as fixed-term contract employees for the period that their temporary work permits are valid. Their contracts shall be extended only when they have been granted extended temporary work permits and their work performance is satisfactory.*

11.5 *Foreign employees are eligible for permanent appointment only when they have obtained permanent residence permits.*

11.6 *In terms of present government policy, foreign employees who do not have permanent residence permits may not be contracted for the period that their work permits or temporary residence permits are valid (whichever is applicable).*

## **12.2 Transfer**

12.2.1 *No employee shall be transferred automatically to a vacant position.*

12.2.2 *An employee shall be vertically transferred to a vacant position only after the recruitment and selection procedures have been followed and the candidate has been found to be the most suitable. This would then be viewed as a promotion that transfer as it would affect both the conditions of service and the remuneration package.*

12.2.3 *Apart from the above, the Municipality shall horizontally transfer an employee to a vacant position if it is in the best interest of the Municipality and, or the employee himself/ herself and on condition that this transfer is fair and reasonable. The remuneration package of the transferee shall not be affected in this instance.*

12.2.4 *Transfers must take place in accordance with the conditions of Service and, or other applicable policies as approved from time to time.*

### **12.3 Secondment**

12.3.1 *The request for the secondment of an employee to another Directorate must be initiated by a Head of Directorate and negotiated with the future Head of Directorate the employee has identified.*

12.3.2 *The secondment agreement must be signed by the seconded employee, his/ her present and future Head of Directorate or his/ her nominee as well as the Director Corporate Support Services or his/ her nominee, and a copy of the signed agreement must be distributed to each signee and the other copy be kept in the employee's file.*

12.3.3 *An employee can only be seconded to similar or equal position for a certain period, provided that the job level and job category are the same. The seconded employee moves with his/ her current position and its allocated budget, which means that the position is not vacant and cannot be filled during the secondment period.*

12.3.4 *Secondment is used for internal movement of employees between/ among/ within Directorate/ Units/ Sections.*

12.3.5 *A memorandum of understanding could be written if the secondment is between the Rustenburg Local Municipality and any other government institution.*

### **12.4 Medically incapacitated employees**

12.2.1 *Employees who need to be alternatively placed due to medical incapacitation will be handled in terms of the latest collective agreement signed between the Trade Unions (SAMWU and IMATU) and Rustenburg Local Municipality.*

### **12.5 Headhunting**

12.5.1 *Headhunting is the concept where specific persons with specific knowledge, qualifications, experience and skills are needed and where suitable candidates could not be obtained by means of the normal recruitment process.*

12.5.2 *Headhunting can thus specifically be applied with the aim to identify suitable candidates from designated groups for appointments in accordance with Employment Equity Plan of the Municipality, if suitable candidates could not be identified through the normal recruitment process.*

#### 12.5.3 *Recruitment through Headhunting*

*In the event a suitable candidate is not secured through the normal recruitment process, the headhunting process would be invoked. The relevant office should seek approval from the Municipal Manager to headhunt. At least one CV, preferably two or more should be considered for recruitment under the headhunting process.*

#### 12.5.4 *Selection through headhunting*

*The selection of candidates must be in line with Employment Equity Plan of the Municipality*

#### 12.5.5 *Interviews through headhunting*

*Interview process determined in terms of this policy shall apply*

#### 12.5.6 *Appointment from headhunting process*

*The appointment of the preferred candidate would be done like any other personal appointed according to this policy.*

### **13. *Placement of students for compulsory practical work and employment of full time bursary holders***

13.1 *The Director: Corporate Support Services decides on the placement of bursary students and students applying for compulsory practical work (relevant to their studies) in accordance with the bursary policy.*

13.2 *Students must be remunerated from the budget of the relevant Directorate and according to an approved tariff per day should remuneration be applied to their placement.*

13.3 *A written contract must be concluded between the student and the Municipality.*

13.4 *Student with Rustenburg Local Municipality bursary must be allocated compulsory/ voluntary practical work in preference to any other students.*

13.5 *The temporary appointment of students (who are not bursary holders) as employees is done in accordance with approved recruitment and selection procedures.*

**15. *Notice of termination of employment of promoted/ transferred/ seconded employees***

15.1 *Any employee, whether on contract or permanent, must give a month notice of moving to another post in the Municipality.*

15.2 *No candidate is allowed to move to another job in the Municipality without having given the required month notice. The relevant Directorate must negotiate such movements, for instance a mutual agreement can be reached between Directorates to move a candidate earlier.*

**19. *Entire agreements***

19.1 *This document and the Annexure thereto, contains the entire agreement between the parties, and can only be amended, varied or altered by means of a further written agreement between all the parties thereto.*

19.2 *Any party wishing to amend this agreement must give the other parties at least three months' notice of such an intent, prior to any re-negotiations taking place.*

**20. *Appointment of Section 57 Managers***

20.1 *Section 57 Managers are appointed in terms of Local Government Municipal Systems Act 32 of 2000, (Amendment Act 7 of 2011) section 56 (1) (a) and Local Government: Regulations on appointment of Senior Managers (effective from 17 January 2014). Report is to be submitted to Council through the Mayoral Committee for the interviewing of short listed candidates. Council is to make a decision regarding their appointments.]*

**11. RE-ADVERTISEMENT OF POSTS**

11.1 If the selection panel decides that the applicants do not meet the inherent requirement of the job, the recruiting Directorate shall request in writing that the position be re-advertised internally or externally, whichever is applicable.

## **12. OBJECTION AND DISPUTE ABOUT THE POSITION**

- 12.1 If candidates are not satisfied with the outcome of the interviews, they can write objection in a letter form and submit it to the Director Corporate Support Services or his/her nominee within 48 hours, after the results of the interviews had been made known. The Director Corporate Support Services must respond to the objection in writing within 14 days. If an objection is received within 48 hours from the recognised Trade Union (SAMWU and, or IMATU) or any affected party, the appointment process will be kept on hold until the Director Corporate Support Services has recommended the way forward to the Municipal Manager who must take a final decision in this regard.
- 12.2 External applicants are entitled to lodge a dispute in terms of the relevant clauses in the Labour Relations Act 1995 (Act 66 of 1995).

## **13. RECRUITMENT EXPENSES**

The Directorate Corporate Support Service is authorised to bear recruitment expenses where this recruitment policy makes provision for it (e.g. travelling costs of candidates outside Rustenburg Local Municipality).

### **13.1 Travelling expenses**

- 13.1.1 External applicants who attend assessments and, or interviews may be compensated for expenses in line with clause 9, taking into account the scarcity of skills required, the distance travelled, special merit involved and affordability.
- 13.1.2 External candidates living outside the boundaries of Rustenburg Local Municipality shall be compensated for their actual travel expenses or as calculated in line with the AA rates.
- 13.1.3 A candidate is compensated for travelling expenses after submitting a claim form and after the finance department has processed the claim. Such claims must be concluded within seven (7) working days period.
- 13.1.4 In circumstances where an applicant invited to an interview has been appointed or recommended for appointment, she/he will still be compensated for travel expenses, even when the applicant declines the offer of employment.

## **14. DISMISSAL DUE TO FRAUDULENT QUALIFICATIONS AND/OR INFORMATION**

- 14.1 If a candidate has already commenced with his/ her duties and it is later found that the application, CV or qualifications of that person are fraudulent, he/ she will be dismissed, after a fair process has been followed (observing the *audi alteram partem* rule). The matter will further be registered with the South African Police Service for criminal charges and prosecution with the assistance the Law Enforcement and Security Unit of RLM.
- 14.2 If a candidate has not yet commenced with his/ her duties and it is found that the application, CV or qualifications of that person are fraudulent or that the candidate misrepresented himself/ herself, the contract of appointment will be cancelled forthwith.

## **15. INDUCTION**

All newly appointed employees will participate in the Municipality's Induction Process. Existing employees may go through a process of re-induction.

## **16. GENERAL RESOLUTION**

If this policy document does not address a relevant issue, or if uncertainty exists, the Municipal Manager is authorised to lay down a course of action after consultation with the Director: Corporate Support Services.

## **17. DISPUTES**

Any disputes arising out of the interpretation, application, monitoring and/or enforcement of this policy shall be resolved by the SALGBC North West Division in terms of the dispute resolution procedure.

## **18. RECORD AND REPORTING**

Data relating to the recruitment process should be captured and analysed to determine trends to facilitate improvements to the recruitment process.

## **19. UPKEEP OF THIS POLICY**

The Directorate Corporate Support Services shall be responsible for the upkeep of this policy. The policy will be reviewed on a two-year period or as and when needed.

Signed by the Parties and witnesses on the following date and place:

**Date**..... **Place**.....

.....

a. Municipal Manager

.....

b. SAMWU Chairperson

.....

c. IMATU Chairperson

.....

d. Witness (1)

.....

e. Witness (2)

.....