



MAKHUDUTHAMAGA
LOCAL MUNICIPALITY

HUMANRESOURCES POLICY DOCUMENT

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1. ATTENDANCE AND PUNCTUALITY POLICY

i. ACRONYMS AND ABBREVIATIONS

- SALGA-South African Local Government Association
- BCEA –Basic Conditions of Employment Act
- LRA: Labour Relation Act

ii. CLARIFICATION OF TERMS

All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

1.1 PREAMBLE

All municipal employees will work such hours and days in accordance with the operational needs and requirements of the Employer, which will not be less than forty (40) hours per week from Monday to Friday.

1.2 PURPOSE AND OBJECTIVES OF POLICY

The objectives of this policy is to provide a standard attendance and punctuality framework for all employees. Because employees are vital to the work of the Municipality, reliable and consistent attendance is condition of employment.

1.3 SCOPE AND APPLICATION

This policy applies to all employees of the Municipality. Employees are expected to be at their work station at their scheduled start time. Each department determines the work schedule and hours for employees as necessary for its operations. However, work schedules may vary among Municipality including hours of work.

1.4 LEGAL FRAMEWORK

- a) The Constitution of South Africa 108 of 1996
- b) Labour relations Act, 66 of 1995
- c) Basic Conditions of Employment Act, 77 of 1997
- d) Main Collective Agreement 2015 – SALGBC

1.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of the policy.



1.6 POLICY CONTENT

1.6.1 Absence

Employees are considered absent from work when not available for the assigned work schedule regardless of the reason.

1.6.2 Scheduled Absences:

Employees are to notify their supervisors as early as possible about scheduling time off from work (e.g. doctor's appointment, personal days etc), whether paid or unpaid. Scheduled absences are arranged at the mutual convenience of the Department and employee based on the operational needs of the department. Absence can be considered scheduled if a 24-hour advance notice is given in advance, and the absence is approved by the supervisor.

1.6.3 Unscheduled Absences:

If an employee misses work due to an unscheduled absence (e.g. Calling-in due to sickness), he/she must follow prescribed department procedures for calling in. Failure to follow prescribed department procedures may result into instituting disciplinary action. After ten (10) consecutive days of unscheduled absence, failure to notify and receive approval will be considered job abandonment and the employees' status can be terminated effective from the day following the last day of work

1.6.4 Excessive Unscheduled Absences:

Excessive unscheduled absences may result in instituting disciplinary action up to and including dismissal. Supervisors will notify an employee when patterns or concerns develop that may place them at risk of being reprimanded. The following factors should be considered in determining if unscheduled absences are excessive:

- a) Patterns of absence: A pattern of absence demonstrates a predictable routine. For example, is the employee consistently absent the day after pay day, or a particular day, e.g. Monday or Friday, or always on the day before or after a holiday, etc
- b) Frequency of absence: How often does the employee have unscheduled absence. Repeated instances of unscheduled absences, such as call-ins, early departures, not reporting etc, should be considered. Even though the absences may not constitute a predictable pattern, is the employee often absent.

1.6.5 Tardiness:

Employees are considered tardy when he/she fails to report to the assigned work area at the scheduled time. This includes returning from breaks. Municipality define punctuality standards for their operations and are responsible for communicating them to employees. Employees who expect to be late are to notify the supervisor or his/her assignee according to department prescribed procedures. Employees may not extend a normal workday to make up for being tardy without supervisors approval.



1.6.6 Attendance Register:

Employees must use a time reporting system or attendance registers to document work time and breaks from work. Absences, late arrivals, early departures, and extended breaks in the workday are accounted for on employees time record.

1.7 DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

1.8 ADOPTION OF THE POLICY

This policy will be adopted by Municipal Council

1.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

1.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

1.11 ENQUIRIES

Human Resource Division

1.12 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



2. EMPLOYMENT EQUITY POLICY

i. ACRONYMS AND ABBREVIATIONS

- EEP-Employment Equity Programs
- EEA-Employment Equity Act
- SDA-Skills Development Act

ii. CLARIFICATION OF TERMS

- **“candidate”** means an applicant for a post which substantially limits a person towards performing his/her duties
- **‘designated group’** means Black people, women and people with disabilities;
- **‘black people’** is a generic term and means African, Coloured and Indian persons;
- **‘people with disabilities’** means people who have a long term or recurring physical or mental impairment which substantially limits their prospects of entry into, or advancement in, employment;
- **‘disadvantaged persons’** means persons or categories of persons disadvantaged by past or present unfair discrimination; and
- **a ‘suitably qualified’ person** means a person who has the abilities, formal qualifications, relevant experience or potential to acquire, within a reasonable time, the skills and competencies necessary to perform a particular job.
- All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

2.1. PREAMBLE

The Municipality has embarked on a process to implement the provisions of the Employment Equity Act. A consultation process was followed with all interest groups in order to ensure that the process is fully inclusive and transparent:

- i. designated and non-designated employees
- ii. employees in all the job categories and occupational levels
- iii. representative Unions
- iv. Senior managers responsible for the implementation of the process

This document includes the results of a review of all employment policies and practices at Municipality. Accordingly it illustrates the link between the current workforce profile, possible barriers in employment policies and the implementation of remedial steps to establish employment equity.



2.2. PURPOSE AND OBJECTIVES OF POLICY

The Employment Equity Act requires that the Employment Equity Plan state the broad objectives of the plan and provide for a timetable for the fulfillment of these specific objectives.

2.2.1. These objectives should:

- a) Take into account the output of the planning phase;
- b) The particular circumstances of the employer; and
- c) The alignment & inclusion of the plan in the broad business strategy of the Municipality.

2.2.2. The broad objectives of Employment Equity are the following:

- a) Addressing under-representation of designated groups in all occupational categories and levels in the workforce. Specifically under-representation of black people, as defined in the Act, and people with disabilities were identified during the numerical analysis as presenting special challenges which the Municipality has to address.
- b) Identifying and developing strategies for the elimination of employment barriers in the Employment Policies and Practices of the Municipality. A number of barriers were identified by the Municipality and will be addressed in this policy.
- c) Developing business-orientated strategies for the achievement of numerical goals and timetables for the implementation of affirmative action measures, taking into account the mission of the Municipality.
- d) Establishing procedures for the monitoring and enforcement of the implementation process.
- e) Establishing procedures to address and resolve disputes regarding the implementation and enforcement of Employment Equity.

2.3. LEGAL FRAMEWORK

- a) The Constitution of South Africa Act No.108 of 1996
- b) Employment Equity Act, No. 55 of 1998
- c) Skills Development Act, No.

2.4. SCOPE AND APPLICATION

The policy shall apply to all candidates who apply to the Municipality for employment and all employees of the employer, including designated groups as well as non-designated groups.



2.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of the policy.

2.6. POLICY CONTENT

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 or his/her delegated assignee(s) in terms of section stipulations of the Employment Equity Act, 1998 (Act 55 of 1998).

The following affirmative action measures have been identified and developed to address the employment barriers and under-representation identified during the numerical analysis and the review of the Employment Policies and Practices of the Municipality:

2.6.1. Affirmative Action Measures

2.6.1.1. *Increasing the pool of available candidates*

A policy on recruitment has been adopted which provides for the internal and external recruitment of suitable candidates from designated groups. A concerted effort will further be made to increase the level of interest of potential candidates from designated groups in applying for vacancies.

2.6.1.2. *Appointment of employees from designated groups*

Existing policies have been scrutinized to identify employment barriers to members of designated groups, and appointment and selection policies should increase the possibility of appointing candidates from the designated groups in employment categories and levels where they are under-represented. Policies regarding selection criteria and selection panels will ensure that fair and non-discriminatory selection procedures be implemented. Such procedures will help contribute to the appointment of suitable candidates from designated groups. Further efforts will include:

- a) The redrafting of employment application forms and employment contracts so that all discriminatory or prejudicial provisions and clauses are removed.
- b) An increased awareness that psychometric tests and evaluation methods tend to be culturally biased and discriminatory and also have low predictive validity of the true ability of candidates to perform in a work environment.



- c) The increased use of competency-based recruitment and selection methods, whereby the potential of the candidate, and the ability to perform the job plays an increasingly prominent role.
- d) Compliance with numerical targets and annual benchmarks.
- e) The advancement of designated groups, but bearing in mind that the Municipality will not resort to window-dressing, tokenism and favoritism, but will advance designated groups by providing the necessary guidance, training and development, and support.
- f) Recognizing that the appointment of members of designated groups will help create a more diverse workforce, which holds social and economic benefits for the Municipality.

2.6.1.3. Training and development of people from designated groups

The Municipality recognises the obligations placed on it by the Skills Development Act of 1998 to train and develop employees. The Municipality has adopted structured training programs for employees. These programs include:

- a) Bursaries for secondary and tertiary education
- b) Job-related training
- c) Training in line functioning, management, and supervisory skills
- d) Learnerships
- e) Skills programs

Strong emphasis is also placed on mentorship and coaching of new employees, since the development of employees is seen as long-term upliftment measure as against a temporary corrective measure. Career planning and development therefore, becomes an integral part of the development of the human resources, and is training only the first step in the process whereby attained abilities are eventually put into practice. This eventual goal can also be observed in the outcome-based nature of the training provided and the purpose of the training to accelerate the advancement of designated groups within the Municipality.

2.6.1.4. Retention of people from designated groups

The Municipality is committed to lowering the turnover rates and increasing the retention rates of designated members. Accordingly, the Municipality has adopted a new policy regarding exit interviews in order to enable the Municipality to develop further strategies regarding the retention of people from designated groups by determining the reasons why people from designated groups terminate their services with the Municipality. This will also enable the Municipality to compete successfully with other employers in an effort to obtain and retain the services of people from designated groups.



2.6.1.5. Reasonable accommodation of people with disabilities

The Municipality has adopted a policy regarding the accommodation of the disabled, with specific reference to adapt physical facilities that will be implemented gradually with a view to making the grounds and buildings accessible to people with disabilities. Special attention will be given to the employment and career development of disabled people.

2.6.1.6. Steps to ensure that members of designated groups are appointed in such positions that they are able to meaningfully participate in municipal decision-making processes

The Municipality adopted policies with regard to appointment and promotion that should ensure that candidates from the designated groups have the opportunity to be appointed in positions where they will be able to participate meaningfully in the decision-making of the Municipality. The appointment policy reflects the selection criteria of section 21 of the Employment Equity Act by requiring candidates to be suitably qualified for positions into which they will be appointed.

2.6.1.7. Steps to ensure that the municipal culture of the past is transformed in a way that affirms diversity in the workplace and harnesses the potential of all employees

The consultation forum of the Municipality includes employees from various different levels and seniority and is fully representative of all designated and non-designated groups at the Municipality. The Municipality also recognises the importance of adopting an overall strategy which highlights the importance of managing a diverse, multiracial and multicultural workforce, for the purposes of ensuring the maximum utilisation of all employees. This includes reducing negative stereotyping and discrimination, creating an acceptable and welcome environment, and the integration of affirmative action programs with general management practices and strategies.

2.6.2. Corrective Measures to Eliminate Barriers Identified During the Analysis

Employment policies and practices are continuously reviewed by the Municipality in order to remove any possible discriminatory content and to eliminate employment barriers from the policies and practices.

The selection criteria at the Municipality are continuously revised in order to allow for the definition of suitably qualified candidates as contained in the Employment Equity Act to serve as standard for selection.

The affirmative action measures implemented at the Municipality are designed to prevent the creation of absolute barriers for the appointment or promotion of persons



from non-designated groups, and care is taken to ensure that the measures adopted does not discriminate in any way against persons from the non-designated groups.

2.6.3. Numerical Goals

- a) A numerical analysis must be carried out to determine the representation of employees internally in every employment level and job category as well as externally to determine the external representation of the various groups on both a regional and provincial level. This analysis enables the Municipality to set quantitative targets which are realistic and attainable given the particular circumstances of the Municipality as an employer.
- b) Numerical goals must be developed for the appointment and promotion of people from designated groups in order to address under-representation of the designated groups.
- c) The following factors must be taken into consideration in developing the numerical goals:
 - i. The degree of under-representation of designated employees in the various employment categories at the Municipality as determined by the numerical analysis.
 - ii. The labour turnover rate at the Municipality must be determined to be extremely low. This presents a significant limiting factor as regards the implementation rate of affirmative action measures and the setting of numerical goals by the Municipality. Possible measures that could be considered in order to address this problem include offering voluntary severance packages to senior employees by mutual consent.

2.6.4. Consensus

- a) The representative unions as well as the management structures of the Municipality must be involved in the consultation process surrounding the numerical analysis, the review of employment systems and policies and the drafting of the Employment Equity Plan. The parties must strive to reach a high degree of consensus in the consultation process.
- b) Workshops, attended by representative trade unions and management, must be held which will be utilized as opportunities to consult, inform and educate all parties as to the process to be followed and the roles to be played by parties.



2.6.5. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

2.6.6. ADOPTION OF THE POLICY

This policy will be adopted by Council

2.6.7. INCEPTION OF THE POLICY

1ST OF JULY 2016

2.6.8. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

2.6.9. ENQUIRIES

Human Resource Division

2.6.10. SIGNATURE:

Formulated by: Human Resource Date:

Consulted: LLF: Date:

MM Approval: Date:

Council Approval: Date:



3. RECRUITMENT POLICY

i. ACRONYMS AND ABBREVAITIONS

- IDP-Integrated Development Plan
- SDA-Skills Development Act
- MSA-Municipal Systems Act
- BCEA-Basic Conditions Of Employment Act
- LRA-Labour Relations Act
- EEA-Employment Equity Act
- TASK-Tuned, Assessment, Skills and Knowledge
- VAT-Value added tax
- MEC-Member of executive Committee
- HR-Human Resources

ii. CLARIFICATION OF TERMS

- **“induction”** initiation: a formal entry into an organization or position or office.
- **“nepotism”** means favoritism on the basis of family relationship or friendship.
- **“candidate”** means an applicant for a post
- **“recruitment”** means the activities undertaken in the human resource management in order to attract sufficient job candidates who have the necessary potential, compliances and traits to fill job requirements and to assist the Municipality in achieving its objectives.
- **“reference check”** means the gathering of information about candidate’s past history from people with whom such candidate has been associated.
- **“selection”** means the process of making decisions about the matching of candidates taking into account individual differences and the requirements of the job.
- All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

3.1. PREAMBLE

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 utilization and continued development of these employees.

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 affirmative action and employment equity.



3.2. PURPOSE AND OBJECTIVES OF POLICY

- a) The Municipality recognizes that its employment policies, practices and procedures must comply with the principle of the rule of law. The principle of the rule of law includes the principle of legality, which requires the Municipality, its political structures and political office-bearers as well as its employees, to comply at all times and without exception with the relevant legal prescripts governing the situation concerned.
- b) This policy is further based on the principles set out below. Human resources management in the Municipality must—
 - i. be characterized by a high standard of professional ethics;
 - ii. promote the efficient, economic and effective utilisation of employees;
 - iii. be conducted in an accountable manner;
 - iv. be transparent;
 - v. promote good human resource management and career development practices, to maximize human potential; and
 - vi. ensure that the Municipality's administration is broadly representative of the South African people, with human resources management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.

3.3. SCOPE AND APPLICATION

- a) To ensure a fair and equitable employment process, this policy shall apply to all appointments made within the Municipality excluding Senior Managers.
- b) This policy will not apply to appointments arising out of a:-
 - i. procurement process,
 - ii. acting appointments or
 - iii. rotating portfolios.

3.4. LEGAL FRAMEWORK

- a) The Constitution of South Africa Act No.108 of 1996
- a) Local Government: Municipal Systems, Act No.32 of 2000 as amended.
- b) Employment Equity Act, 55 of 1998
- c) Basic Conditions of Employment Act, No. 75 of 1997
- d) Labour Relations Act, 66 of 1995
- e) Skills Development Act, 97 of 1998

3.5. ADMINISTRATION OF THE POLICY



The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

3.6. POLICY CONTENT

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

3.6.1. Post Establishment

The Municipality will maintain a record of all approved posts and shall monitor all appointments against posts according to the approved staff establishment.

The post structure is aligned with the municipal IDP and approved system of job evaluation (TASK) as defined by the South African Local Government Bargaining Council.

The Municipal Council shall, unless it has issued delegations to any other authority, have an oversight role in the staff establishment of the Municipality. Therefore, all requests for new positions and/ or unfreezing of the posts must be approved by the Municipal Manager or his delegated authority.

3.6.2. Recruitment

3.6.2.1. *Determining recruitment needs*

Prior to filling a post, the necessity for filling shall be informed by the work study, job profiling or as need arising from the Senior Manager motivated in writing to Municipal Manager.

3.6.2.2. *Validation of inherent requirements*

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

3.6.2.3. *Recruitment Advertisement*

- a) The validated inherent job requirements and key performance areas shall form the basis for the advertisement/brief and all advertisements shall clearly state:



- i. The name and location of the Municipality.
- ii. A statement that the Municipality subscribes to the principles of employment equity.
- iii. The designation of the position that is advertised.
- iv. The minimum requirements in terms of qualification, skills, expertise and other requirements for appointment.
- v. A summary of the key performance areas/primary duties of the position.
- vi. A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).
- vii. In the case of the Municipal Manager and a manager directly accountable to the Municipal Manager, a statement that the continued employment of the successful candidate will be subject to the annual conclusion of a performance agreement with the Municipality.
- viii. The name and contact details of the person to whom enquiries may be directed.
- ix. A statement that canvassing will disqualify any candidate from being considered for appointment.
- x. An indication of the remuneration offered.
- xi. The format and content of applications.
- xii. The address where, and person to whom, applications must be delivered.
- xiii. The closing date for the submission of applications.
- xiv. A statement that applications received after the closing date will not be accepted or considered.
- xv. A statement that if an applicant does not hear from the Municipality within 30 days his/her application was unsuccessful.
- xvi. A statement that email and faxed applications will not be considered.

- b) All applications must be completed on the official municipal application form.
- c) Vacancies must be advertised internally and may at the same time be advertised externally, provided that external advertisements may only be published in a newspaper of record in terms of Section 21(1) of the Municipal Systems Act, as follows:

Nature of Post	Advertising Medium
i. Temporary elementary positions	Local newspapers Local Radio Stations
ii. Permanent elementary occupations	Internal Local Radio Stations
iii. Entry and middle level occupations	Internally and local newspapers Local Radio Stations
iv. Senior management and professional Occupations	Internally, provincial and national Newspapers Local Radio Stations



3.6.2.4. Unsolicited applications

- a) Unsolicited applications received during the course of the Municipality's operations must be returned forthwith to the applicant stating that the Municipality did not have any vacancies at the time when the application was submitted and that should any vacancy arise, the Municipality would advertise such vacancy.
- b) Nobody may promise or undertake to accept an unsolicited application for appointment and to submit it when a vacancy is advertised.

3.6.2.5. Head hunting

- a) Head hunting will be applied with caution at all times, and it may be employed at any stage of the selection process, when the selection panel is of the opinion that the assessed candidates are not suitable and / or do not meet the requirements of the Employment Equity Plan.
- b) Normally targeted persons will be provided with the copy of the recruitment advertisement and allowing them to apply of their own accord, unless otherwise the selection panel so decide.

3.6.2.6. Application forms

- a) The Senior Manager Corporate Services must design and ensure that a sufficient supply of official application forms is available and accessible at all times. Unless specifically allowed in a particular case, all applications must be submitted on an official application form.
- b) Any applicant or category of applicants, who has not been exempted from this requirement and did not complete the official application form, must do so before an interview.

3.6.2.7. Recruitment time frames

The following times frames should serve as a guideline for turnaround on recruitments.

a) VACANCY

- i. Through resignation
- ii. Dismissal
- iii. Retirement
- iv. Incapacity
- v. Other. Line Manager to motivate filling of post to MUNICIPAL MANAGER within 2 (two) weeks of occurrence of vacancy or as soon as reasonably possible.



b) ADVERTISEMENT

- i. Internal
- ii. External
- iii. Human Resources Department instructed by any Senior Manager to request job profiles(from any department requesting filling of posts in their organogram) and to place advertisements. Advertisements are for 2 (two) weeks period with a grace of an additional 3 (three) days for posted applications.

c) SCREENING

- i. Rejecting non complying applications
- ii. Filing complying application.
- iii. Recruitment office within 3 (three) days from the closing date of applications in terms of the advertisement must start with the capturing of the applications in order to develop a recruitment schedule. **Same Week**

d) SHORTLISTING

Short Listing Committee Within a week from the closing date of applications in terms of the advertisement

e) INTERVIEW

Selection Panel Within a week from the final short listing

f) APPROVAL

Municipal Manager authority or Council Within a week after recommendations submitted by the Selection Panel

g) APPOINTMENT

Line Senior Manager after approval by Municipal Manager or Council immediately after approval by delegated authority or Council

Average time frame from the date of advertisement to appointment is 5 (five) weeks.

3.6.3. General Principles Governing Selection

- a) Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.
- b) 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.



- c) 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.
- d) 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.

3.6.3.1. Nepotism

- a) The basic criteria for the appointment and/or promotion of employees in the Municipality shall be appropriate qualifications and appropriate performance as set forth in the policies of the Council.
- b) Relationship by a family or marriage shall constitute neither an advantage nor a disadvantage.
- c) Any poor performance or loss of productivity which is a direct result of conflict between two family members both employed in the organization can result in severe disciplinary action being implemented against both employees.
- d) For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing.

3.6.4. Selection Process

- a) The purpose of selection is to identify the most suitable candidates from all the persons who applied and to eliminate unsuitable candidates in the fairest way possible.
- b) The Selection/shortlisting process will be conducted by a Selection/Shortlisting Panel consisting of (depending and with due cognizance of the post):
 - i. The Municipal Manager or his delegated assignee(s)
 - ii. Manager of department/section
 - iii. Experts from various stakeholders (with due cognizance of the requirements of the post)
 - iv. Human resource representative
 - v. Labour Unions – must be invited as observers only.

3.6.5. Compiling of master lists



- a) After the closing date of an advertisement all the applications received for every specific position are captured in on the master list compiled by the Senior Manager Corporate Services through human resource division. The master list must contain, in table form, the following particulars in respect of each candidate:
 - i. The applicant's surname followed by her/his initials
 - ii. The applicant's gender;
 - iii. The applicant's race;
 - iv. The applicant's qualifications and experience relevant to the job descriptions and job specifications; and
 - v. If applicable, the nature of the applicant's disability
- b) The Senior Manager: Corporate Services must submit the master list to the short listing panel as constituted by the Municipal Manager or his appointee.
- c) The Senior Manager Corporate Services must, during the compilation of the master list, take all reasonable steps and actions to establish the validity and accuracy of any certificates, diplomas and other information supplied by an applicant. If any candidate submitted or claimed that she/he had some or other certificate or diploma, qualification or experience that is disproved, such information must be noted next to the name of the candidate in the master list.

3.6.6. Compiling short lists

- a) The shortlisting must be done by the appointed committee which has been constituted by the Municipal Manager or his assignee. The applications should be categorized as follows:
 - i. Internal applicants
 - ii. Local applicants
 - iii. Provincial applicants
 - iv. National applicants
- b) The chairperson of the Shortlisting Committee must submit particulars of the short listed candidates to the Senior Manager Corporate Services or the Municipal Manager.

3.6.7. Notification of short listed candidates of selection proceedings



The Senior Manager Corporate Services must notify every candidate whose name has been short listed of the venue, date and time and nature of the selection proceedings she/he must attend using the most reliable communications methods available.

3.6.8. Interviewing in respect of vacancies – Refer Annexure A

- a) Except for appointments that must be made by the Council, the Interview Committee may comprise of the following:
 - i. The Municipal Manager or his delegated assignee(s)
 - ii. Manager of department/section
 - iii. Experts from various stakeholders (with due cognizance of the requirements of the post)
 - iv. Human resource representative
 - v. Labour Unions – must be invited as observers only.
- b) The Municipal Manager or his/her designated representative may attend and participate in the interviews for the appointment of the following employees:
 - i. On the first level below the level of departmental head;
 - ii. As manager directly accountable to her/him; and
 - iii. In her/his department/office
- c) Completed score sheets must be kept in safe storage for a period of at least six (6) months after an appointment decision has been made, and be filed in registry and also appointee's personal files.

3.6.9. Conducting proficiency tests

One or more relevant proficiency tests (e.g. typing tests, operating a grader etc.) may be required to be conducted before or after an interview is conducted. A proficiency test may only be required if the outcome thereof is relevant to the expected job standards that would be expected of the employee and it relates to the job description.

3.7. Appointment

The appointment of an applicant may take place only in accordance with the requirements of the post concerned and the merit of the applicant.

3.7.1. Appointment for a fixed term



- a) Any person employed in a fixed term must be appointed in terms of a written fixed term contract entered into with the Municipal Manager.

3.7.2. Appointment of employees to posts in the temporary establishment

A person appointed to a temporary position –

- a) Is appointed at the salary applicable to a comparable position on the permanent establishment;
- b) May not receive any housing and travelling benefits;
- c) May not become a member of a retirement fund or medical aid scheme to which the Municipality must contribute;
- d) Earns leave in terms of the relevant collective agreement; and is subject to the attendance requirements, rules of conduct and grievance procedures in terms of the Municipality's conditions of service;
- e) May not be appointed for a period exceeding six (6) months and may not be appointed for a consecutive period of six (6) months.

3.7.3. Appointment of personnel in the office of any Councilor

- a) Only a full-time political office-bearer is entitled to one or more employees being assigned to her/him.
- b) Any position created with the sole purpose of providing administrative support to a Councilor, is created in the department responsible for municipal services.
- c) Any person employed in a post assigned to any Councilor must be appointed in terms of a written fixed term contract entered into with the Municipal Manager.
- d) The period of appointment of personnel in the office a fulltime Councilor shall equal to the term of office of the fulltime Councilor irrespective of the circumstances of the Councilor, such as:
 - i. Resignation
 - ii. Death
 - iii. Recall/withdrawal.

3.7.4. Appointment of replacement labour in the event of a strike

- a) The Municipal Manager may, after consultation with the relevant Senior Managers, employ replacement labour during a strike in terms of, and consistent with, section 76 of the Labour Relations Act 1995.



- b) Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the Basic Conditions of Employment Act 1997. The letter of appointment must clearly stipulate that:
- i. The appointment is only for the duration of the strike and that the services of the employee will terminate immediately when the regular employees of the Municipality return to work; and
 - ii. Termination of any replacement labour employment shall not constitute a dismissal of the person concerned and that she/he shall not be entitled to any additional remuneration or compensation in respect of the completion of such period.
 - iii. The person's employment with the Municipality will come to an automatic end on expiry of the term and such termination shall not be construed as a termination based on the Municipality's operational requirements, nor as an unfair dismissal.
 - iv. Accordingly, reference in this paragraph to additional remuneration or compensation to which the person shall not be entitled, includes but is not limited to, severance pay, notice pay, retirement and medical aid fund benefits to which an employee may otherwise be entitled to in the event of a termination based on an employer's operational requirements.

3.7.5. Appointment to a permanent position

- a) The Senior Manager Corporate Services must present every newly appointed employee with a letter of appointment not later than the day on which she/he starts working in terms of section 29 of the Basic Conditions of Employment Act 1997.
- b) Whenever any of the details contained in such a letter change the Senior Manager: Corporate Services must inform the employee in writing of such changes.
- c) In the event of an employee that cannot read the relevant departmental head must explain the content of such letter and any amendment thereof to every such employee in a language that she/he understands.

3.7.5.1. Probation

- a) Any permanent employee who is newly appointed must be appointed on probation. The period of probation shall be for a period of six months and may



be extended for another six months should circumstance so determine as intervention measure: e.g.

- i. Competency deficiencies
 - ii. Performance deficiencies
- b) Any appointment on probation must also comply with the relevant legal prescripts of the Labour Relations Act, Act 66 of 1995 and any Code of Good Practice published in terms of the aforementioned Act.
- c) The departmental head concerned must evaluate the progress and performance of an employee appointed on probation on a monthly basis according to such factors, objectives and criteria as may be prescribed in terms of the Municipality's employee performance appraisal system.

3.7.5.2. Induction

- a) On permanent appointments, the respective HR Manager will take full responsibility for induction:
- i. The new incumbent will be introduced to his / her immediate staff / colleagues by the HR Manager.
 - ii. The respective HR Manager shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed.
 - iii. The responsible HR Manager will arrange a tour / explanation for the new incumbent of the range of services.
 - iv. The HR Manager will explain and provide a copy of the job description relating to the new employee's specific position / job function (line management is expected to conduct a full job orientation).
 - v. The HR Manager will also explain and provide a copy of the Councils Human Resources Policy, Procedure Manual and any other relevant policies.
 - vi. The Head of Department is responsible for the induction of each employee in his/her department in order to familiarize the employee with the department in which he/she has been appointed.

3.8 DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

3.9 ADOPTION OF THE POLICY

This policy will be adopted by Council

3.10 INCEPTION OF THE POLICY



1ST OF JULY 2016

3.11 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

3.12 ENQUIRIES

Human Resource Division

3.13 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



ANNEXURE A

Guidelines about Conducting Interviews

1. The Chairperson will welcome the candidate, thank the candidate for attending and introduce the candidate to the members of the panel.
2. The Chairperson will inform the candidate regarding the interview format, and mention the opportunity for questions at the conclusion of the interview.
3. The Chairperson will confirm that the candidate has read the position description.
4. The Chairperson will provide some brief scene setting about the organisational structure and how the position fits.
5. The Chairperson will outline the duties of the post concerned and will invite the candidate to ask questions. The panel will give as much information as possible.
6. The Chairperson and the Panel members will ask the candidate questions in order to gain as much information about the candidate as possible. The topics which must be covered in questioning will include but not limited to:
 - i. personal qualifications,
 - ii. experience,
 - iii. work history,
 - iv. personal achievements,
 - v. social activities, and
 - vi. any special circumstances applicable to the candidate.
7. Panel members will ask interview questions as pre-determined. Where a presentation on research or seminar is made by the candidate's questions relating to the presentation of the research or seminar should be asked to determine suitability of candidates to the job.
8. All interview session shall be electronically recorded. A copy of the recording may be made available to the candidate upon request.
9. Each member of the panel must make individual assessments prior to discussion with candidates, e.g. competency, qualifications and scoring and submission of score sheets.
10. Candidates must be advised about any special conditions (leave period, overtime, transfers, and locations) that are applicable to the post. Candidates



must be asked if they are comfortable with and can meet special conditions presented to them regarding the post.

11. The Human Resources official in attendance will give a brief outline of the conditions of service. The candidate will be invited to see the Human Resources official afterwards for a fuller explanation of the conditions, if the candidate so wishes.
12. After the candidate has asked questions regarding the post and the work environment and answers provided by the panel, the Chairperson should advise the candidates on the next step in the selection process and timing for decision making.
13. After the interview is completed strictly within the timeframe provided the Chairperson will thank the candidate and with one of the panel members, escort out him out.



4. HIV/AIDS POLICY

i. ACRONYMS AND ABBREVIATIONS

- LLF-Local Labour Forum
- HIV- Human Immune deficiency Virus
- EEA- Employment Equity Act
- STD-Sexually transmitted Diseases
- AIDS- Acquired Immune Deficiency Syndrome
- OHS-Occupational Health and safety
- TB-Tuberculosis
- NGO-Non Governmental Organization

ii. CLARIFICATION OF TERMS

- **HIV/AIDS** Human Immune deficiency Virus/Acquired Immune Deficiency Syndrome
- All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

4.1 PREAMBLE

This Municipality recognizes the seriousness of the HIV/AIDS epidemic and its impact on the workplace. The Municipality supports national efforts to reduce the spread of infection and minimize the impact of the disease.

The Municipality as employer recognizes the importance of its employees and its responsibility to care for their personal well being in the workplace. In doing so, it encourages optimal work attendance and job performance. The employer is committed to address the psycho-social issues which may disturb employees infected and affected by HIV/AIDS and assents to create a supportive and caring environment for those affected and infected by HIV/AIDS.

4.2 PURPOSE AND OBJECTIVES OF POLICY

- a) This Policy will cover all employees, workplaces and contract employment under the jurisdiction of the Municipality.
- b) This policy aims to guide the Municipality's, employees and prospective employees on how best to manage HIV/AIDS within the workplace, in order to:



- c) Ensure non-discrimination between individuals with HIV infection and those affected (e.g. co-workers) and between HIV/AIDS and other life threatening conditions.
- d) Create a safe and healthy working environment for all employees and members of the public who utilize the Municipality's facilities.
- e) Introduce educational awareness and prevention programs to contain and prevent the spread of HIV.
- f) Manage, support and accommodate those individuals who are infected or affected by HIV/AIDS so that they may continue to work productively for as long as possible.
- g) Ensure that no person discriminate against an employee or prospective employee on the basis of his or her HIV status.
- h) Ensure that no person will be denied employment, treated unfairly within the employment relationship, or be unfairly dismissed on the basis of his/her HIV status.

4.3 SCOPE AND APPLICATION

This policy shall apply to all candidates who apply to the Municipality for employment and all employees of the employer.

4.4 LEGAL FRAMEWORK

- a) The Constitution of South Africa Act No. 108 of 1996.
- b) All persons with HIV/AIDS have a common law and constitutional right to privacy regarding their HIV/AIDS status. Accordingly there is no legal duty on an employee to disclose their HIV/AIDS status to their employer. The Municipality will respect this right except where there is a risk to the employer in delivering services to its clients.
- c) In accordance with section 6(1) of the Employment Equity Act (55 of 1998) no person may unfairly discriminate against an employee or prospective employee on the basis of his or her HIV status.
- d) In accordance with section 7(2) of the Employment Equity Act (55 of 1998) no employee or prospective employee may be required to undertake a HIV test in order to ascertain that employee's or prospective employee's HIV status unless such testing is determined as justifiable by the Labour Court.



- e) In accordance with section 185 of the Labour Relations Act 66 of 1995 an employee with HIV/AIDS may not be dismissed simply on the basis of his or her HIV/AIDS status. However where he or she no longer has the capacity to work, his/her services may be terminated in accordance with section 1988(1) and (i).
- f) In accordance with section 8(1) of the Occupational Health and Safety Act 85 of 1993 an employer is obliged to provide, as far as is reasonably practicable, a safe working environment which includes minimising the risk of occupational infection with HIV.
- g) In accordance with the Basic Conditions of Employment Act 75 of 1997 every employer is obliged to ensure that all employees are entitled to certain basic standards of employment, including a minimum number of sick days provided in terms of section 22 of this Act.
- h) In accordance with section 22 of the Compensation for Occupational Injuries and Diseases Act 130 of 1993 an employee who is affected with HIV as a result of an occupational exposure to infected blood or bodily fluids, is entitled to compensation.
- i) In accordance with section 24(3) and section 29(n) of the Medical Schemes Act 131 of 1998, registered Medical Aid schemes may not discriminate directly or indirectly on the basis of a person's "health status" and they must, in terms of section 57(g) offer a minimum level of benefits to all members.
- j) The Municipality will use this policy in conjunction with the Code of Good Practice and the Technical Guideline (in relation to the Employment Equity Act) in order to ensure an effective implementation of an HIV/AIDS program.
- k) All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

4.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

4.6. POLICY CONTENT

- a) The Municipality will ensure that the following principles are adhered to:
- b) The principle of voluntarism, which acknowledge that the most effective form of referral is self referral.
- c) The principle of confidentiality, which safeguards the details that employees reveal, and includes the safeguarding of all records, the non-sharing of any



information other than with the employee's consent and that interviews be conducted in a place which is considered private. This information will not be part of the personnel file.

- d) The principle of neutrality, that the role and function of the HIV/AIDS Counselor should not be tainted by workplace issues pursued by management and the workforce and thus maintain a state of neutrality as defined by Section 16(5)(c) of the Labour Relations Act, 1995.
- e) The principle of accessibility, committing management to make the service available to all employees.
- f) The broad brush principle, which refers to all problems which should affect job performance.
- g) The principle of constructive motivation in that management should motivate and gives employees the option to make use of the HIV/AIDS services.
- h) The principle of permanency, by means of a mutually agreed policy statement which guarantees the survival of the HIV/AIDS program.

4.6.1. Awareness, Prevention and Care Programs

- a) The Municipality will provide life-skills training and empowerment programs for all its employees and these will focus on:
 - i. Health promotion, prevention and care.
 - ii. Appropriate prevention and management of STD's & TB (and other opportunistic infections).
 - iii. Condom promotion and distribution.
 - iv. Counseling on risk reduction.

4.6.1.1. Awareness Programs

- a) Every Department, Department, depot or workplace will participate towards developing and implementing a workplace HIV/AIDS Awareness Program.
- b) An extensive range of awareness activities will be embarked on. These will include exhibitions, displays, posters, pamphlets, newsletters, etc. as may be necessary to promote awareness.
- c) All new employees will attend an HIV/AIDS awareness program as part of their Induction Training.



4.6.1.2. Prevention and Care Programs

- a) Education is the most effective measure for the prevention of HIV infection. Education is also the best way to reduce discrimination both in and out of the workplace.
- b) The Municipality will develop comprehensive and effective on-going education programs. All employees will on an on-going basis be exposed to educational programs. Peer educators will be identified, trained and supported to promote the program at workplace level.
- c) The Municipality will endeavor to give active support within budget limitations to Community Based Organisations (CBO's) and Non-Governmental Organisations (NGO's) involved in HIV/AIDS care and prevention services.
- d) Such a workplace program will be based on consultations between the employer, management, trade unions and, where appropriate, NGO's and CBO's with expertise in HIV/AIDS education, counseling, and care services. At a minimum, these programs will cover at least:
 - i. HIV/AIDS (statistics, medical facts, etc.).
 - ii. Sexually Transmitted Diseases (STD's) and Tuberculosis (TB) and their link to HIV.
 - iii. Risk assessment and Safer sex practices.
 - iv. Sexuality, Sexual Orientation, Sexual and Reproductive Health.
 - v. Gender and Cultural issues related to HIV/AIDS .
 - vi. Relationships and Communication.
 - vii. Attitudes and Values, Discrimination (to decrease stigma).
 - viii. Living with HIV/AIDS (management, support, care, referral).
 - ix. Universal Precautions.
 - x. Legal and Ethical issues (employment, confidentiality and disclosure).
 - xi. HIV/AIDS and Pregnancy.
 - xii. Pre and Post Test Counseling, HIV Testing.



4.6.1.3. Workplace exposure

- a) There are numerous ways in which employees could be exposed to HIV/AIDS in the workplace, for example:
 - i. Injuries that occur resulting in bleeding and blood staining of clothes, tools and objects.
 - ii. Health care employees exposed to body fluids or HIV – infected materials.
 - iii. Resuscitation and first aid measures.
 - iv. Rape or sexual penetrating assault.
 - v. Assault with sharp instruments or bleeding injuries.

4.6.1.4. Educational programs

- a) The employer will endeavour to, within the scope of its budget constraints, provide educational programs regarding HIV/AIDS for all employees.
- b) These programs will provide information and teach the skills necessary for all employees to prevent themselves and others from becoming infected. The programs will further seek to establish and maintain a work environment free of discrimination.
- c) Programs will be regularly monitored, evaluated, reviewed and revised in accordance with any changes that may occur.
- d) Programs should be linked, where feasible, to health promotion programs, such as substance abuse.

4.6.1.5. Gender specific programs

- a) All programs should be gender sensitive as well as sensitive to race and sexual orientation.
- b) Programs should help women to understand their rights, both within and outside the workplace.
- c) Information to women needs to alert them to the fact that they are at higher risk of infection.
- d) Appropriately targeted prevention programs should be developed for men and should include strategies to promote men's responsibilities regarding HIV/AIDS prevention.



4.6.1.6. Voluntary Counseling & Testing

- a) The employer shall encourage all employees to be tested to determine their HIV status.
- b) Such testing shall be voluntary and shall be accompanied by pre and post- test Counseling to ensure informed consent.
- c) Counseling and testing records will remain confidential.
- d) Employees/prospective employees who voluntarily disclose their HIV status will not be refused employment/promotion on the grounds of their HIV status.
- e) All employees have the legal right to confidentiality about their HIV/AIDS status, except in circumstances where the employer is legally required to disclose such information.

4.6.2. Confidentiality and Disclosure

- a) All persons with HIV/AIDS have the legal right to privacy regarding their HIV status in all aspects of employment.
- b) An employee is under no obligation to inform the employer of his/her HIV status.
- c) Where an employee chooses to disclose his/her HIV status to the employer, this information will not be disclosed to others without the employee's express consent.

4.6.3. HIV/AIDS Testing

- a) HIV testing is any form of medical testing to determine the HIV status of a person.
- b) HIV testing must be carried out with informed consent which means that the individual has been made aware of, and understands, the implications of the test.
- c) Pre-test Counseling should be given before an HIV test, to make sure that the person has sufficient information to make an informed decision about having a HIV test.
- d) Post-test Counseling should be provided when an individual receives his/her HIV test result.
- e) An employer is permitted and may provide testing to an employee who has requested a test in the following circumstances:
- f) As part of a health care service provided in the workplace.
- g) In the event of an occupation accident carrying a risk of exposure to blood or other body fluids.



- h) For the purposes of applying for compensation following an occupational accident involving a risk of exposure to blood or other body fluids.
- i) Such testing may only take place within the following defined conditions:
 - i. At the initiative of an employee.
 - ii. Within a health care worker and employee-patient relationship.
 - iii. With informed consent and pre- and post-test Counseling.
 - iv. With strict procedures relating to confidentiality of an employee's HIV status.
- j) Employers who require testing must adhere to the Labour Legislation in, amongst others, the following circumstances:
 - i. During an application for employment.
 - ii. As a condition of employment.
 - iii. During procedures related to termination of employment.
 - iv. As an eligibility requirement for training staff development programs.
 - v. As an access requirement to obtain employee benefits.

4.6.4. Creating a Safe Working Environment

- a) The Municipality will strive to provide and maintain, a working environment that is safe and without risk to the health of its employees.
- b) The Municipality will provide psycho-social support to the Counselors and affected staff wherever possible.
- c) The Municipality will take steps to ensure the risk of HIV transmission at work is minimized. These will include:
 - i. Assessing the risk, if any, of the occupational transmission of HIV within the workplace.
 - ii. Providing appropriate training on how to deal with and reduce the risk of HIV transmission at work.
 - iii. Providing appropriate equipment and materials to deal with and reduce the risk of transmission at work.
- d) Where a real possibility of HIV transmission has occurred following an occupational accident, rape or a penetrating assault, the Municipality will take all reasonably necessary steps to assist the employee to:
 - i. assess the risk of HIV transmission (Counseling)



- ii. prevent the risk of HIV transmission prior to zero-conversion (testing and treatment/prophylaxis)
- e) The Municipality will provide guidelines regarding steps to be taken in the event of an occupational incident with a risk of HIV infection and to prevent cross infections for example:
- f) **“A Protocol for needle sticks injuries and other sources of exposure to blood and blood products.”** These guidelines will include such elements as:
 - i. Creating an awareness of the risk of HIV transmission in the event of an occupational incident involving blood or bodily fluids.
 - ii. HIV testing of the parties involved in an accident.
 - iii. Reporting procedures.

4.6.5. Compensation for HIV/AIDS Infection at Work

- a) The Municipality will take all reasonable steps in terms of the Compensation for Occupational Injuries and Diseases Act (130 of 1993), to assist employees with claims for compensation and compensate for cost of testing and prophylactic therapy before zero-conversion as performed by specified health centers.
- b) A claim to the Compensation Commissioner will only be submitted upon confirmation of zero-conversion of the employee.

4.6.6. Employee Benefit Schemes

The Municipality will endeavor to ensure that employees with HIV/AIDS not be discriminated against with the allocation of employee benefits.

4.6.6.1. Medical Aid Schemes

- a) The Municipality will prevail on these funds to maintain a non-discriminatory attitude towards patients with HIV/AIDS and to treat such patients in a similar manner to those affected by other life-threatening diseases.
- b) Normal benefits should be available to all who initially qualify for admission to the funds via normal procedures.

4.6.6.2. Pension/Retirement Funds

- a) The Municipality will prevail on the funds to maintain a non-discriminatory attitude towards patients with HIV/AIDS and to treat such patients in a similar manner to those affected by any other life-threatening disease.
- b) No person should be denied access to the Pension or Retirement funds provided they fulfill initial criteria for admission.



4.6.6.3. Managing HIV positive employees

- a) Employees living with HIV/AIDS will continue to work under normal conditions in their current employment for as long as they are medically fit to do so.
- b) This takes into consideration not only their ability to perform their assigned duties but also susceptibility to infection (e.g. nursing staff working in a TB clinic).
- c) The Municipality will work towards ensuring that the performance of every staff member is maintained, where possible.
- d) The above includes taking reasonable steps to accommodate employees with related HIV/AIDS impairments within the workplace, to assist them to continue in productive employment.
- e) Employees with HIV/AIDS will be governed without distinction or discrimination to existing sick leave allocations (ill health policy).
- f) If health care facilities or services are not available at the workplace, employees will be referred to appropriate services within the community.
- g) **The Municipality will endeavour to provide support or take steps to assist employees with HIV/AIDS to have access to appropriate medical treatment. These will also include:**
 - i. Giving the employee time off according to the sick leave policy to attend clinics or Counseling.
 - ii. Transferring the employee to lighter or less stressful duties, where it is both necessary and possible.
 - iii. When the employee is no longer able to work, the employee will be dealt with in terms of the Municipality's conditions of service and policies as well as applicable labour legislation.

4.6.6.4. Grievance Procedure

- a) The Municipality will ensure that the rights of employees living with HIV/AIDS, and remedies available to employees in the event of a breach of such rights become integrated into the existing grievance procedure.
- b) The Municipality will create an awareness and understanding of the remedies available to employees who are discriminated against on the basis of their HIV status.



- c) The Municipality develop special measures to ensure confidentiality of the complainant during such proceedings, including ensuring that such proceedings are held in private.
- d) Where disputes may arise in relation to HIV/AIDS in the workplace, the Municipality will take steps to deal with this issue, including:
 - i. An investigation into the nature and cause of the dispute.
 - ii. Attempt to resolve the dispute through the relevant dispute resolution mechanism.
 - iii. Provide Counseling and additional education to all those involved.
 - iv. As a final resort, the taking of disciplinary steps against staff causing the disruption.

4.6.6.5 Dismissal

- a) Employees with HIV/AIDS have the right not to be unfairly dismissed on the basis of their HIV status.
- b) Diagnosis of a person's HIV/AIDS status is not a sufficient reason to dismiss an otherwise healthy person.
- c) The Municipality is obliged to follow accepted guidelines regarding dismissals for incapacity before terminating an employee's services.
- d) The above will include attempts to accommodate the employee's disability and to find alternatives to dismissal.
- e) The Municipality will ensure that as far as possible, the employee's right to confidentiality regarding his or her HIV status is maintained during an incapacity proceeding.
- f) An employee cannot be compelled to undergo a HIV test or to disclose his or HIV status as part of incapacity proceedings.
- g) Where an employee no longer has the capacity to continue working, the Municipality may lawfully terminate the employee's services. It would need to follow fair procedures as stipulated in the Labour Relations Act 66 of 1995.

4.6.7 HIV/AIDS Workplace Committee

The implementation of this policy will be coordinated by the Health and Safety Workplace Committee. The Committee will submit regular progress reports to relevant Committees of the Municipality's Council.

4.7 DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code



4.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

4.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

4.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

4.11 ENQUIRIES

Human Resource Division

4.12 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



5. INCAPACITY: DUE TO ILL HEALTH / INJURY POLICY

i. ACRONYMS AND ABBREVIATIONS

- **BCEA-** **Basic Conditions of employment Act**
- **OHS-** **Occupational Health and Safety**
- **COIDA-** Compensation for Occupational Injury and Diseases
- **LRA-** Labour Relations Act
- **PHI-**

ii. CLARIFICATIONS OF TERMS

- **Incapacity** refers to an individual's inability to perform according to the stipulated work standards of a particular job.
- All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

5.1 PREAMBLE

The Municipality has embarked on a process to address incapacity due to ill health/injury at the work place within the prescribed guidelines in terms of the Labour Relations Act.

5.2 PURPOSE AND OBJECTIVES OF POLICY

The purpose of this policy is to ensure the Employer's operational efficiency while at the same time exploring every possible alternative action to avoid termination of employment, it is intended to ensure that when a termination for reasons of incapacity due to ill-health or injury takes place it is effected for a fair reason and in accordance with a fair procedure and as a last resort.

5.3 SCOPE AND APPLICATION

This policy shall apply to all employees of the employer.

5.4 LEGAL FRAMEWORK

- a) Basic Conditions of Employments Act (Act 75 of 1997)
- b) Labour Relations Act (Act 66 of 1995)
- c) Occupational Health and Safety Act (Act 85 of 1993 + Regulations)
- d) Compensation for Occupational Injury and Diseases (Act 85 of 1993)
- e) All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.



5.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of the policy.

5.6 POLICY CONTENT

5.6.1 General Principles

- a) The Employer is committed to treating any employee who is incapacitated due to illness or injury in a fair and appropriate manner with regard to their particular circumstances.
- b) As such, no employee should be subjected to any form of victimization or unfair discrimination as a result of their disablement.
- c) The degree of incapacity, as well as the permanency of the incapacity, will be considered when assessing the person's suitability for ongoing employment.
- d) The cause of the incapacity may also be relevant. In the case of incapacity due to substance abuse, such as alcoholism or drug abuse, counseling and rehabilitation may be appropriate steps to be considered.

5.6.2 Guidelines for Managing Incapacity

5.6.2.1 *Temporary incapacity*

- a) If an employee is temporarily unable to work, the employer should investigate the extent of the incapacity of the injury
- b) Such an investigation should include appropriate medical and occupational diagnosis or prognosis
- c) If the employee is likely to be absent for a time that is unreasonably long in the circumstances, the employers should investigate all the possible alternatives short of dismissal. The employee and his/her representative should be given an opportunity to state reasons as to why alternatives short of dismissal should be considered.
- d) When alternatives are considered, relevant factors might include the nature of the job, the period of absence, the seriousness of the illness or injury and the possibility of securing a temporary replacement for the ill or injured employee.



- e) If the employee's medical report indicates that his/her condition has improved and the employee is capable of performing his/her duties, failure to do so will lead to disciplinary action being taken.

5.6.2.2 Permanent incapacity

- a) In cases of permanent incapacity, the Employer will ascertain the possibility of securing alternative employment, or adapting the duties or work circumstances of the employee to accommodate the employee's disability. This could include an alternative job of a lower rank.
- b) In the process of the investigation the employee will be allowed the opportunity to state a case in response and to be assisted by a fellow employee or Union representative.
- c) Particular consideration will be given to employees who are injured at work or who are incapacitated by work related illness. {In these cases the employer will assist the employee to claim Compensation for Occupational Injuries and Diseases (COID)}
- d) Termination of employment should only be considered if the employee's disability cannot be reasonably accommodated by adapting his or her duties or work circumstances, and an alternative position is not available.
- e) Should the employee be unable to continue working, the Employer will assist the employee to apply for a Permanent Health Insurance (PHI) benefit. Should the PHI claim not be approved by the insurers, the Employer does not hold any liability for compensation. Such application should be made as soon as it becomes apparent that the employee would be unable to continue performing his or her normal duties.
- f) The application should be made in respect of the relevant fund or scheme applicable to the employee

5.7 DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

5.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

5.9 INCEPTION OF THE POLICY

1st OF JULY 2016



5.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as necessary.

3.11 ENQUIRIES

Human Resource Division

3.12 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



6. INCAPACITY: DUE TO POOR WORK PERFORMANCE POLICY

i. ACRONYMS AND ABBREVIATIONS

- LRA- Labour Relations Act

ii. CLARIFICATIONS OF TERMS

- a) **Poor work performance** is the inability or failure of an employee to meet the required standard(s) or output(s) for the position in which he/she is employed. Ill-health incapacity matters are dealt with in terms of the incapacity/ill-health injury policy.
- b) Poor work performance could include:
 - i. Less than expected output poor quality; Failure to meet set targets;
 - ii. Work requiring rework/repair;
 - iii. Unnecessary material wastage;
 - iv. Any non-conformance to reasonable or agreed standards;
 - v. Time wasting
- c) All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

6.1 PREAMBLE

The Labour Relations Act (Act 66 of 1995 as amended) sets out certain guidelines in handling incapacity. The following is a recommended guideline in dealing with incapacity (distinct from incapacity with ill-health) where an employee has a lack of training, experience or education.

6.2 PURPOSE AND OBJECTIVES OF POLICY

The purpose of this policy is to establish a policy and procedure for managing incapacity (poor performance) at the Municipality in line with the requirements of the Labour Relations Act. This will assist managers / supervisors to identify the reasons for the non-performance and to provide a structured and consistent system of assisting the employee to improve his/her performance to the required standards within a reasonable period of time.

6.3 SCOPE AND APPLICATION

This policy shall apply to all employees of the Municipality.



6.4 LEGAL FRAMEWORK

- a) The Constitution of South Africa Act No.108 of 1996
- b) Labour Relations Act (Act 66 of 1995 as amended)

All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

6.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

6.6 POLICY CONTENT

- a) Clear and objective standards should be discussed with the employee. These Job-related standards should be fair and reasonable in that the employee has sufficient training and knowledge to perform at a particular level. Management must ensure that the standards are known to the employee.
- b) Performance standards must be set in consultation with the employee.
- c) Factors which have hindered an employee from reaching the set standards must be taken into consideration.
- d) The employee must be addressed in terms of how he/she has not met standards, as well as given an opportunity to challenge the performance appraisal. The employee and the manager must discuss ways in which performance can be improved.
- e) Management must assist and support the employee as far as possible. This assistance can take place by regular report-backs, refresher courses, training and counseling.
- f) A Reasonable time period to improve performance must be given, subject to the requirements of the job.
- g) All communication between management and the employee must be confirmed in writing.
- h) In summary, management and the employee must work together in order to correct the poor performance of the individual. It is the manager's responsibility to evaluate, instruct, train, guide and coach the employee with the aim of overall improved performance.
- i) Once the manager has established that the employee's performance is unsatisfactory in spite of the support, training and the period given for improvement, and that there is no other way, short of dismissal, to remedy the matter, the appropriate steps may be taken to discipline the employee. The appropriate steps could include a hearing in which both management and the



employee and/or his/her representative could be called to give reasons as to why the employee's poor performance is evident. Appropriate measures could be decided upon at this hearing. The steps must be in accordance with Items 8 and 9, Schedule 8 of the LRA.

6.6.1 Probation Period

- a) Provision must be made for dealing with poor performance during an employee's probation period.
- b) During the probation period, management should give relevant evaluation feedback, instruction, training and guidance to the employee in an attempt to meet the required standards. The guidelines above also apply.
- c) In the event of the employee still not reaching the required standard of performance, the employee's contract of employment may be terminated or the probation period may be extended where appropriate.

6.7 DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code.

6.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

6.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

6.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as necessary.

6.11 ENQUIRIES

Human Resource Division

6.12 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:



Council Approval:

Date



7. INTERNAL BURSARY POLICY

i. ACRONYMS AND ABBREVIATIONS

- MFMA- Municipal Finance Management
- SDA-Skills Development Act

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.

7.1. PREAMBLE

The Bursary Policy (hereinafter referred to as the “Scheme”) is intended to assist the Municipality in securing adequately qualified personnel for its service by providing financial assistance to employees to enable them to qualify themselves educationally for the Municipality’s service and to enhance their level of competence to perform the duties assigned to them. The Scheme does not apply to bursaries for full time study or to any training undertaken in terms of the Municipality’s training policy, or to any overseas study leave.

7.2. PURPOSE AND OBJECTIVES OF POLICY

- a) To encourage career development of employees through further education.
- b) To encourage self-development activities provided that they are along the lines regarded as beneficial to the Municipality by management.
- c) To provide financial assistance to employees who wish to improve themselves through formal courses of study.

7.3. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY except temporary employees.

7.4. LEGAL FRAMEWORK

- The Constitution of South Africa Act No.108 of 1996
- Municipal Finance Management Act 56 of 2003
-
- +Skills Development Act 97 of 1998



7.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

7.6. POLICY CONTENT

7.6.1. Administration of Scheme

The Senior Manager: Municipal Services (Human Resources Section) shall be responsible for the administration and implementation of the Scheme and he/she, or his/her assignee shall have the power to conclude contracts in terms of the Scheme.

7.6.2. Financial Assistance

- a) Financial assistance shall be given to an employee in respect of expenses to be incurred to enable him/her to obtain qualifications approved by the Municipal Manager or his/her assignee.
- b) Financial assistance, which shall include registration, tuition and examination fees, shall be paid directly to the relevant educational institution upon receipt of proof of registration for the qualification and the relevant invoices.
- c) Where a qualification is obtainable through an accredited institution the amount of financial assistance in respect of tuition fees shall be limited to the scale of fees charged by such accredited institution.

7.6.3. Contractual Obligations

- a) Should an employee at any time suspend or abandon his/her studies for the approved qualification, be refused permission by the educational institution or examining authority to continue his/her studies, or not pass any qualifying course of study/ or year of study during one academic year, he/she shall be obliged, to repeat the course at his/her own costs.
- b) Failure to continue with studies the Municipality shall be obliged to recover all costs incurred during the year of study.
- c) In the event of an employee retiring, resigning or being dismissed from the Municipality's service before having obtained the qualification in respect of which



he/she was granted financial assistance in terms of the Scheme, he/she shall repay to the Municipality the total financial assistance paid by the Municipality.

- d) With correspondence courses/distance learning, the time frame in which an employee can complete a diploma qualification is at least four to five years.
- e) For block release courses, an employee shall, whether or not he/she obtains the qualification concerned, serve the Municipality equal period afforded in respect of each year in which study leave was taken.
- f) An employee upon resignation is obliged to repay the Municipality all amounts due to it, failure to do that the Municipality will recover the money from the pension fund.
- g) The debt referred to in the policy shall endure and be of force and effect until the liability of the employee to the Municipality has been paid by the employee to the Municipality or otherwise discharged.
- h) The certificate under hand of the Chief Financial Officer certifying the amount due by the employee to the Municipality shall be prima facie proof of the amount due and payable by the employee to the Municipality.
- i) If an employee is unable to pay the Municipality the full amount owing to the Municipality in terms of the Scheme, the Chief Financial Officer shall, in consultation with the employee, make suitable alternative arrangements to facilitate full settlement of the amount owing to the Municipality, provided that such arrangement shall not extend beyond one year from the date on which the employee originally became liable for the full settlement of his/her debt to the Municipality in terms of the Scheme.

7.6.4. Study Leave-Leave Policy

- a) An employee who is a part-time or distance learning student and who is studying for an approved qualification, shall be granted examination, study leave as follows:
 - i. Examination leave for the date or dates on which he/she is required to present himself/herself as a candidate for such examination.



- ii. Study leave, one day per examination paper, solely for the purpose of preparing for an examination prescribed by the registered educational institution where the employee is registered.
- iii. The employee may be granted study leave on full pay to attend lectures or to undertake practical work or to attend practical demonstrations in cases where he/she establishes to the satisfaction of the Municipal Manager or his/her assignee that such leave is essential for the fulfillment of the contract entered into in terms of the Scheme.
- iv. The study leave benefits shall not apply to an employee who wishes to repeat a qualifying course of study which was previously written by him/her for which examination leave was taken and which he/she failed. If an employee was unsuccessful in an exam, the study leave should be converted to annual leave.
- v. An employee who takes study leave shall be considered as having received financial assistance in terms of the Scheme and shall be required to sign the prescribed contract.

7.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code.

7.8. ADOPTION OF THE POLICY

This policy will be adopted by Council

7.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

7.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

7.11. ENQUIRIES

Human Resource Division

7.12. SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:



MM Approval:

Date:

Council Approval:

Date:



8.SUBSTANCES ABUSE POLICY

i. ACRONYMS AND ABBREVIATIONS

- LRA-Labour Relations Act

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.

8.1 PREAMBLE

This Municipality views substance abuse and dependency as treatable health problems and accepts that employees who experience such problems should be provided with assistance, subject to certain conditions outlined in this policy.

8.2 PURPOSE AND OBJECTIVES OF POLICY

This Municipality does not support the intrusion into the private lives of employees; however it does expect all employees to report to work in a condition to safely and effectively perform their duties.

8.3 SCOPE OF APPLICATION

This policy applies to all employees of the Municipality and contract workers whilst on duty or on the Municipality's premises, save that the standard mode of discipline, treatment and assistance shall not apply to subcontractors.

8.4 LEGAL FRAMEWORK

- The Constitution of South Africa Act No.108 of 1996
- Labour Relations Act, No. 66 of 1995
- Prevention of and Treatment For Substance Abuse Act, 2008.
- All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

8.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.



8.6 POLICY CONTENT

8.6.1 Discipline

- a) The Municipality places a high premium on its statutory and common - law obligations to ensure the safety of its employees and members of the public. It therefore takes a serious view of employees using chemical substances on the premises or whilst on duty (except during social functions and promotions as described later in the policy) or being under the influence on the premises or whilst on duty.
- b) In determining whether an employee may be under the influence, clinical observations (as listed in the Verification of intoxication form) shall be considered along with on-site alcohol and/or drug screening tests which will be offered to suspected intoxicated employees.
- c) The Municipality shall consider all relevant facts in determining an appropriate sanction, including whether the employee's conduct caused a safety risk to himself, co-workers or members of the public and or harm to The Municipality's good name and standing. The following transgressions and sanctions will serve as guidelines:-
 - j) Being under the influence or using chemical substances whilst on the premises or on duty:
 - i. **First offence** – Final written warning effective for 6 months plus offer of assessment/Counseling and/or, welfare support.
 - ii. **Second offence** – (within the operative 6 month period following a previously issued final written warning): Dismissal
 - k) Being in possession of alcohol or illicit drugs (excluding controlled medicines for which the employee has a legal prescription) whilst on duty or on the Municipality's premises.
 - i. **First offence** – Written warning effective for 6 months plus the offer of assessment /counseling and/or welfare support
 - ii. **Second offence** within operative 6 months period – Final written warning effective for 6 months plus the offer of assessment counseling and/or welfare support Subsequent offence – Dismissal.
 - l) Notwithstanding these guidelines, The Council reserves the right to vary the sanction depending on the circumstances of each case.
- m) The following constitute particularly serious acts of misconduct which may be grounds for dismissal for a first offence, depending on the facts of each case:



- i. Consuming intoxicating substances whilst on duty and/or providing other employees with such substances whilst on duty.
 - ii. Driving a Council vehicle or operating safety sensitive equipment whilst under the influence of intoxicating substances.
 - iii. An employee who is suspected of being under the influence of an intoxicating substance will be subject to a disciplinary enquiry to investigate the matter and to ascertain whether the employee had indeed been under the influence.
- n) In the event of employees receiving Counseling for substance abuse or dependency, the Municipality also reserves the right to, in the case of employees whose substance abuse may reasonably cause a safety risk to themselves, co-workers or members of the public:
- i. Suspend the employee from such work or put him on alternative duties until such time as a Counselor report and/or appropriate tests confirm that the employee no longer abuses intoxicating substances and/or;
 - ii. Require the employee to submit to routine breath testing before commencing his/her duties for a period which may be deemed reasonable by the Chairperson of the enquiry.

8.6.2 Stand-by/call-out employees

- a) Employees who have been instructed to perform stand-by duties will be considered to be on duty and will be subject to the same provisions than those which pertain to employees during normal working hours.
- b) In the event of employees called out to work outside of normal working hours where no prior arrangement had been made for the employee to report at a specified time, the employee shall inform the duty foreman or manager whether he used any alcohol since his last shift.
- c) Should the employee fail the Verification of Intoxication Test, the employee shall be sent home without any sanction.
- d) Should the employee fail to inform the duty foreman or manager and test positive after having commenced his duties, normal disciplinary action shall be taken.



8.6.3 Management of Suspected Intoxication

- a) If a duty foreman or a manager is of the opinion that an employee is or appears to be under the influence, the employee's Manager and or a fellow employee or shop steward shall be called to act as a witness.
- b) If the employee's Manager and or a fellow employee or shop steward is not available, any other Manager or fellow employee or shop steward may be called.
- c) The responsible Manager shall, in the presence of the witness and shop steward, document signs of suspected intoxication. A **Verification of Intoxication** form (See attachment) may be used for this purpose.
- d) Should the employee refuse to submit to the Verification of Intoxication test he should be informed that he will be giving up an opportunity to contest the allegation of being under the influence. The employee's refusal will then be recorded on the verification form.
- e) Should the test result be positive, or where testing is refused and/or where clinical /behavioral signs suggest intoxication, the employee will, in the interests of workplace safety, be deemed to be under the influence and instructed to leave the work premises.
- f) Regardless of any test result, should the supervisor be convinced that the person's presence constitutes a safety risk or may tarnish The Municipality's name and standing based on clinical or behavioral signs, the supervisor will instruct the employee to leave the workplace.
- g) The Manager should take all reasonable steps to ensure that the employee has a safe means of returning home by contacting a relative or friend to accompany the employee. Whilst waiting for assistance the employee will be accompanied to a safe area where he/she is least likely to cause harm to himself/herself or others.
- h) The employee leaving the premises without accepting assistance will do so at his own risk.
- i) Employees who are refused entry or who are required to return home as provided for above will not be paid for that portion of the day which the person had missed on condition that, should the employee be found not guilty during a subsequent enquiry the employee shall be paid for the particular portion.

8.6.4 Referral Modes

- a) The Municipality wishes to encourage employees who may experience alcohol or other drug related problems, to confidentially discuss such problems with their



Managers, the HR Office or shop steward with the view of acquiring professional assistance.

- b) Such a request shall be treated with confidentiality, shall not be documented on the employee's personal file and shall not unreasonably affect the employee's job security, fringe benefits or career opportunities.
- c) The acceptance of the offer of assistance, whether voluntary or mandatory, does not exempt the employee from standard disciplinary measures whilst under treatment.

8.6.5 Suggested/Disciplinary Referrals

- a) Supervisors and Managers have a responsibility to identify unacceptable levels of performance, attendance or interpersonal relationships, to take timeous corrective steps (or disciplinary action if appropriate) and to encourage the employee to consult with their Managers, the HR Office or shop steward with the view of acquiring confidential assistance. Employees:
 - i. who commit an alcohol or drug related offence and/or, whose job performance, attendance or interpersonal relationships at work are detrimentally affected as a result of substance abuse, may be given the option of accepting referral for assessment, or counseling or welfare support depending on the circumstances of the case. This option may be offered in conjunction with standard sanctions in terms of the disciplinary procedure.
- b) The voluntary request for and acceptance of substance abuse counseling and/or welfare support will not jeopardize the employee's job security, fringe benefits or promotional opportunities. However, in the event of the employee:
 - i. refusing the offer of treatment/counseling following a substance abuse related offence,
 - ii. absconding from the treatment centre, being non-compliant with the treatment/ counseling regime
 - iii. Such lack of co-operation will be viewed as an aggravating factor in assessing an appropriate or further disciplinary sanction in the event of any future transgressions of a similar or related nature.



8.6.6 Assessment, Counseling and Treatment

- a) Employees who indicate that they wish to consult with a Social Worker shall be referred to an approved service provider with the view of assessment and/or counseling.
- b) Such assessment and counseling shall as far as reasonably possible occur during normal working hours without any deductions from the employee's salary. Assessment and/or counseling will be to a maximum of 6 interviews.
- c) The Municipality reserves the right to request reports from the Social Worker regarding the employee's prognosis and cooperation with the mode of treatment. The employee shall however be assured that such reports shall not contain any personal detail divulged during counseling but will serve to give an indication of his commitment and co-operation towards attaining sobriety.
- d) In the event of the employee requiring short-term in-patient treatment, normal sick leave benefits shall apply in respect of first time admissions at an institution approved of by the Social Worker
- e) In instances where the employees have exhausted his sick leave, annual leave will have to be utilized, where-after unpaid leave will have to be taken.
- f) The Council will not contribute towards the cost of such treatment.
- g) Should the employee decline the offer of assistance following substance abuse related misconduct, substandard performance, or fail to co-operate with the assistance offered, this will be documented and the employee will be informed that any further incidents of substance abuse related misconduct occurring within a six month period from the date of such a documented offer may be dealt with as a matter of discipline without repeating the offer of assistance.
- h) If a professional counselors report indicates that the employee had been uncooperative and/or that excessive alcohol or drug intake persists, the Municipality will assess whether the employee is still capable of performing his/her designated duties satisfactorily:
 - i. if the employee is no longer capable of performing his/her job satisfactorily as a result of alcohol or drug dependence, his/her employment may be terminated on the grounds of incapacity.



- ii. if the employee is capable of performing his /her job satisfactorily despite non-compliance and/or continued alcohol or drug intake, he/she shall be subject to standard disciplinary measures for any further substance abuse related offences.

8.6.7 **Dealing with relapses:**

- a) Where an employee, having received treatment, suffers a relapse, the Municipality will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment / rehabilitation time is likely to be required for a full recovery. At the Municipality's discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.

8.6.8 **Recovery unlikely:**

- a) If, after the employee have received treatment and recovery seems unlikely the Municipality may be unable to wait for the employee any longer. In such cases, dismissal may result but in most cases a clear warning will be given to the employee beforehand and a full medical investigation will have to be undertaken.
- b) If the employee declines to allow the Municipality access to their medical records a decision about future employment would be made with the information that is available to the Municipality.

8.6.9 **Social Functions and Promotions**

- a) In the event of Municipal functions and promotions where liquor may be served, all Municipal employees are expected to at all times behave in a becoming and respectful manner.
- b) No alcohol will be served by the Municipality during training courses or seminars except in the event of evening functions.
- c) No Municipal employee may consume alcohol during normal working hours. (including lunchtime).
- d) At social functions which had been arranged by the Municipality, reasonable precautions shall be taken to prevent immoderation through measures such as a coupon system of dispensing liquor, serving food /light snacks with drinks and the provision of soft drinks or low-alcohol beverages.
- e) Employees attending such functions shall however be responsible to ensure that they do not contravene the provisos of the Road Traffic Ordinance as a result of excessive consumption.
- f) Employees whose behavior during such events become offensive, cause an embarrassment to the Municipality, fellow employees or guests, or whose



conduct jeopardizes the safety of such parties or members of the public as a result of excessive alcohol intake, shall be charged with allegedly having been under the influence of alcohol.

8.7 DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code.

8.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

8.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

8.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

8.11 ENQUIRIES

Human Resource Division

8.12 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



9. LEGAL AID POLICY

i. ACRONYMS AND ABBREVIATIONS

- MSA-Municipal systems act

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation

9.1. PREAMBLE

Provision of legal representation of Councilor or employee at the cost of the Council or undertake to pay their legal costs

9.2. PURPOSE AND OBJECTIVES OF POLICY

Provide a Councilor or employee of the Municipality with legal representation arising out of the institution of legal action against them as a result of any act or omission by them in the exercise of their powers or the performance of their duties

9.3. SCOPE AND APPLICATION

This policy applies to all employees of the Municipality, including Councilors.

9.4. LEGAL FRAMEWORK

The Constitution of South Africa Act No.108 of 1996

Municipal Systems Act, 32 of 2000

Inquests Act, 58 of 1959

Council Resolutions

9.5. Administration of Policy

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

9.6. POLICY CONTENT

- a) Whereas Section 109 A of the Municipal Systems Act 2000 permits a Municipality to provide a Councilor or employee of the Municipality with legal representation arising out of the institution of legal action against them as a result of any act or omission by them in the exercise of their powers or the performance of their duties, the Council hereby adopts the following policy:



- b) Whenever a claim is made or legal proceedings are instituted against any Councilor or employee of the Council arising out of any act or thing done or omitted by them in the exercise of their powers or the performance of their duties and functions, or whenever any such Councilor or employee as a consequence of their election as a Councilor or employment with a Council are compelled to give evidence in or to make a written statement for the purpose of an inquest in terms of the Inquests Act, 1959 [Act 58 of 1959], the Council – shall, in the case of a civil claim or civil proceedings, if it is of the opinion that the Councilor or employee concerned acted in good faith and without negligence, indemnify them in respect of such claim or proceedings, and – LEGAL AID
- i. shall provide for the legal representation of such Councilor or employee at the cost of the Council or undertake to pay their legal costs;
 - ii. shall pay any award by a court against them, and
 - iii. may settle the claim and pay any amount due in terms of such settlement;
- c) shall, in the case of criminal proceedings, if it is of opinion that the Councilor or employee concerned acted in good faith and without negligence, indemnify them in respect of their legal costs therein or provide for their legal representation at the cost of the Council, and
- d) may, in the case of criminal proceedings, or an inquest in terms of the Inquests Act, 1959, if it is of the opinion that it is in the interests of the Council to do so, indemnify the Councilor or employee in respect of their legal costs therein or provide for their legal representation at the cost of the Council;
- e) provided that the Council may refuse to act in accordance with the foregoing provisions or may terminate any steps already taken by it and recover from the Councilor or employee concerned any costs incurred by it on their behalf, if such Councilor or employee –
- i. has made any admission or statement which the Council considers to be prejudicial to a successful defence; has made any offer of payment or settlement;
 - ii. declines to accept the services of a legal representative nominated by the Council;
 - iii. fails or refuses to furnish such information as the Council may require or furnishes false or misleading information, or



- iv. fails or refuses to co-operate with the Council or to render such assistance as may be required by the Council.
- f) For the purposes of this policy “Councilor” or “employee” includes a former Councilor or employee of the Council.
- g) Whenever any claim is or is proposed to be made or legal proceedings are or are to be instituted by any Councilor or employee of a Council against any person in consequence of any act or thing done or omitted by such person and the Council is of the opinion that –
- h) such act or thing was done or omitted in relation to or in consequence of the exercise and performance by such Councilor or employee of his powers, duties and functions;
- i) such Councilor or employee exercised and performed such powers, duties and functions in good faith and without negligence, and
- j) such claim or proceedings has or have a reasonable prospect of success, the Council may indemnify such Councilor or employee against all legal costs [including such Councilor or employee’s own legal costs] which may be or become payable by them LEGAL AID in the event of such claim or proceedings not being successful; provided that the Council may withdraw any such indemnity and recover all payments made in terms thereof from such Councilor or employee if they –
 - i. took any action or did anything which in the opinion of the Council is prejudicial to the success of such claim or proceeding;
 - ii. failed or refused to furnish such information as the Council may require or
 - iii. furnished false information, or
 - iv. failed or refused to co-operate with the Council or render such assistance as may be required by the Council.
- v. Notwithstanding anything to the contrary contained herein, the Council shall refuse to grant legal aid to a Councilor or employee in any action resulting from an act or omission which constitutes or would constitute an infringement of the Codes of Conduct for Councilors and Municipal Staff Members contained in the Municipal Systems Act, 2000.



9.7 DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code.

9.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

9.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

9.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

9.11 ENQUIRIES

10 Human Resource Division

9.12 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



10. OCCUPATIONAL HEALTH AND SAFETY POLICY

i. ACRONYMS AND ABBREVIATIONS

- COIDA: Compensation of Occupational Injuries and Diseases Act, 1993 (Act 85 of 1993)
- IOD: Injury on Duty
- OHS Act: Occupational Health and Safety Act, Act 85 of 1993
- OHS/OH&S: Occupational Health and Safety
- OHS Reps: Occupational Health and Safety Representatives
- MLM: Makhuduthamaga Local Municipality
- MM: Municipal Manager
- MSDS: Material Safety Data Sheet
- PPE: Personal Protective Clothing

ii. CLARIFICATION OF TERMS

In this document, the following words shall have the following meanings unless otherwise contextually stated:

‘Accident’ means an accident arising out of and in the course of an employee’s employment and resulting in a personal injury, illness or the death of the employee.

‘Building’ includes-

- a) Any structure attached to the soil;
- b) Any building or such structure or part thereof which is in the process of being erected; or
- c) Any prefabricated building or structure not attached to the soil

‘Chief inspector’ means the officer designated under Section 27 of the OHS Act as chief inspector, and includes any officer acting as chief inspector



‘Commissioner’ means the Compensation Commissioner appointed under section 2(1)(a); (xviii) of the COIDA Act

‘Compensation’ means compensation in terms of this Act and, where applicable, medical aid or payment of the cost of such medical aid

‘Compensation fund’ means the fund established by section 15; (xli) of the COIDA Act

‘Danger’ means anything which may cause injury or damage to persons or property

‘Employee’ means any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person

‘Employer’ means any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him, but excludes a labour broker as defined in section 1 (1) of the Labour Relations Act, 1956 (Act 28 of 1956)

‘Hazard’ means a source of or exposure to danger

‘Health and safety committee’ means a committee established under section 19 of the OHS Act

‘Health and safety equipment’ means any article or part thereof which is manufactured, provided or installed in the interest of the health and safety of any person.

‘Health and safety representative’ means a person designated in terms of section 17 (1) of the OHS Act

‘Health and safety standard’ means any standard, irrespective of whether or not it has the force of law, which, if applied for the purpose of the OHS Act, will in the opinion of the Minister promote the attainment of an object of the OHS Act

‘Healthy’ means free from illness or injury attributable to occupational causes

‘Incident’ means an incident as contemplated in section 24 (1) of the OHS Act

‘Inspector’ means a person designated under section 28 of the OHS Act

‘Medical surveillance’ means a planned programme or periodic examination (which may include clinical examinations, biological monitoring or medical tests) of employees by an Occupational Health Practitioner or, in prescribed cases, by an Occupational Medicine Practitioner

‘Minister’ means the minister of department of labour.



‘Municipality’ hereby refers to Makhuduthamaga Local Municipality

‘Occupational disease’ means any disease contemplated in section 65(1)(a) or (b); (ix) of the COIDA Act

‘Occupational health’ includes occupational hygiene, occupational medicine and biological monitoring

‘Occupational Health Practitioner’ means an occupational medicine practitioner or a person who holds a qualification in occupational health recognized as such by the South African Medical and Dental Council as referred to in the Medical, Dental and Supplementary Health Services Professions Act, 1974 (Act 56 of 1974) or the South African Nursing Council as referred to in the Nursing Act, 1978 (Act 50 of 1978)

‘Occupational hygiene’ means the anticipation, recognition, evaluation and control of conditions arising in or from the workplace, which may cause illness or adverse health effects to persons

‘Occupational injury’ means a personal injury sustained as a result of an accident in the workplace

‘Occupational medicine’ means the prevention, diagnosis and treatment of illness, injury and adverse health effects associated with a particular type of work

‘Occupational medicine practitioner’ means a medical practitioner as defined in the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), who holds a qualification in occupational medicine or an equivalent qualification which is recognized as such by the South African Medical and Dental Council referred to in the said Act

‘Office’ means an office as defined in section 1 (1) of the Basic Conditions of Employment Act, 1983 (Act No. 3 of 1983)

‘Officer’ means an officer or employee as defined in section 1 (1) of the Public Service Act, 1984 (Act No. 111 of 1984)

‘Plan’ means an assessment document developed by the OHS Committee

‘Policy’ means the OHS Policy for Makhuduthamaga Local Municipality

‘Reasonably practicable’ means having practicable regard to

(a) the severity and scope of the hazard or risk concerned;

(b) the state of knowledge reasonably available concerning that hazard or risk and of any means of removing or mitigating that hazard or risk;



- (c) the availability and suitability of means to remove or mitigate that hazard or risk; and
- (d) the cost of removing or mitigating that hazard or risk in relation to the benefits deriving there from

'Remuneration' means any payment in money or in kind or both in money and in kind, made or owing to any person in pursuance of such person's employment

'Risk' means the probability that injury or damage will occur

'Safe' means free from any hazard

'Unit'-shall mean Occupational Health and Safety Sub-Directorate

'Work' means work as an employee or as a self-employed person, and for such purpose an employee is deemed to be at work during the time that he is in the course of his employment, and a self-employed person is deemed to be at work during such time as he devotes to work as a self-employed person

'Workplace' means any premises or place where a person performs work in the course of his employment.

10.1. PREAMBLE

The need for the policy stems from the Occupational Health and Safety Act, 1993 which requires employers, including municipalities, amongst other things to develop and adopt an occupational health and safety policy.

Furthermore, this policy is intended to create a framework for decision making in respect of human resources management in as far as occupational health and safety is concerned in the Municipality.

To comply with the conditions relating to the Occupational Health and Safety Act, Act 85 of 1993 regarding the issue and control of safety equipment/protective clothing as well as to compile a policy on the issue and control of other clothing and uniforms which is not legally compulsory

The policy is intended to:



Promote and maintain the highest degree of physical, mental and social well being of workers.

Prevent amongst workers, ill health caused by their working conditions.

Place and maintain workers in a working environment that is adapted to their individual physiological and psychological conditions.

Protect workers from factors adverse to their health.

Promote and maintain working environment that is free from harassment.

10.2. PURPOSE AND OBJECTIVES OF POLICY

The purpose of this policy is to serve as a guiding tool to ensure that the employer provides and maintain a healthy and safe work environment and also to enhance the health and safety of persons at work in connection with the operation of the municipality. The policy also provides for the protection of persons other than persons at work, against hazards to health and safety arising out of or in connection with the activities of persons at work.

The objectives of the policy are to:

- Guide the development of safe methods of work;
- Ensure the achievement of a safe working environment;
- Promote good health within the workforce;
- Reduce the number and severity of injuries in the workplace;
- Enhance compliance with all relevant Acts, Regulations, Standards and Codes of Practice.

10.3. SCOPE AND APPLICATION

This policy applies to all employees of the municipality, its clients and all the contractors doing any kind of work for the municipality.

10.4. LEGAL FRAMEWORK

- The Constitution of South Africa Act No.108 of 1996



- Basic Conditions of Employments Act (Act 75 of 1997)
- Labour Relations Act (Act 66 of 1995)
- Municipal Systems Act (Act 32 of 2000)
- Municipal Finance Management Act (Act 56 of 2003)
- Locally negotiated agreements (LL F Resolutions)
- Occupational Health and Safety Act (Act 85 of 1993 + Regulations)
- Compensation for Occupational Injury and Diseases (Act 85 of 1993)
- Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No.56 of 1974) or South African Nursing Council as referred to in the Nursing Act, 1978 (Act No.50 of 1978)

10.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

10.6. POLICY CONTENT

10.6.1 OCCUPATIONAL HEALTH AND SAFETY STRUCTURES

a. Health and Safety committee

A health and safety committee must be established. The committee shall comprise of the following members.

- Members from different departments (elected health and safety reps or organized labour)
- OH&S Practitioner
- Employer representative
- OHS Reps
- First Aiders

Duties and responsibilities of the committee

- Discuss and make recommendations on common health and safety issues to the employer and all Departments
- Shall set and review Occupational health and Safety Standards
- Review the Occupational health and Safety Policy



- Shall meet quarterly
- Shall keep record of minutes and recommendations made to employer
- Discuss incidents/accidents that occurred at the workplace and recommend accordingly
- Make recommendations to the employer on matters affecting the health and safety of employees
- Note corrective actions taken by employer arising from reports received from health and safety representatives

b. Health and Safety Representatives

Election

- Every Department must elect their own health and safety representatives to represent the employees
- The Municipal Manager must appoint health and safety representatives to represent the employer in writing.
- Election shall be held every three years
- Elected employees must be able to read and write for training and reporting purpose

Duties and Responsibilities of Reps:

- Make representation to the employer on general matters, affecting the health and safety of employees
- Identify potential hazards and risks to the health and safety of employees in the workplace
- Investigate complaints by employees relating to his/her health and safety at work
- Make representation or recommendations to the employer on health and safety committee matters and any matter affecting health and safety of employees
- Carry out the quarterly inspections in the working place within their scope of authority



- Participate in consultation over health and Safety with inspectors at the workplace and accompany an inspector on any inspection of the workplace
- Attend all health and safety committee meetings, which he/she is a member of.

Rights of OHS Reps

- Visit the site of an incident at all reasonable times and attend to any inspection
- Attend any investigation or formal inquiry held in terms of this Act
- In so far as it is reasonably necessary for performing his/her functions, inspect any document which the employer is required to keep in terms of the Act
- Accompany an inspector on any inspection
- With the approval of the employer be accompanied by a technical advisor on any inspection
- Participate in any internal health and safety audit

10.6.2 STRATEGIES

a. Risk and Hazard Management:

- The unit may establish and maintain a documented occupational health and safety system with procedures for identifying, assessing and controlling workplace hazards;

b. Consultation:

- An Occupational Health and Safety Committee comprising of employees and management representatives will be maintained to provide an effective consultative mechanism.
- Employees are able to provide input into the occupational health and safety policy and program.
- Management will consult with contractors when planning to do any work to determine the most effective means of ensuring both parties fulfil their Occupational Health and Safety responsibilities.

c. Occupational Health and Safety Plan:



- In order to implement the general provisions of this policy, an Occupational Health and Safety Plan will be developed and implemented.
- Will be reviewed every 2 years unless otherwise needed to before the 2 years lapses.

10.6.3 RESPONSIBILITIES

a. Duties of the Employer:

- Provide and maintain as far as reasonably practicable, a safe and healthy working environment
- Assess the hazards within the workplace
- Assess all precautionary measures to effectively/mitigate any hazards or potential hazards
- Take such steps that would eliminate/mitigate the hazards
- Provide information, instruction and training as may be necessary to ensure the health and safety of employees
- Not permit an employee to perform any task without implementation of the precautionary measure, in respect of work, article, substance plant or machinery
- Take necessary measures to ensure that all employees comply with the requirements of the Act
- Enforcing measures in the interest of health and safety
- Cause all employees to be informed regarding the scope of their authority
- Ensure that all work is performed under the general supervision of a person trained to understand the hazards associated with such task and who has the authority to enforce the utilization of all precautionary measures
- Ensure that persons other than those in the employment of the municipality who may be affected directly by his /her activities are therefore not exposed to hazards
- The Municipal Manager and Departmental Managers have the responsibility and accountability to ensure that the duties of the employer as contemplated in the Act are adhered to.



- The Municipal Manager is accountable for ensuring that all legal Occupational Health and Safety responsibilities are fulfilled. Therefore, the Municipal Manager must ensure that sufficient Occupational Health and Safety resources are made available in all operations, financial forecasts and budgets, and performance measurement and management systems as Occupational Health and Safety is an integral part of every operation and activity.
- The Municipal Manager can assign duties to any person under his control, which person shall act subject to his control and directions.
- The head of each Department shall have duties assigned to assist the Municipal Manager to ensure compliance with the act.

TAKE NOTE:

- ✓ The responsibilities of managing the Occupational Health and Safety programme can be delegated to a person/s appointed by the Municipal Manager to co ordinate the OH&S Programme in terms of Section 16(2) of the OHS Act, without absolving the Municipal Manager of his responsibilities and accountability for overall OH & S compliance.
- ✓ The appointee will ensure total compliance with the OHS Legislation by all parties in his/her control – Employers, Employees, Committee, Contractors, Visitors, the public/community, Suppliers, Installers, and Distributors.
- ✓ Implementation of this policy and the associated program activities will be evaluated as part of their Performance Contract.

b. Duties of employees

Within the structure of duties, created by the Act, employees are burdened with duties, as the legislative body realized that by placing sole responsibility on management for compliance would not effectively implement the objectives of the legislation.



It should however be borne in mind that the duties of employees are entirely subject to the duties of management and that the prosecution will only take cognizance of an employee's shortcomings, in the event where management has complied with all duties concerned and are able to prove such compliance

- Take reasonable care for their own health and safety and for other persons, including co-employees, visitors as well as contractors.
- To co-operate with the employer in complying with management duties
- To carry out any lawful order made in relation to health and safety
- To report all unsafe conditions to the employer
- To report incidents, including near misses to the employer
- Not to intentionally interfere with, damage or misuse any item provided in the interest of health and safety in the workplace.

a) Contractors, Sub-Contractors and Visitors:

- All visitors, contractors and sub-contractors engaged to perform work on the premises or locations of MLM are required, as part of their contract, to comply with the Occupational Health and Safety Policies, procedures and programs and to observe directions on health and safety from designated officers of Makhuduthamaga Local Municipality.
- Failure to comply or observe a direction will be considered as a breach of the contract and sufficient grounds for termination of the contract.

10.6.4 HANDLING OF HAZARDOUS CHEMICAL SUBSTANCES

- Every person who manufactures, imports, sells or supplies any hazardous chemical substances for use at work, shall as far as is reasonably practicable provide the party receiving such substances, free of charge with an MSDS subject to the provision of section 10 of the OHSAct.



- This is done to ensure that the products received by the Municipality is safe and without risks when properly used and that it complies with all prescribed requirements
- All received chemicals must have the MSDS accompanying them
- If the above – mentioned information is not supplied with the delivered chemicals, such chemical/ product must not be received
- The employer must be in possession of sufficient information of any hazardous chemical substances for use at work.
- The employer/ supplier must educate the workers on how to use the chemical
- All chemicals shall be stored in a lockable store room and identified as such
- Chemicals must be stored in cool dry area and not mixed with other materials

10.6.5 REPORTING, INVESTIGATING AND MANAGEMENT OF INCIDENTS/IOD'S ACCIDENTS AND OCCUPATIONAL DISEASES

a) REPORTING OF INCIDENTS

PROCEDURE

1. The main incident topic should be reflected in the first line
2. Details of the incident must be reflected
3. The person present at the time of the incident must make a declaration and reflect his/her rank.
4. The intervention/ responses to the incident are to be reflected.
5. Future plan to prevent the same incident should be outlined
6. The name of the person present at the time of the incident should be reflected.
7. The date and time of the incidents should be reflected
8. The department where the incident occurred must be reflected
9. The signature of the declarer, the witness and the signing place should be reflected



10. The date and time of the compilation of the incident report must be reflected at the end of the report

b) INVESTIGATION OF INCIDENT

The OHSAct requires that the above mentioned incidents should be investigated within three months. The investigation must take place as soon as is reasonably practicable.

The person to conduct the investigation is any of the following:

- The OHS practitioner/ or risk manager
- The health and safety rep of the area
- The supervisor of the section

Investigation must be discussed at the OHS Committee meetings.

The report must be signed by the chairperson of OHS committee and employer.

c) REPORTING OF INJURY ON DUTY

If an employee is injured in an accident arising out or in the course of their work, they are entitled to compensation at the discretion of the commissioner.

PROCEDURE

1. All injuries on duty must be reported to supervisor before going off duty
2. The supervisor and injured employee must complete WCL 2 in duplicate (part A and B) with personal particulars and description of what happened. The supervisor must sign the form
3. If the supervisor refuses to fill the accident form, the worker can report the incidents to the commissioner by sending WCL 3 form directly to the commissioner.
4. The commissioner will contact the employer and instruct him/her to fill in the WCL 2 form



5. Identity document must always accompany forms
6. The attending Doctor must complete a first medical report and attach it to employer's report form for accepting liability of claim
7. The WCL 2 form must be forwarded to OHS Unit and will be entered in to a register. A copy of WCL 2 is forwarded to the commissioner.
8. The original document is forwarded to human Resource department for further management
9. Progress and final medical report will be sent by the attending doctor to the commissioner. Progress medical report is completed if the injury takes long time to heal. In the final medical report, the doctor states either that the worker is fit to go back to work or that the worker is permanently disabled. This document is sent to the employer who will send it to the commissioner.
10. When employee report for duty after leave for occupational injury and disease, resumption report must be completed by the employer. The report states when the worker returned back to work
11. The payments for any treatment must be charged to the Municipality

d) FIRST AID AFTER INCIDENT OR INJURY

1. First aid level 3 in the department renders immediate first aid on the sport
2. The OHS Practitioner and OHS Reps are informed for assistance if no first aid is available.
3. The employee is then transported to casualty department in the nearest hospital for further management



e) OCCUPATIONAL DISEASE

PROCEDURE

1. When an employee is diagnosed with an occupational disease, it must be reported to the supervisor as soon as possible
2. The employee must report to the OHS Unit to fill WCL 14
3. Identity document must always accompany forms
4. The employer will complete the WCL 1
5. If the employer refuses to complete the WCL 1, the employee sends the WCL 14 to the commissioner directly. The commissioner will contact the employer and instruct him or her to complete the WCL 1.
6. Documents must be forwarded to OH Unit for entering in to a register, then sent to Human Resource department for further management.

f) REFUSAL TO WORK PROCEDURE

Every employee has the right to refuse to work if he/she feels that his or her health and safety are at risk. When this situation arises the following steps must be followed.

1. Employee stop to work
2. Contact Supervisor
3. Disagree with Supervisor
4. Contact Health and Safety Representative
5. Disagree with Health and Safety Representative
6. Contact sectional /departmental Manager
7. Disagree with sectional /departmental Manager
8. Contact Occupational Health and Safety Officer.
9. OHS assessment of risk will be final.

Great care should be taken by employees not to misuse the procedure as it can lead to disciplinary actions.

10.6.5. MEDICAL SURVEILLANCE

- Baseline Medical Surveillance will be conducted on all employees
- Periodic Medical examination will be conducted on employees according to job specification
- The municipality will be liable for medical costs



- The medical examination will be conducted by the Occupational Health and Safety Officer and an Occupational Medical Practitioner
- The relevant forms will be completed and records will be kept in the office of the Occupational Health and Safety Officer
- Confidentiality will be maintained on the findings, supervisor will not be informed of the findings provided employees informed consent has been obtained.
- Feedback on the findings will be given to the employees
- Employees that are exposed to the following shall be tested annually:
 - Noise (Hearing test)
 - Chemicals
 - Industrial dust (Lung X-Rays and Lung Function Tests)

All medical reports shall be kept by Occupational Health and Safety and shall be treated as confidential.

10.6.6 INTOXICATION

- No person shall be permitted to enter any workplace who is or who appears to be under the influence of intoxicating liquor or drugs. In cases where employee e.g. a driver is suspected to be intoxicated, a traffic official or OMP may be called to test the person.
- Employees taking medicines shall be permitted to perform duties at the workplace if the side effects of such medicine do not constitute a threat to the health and safety of the person concerned or other at such workplace.

10.6.7 CONTRACTORS

- Any contractor doing work for Makhuduthamaga Local Municipality must complete a written agreement in terms of Occupational Health and Safety. Before any work can commence the Contractor must hand in a letter of good standing with the Compensation Commissioner to Occupational Health and Safety.
- Contractors that will perform any construction work as defined by the Construction Regulations shall hand in their Health and Safety Plan before commencing with their work.
- It is the responsibility of Makhuduthamaga Local Municipality to make sure that all contractors comply with the requirements of Occupational Health and Safety Act unless if there is an appointed agency



10.6.9 FIRE EXTINGUISHERS

- All fire extinguishers at Municipal premises should be numbered and recorded in a register.
- These fire extinguishers will be checked monthly by the Health and Safety representatives of the area.
- These fire extinguishers should be serviced annually.
- Every three years these fire extinguishers should be pressure tested by a service provider.
- The service provider should comply with the following legal requirements:
 - Valid SABS certification
 - Valid registration at S.A.Q.C.C. Fire
 - Registration at the Compensation Commissioner

Disciplinary action will be taken if fire extinguishers are misused or tampered

10.6.10 PERSONAL PROTECTIVE CLOTHING

- The employer should provide the relevant PPE to the staff free of charge
- The employer shall explain and demonstrate the correct use of PPE to staff.
- The employer shall inform all staff in his/her working area about the hazards they are exposed to.
- All Managers should identify the need of particular PPE relevant for his/her unit
- Protective equipment should be SABS approved
- Care and maintenance of PPE should be explained to staff
- PPE shall be used only for protective purposes at work, not for other purpose outside work and not for other purpose other than work which they are bought for.
- When the PPE is not in use it should be taken off until it is needed again
- New PPE will be ordered only after producing the old/torn ones.
- The PPE is changed after every three years or when the need arises.
- All employees who are issued with PPE must sign upon receipt for control purpose.
- All PPE should be labeled



10.7 DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code.

10.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

10.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

10.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

10.11 ENQUIRIES

Human Resource Division

10.12 SIGNATURE:

Formulated by: Human Resource Date:

Consulted: LLF: Date:

MM Approval: Date:

Council Approval: Date



11 PRIVATE WORK AND DECLARATION OF INTEREST/S POLICY

i. ACRONYMS AND ABBREVIATIONS

- MSA-Municipal Systems Act

ii. CLARIFICATION OF TERMS

- **“Private Work”** For purposes of this policy framework, an employee performs remunerated work when he/she, apart from his/her official duties to the Municipality, works for payment. All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.
- All terminology not defined in this policy shall bear the same meaning as in the applicable legislation.

11.1 PREAMBLE

The Code of Conduct for Municipal Staff Members, Schedule 2 of the Local Government:

Municipal Systems Act, Act 32 of 2000, provides as follows:

“Except with the prior consent of the Municipality of a Municipality a staff member of the Municipality may not—

- a) be a party to a contract for—
 - (i) the provision of goods or services to the Municipality; or
 - (ii) the performance of any work for the Municipality otherwise than as a staff member;
- b) obtain a financial interest in any business of the Municipality; or
- c) be engaged in any business, trade or profession other than the work of the Municipality.

This provision implies that the employee has a fundamental right to do private work and be remunerated therefore but this is countered by the Municipality’s sole prerogative to determine conditions on which special permission will be granted. This in turn implies that it is not a matter of course approval but that it must be specially granted.

Furthermore employees shall be responsible for the proper and efficient discharge of the work assigned to them by the Municipality. This implies that the Municipality as employer may legitimately expect the employee to be in a mental and physical condition to properly perform the duties he/she should be doing.



11.2. PURPOSE AND OBJECTIVES OF POLICY

The Private Work Policy refers to the terms and conditions for dealing with private work applications.

11.3. SCOPE AND APPLICATION

The policy shall apply to all employees of the municipality.

11.4. LEGAL FRAMEWORK

- a) *Constitution of the Republic of South Africa, 1996*
- b) *Municipal Systems Act, 32 of 2000*

11.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

11.6. POLICY CONTENT

11.6.1. Private Work:

- a) No employee will be granted permission to perform private work after hours that is in direct conflict with his profession and/or authority. Example:
 - b) Electrician performing electrical work in his private capacity and issues a certificate of competence in his official capacity
 - c) Building Control Officer is allowed to draw building plans after hours and approves the same building plans in his official capacity etc.
- e) Any request to perform private work must be stated in writing and accompanied by sound motivations, according to the following criteria:
 - i. the capacity of the employee;
 - ii. the nature of the official duties of the employee to the Municipality;
 - iii. the nature and extent of the proposed remunerated work outside the Municipality, as well as the time (hours) estimated to be spent on it and the possible conflict thereof with normal duties within the employment contract.
- f) The following conditions (where applicable) must be taken into account when an application is considered and will, if such application is approved, apply as conditions for approval:



- g) The proposed remunerated work may not interfere with the employee's normal official duties and/or cause a conflict of interests of whatever nature to arise.
- h) The proposed remunerated work must take place entirely outside the employee's prescribed hours of work.
- i) The proposed remunerated work may not be of such a nature that it is detrimental to the relationship between the employer and employee or causes the employee to violate the Code of Conduct.
- j) Municipal resources may under no circumstances be used in the performance of the envisaged remunerated work.
- k) Permission to perform the envisaged remunerated work is valid for a period of one year only, provided that if the employee wishes to continue performing the outside work after said one year has passed, he/she must renew the application to do so for the following one year at least thirty days prior to the expiry of the first year, in which case the stipulations of Paragraph 4.1 will apply *mutatis mutandis*.
- l) The abovementioned procedure is repeated each and every following year for as long as the employee concerned wishes to continue with his/her outside work. Disciplinary action will be taken against an employee:
 - i. who performs remunerated work outside his/her official duties to the Municipality without written permission; or
 - ii. who, after permission has been given to perform private work, in the opinion of the employer breaks or does not comply with any stipulation or condition as stated in this policy.
 - iii. The employer retains the right at any time to withdraw permission given in terms of the stipulations of this policy to an employee, on condition that the reasons given are justified and reasonable.
- m) *Ex post facto* permission may not be granted to an employee to perform remunerated work outside his/her official duties to the Municipality.
- n) The Department of Human Resource Management must keep a register of employees who perform remunerated work outside their official duty to the Municipality. The register must contain the following information:
 - i. name;
 - ii. staff number;
 - iii. rank;
 - iv. Department;



- v. division;
- vi. application for remunerated work approved/denied;
- vii. period and hours for which permission was granted;
- viii. name of the (outside) employer, type of work, nature of work and contact details; and
- ix. starting date.

11.6.2. Declaration of Interest/s

- a) Should an employee have a business interest in any number of companies or close corporations he/she shall declare such business interest/s as required in terms of the Municipal Systems Act (Act 32 of 2000) under Section 4 of Schedule 2: Code of conduct for municipal staff members.
- b) It is to be noted that where a staff member who or whose spouse, partner or business associate or close family member acquired or stands to acquire any direct benefit from a contract concluded with the Municipality, he/ she must disclose in writing, full particulars of the benefit to Council as required by the Municipal Systems Act. Interests to be declared, which may give rise to a conflict of interest with the employee's relationship with Council, include:
 - i. shares and securities in any company;
 - ii. membership of any close corporation;
 - iii. interest in any trust;
 - iv. Senior Manager ships;
 - v. partnerships;
 - vi. consultancies and retainer ships
 - vii. other financial interests in any business undertaking;
 - viii. other employment and remuneration;
 - ix. interest in property;
 - x. pension; and
 - xi. subsidies, grants and sponsorships by any organization.

11.6.3. Application for and approval of private work or declaring a business interest

- a) An application to do private work or have a business interest by the Municipal Manager must be approved or refused by the Executive Committee of Council.



- b) Applications to do private work or have a business interest by any other member of staff must be approved by the Municipal Manager.
- c) Applications for private work or declaring a business interest must be submitted in writing on the prescribed form (see annexure A) for consideration.
- d) A copy of the application with the decision of the competent authority must be filed on the employee's personal record.
- e) Personnel Services will be the custodian of the administrative infrastructure and processes to safeguard the relevant documentation and files.

11.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code.

11.8. ADOPTION OF THE POLICY

This policy will be adopted by Council

11.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

11.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as necessary.

11.11. ENQUIRIES

Human Resource Division

11.12. SIGNATURE:

Formulated by: Human Resource Date:

Consulted: LLF: Date:

MM Approval: Date:

Council Approval: Date



ANNEXURE A

APPLICATION TO UNDERTAKE PRIVATE WORK

TO: Head of Department:

Name	Employee number
Position	Contact number
Department	Department

1. I hereby wish to apply for permission to do private work, as set out below.

Nature and extent of work/activity

.....

.....

.....

.....

2. I declare that I am acquainted with The Systems Act (Act 32 of 2000) as well as the Policy of the Council in respect of private work or declaring business interests and undertake to comply with requirements as set out in the Systems Act and Council's policy on Private Work and Declaration of Interests.

3. I indemnify the Council against any claim of whatever nature that may arise from doing private work or having other business interests.

Your favourable consideration of my application will be appreciated.

.....
.....

Signature (Applicant)

Name in full

Date

I *recommend / do not recommend* the application

.....
.....

Head of Department

Date

Name in full



ANNEXURE B

EMPLOYEE DETAILS

TO: Head of Department:

Name	Employee number
Position	Contact number
Department	Department

SPOUSE'S / PARTNER'S DETAILS

Surname

First name

Date of birth

ID number



12. RELOCATION POLICY

i. ACRONYMS AND ABBREVIATIONS

- None

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.

12.1. PREAMBLE

This policy is aimed at facilitating the reimbursement of employees being transferred at the request of the Municipality to another locality, necessitating a residential change.

12.2. PURPOSE AND OBJECTIVES OF POLICY

This purpose of this policy is to outline provisions for travelling and removal expenses for employees and prospective employees (appointees). It will regulate internal transfers that may warrants relocation of furniture.

12.3. SCOPE AND APPLICATION

This policy applies to all employees of Municipality and/or prospective employees (appointees).

12.4. LEGAL FRAMEWORK

- The Constitution of South Africa Act No.108 of 1996
- Municipal Finance Management Act 56 of 2003

12.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

12.6. POLICY CONTENT

12.6.1. Removal Expenses

The Municipality will reimburse, subject to prior approval by the Municipal Manager, new appointees for the lowest of the three quotations for removal of furniture and household items. This reimbursement is subject among others to an appointee residing at the time



of appointment outside 20km radius from the Municipal jurisdiction. The removal expenses must be claimed within 6 months after commencement of duties.

12.6.2. Travel Expenses

The appointee and/or his/her dependant family is not entitled to any travelling expenses for the acceptance of the offer of employment.

12.6.3. Internal Appointments

When an employee of Municipality voluntarily and at his/her own accord applies for a position within Municipality service, and is successful in a position warranting travelling and moving to a different location within the boundaries of the Municipality, such travelling and removal costs will be at Municipality's cost.

12.6.4. Internal Transfer

Should Municipality transfer an employee for operational reasons within the boundaries of the Municipality, and such post warranting travelling and moving to another area, Municipality shall bear the full costs of travelling and removal subject to submission of the lowest quotation of the three (3).

12.6.5. Voluntary Internal Transfer

When an employee of Municipality voluntary request Municipality to relocate to another area within the Municipality, even when no vacant position exists, such cost will be at the employee's own cost.

12.6.6. Exclusions

Municipality is not responsible for expenses associated with storage of appointee households and insurance. This is the sole responsibility of the employee.

12.6.7. Employee Obligations

Should any employee who's travelling and removal expenses have been covered by Municipality leave within a period of less than 12 calendar months, the total amount travelling and removal expenses will be recovered by Municipality.

12.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code



12.8. ADOPTION OF THE POLICY

This policy will be adopted by Council

12.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

12.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as necessary.

12.11. ENQUIRIES

Human Resource Division

12.12. SIGNATURES:

Formulated by: Human Resource Date:

Consulted: LLF Date:

MM Approval: Date:

Council Approval: Date:



13. SEXUAL HARASSMENT POLICY

i. ACRONYMS AND ABBREVIATIONS

None

ii. CLARIFICATION OF TERMS

- Sexual harassment is defined as unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and with mutual consent.
- All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

a) **Sexual attention becomes sexual harassment if:**

- i. The behavior is persistent, although a single incident of harassment can also constitute sexual harassment depending on the gravity of the incident.
- ii. The recipient has made it clear that the behavior is considered offensive and the perpetrator had continued with such behavior.
- iii. The perpetrator should have known that the behaviour is unacceptable.

b) **Sexual harassment may include:**

- i. Unwelcome remarks, jokes, innuendoes or taunts about a person's body, clothing or sex;
- ii. Insulting gestures and practical jokes of a sexual nature which causes awkwardness or embarrassment;
- iii. Displaying pornographic, pin-up pictures, graffiti or other offensive material;
- iv. Leering (suggestive staring);
- v. Demands for sexual favours.
- vi. Sexual harassment has nothing to do with affection, flirtation, romance or relationships, when both parties consent freely thereto. Sexual harassment is about coercion of power. Employment threats or benefits may be expressed or implied and they are usually conditional upon the receiver of the threat or benefits submitting to the advance.
- vii. The Employer will make every reasonable effort to ensure that no employee is subjected to sexual harassment. In the event that sexual harassment is alleged, the disciplinary procedure must be applied.

- c) The following is examples of the various forms of sexual harassment but the list is not exhaustive:



- i. Physical conduct of a sexual nature includes all unwanted physical contact, ranging from touching to sexual assault and includes a strip search by or in the presence of another person.
- ii. Verbal forms of sexual harassment include unwelcome innuendoes, suggestions and hints, sexual advances, comments with sexual overtures, sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed toward them, unwelcome and inappropriate enquiries about a person's sex life, and unwelcome whistling directed at a person or group of persons.
- iii. Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects.
- iv. Quid pro quo harassment occurs where management or co-employee, undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increment or other benefits of an employee or job applicant, in exchange for sexual favours.

13.1. PREAMBLE

The Municipality is committed to ensuring that employees are not subjected to any form of sexual harassment. Persistent, unsolicited and unwanted sexual advances or suggestions made by one employee to another, regardless of gender and/or sexual orientation will not be tolerated.

Violations of this policy will lead to disciplinary action, which will include dismissal, and/or criminal charges. All managers at the Municipality have a responsibility for addressing all reports of harassment. In dealing with cases of sexual harassment, the Municipality shall be guided by the Code of Good Practice as contained in Schedule 8 of the Labour Relations Act, 1995 and the NEDLAC Code of Good Practice on the Handling of Sexual Harassment Cases.

13.2. PURPOSE AND OBJECTIVES OF POLICY

Policy objectives are to endure:

- a) Sexual harassment will not be permitted or condoned and will be regarded as a form of serious misconduct. Action will be taken in terms of the disciplinary code of the Municipality.



- b) Employees or any other person who have been subjected to sexual harassment have the right to lodge a grievance or lay a formal complaint with the Municipality.
- c) The Municipality is committed to investigate all complaints and grievances brought to its attention.
The Municipality undertakes to inform all employees of this policy and the need to refrain from any form of sexual harassment.
- e) It should be noted that this policy also protects prospective employees as well as clients of the Municipality.
- f) Management is required to implement this policy and take disciplinary action against employees who do not comply with this policy. Serious incidents of sexual harassment or continued harassment are dismissable offences.
- g) Allegations of sexual harassment will be dealt with seriously, expeditiously, sensitively and confidentially.
- h) It is a disciplinary offence to victimize or retaliate against an employee who in good faith lodges a complaint of sexual harassment.
- i) False or vindictive accusations shall be viewed in a very serious light.
- j) Anonymous complaints will be disregarded.

13.3. SCOPE AND APPLICATION

All employees, job applicants and any other persons who have dealings with the Municipality have the right to be treated with respect and dignity.

13.4. LEGAL FRAMEWORK

- Employment Equity Act 1998 Chapter 2 clause 6 (1) and (3).
- The Constitution of the Republic of South Africa 1996 Chapter 2 clause 9, 10, 12 24(a).
- Labour Relations Act 66 of 1995 Chapter VIII (Code of Good Practice Promulgated by Notice 1367 in Government Gazette of 17 July 1998) Section 16 of Labour Relations Act Chapter 3 Section 16.
- Item 12, schedule 2 of the Local Government, Municipal Systems Act (No 32 of 2000), as amended – Code of Conduct for Municipal Staff Members.

13.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.



13.6. POLICY CONTENT

- a) The Employer wishes to create and maintain a working environment which is free of sexual harassment, where all employees respect one another's integrity and dignity, privacy and their right to equity in the workplace. The Employer views sexual harassment of a fellow employee or of a non-employee as serious misconduct. The Employer undertakes to take strict action in sexual harassment cases but cannot be held criminally or civilly liable for the actions of its employees where the Employer has acted appropriately.
- b) In addition, victims of sexual harassment must not be made to feel that their grievances are ignored or trivialized, or fear reprisals. Implementation of the following guidelines can assist in achieving these ends:
 - i. All employees must refrain from committing acts of sexual harassment.
 - ii. All employees have a role to play in contributing towards a working environment in which sexual harassment is unacceptable. They should therefore ensure that their standards of conduct do not cause offence and they should discourage unacceptable behaviour on the part of others.
 - iii. Management will attempt to ensure that persons such as the public, suppliers, job applicants and others who have dealings with the organization, are not subjected to sexual harassment, which occur within the workplace.
 - iv. A victim of sexual assault/harassment has the right to institute separate criminal and/or civil proceedings against an alleged perpetrator, and the legal rights of the victim are in no way limited by this policy.

13.6.1. COMMITMENT BY MANAGEMENT

- a) Management undertakes to deal with any allegations of sexual harassment speedily and without favour.
- b) Management further undertakes to deal with allegations of sexual harassment in a confidential manner.
- c) Any person bringing allegations of sexual harassment to the attention of management will be protected against victimization.
- d) Whilst management will act against anyone who commits acts of sexual harassment it will also protect employees against false accusations.



- e) Subject to an investigation, management may suspend an employee on full pay but this is to be regarded as a precautionary measure only and does not in any way imply that the employee is guilty of any wrongdoing.
- f) Sexual Harassment is a serious form of misconduct and if found guilty employees may be dismissed, even for a first offence.

13.6.2. SPECIFIC CONSIDERATIONS

a) Confidentiality

The Employer will endeavour to proceed with its investigation with caution and such protocol as to ensure that a case exists before proceeding. Because of the sensitivity and the nature of the issue employee confidentiality and protection must be ensured.

b) Identity

The Employer will endeavour as far as possible to withhold the identity of the complainant until such time as the investigation has been completed and it has been decided to pursue the enquiry route.

c) Protection

The Employer will investigate every complaint, whether reported or not, as the Employer could be found liable where steps have not been taken to resolve a case of sexual harassment. Sexually harassed employees should be given adequate sick leave and/or assistance for counseling where appropriate.

13.6.3. PROCEDURES

Employers should develop clear procedures to deal with sexual harassment. These procedures should ensure the resolution of problems in a sensitive, efficient and effective way.

a) Advice and Assistance

Sexual harassment is a sensitive issue and a victim may feel unable to approach the perpetrator, lodge and formal grievance or turn to colleagues for support. As far as is



practical employers should designate a person outside of line management whom victims may approach for confidential advice. Such a person:

- i. Could include persons employed by the Municipality to perform inter alia such a function, a trade union representative or co-employee, by outside professionals.
- ii. Should have the appropriate skills and experience or be properly trained and given adequate resources.
- iii. Could be required to have Counseling and relevant labour relations skills and be able to provide and advise on a confidential basis.

b) Options to resolve a problem

- i. Employees should be advised that there are, depending on the seriousness, two options to resolve a problem relating to sexual harassment. Either an attempt can be made to resolve the problem in an informal way or a formal procedure can be embarked upon.
- ii. The employee should be under no duress to accept one or the other option.

c) Informal Procedure

- i. It may be sufficient for the employee concerned to have an opportunity where she/he can explain to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable, and that it interferes with their work.
- ii. If the informal approach has not provided a satisfactory outcome, if the case is severe or if the conduct continues, it may be more appropriate to embark upon a formal procedure. Severe cases may include: sexual assault, rape, a strip search and quid pro quo harassment.

d) Formal Procedure

Where a formal procedure has been chosen by the aggrieved, a formal procedure for resolving the grievance is available and attached hereto:

- i. Specify to whom the employee should lodge the grievance.
- ii. Make reference to timeframes which allow the grievance to be dealt with expeditiously.



- iii. Provide that if the case is not resolved satisfactorily, the issue must be dealt with in terms of the disciplinary procedures.

13.6.4. INVESTIGATION AND DISCIPLINARY ACTION

- a) Care should be taken during any investigation of a grievance of sexual harassment that the aggrieved person is not disadvantaged, and that the position of other parties is not prejudiced if the grievance is found to be unwarranted.
- b) The Code of Good Practice regulating dismissal contained in Schedule 8 of the LRA, reinforces the provisions of Chapter VIII of this Act and provides that an employee may be dismissed for serious misconduct or repeated offences. Serious incidents of sexual harassment or continued harassment after warnings are dismissible offences.
- c) The range of disciplinary sanctions to which employees will be liable should be clearly stated, and it should also be made clear that it will be a disciplinary offence to victimize or retaliate against an employee who in good faith lodges a grievance of sexual harassment.

13.6.5. CRIMINAL AND CIVIL CHARGES

A victim of sexual assault has the right to press separate criminal and/or civil charges against an alleged perpetrator, and the legal rights of the victim are in no way limited by this code.

a) Confidentiality

- i. Employers and employees must ensure that grievances about sexual harassment are investigated and handled in a manner that ensures that the identities of the persons involved are kept confidential.
- ii. In cases of sexual harassment, management, employees and the parties concerned must endeavour to ensure confidentiality in the disciplinary enquiry. Only appropriate members of management as well as the aggrieved person, representative, alleged perpetrator, witnesses and interpreter if required, must be present in the disciplinary enquiry.



Formal Procedure (Grievance procedure in terms of the Main Collective Agreement)

- a) Employee lodge completed Annexure A form to Manager or next reporting level
Address grievance within **10** working days
- b) No resolution, refer to Municipal Manager
- c) Address grievance within 6 working days
- d) No resolution, refer grievance to the Council/Bargaining Council



Annexure A

COMPLAINT FORM FOR SEXUAL HARASSMENT

1.To: _____ (Manager) Date: _____

2.Complaint: _____

3.Department: _____

4.Branch: _____

5. Description of complaint:

6. What is the desired outcome:

EMPLOYEE

MANAGER



Annexure B

OUTCOME OF REPORT FOR SEXUAL HARASSMENT CLAIMS

1. To: _____(Employee) Date:_____

2.From:_____ (Responsible Manager)

3. An investigation was done with regards to your complaint, the outcome of which is:

4. I am recommending/not recommending for further action to be taken against the accused.

5. The form that this action would take is: Informal/Formal (disciplinary action). (If applicable).

Please be advised that if you are happy with the outcome as contained herein, you can discuss the basis for your unhappiness with the writer and your rights herein is fully protected.

EMPLOYEE

MANAGER



14. SMOKING POLICY

i. ACRONYMS AND ABBREVIATIONS

- OHS
- TPCA

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.

14.1. PREAMBLE

The Municipality is obliged in terms of the Occupational Health & Safety Act (Act no 85 of 1993) and the Tobacco Products Control Act (Act 83 of 1993) to provide a healthy workplace environment, and to protect the health of all employees, Councilors and visiting public at the workplaces.

14.2. PURPOSE AND OBJECTIVES OF POLICY

- a) To implement the provisions of the Occupational Health & Safety Act (Act 85 of 1993) and the Tobacco Products Control Act (Act 83 of 1993) and regulations promulgated there under.
- b) To ensure that a healthy workplace environment is maintained and that the health of non-smokers is not adversely affected by exposure to tobacco smoke.
- c) To regulate smoking in all municipal workplaces.
- d) To ensure that indoor air is of good quality.

14.3. SCOPE AND APPLICATION

All employees, service providers and members of the public visiting Municipal buildings, premises and/or using municipal vehicles.

14.4. LEGAL FRAMEWORK

- The Constitution of the Republic of South Africa 1996
- Tobacco Products Control Amendment Act (Act No. 12 of 1999)
- Government Notice R975, Notice relating to smoking of tobacco products in public places, dated 29 September 2000, in terms of the Tobacco Products Amendment Act, No 12 of 1999.



- Occupational Health and Safety Act no. 85 of 1993.

14.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

14.6. POLICY CONTENT

- a) Indoor air quality is an important determinant of population health, wellbeing, and productivity. People nowadays spend most of their time in indoor spaces such as homes, workplaces, schools and in vehicles. Exposure to hazardous airborne agents such as cigarette smoke, present in many indoor spaces, might cause adverse effects such as allergies, irritation of the respiratory tract, some cancers, heart disease, peripheral vascular disease and respiratory diseases such as emphysema and chronic bronchitis. It is not just mainstream smoke (smoke drained through a cigarette and taken in by the smoker) but also side stream smoke (which arises from smoldering tobacco and passes directly into surrounding air) which is implicated and the above mentioned public health issues.
- b) Non smokers are definitely harmed by second-hand tobacco smoke, and may develop the already mentioned adverse effects. Employees who already suffer from respiratory diseases or allergies may be at an increased risk in a smoke filled environment.
- c) Smoking is prohibited within all municipal buildings and vehicles, except in specifically designated smoking areas as described in the Tobacco Products Amendment Act, No 12 of 1999, Section 2(b). Staff will be allowed to smoke in the designated areas only, of which the location, size and number will be determined by the Municipal Manager. The area must comply with the requirement as prescribed in the Government Notice R975, Notice relating to smoking of tobacco products in public places, dated 29 September 2000, in terms of the Tobacco Products Amendment Act, No 12 of 1999.
- d) This smoke free workplace policy applies to employees, contract workers, clients and visitors. Heads of Municipality are required to oversee that no working hours are lost as a result of smoking by employees.



14.6.1. Designated Smoking Areas

- a) Where a need for smoking exists among a group of employees, they should, in conjunction with the Municipal Manager, identify a suitable area. The Municipal Manager must confirm the suitability of all such areas.
- b) Smokers are encouraged to smoke in the designated areas. Times must be arranged with supervisors as to when smokers may take some smoke break. Employees' work should not be affected by their absence from their work stations.

14.6.2. Assistance for Smokers

It is recognized that some staff members who smoke may have some difficulty in adjusting, particularly those who have been smoking for a long time. It should be noted that smokers are being asked to refrain from smoking in the workplace, not to stop smoking altogether. In an effort to assist individuals in adjusting to this change, Counseling should be available.

14.7 DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

14.8 ADOPTION OF THE POLICY

This policy will be adopted by Council

14.9 INCEPTION OF THE POLICY

1ST OF JULY 2016

14.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

14.11 ENQUIRIES

Human Resource Division

14.12 SIGNATURES:

Formulated by: Human Resource

Date:



Consulted: LLF

Date:

MM Approval:

Date:

Council Approval:

Date:



15 SUCCESSION PLANNING POLICY

i. ACRONYMS AND ABBREVIATIONS

- NQF-National Qualification Framework
- IDP-Integrated Development Plan
- SDA-Skills Development Act
- MSA-Municipal Systems Act
- BCEA-Basic Conditions Of Employment Act
- LRA-Labour Relations Act
- EEA-Employment Equity Act
- TASK-Tuned, Assessment, Skills and Knowledge
- HR-Human Resources

ii. CLARIFICATION OF TERMS

- **“Succession planning”** means making the necessary arrangements to ensure that suitably qualified people are available to fill posts which will arise within any specific department over forthcoming years.
- **“Career pathing”** means ensuring that each staff member’s potential is developed to its fullest extent and that there is a career mapped out for him/her in the municipal service. The aim should be an attempt to train and develop the employee to the extent that he/she is able to reach the level of seniority to which he aspires and to be able to competently undertake the duties attached to that post.
- All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

15.1. PREAMBLE

The correct implementation of Succession Planning and Career Pathing within a Municipality will have great benefits for Municipality and staff members. The Municipality will always have suitably trained staff available and employees will feel that their employer is concerned about their careers and keen to train and develop them.

15.2. PURPOSE AND OBJECTIVES OF POLICY

- a) The Objective of the Succession Planning and Career Pathing Policy is:



- i. To ensure continuity of suitably trained staff in key posts for the future
- ii. To ensure that someone is always available to fulfill any particular job in the municipal service, even in the event of illness, resignation or death. More than one staff member in a specific department should always be able to do any particular job.
- iii. To comply with the legal requirements of the Employment Equity Act, 1998 which requires the appointment and promotion of suitably qualified persons from previously disadvantaged groups, to ensure proportional representation in all occupational categories and levels.
- iv. to ensure that training programs are undertaken in an orderly way and that staff do not simply attend training courses without a purpose. In this way training initiatives can be properly focused.
- v. to develop career paths for individual staff members to assist them in their careers, making them more enthusiastic about their jobs and therefore making them more productive. In this way, the individual skills may be utilized to achieve the goals of both the department as well as the organization.
- vi. to assist the employee in meeting his/her performance goals. Individual goals must be aligned with the goals of the overall department and the organization, including the Council's Integrated Development Plan (IDP) and budget. Succession planning and career planning must, furthermore, be aligned with all other human resources activities such as selection, training, performance management etc.
- vii. to establish a highly motivated work force which could lead to a decrease in staff turnover

15.3. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY.

15.4. LEGAL FRAMEWORK

- The Constitution of the Republic of South Africa 1996
- Employment Equity Act (Act 55 of 1998)
- Skills Development Act of 1998 (Act 97 of 1998)

15.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.



15.6. POLICY CONTENT

15.6.1. What is needed to prepare Succession Planning and Career Pathing Documents:

- a) The Head of Department, together with the Human Resources official (preferably Training Officer) should obtain the following:
 - i. departmental organogram
 - ii. skills audit results
 - iii. performance appraisal forms for all of the staff within the department. Obtaining these forms necessitates the implementation of a Performance Management System (PMS) within the Municipality. Municipalities are legally required, in terms of the Municipal Systems Act, to have a performance management system in place for senior staff members. It is recommended that this system be applied to all staff members within the Municipality and the Performance Appraisal Forms resulting from the implementation of the PMS are necessary to undertake succession planning.
 - iv. departmental estimates or staff budget
 - v. schedule showing the ages of current staff and dates of retirement. This can be obtained from the Human Resources Department
 - vi. job descriptions for all the posts in the department together with competency-based job outcomes for each post. These job outcomes must comply with the format of the unit standards as prescribed by the National Qualifications Framework (NQF).

15.6.2. Procedure for compiling a Succession Planning Document

Once all of the information mentioned above has been obtained, it will then be possible to compile a succession planning document. The following steps must then be followed:

Step 1:

- a) Each year, the Head of Department, together with the Human Resources official responsible for training and development, must examine the organogram of the department to establish:



- i) which posts are likely to become vacant over the next five years owing to retirements (from the schedule of ages of employees mentioned above). Provision should also be made for cases of possible termination due to the resignations, deaths, dismissals etc.
- ii) which posts on the organogram are already vacant and have funds provided for them on the annual estimates
- iii) which previously disadvantaged individuals and other employees within both the department and the Municipality as a whole can possibly be groomed or developed for more senior posts (this information can be obtained from the skills audit)
- iv) which posts require specialist technical or formal training, e.g. university degrees and for which there are presently no suitably qualified internal staff members

Step 2:

- a) The Head of Department, together with the human resources official should then prepare a draft organogram of how the departmental structure should look over the next one to five years. This draft organogram should reflect new posts that will be needed and any possible improvements to the current staff organogram.
- b) (NOTE : Departmental heads must bear in mind that there are limited funds available for new staff members and a realistic assessment of future staff needs must be made.)

Step 3:

- a) The Head of Department should then begin to “pencil in” the names of possible employees within the department who could be groomed for promotions for new posts or for posts becoming vacant as a result of retirements etc. Previously disadvantaged employees must be given preference where necessary to comply with the provisions of the MUNICIPALITY Employment Equity Plan.
- b) Information on which employees can be earmarked for possible promotion can be obtained from the Skills Audit results and the Performance Appraisal forms.



Step 4:

- a) A competency development plan, to improve the competency of identified employees must then be implemented.
- b) Where there are specialist posts which are expected to arise and which require formal qualifications, employees who have shown the necessary potential and interest should be offered bursaries (subject to finance being available), or alternatively generally be encouraged to register at a Technikon or University on a part-time or correspondence basis. All possible assistance and encouragement must be provided to the employees.

Step 5:

- a) Where additional informal training is necessary, suitable training courses must be identified and arrangements made for the identified employees to attend. This should be done in consultation with the employee concerned who should be informed that should he/she show promise, he/she
- b) will stand a better chance of promotion. However, no promises must be made.
- c) It is important that the training courses which the employees are given cover all competencies and that, at the end of the course, the employee must be able to deliver the performance outcomes required for the job.

Step 6:

Where on-the-job (or in-service) training is necessary, arrangements should be made to allow the identified employee to act in the higher post when the present incumbent is on leave, in order to confirm his suitability. In this way, the Head of Department will be able to establish whether the employee has the ability to meet the performance standards set for the post.

Step 7:

If no suitable in-service training within the Municipality exists, some local authorities can be approached to assist in this matter. Arrangements can be made to send the identified employees to other municipalities for limited periods, in order to obtain in-



service training and experience by working with persons who are undertaking those duties. Some municipalities are prepared to assist in this matter, provided there is no cost implication for them.

Step 8:

Identified employees can also be allowed to work directly under a qualified employee within the Municipality, who would be his/her mentor. This would enable him to acquire skills at limited cost.

15.6.3. Purpose of the Competency Development Plan

The purpose of the Competency Development Plan mentioned under **Steps 4–8** above is to improve the competency of the employees in order that future staff needs are met. It is important that after undergoing the competency development process, staff members are able to fully comply with the unit standards. This means, for example, that they must be able to do all of the tasks set out in the example column of **Annexure A**.

15.6.4. Procedure for compiling a Career Pathing Document

Where staff members have been shown to be competent in their jobs (as identified from the Performance Appraisal forms) and where they display the necessary potential and aspirations, special career path documents should be drafted for these employees. Other staff should also not be overlooked and career paths for them should also be determined, bearing in mind any limited aspirations or interest in promotion.

The following steps should be taken in preparing a career pathing document:

Step 1:

Once per year, the Head of Department (preferably with the human resources official) should hold a meeting with each member of staff in order to ascertain how great the employee's aspirations or ambitions are. The employee's past performance (as identified from the Performance Appraisal form) should also be discussed, as well as any possible improvements that are needed and any additional training which is required.

Step 2:



It is important that the Head of Department be flexible in his/her view of the potential of the employees. The human resources representative can assist in maintaining objectivity in these cases. The employee's aspirations must then be compared with his/her current performance and any improvements needed must be set out.

Step 3:

If the employee is at a fairly junior level, and wishes to progress to higher levels, he/she must be given every opportunity possible to develop the necessary skills. A possible career path document (an example is attached as Annexure B) should be shown to him/her and he/she should be informed that his progress will depend entirely on his/her ability, enthusiasm, dedication and hard work in his/her job.

Step 4:

The document set out in Annexure A (as amended to suit the employee's particular career field) should be personalized with the employee's name on the top. Meetings with the Head of Department and the human resources representative should be held every year to discuss his/ her progress and training and development needs.

Step 5:

Once the employee can prove by means of competency evaluation that he/she possesses the necessary skills and competence to perform the key tasks, he/she may then move to the next higher level of competency on his/her career path.

In this way a career pathing document for each individual employee can be compiled.

15.6.5. ROLES AND RESPONSIBILITIES

a) Responsibilities of the Council (Management)

- i. the management must accept the responsibility for the training and development of all its employees
- ii. the management must, further, participate in skills training and development on all levels in the organization and commit itself to the implementation and continuous participation in the Succession Planning and Career Pathing program



- iii. • the management (or employer) also has a responsibility to make resources (financial and other) available in order to promote the implementation of succession planning and career pathing. Provision must be made in the training budget of the Municipality for this funding.
- iv. the management must establish and maintain structures, policies and procedures (job enrichment, job rotation, job enlargement, special projects, career counseling, discussion groups, workshops, assessment centres) to facilitate Succession Planning and Career Pathing within the organization.
- v. The management must support the development of each employee by availing/creating the necessary resources viz. facilities, training personnel, transport, course materials and stationery as well as paid time-off for training
- vi. The management should, at its discretion, allow employees to repeat the training and development programs or part thereof, where the employee has not developed the required competency
- vii. • The management may decide, based upon fair criteria, which employees are suitable for specific training and development.

viii. Responsibilities of the Unions

- ix. The unions should continuously encourage and motivate their members to participate in training and development programs
- x. The unions should play a supportive role in the implementation of Succession Planning and Career Pathing, in particular in assisting with implementation of employment equity.

b) Responsibilities of Employees

- i. Employees should commit themselves to participation in training programs so that the process of training and development can succeed and be carried to its full extent.
- ii. It is necessary that employees make use of these programs in an enthusiastic manner by voluntary participation, continuous attendance, acceptance of responsibility for personal development, providing continuous positive input etc.
- iii. Employees must accept the principle that age is of no importance in training and development.



15.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

15.8. ADOPTION OF THE POLICY

This policy will be adopted by Council

15.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

15.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

15.11. ENQUIRIES

Human Resource Division

15.12. SIGNATURES:

Formulated by: Human Resource

Date:

Consulted: LLF

Date:

MM Approval:

Date:

Council Approval:

Date:



ANNEXURE A

**FORMAT OF UNIT STANDARD
(FOR MACHINE OPERATOR)**

CONCEPT	DESCRIPTION	EXAMPLE
1 CAPABILITY	Ask the question: “Person at this level is capable of?” (Broad statement)	Person at this level is capable of operating any light-equipment which is power driven
2 PERFORMANCE OUTCOMES	Ask the question: “What must a person demonstrate or do in order to be assessed as capable at this level?” (Brief statement) VERB+NOUN + ADJECTIVE	<ol style="list-style-type: none"> 1. Prepare power-driven equipment for task to be completed 2. Operate power-driven equipment 3. Do maintenance on power-driven equipment 4. Ensure that safety measures are strictly adhered to.
3 ASSESSMENT CRITERIA	Ask the question: “What evidence is needed in order that the employee can demonstrate capability and receive the necessary credits?” (Brief statements)	<ol style="list-style-type: none"> 1. Check fuel and oil level 2. Check blades and mechanical conditions 3. Fill tanks with appropriate fuel/oil mixture 4. Perform task according to the instructions received 5. Clean filters 6. Report all defects and extraordinary noises 7. Clean and replace all parts of the machine 8. Wear safety



		equipment 9. Complete machine logbooks
4 UNDERPINNING KNOWLEDGE	Ask the question: “What does the person at this level need to know?” (List of criteria)	1. Must be able to read and write 2. Must be able to understand verbal/written instructions 3. Must have a reasonable knowledge of the operational functioning of the equipment
5 RANGE STATEMENTS	Further notes on the scope, range of knowledge, degree of difficulty, context and level of performance at which the employee is expected to perform	A person at this level must be able to read and write, but will not be required to make any complicated decisions. He/she needs to have a basic knowledge of the operational functioning of the equipment. Safe work procedures and protective clothing is a priority.
6 MODERATION	Bodies or criteria which will conduct assessments for credit towards the standard	



SUCCESSION PLANNING AND CAREER PATHING

ANNEXURE B

CAREER PATH DOCUMENT

DEPARTMENT: STRATEGIC AND COPORATE SERVICES : HUMAN RESOURCE MANAGEMENT

POST / LEVEL	REQUIREMENTS	OUTPUT
HR Senior Manager		
HR Assistant Senior Manager		
Chief Human Resource Officer		
Human Resource Officer		
	ENTRY LEVEL	



16. TRAINING AND DEVELOPMENT POLICY

i. ACRONYMS AND ABBREVIATIONS

- OHS-Occupational Health and Safety
- ABET-Adult based
- NQF-National Qualification Framework
- PDP-Personal Development Plan
- LGSETA-Local government sector education and training authority
- SDF-Skills development facilitator
- SLA-Skills development levies Act
- SETA-Sector education and training authority
- SAQA-South African Qualification authority
- ETQA-Education and training Quality Assurance
- RPL-Recognition of Prior Learning
- WSP-Workplace Skills Planning
- HRD-Human Resources Development
- HRM-Human Resources Management

ii. CLARIFICATION OF TERMS

- **“accreditation”** means a process through which an organization’s capability to perform or deliver training and / or assessment is recognized and approved to fulfill the intended outcomes.
- **“assessment”** means a process of gathering sufficient information for evaluating what learners know and can do, this may take place through a number of methods, for example, portfolios, simulations, workplace assessments or written and oral examinations,
- **“career pathway”** means a plan you need in order to progress through the learning bands on a chosen career path,
- **“designated groups”** means to refer to black people (African, Coloured and Indian), women and people with disabilities, in terms of Employment Equity Act,
- **“education, training and development”** means practices which directly or indirectly promote or support learning. Teaching or designing learning materials or programs, or managing learning institutions or programs are all examples of such practices,
- **“in-house”** means programs that are presented to employees of MUNICIPALITY by internal service providers,



- **“learnership”** means a combination of structured learning and work experience which may lead to a registered qualification
- All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

16.1. PREAMBLE

The Municipality is committed to the structured and systematic training and development of all its employees on an ongoing basis to enable them to perform their duties effectively and efficiently.

Training and development programs will also be provided to enable employees to acquire the skills, knowledge and other attributes and develop their potential to meet the Municipality’s future human resources needs.

The training and development of an employee will commence with her/his appointment and continue as long as she/he is employed by the Municipality. Current employees will be drawn into the training process in accordance with priorities established by way of a structured analysis of training needs.

16.2. PURPOSE AND OBJECTIVES OF POLICY

16.2.1. The Municipality, Council and employees are fully committed to educating, training and developing all employees within the financial muscle and resources available, and this will be done by:

- a) Development of training and skills development strategy in line with the stipulations of Skills Development Act as amended and other relevant legislations.
- b) Introducing fair and reasonable objective principles for education, training and development of employees in the employ of Council.
- c) Providing guidelines for training and development of employees in the employment of Council.
- d) Conduct thorough Skills Audit and identify gaps existing and devise strategies in terms of the broader vision of Council.
- e) Allocate significant training resources, within the means of Council.



- f) Putting up comprehensive education, training and development programs that focus on literacy, numeracy, technical competencies and management and development programs.

16.3. SCOPE AND APPLICATION

The policy shall apply to all employees of the municipality

16.4. LEGAL FRAMEWORK

- The Constitution of the Republic of South Africa 1996
- Occupational Health and Safety Act, 85 of 1993
- South African Qualifications Authority Act, 58 of 1995 (this lays the foundation for the National Qualifications Framework (NQF))
 - Labour Relations Act, 65 of 1995
- Basic Conditions of Employment Act, 75 of 1997
- White Paper on Local Government, March 1998
- Employment Equity Act, 55 of 1998
- Skills Development Act, 97 of 1998
- Skills Development Levies Act, 9 of 1999
- Municipal Systems Act, 1999
- Demarcation Act, 1999
- Promotion of Equality and Prevention of Unfair Discrimination Bill, 57 of 1999
- All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation

16.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

16.6. POLICY CONTENT

16.6.1. Training and Development

- a) The types of training courses and the development thereof will be determined by the Municipality.
- b) Employees are encouraged to become involved in their personal development, to manage their own careers by indicating their training needs to their supervisors.



- c) The Municipality recognizes that its human assets are its most vital resource and is therefore committed to ensuring that all employees receive appropriate education and training:
- i. To enable to meet the requirements of their present jobs.
 - ii. To cater for personal development and the attainment of national qualifications
 - iii. To enable them to make the most of their potential to performance.
- d) In particular the skills development and training policy is guided by the following principles:
- i. Employees and managers should develop and maintain their education, training and development on an on-going basis through proper professional training.
 - ii. Every individual is in the first instance responsible for his / her own continuous development.
 - iii. The Municipality is therefore not necessarily responsible for providing or conducting all training. Various training providers are available for utilization e.g. College, Universities, and external consultants.
- e) Where the Municipality provides training to individuals, it shall ensure that all or part of training expenses are recoverable through and in terms of the framework provided in terms of the Skills Levies Act. For courses that will produce qualification certificates in terms of the National Qualifications Framework all training courses should be based on unit standards approved by a Sector Education and Training Authority. This is to ensure that the quality of training and education provided is good enough, and that all learners are properly assessed to an agreed standard.
- f) Where the Municipality provides qualifications related training, it shall ensure that the courses are accredited by the relevant SETA governing the Local Government sector in order for employees to obtain credits for training courses attended. The Municipality will advance its own benefit and productivity by ensuring that each person in the organization can perform effectively in their assigned responsibilities.



- g) The Municipality will assist in determining training needs (i.e. knowledge, skills and attitude needed for optimal functioning and in guiding employees as to where and how training needs can be satisfied. In this regard, the Municipality will support staff financially in pursuit of special development (where such training is considered in the best interest of the Municipality and the employee where necessary).
- h) Programs provided by the Municipality shall guide individuals on a variety of developmental routes, depending on the academic qualifications and / or experience and / or former disadvantaged circumstances of individuals, in order to facilitate accelerated employee advancement.
- i) Together with his / her immediate supervisor/manager the individual must develop his / her own personal development plan based on the above. The Personal Development Plan (PDP) must be reviewed and updated at least once per annum.
- j) The education, training and development efforts of the Municipality will comply with the relevant requirements requiring compliance from time to time.

16.6.2. Skills Development Facilitator

The Municipal Manager (or delegated authority) will appoint a person who is employed by the Municipality to perform the functions of a Skills Development Facilitator in terms of Skills Development and Skills Levies Acts.

16.6.3. Learnerships and Skills Development Programs

- a) Learnerships and skills programs contribute to these aims by combining structured learning with structured work experience to obtain an NQF-registered qualification. They are the main ways in which the workplace Skills Development Plan will be implemented.
- b) Learnerships replace and extend traditional apprenticeships to non-trade learning areas and result in a whole qualification registered by SAQA and related to an occupation.
Skills programs are smaller units of learning which are credit-bearing and may build credits towards a qualification.



- c) The learnership contract governs the relationship between the employer, the employee/learner and the accredited training provider. Contracts must be registered with the Sector Education and Training Authority (SETA) before learnerships commence.
- d) The Municipality is committed to learnerships and skills program which:
 - i. are diverse (i.e. cover a lot of different fields)
 - ii. are provided on the basis of organizational needs
 - iii. involve partnerships and co-operation between various workplace contexts to provide learners with the necessary work experience
 - iv. may be undertaken in any occupational field, not only traditionally technical trades
 - v. integrate education and skills training and will provide a work-based route to a qualification – or build credits towards a qualification
 - vi. provide a basis for lifelong learning
 - vii. implement the Skills Development Plan

16.6.4. Career Streaming

- a) Career streams are vocational pathways along which an employee can move, to promote their own development and the organization's capacity. Streams must be developed within the strategic priorities of local government and within its responsibilities for service delivery. Career streams do not necessarily provide "promotion" (upwards), but rather a number of different ways of moving within the organization.
- c) The Municipality will:
 - i. Ensure that education, training and development provision is within identified career streams
 - ii. Assist employees to decide on the career paths they could follow through the Learner Support Program
 - iii. Provide study assistance to permanent employees according to organizational needs, capacity and priorities
 - iv. Provide study assistance to members of the local community within its financial capacity as part of the social responsibility and with a view to making provision for future needs of the organization.



16.6.5. Assessment and Quality Assurance

- a) As the new organizing mechanism for all education, training and development in South Africa, the National Qualifications Framework (NQF) will ensure that standards and qualifications have the same value nationally. This is because the standards and qualifications have been set nationally with the participation of all stakeholders in various fields of learning.
- b) The Municipality is committed to:
 - i. Ensuring specialist employees are trained and registered in outcomes-based assessment
 - ii. Establishing and implementing a municipal internal quality assurance system – which includes a system of learner assessment and a record of learning for all employees in terms of national Education and Training Quality Assurance (ET QA) guidelines
 - iii. Identifying which learning standards and qualifications it will register as a provider of learning.

16.6.6. Recognition of Prior Learning (RPL)

- a) Recognition of Prior Learning (RPL) is an assessment process through which learners may be awarded credits for learning which they have already obtained through work experience or some form of prior learning. During this assessment they have to show that they meet the learning outcomes in the learning standards for a particular qualification through demonstrating what they know and are able to do. It is possible to obtain a whole qualification, or part of a qualification, through RPL.
- b) RPL assessments are subject to:
 - i. Operational requirements
 - ii. Organizational needs
 - iii. The availability of financial and human resources
 - iv. Operational constraints
- c) The Municipality is committed to:



- i. Advocating RPL as an accessible and developmental tool for building the organization and its employees, and recognizing the rights of employees to participate on a purely voluntary basis
- ii. Establishing and implementing an RPL system starting with a policy which outlines the purposes, methodologies, contexts, procedures and resources of and RPL function
- iii. Implementing a Municipality-wide system of RPL to redress the past career limitations of employees
- iv. Provide renewed impetus to employee motivation towards lifelong learning

16.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

16.8. ADOPTION OF THE POLICY

This policy will be adopted by Council

16.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

16.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

16.11. ENQUIRIES

Human Resource Division

16.12. SIGNATURES:

Formulated by: Human Resource Date:

Consulted: LLF Date:

MM Approval: Date:

Council Approval: Date:



17. TRAVELLING AND SUBSISTANCE ALLOWANCE POLICY

i. ACRONYMS AND ABBREVIATIONS

- MFMA-Municipal Finance Management Act
- SARS-South African Revenue Service
- DRT- Department of Road and Transport
- AA-Automobile Associations

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.

17.1. PREAMBLE

The purpose of this policy is to create a uniform policy throughout the Municipality that is adequate for all Councilors and employees who qualify for a travelling and subsistence allowance with due regard to the already prevailing circumstances

The implementation of this policy shall always be guided by the provisions of the Municipal Finance Management Act to ensure adequate accountability and responsibility.

17.2. PURPOSE AND OBJECTIVES OF POLICY

- a) The policy shall be utilized as a framework document that provides for the minimum conditions in order to cater for the varying municipal positions in this regard.
- b) To provide for the circumstances under which claims can be lodged for accommodation, subsistence and travelling.
- c) To provide for the amounts that can be claimed and the relevant categories of officers thereof.
- d) To provide for any incidental matters.
- e) To encourage a culture of saving costs.



17.3. SCOPE AND APPLICATION

This policy is applicable to all people travelling at behest of the municipality.

17.4. LEGAL FRAMEWORK

- a) Constitution of the Republic of South Africa (Act 106 of 1996)
- b) Municipal Finance Management Act – Act 56 of 2003
- c) Skills Development Act, 97 of 1998
- d) Municipal Systems Act, 32 of 2000
- e) Municipal Structures Act, 117 of 1998

17.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

17.6. POLICY CONTENT

17.6.1. SUBSISTENCE ALLOWANCE (NATIONAL DESTINATIONS)

- a) Employees/Councilors delegated accordingly in terms of the policy of Council to attend matters relevant to developmental local government will be entitled to an allowance for subsistence as follows:

- (i) Where food, i.e. breakfast, lunch and dinner **is not supplied**:

Breakfast = R150,00 per day

Lunch = R200,00 per day

Dinner = R300,00 per day

b) Parking's and Tollgate

Parking and tollgate costs are reimburse and the delegate has to supply the necessary documentation to the Chief Financial Officer, Claims not accompanied by the relevant document remain unauthorized.



17.6.2. SUBSISTENCE ALLOWANCE (INTERNATIONAL DESTINATION)

Employees and councilors delegated accordingly in terms of the delegation policy of council to attend matters relevant to developmental local government will be entitled to an international subsistence allowance at prevailing US dollar exchange rate.

17.6.3. TRAVELLING ALLOWANCE

a) Road Transport

- i. Councilors and officials delegated to attend the same function shall at all times attempt to reduce the cost to Council by using one vehicle (travelling in company) where circumstances permit.
- ii. All travelled distances will be paid as having started at municipal offices in Jane Furse.
- iii. In a situation where municipal vehicle is used, no claim shall be paid, except for unforeseen circumstances, such as breakdowns, re-fuelling, etc. No traffic offence ticket would be paid for unless it can be proven that there is no negligence on the part of the drivers.
- iv. Employees/councilors will not be allowed to be travelling in a municipal pool vehicle ,unless on exceptional circumstance e.g. sports ,team buildings ,arts and culture (groups of more than seven travelers)
- v. In a situation where a private vehicle is used a claim for the actual kilometers travelled shall be paid in accordance with the Department of Road and Transport/ AA rates as updated monthly.
- vi. Officials without travel allowance who use their private vehicles for business purposes will be paid using the same rates as above, however prior approval should be granted.
- vii. Councilors would be reimbursed in terms of the provisions of “**The remuneration of Office Bearers Act**”. **(A bench mark used in the Provincial and National Governments for politicians and officials).**
- viii. The Manager shall make all attempts to make a municipal vehicle available to the delegate to reduce the costs to Council before the delegate can be permitted to use private vehicle.
- ix. In the case of Public Transport, the cost of the taxi shall be regarded as a benchmark for all claims. Since majority of taxi operators do not issue payment tickets, reasonable amount should be paid to the claimants.



b) Procedures to be followed:

- i. Fill in the trip authorization form.
- ii. Obtain approval from the relevant senior manager.
- iii. Attach attendance register of the activity attended
- iv. Submit a completed travel claim form to senior manager for approval
- v. Submit to payroll division for payment.

c) Applicants invited to interviews:

- i. Persons invited to interviews shall be reimbursed according to the same rates as stated in this policy.
- ii. Where public transport is used taxi tariffs are applicable.

d) Air Transport

- i. Every attempt shall be made to reduce travel costs by comparing the cost advantage of using alternative transport mode. For the purpose of this policy, a distance of more than 600 kms shall be regarded as far enough to justify air transport, Municipal manager approval will be required in exceptional cases.
- ii. The choice of flight has to bear emphasis on **safety and comfort**.
- iii. Councilors and officials should at all times be booked into **ECONOMIC CLASS**.
- iv. Interviewees invited to interviews will be reimbursed for the cost of economic class.

e) Hired Cars

Delegates who use air transport but are attending the same function will be entitled to hired car with adequate loading capacity and at the lowest rental classification .

17.6.3. ACCOMMODATION

- a) The cost of hiring a hotel or lodge accommodation shall be borne by the Municipality for all official delegations with the maximum amount as per National Treasury determinations from time to time:
 - i. Where no accommodation is booked for the delegate, an accommodation allowance equals to the national treasury determination amount **per night excluding food is payable (eg urgent meetings for which the invitation**



was received less than seven working days) trainings are excluded from this arrangement..

- ii. Interviewees who slept over for attending interviews because of distance shall be paid the cost of the accommodation with the **maximum equals to the national treasury determination.(proof of accommodation costs must be provided, and such cost will be reimbursed if it is lower than the amount determined by treasury**

17.6.4. LIMITATION ON THE NUMBER OF VISITS

- a) It is imperative that Councilors and Officials attend the conferences, seminars, meetings, workshops, etc that have relevance to their own portfolio.
- b) Limitations on this aspects is difficult, however, the Mayor, Municipal Manager and the Managers should ensure that the necessary voted amounts are not exceeded.
- c) Attendance of repetitive workshops, training, etc must be avoided.

17.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

17.8. ADOPTION OF THE POLICY

This policy will be adopted by Council

17.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

17.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

17.11. ENQUIRIES

Human Resource Division

17.12. SIGNATURES:

Formulated by: Human Resource

Date:

Consulted: LLF

Date:



MM Approval:

Date:

Council Approval:

Date:

18. SALARY ADMINISTRATION POLICY

i. ACRONYMS AND ABBREVIATIONS

- BCEA-Basic Conditions Of Employment Act
- MSA-Municipal Systems Act
- MFMA-Municipal Finance Management Act
- MLM-Makhuduthamaga Local Municipality
- HR-Human resources
- MM-Municipal Manager
- UIF-unemployment insurance fund
- PAYE-Pay as you earn

ii. CLARIFICATION OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.
- **Salary-** A form of periodic payment from an employer to an employee, which may be specified in an employment contract. It is contrasted with piece wages, where each job, hour or other unit is paid separately, rather than on a periodic basis.
- **Wages-** A monetary compensation (or remuneration, personnel expenses, labor) paid by an employer to an employee in exchange for work done. Payment may be calculated as a fixed amount for each task completed (a task **wage** or piece rate), or at an hourly or daily rate, or based on an easily measured quantity of work done.

18.1. PREAMBLE

To pay market related salaries in terms of Local, National and International standards and in terms of applicable legislations.

18.2. PURPOSE AND OBJECTIVES

The key objectives of MLM's salary administration policy are:



To establish salaries that have a proper relationship to, and are competitive with salaries paid for similar work of equal value;

To establish salaries that reflect the relative priorities and values of jobs, and internal MLM's relationships among jobs; and

To provide an incentive for employees to improve performance in their present jobs, and to qualify for promotion to higher valued jobs.

18.3. SCOPE OF APPLICATION

This policy applies to all employees of the Municipality.

18.4. LEGAL FRAMEWORK

- The Constitution of the Republic of South Africa, 108 of 1996
- Municipal Finance Management Act, 56 of 2003
- Municipal Systems Act, 32 of 2000
- Basic conditions of employment Act, 75 of 1997

18.5. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of this policy.

18.6. POLICY CONTENTS

MLM's salary administration policy is aligned to the Basic Conditions of Employment Act, which among other things states that an employer has a duty to pay employee remuneration for services rendered to the employer. The Act specifically stipulates that employers are to keep employee records which should contain information relating to the employee's occupation, remuneration, any deductions to their remuneration, actual amounts paid and so on.

18.6.1. PAYMENT OF SALARIES AND WAGES

- a) A salary survey is conducted annually by the HR department to establish market related salary norms. The Senior Manager Corporate Services together with the MM will be responsible for determining salaries and salary bands for approval by the Remuneration Committee through job evaluation.



- b) The HR Section will be responsible for the administration of salaries and benefits. They will ensure that copies of all pay-slips and corresponding salary reports are maintained, schedules and other required supporting documentation in respect to payments for PAYE, UIF, medical aid, pension etc. should be prepared.
- c) Senior Manager, Corporate Services will ensure that MLM is registered for, and comply with, all statutory taxes/levies including PAYE/SITE, Unemployment Insurance, Workers Compensation and so forth.
- d) The Remuneration Committee will review and approve all salary levels on an annual basis.
- e) Salary payments are to be prepared by the Payroll Section, and authorized by the Senior Manager Corporate Services. Authorization for salaries is only to be signed if accompanied by the relevant Chief Financial Officer documentation.
- f) The Payroll section will be responsible for the electronic transfer of all employees' salaries.
- g) Salaries, wages and allowances will be electronically transferred to an employee's personal bank account at an approved financial institution.
- h) Salaries and allowances are not payable before the relevant payday of the month unless the payday falling on holiday or weekend. Payments on account of salaries and allowances, limited to the amount earned, may in exceptional circumstances be effected with the necessary approval.
- i) Salaries will be paid on the 25th calendar day of the month, when the 25th calendar day of the month falls on a Saturday, Sunday or public holiday, salaries may be paid on the preceding working day.
- j) When a salary, wage or allowance due to a person is claimed on behalf by another person, the paying officer must demand a written authority in support of the claim. The employee, must by way of an endorsement, signed by him personally, expressly request that their salary be handed over to the nominee, whose full name must be stated and that their salary be handed over to the nominee, whose full name must be stated and whose specimen signature must also appear on the request. On receipt of the salary, the nominee must acknowledge receipt by again signing an acknowledgement to that effect, in the presence of the paying officer. It is the duty of the paying officer to compare the signature of the nominee with the specimen signature and to satisfy himself or herself with the identity of the nominee.



- k) Overpayments of salaries, wages and allowances may, with the necessary approval, be recovered by means of installments. The debtor's status and financial position must be taken into account in determining the period of payment.

18.6.2. SALARY INCREMENTS

- a) Salaries shall be reviewed annually. Reviews shall become effective on the first of July each year and shall be awarded having taken into consideration MLM's performance and the individual's personal achievements as determined by their performance appraisals throughout the year.
- b) When an employee is appointed to a higher post level his/her salary shall be adjusted accordingly. Any other increase in salary will be in line with MLM's annual salary reviews afforded in July of each year.
- c) If in the opinion of MLM, an employee's work performance is unsatisfactory, MLM may refuse the employee's next salary increment for a period of six months or less a time: provided that MLM will after giving the employee an opportunity to be heard, inform the employee of its decision and reasons for it.
- d) If MLM, at the end of the period mentioned in clause (2) above, is of the opinion that the employee's work performance during the period was satisfactory, his/her salary will be adjusted by the percentage which would have applied if his/her salary increment had not been withheld from the date determined by MLM. As a consequence of non-performance, no back payment of this late salary increase will apply. The employee will still retain MLM's annual incremental date.
- e) A portion of the annual increment will consist of the inflation related general increment offered to all employees and the remaining portion will relate to the individual staff member's performance appraisal.
- f) Consider salary progression.

18.6.3. DEDUCTIONS FROM SALARIES

- a) The Senior Manager must ensure that all amounts deducted from salaries are paid over to whom they are due, in the month or as soon as practical after the close of the month in which the deductions are made.
- b) All deductions made to the salary of an employee should be shown in the pay-slip.

18.6.4. PREPARATION OF PAY-SLIPS

- a) Pay slips must be prepared, and provided to all employees showing gross salary, all deductions and net salary.
- b) Pay-slips should be prepared in duplicate, the original copy going to the employee and the duplicate being maintained by the HR Department.



- c) The HR Department should ensure that all copies of pay-slips are maintained and kept on file.

18.6.5. SALARY REGISTER

- a) The Senior Manager should ensure that reports of salary payments are maintained for each employee by tax year, and that IRP5 certificates are issued and reconciled on an annual basis, and the PAYE paid to the Receiver of Revenue.
- b) The payroll reports should contain the following information:
 - i. Employee name;
 - ii. Employee Number;
 - iii. Gross Salary;
 - iv. SITE;
 - v. PAYE;
 - vi. UIF;
 - vii. Pension Contributions;
 - viii. Net Salary;
 - ix. Medical Aid;
 - x. Skills Development Levies;
 - xi. Workman's Compensation
- c) All payroll reports should be maintained by the HR Department and reviewed on a monthly basis by the Manager: HR and Payroll/Expenditure Manager

18.6.6. CHANGES TO PAYROLL

- a) All changes to payroll, including new employees, terminations, salary changes, bonuses, overtime, allowances and deductions will be issued from the Human Resources Section.
- b) All payroll changes must be received by the payroll administrator by the 15th day of the month to allow for processing.
- c) Any changes to payroll should also be reflected in the payslips of the employee.

18.7. DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

18.8. ADOPTION OF THE POLICY

This policy will be adopted by Council



18.9. INCEPTION OF THE POLICY

1ST OF JULY 2016

18.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

18.11. ENQUIRIES

Human Resource Division

18.12. SIGNATURES:

Formulated by: Human Resource

Date:

Consulted: LLF

Date:

MM Approval:

Date:

Council Approval:

Date:



19. LEAVE POLICY

i. ACRONYMS AND ABBREVIATIONS

- HR: Human Resource
- MLM: MAKHUDUTHAMAGA Local Municipality
- MM: Municipal Manager
- SALGBC: South African Local Govern Bargaining Council
- BCEA: Basic Conditions of Employment Act
- UIF: Unemployed Insurance Fund

ii. CLARIFICATIONS OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.
- Council: It is the legislative body of the Municipality

19.1 PREAMBLE

Employees needs rest periods during the year, and employees will not make it to work for unforeseen circumstances as result the Municipality will make use of leaves to regulate those absences.

19.2 PURPOSE AND OBJECTIVES

The objective of this policy is to regulate all forms of leave that are accrued and due to employees as a benefit, and to outline procedures to be followed for the granting and taking of such leave. Policy provisions apply to all employees, that is, permanent employees, temporary employees and casual employees.

19.3 SCOPE OF APPLICATION

This policy applies to all municipal employees excluding Section 56 employees.

19.4 LEGAL FRAMEWORK

- The Constitution of the Republic of South Africa, 108 of 1996
- Municipal Systems Act, 32 of 2000
- Labour Relations Act, 66 of 1995
- Basic Conditions of Employment Act, 77 of 1997
- Main Collective Agreement 2015 – SALGBC

19.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts full responsibility for the implementation and monitoring of the policy.



19.6 POLICY CONTENTS

- a) The following leave policy procedures will apply:
 - i. All employees are entitled to twenty-four (24) working days annual paid leave (excluding weekends).
 - ii. None of the statutory paid public holidays will be regarded as a working day for the purpose of leave calculation;
- b) In the event of an illness or other unforeseeable circumstances, it is the responsibility of the employee to notify their supervisor within a reasonable period;
- c) Absence from work without approval and/or without a valid reason shall be regarded as misconduct and be dealt with in terms of the disciplinary procedure;
- d) Leave will be calculated from the date of engagement;
- e) Employees will not accrue full annual leave benefits whilst absent from work on sick leave, maternity leave or paternity leave which extends beyond the normal maximum of such leave, except in the case of extended absence due to injury during the course of their duties;

19.6.1 Categories of leave

19.6.1.1 Leave of absence shall be classified as

- i. Annual/Vacation leave;
- ii. Sick leave;
- iii. Family responsibility leave;
- iv. Paternity Leave
- v. Maternity leave and
- vi. Injured on duty or occupational diseases leave
- vii. Study Leave



19.6.1.2 ANNUAL LEAVE

All employees are entitled to twenty-Four (24) days annual paid leave (excluding weekends). Annual leave is accrued on a monthly pro-rata basis upon completion of every month of service. Annual leave is intended to provide the opportunity for a period of rest and recreation, so employees are expected to take leave within the leave year, when leave is due. Leave may be taken at any time convenient both to the employee and the employer. Business need and personal need should be carefully balanced.

19.6.1.3 ACCUMULATION

- a) Employees are permitted to accumulate a maximum of 24 working days annual leave per year.
- b) When an employee's service terminates, for whatever reason, i.e. resignation, retirement, dismissal or death, their accumulated leave is capitalised and the capitalised amount is paid as part of their last month's remuneration. This amount is subject to taxation.

19.6.1.4 TIMING

- a) MLM will grant annual leave not later than six (6) months after the end of the annual leave cycle;
- b) Application for leave must be made in reasonably good time to allow for planning during an employee's absence. It is recommended that annual leave for all employees be scheduled 3 days in advance:
 - i. It will remain the responsibility of the employee to ensure that leave applied for has been approved before proceeding on such leave;
 - ii. If an employee applies for leave and the leave days include a weekend, the weekend does not form part of the days counted as due. Weekends are thus not part of the twenty four (24) leave days applied for; and



- iii. The Managers shall be responsible for ensuring that leave application forms are submitted to Human Resources so that accurate records are maintained. The HR department shall keep record of leave days due to all employees and keep the managers informed on a regular basis.

19.6.1.5 HOLIDAY ARRANGEMENTS FOR NEW EMPLOYEES

Where MLM has agreed to honour holiday arrangements made by a new employee prior to joining MLM, the employee may take such leave as unpaid leave as the employee would not be having leave credits. The MM needs to approve such a holiday arrangement.

19.6.1.6 COMPASSIONATE/FAMILY RESPONSIBILITY LEAVE

- a) Compassionate leave of up to five (5) working days per occasion will be granted to employees in the event of the death or serious injury of next of kin and/or immediate family members;
- b) The employee will be required, in due course, to produce a death certificate or medical certificate in support of their application for compassionate leave; and
- c) For the purposes of compassionate leave “immediate family members” are regarded as an employee’s spouse/partner and children (including legally adopted children), whilst next of kin is defined as their own parents, parents-in-law, grandparents, brothers and sisters.

19.6.1.7 LONG SERVICE LEAVE

- a) An employee with 10 years uninterrupted service will be entitled to an additional five (5) Working days leave plus benefits set out in the ***conditions of service for the Limpopo division as amended from time to time.***



19.6.1.8 MATERNITY LEAVE

a) Employees, including an employee adopting a child under three (3) months, who have completed twelve (12) months or more of uninterrupted service, are entitled to four (4) months maternity leave and the right to return to the same position. Three months will be paid by the employer. The fourth month if taken should be claimed from Department of Labour.

b) **The following conditions apply:**

Maternity leave may be granted to both male (in which case it will be referred to as paternity leave) and female employees who have the sole responsibility of raising their newly born babies or adopted children under the age of three (3) months;

- i. An individual who does not qualify for maternity leave for some or other reason, and has to utilise their vacation and or take unpaid leave instead, may be granted sick leave in respect of any illness that the employee contracted during such period of absence; or the period of confinement to bed or an institution.
 - ii. An employee, including an employee adopting a child under three(3) months, shall be entitled to receive three(3) months paid maternity leave, with no limits to the number confinements or adoptions. This leave provision shall also apply to an employee whose child is still-born.
- c) Once an employee has given birth, she can return and commence duties if a doctor certifies that she is fit to commence normal duties after a period of six (6) weeks after birth;
- d) Security of employment is protected during the period of maternity leave;
- e) Maternity leave must in all cases be uninterrupted and continuous with the confinement. It may furthermore be extended with additional annual leave;
- f) Maternity leave may not, subject to the provision below, be converted to any other kind of leave after it has commenced;



- g) Sick leave may be granted with regard to absences from duty as a result of a miscarriage, still birth or termination of pregnancy after maternity leave has commenced in which case the period of maternity leave which has already been taken immediately prior to any of the said incidents, should not be taken into account for purposes of the restriction above;
- h) During the period of maternity leave normal annual leave benefits do not accrue;
- i) Maternity leave should be applied for at least four (4) weeks in advance to allow adequate planning for the employee's absence;
- j) Before leaving to go on maternity leave the employees shall enter into a written agreement with MLM, stating that the individual will return to work after their confinement.
- k) Failure to return to work on the due date, without notification of the reason for the delayed return, may be regarded as misconduct and dealt with in terms of disciplinary procedure.
- l) An employee who takes this leave should make arrangements with the UIF.
- m) Where a salary review takes place during paid maternity leave, the employee will receive any relevant increase from the effective date due to them.
- n) Paid maternity leave is recognised as continuous service.

19.6.1.9 MULTIPLE BIRTHS

The policy for multiple births is the same as for single births.

19.6.1.10 PATERNITY LEAVE

- a) Employees who have completed twelve (12) months or more uninterrupted service are entitled to, paid paternity leave of five (5) consecutive days to be granted from the date of engagement with MLM.
- b) Such leave is to be taken within three (3) months of the birth of the employee's biological baby or the legal adoption of a child under six (6) years of age.
- c) Paternity leave will not accrue if not taken in any year; and



d) Proof of birth or adoption will be required before paternity leave is approved.

19.6.1.11 RELIGIOUS AND PUBLIC HOLIDAYS

a) Employees are entitled to take vacation leave to observe their religious occasions where these are not designated as national public holidays. The public holidays referred to are the following:

New Years Day	1 January
Human Rights Day	21 March
Good Friday, Friday before Easter	Friday
Family Day Monday after Easter	Monday
Freedom Day	27 April
Worker's Day	1 May
Youth Day	16 June
National Women's Day	9 August
Heritage Day	24 September
Day of Reconciliation	16 December
Christmas Day	25 December
Day of Goodwill	26 December

19.6.1.12 SICK LEAVE

- a) Employees will be entitled to eighty (80) days paid sick leave calculated from date of commencement of employment with MLM, per three year cycle.
- b) New employees will accumulate sick leave at a rate of 1 day per month.



- c) Where sick leave days have been used up, and an employee has not been granted additional leave, any absence from office will be treated as unpaid leave;
- d) Sick leave application forms, with medical practitioner's certificates attached, must be submitted to Human Resources immediately upon return to work; and
- e) A medical certificate will be required from a medical practitioner or any other person who is certified to diagnose and treat patients, and is registered with a professional Council, within three (3) days of returning to work. In the event that treatment was received from non-registered health practitioners (e.g. some traditional healers, homeopaths, etc), an affidavit needs to be presented to MLM within three (3) days of returning to work as proof of having been for such treatment.
- f) Such proof will be required:
 - i. For absences in excess of two (2) consecutive working days;
 - ii. For absences where an employee takes sick leave on a Friday or a Monday, or a day immediately preceding or following a public holiday;
 - iii. At the discretion of the direct supervisor (e.g. where an employee was reported to have been engaged in other than non-MLM activities);
 - iv. Repeat absences in any eight (8) week cycle;
 - v. As MLM so requests; and as evidence of admission to a hospital or clinic during annual leave.
 - vi. Should an employee become ill whilst on annual leave, such portion of their vacation leave may, subject to the submission of the medical aid certificate or affidavit, be converted into sick leave.
 - vii. Employees who are away from the office and who are being treated in an institution for the rehabilitation of alcoholism, or drug addiction may be granted sick leave for the period that they



are away, provided that a sufficient number of days sick leave are available to the employee in the current sick leave cycle.

19.6.1.13 SPECIAL SICK LEAVE

- a) An employee may be granted up to two (2) days special leave per year. Special leave may not be accumulated. Line managers are to control and keep record of all special leave granted to their subordinates. The following situations may warrant granting of special leave:
- i. To enable the employee or a family member to undergo medical examinations or medical treatment in large centres.
 - ii. Employees who are away from the office for traditional ceremonies (e.g. attendance at initiation school, qualifying as a traditional healer “ukuthwasa”, etc) may be granted special leave for the period that they are away provided that an affidavit is produced within three (3) days of their return to the office.
 - iii. Relocation as a result of transfer.
 - iv. Relocating residence for reasons other than transfer.

19.6.1.14 STUDY AND EXAMINATION LEAVE

- a) Employees undertaking approved courses of study, privately and on a part time basis, which in the opinion of MLM will be of benefit to MLM and to the employee, may, subject to the convenience of MLM be granted paid study leave to attend such courses. The number of working days will not normally exceed ten (10) working days per annum;
- b) Paid leave for purposes of writing examinations for approved courses will be granted on the basis of the day of the examination and the working day preceding it. Proof of registration and an examination timetable need to accompany the application for leave. The number of such days will not normally exceed ten (10) working days per annum;



- c) Where the day of the examination immediately follows a weekend (i.e. falls on a Monday) or a paid public holiday, only the day of the examination will be granted; and
- d) Leave must be applied at least three (3) weeks in advance on the prescribed form and a copy of the examination timetable attached.
- e) Employees are also entitled to leave for the purpose of their graduations in instances where the studies have been approved and paid for by the municipality

19.6.1.15 UNPAID LEAVE

- a) Leave without pay may be granted on good cause, only to those employees who have used their full leave entitlement. This will be assessed by the relevant manager or any person delegated by them, who will approve or deny such a request; and
- b) In all cases of unpaid leave, provision is to be made for deductions from the employee's salary but contributions to Provident/Pension and Medical Aid funds shall be maintained.

19.6.1.16 PAYMENT IN LIEU OF LEAVE DUE

Employees will not be entitled to payment in lieu of leave due except upon termination of employment when accumulated leave will be paid out. Employees need to be aware that when they leave MLM, only leave not taken up to a maximum of forty five (45) days accrued per year will be paid out. The rest of the leave days, if not taken at the point of termination will be forfeited.

19.6.1.17 APPLICATION FOR LEAVE

All forms of leave are to be applied for on the prescribed Leave Application Form and Electronic Leave System obtainable from the Human Resources and submitted to the direct supervisor of the employee for approval and sent to Human Resources for capturing.



a) Work concessions

- i. Depending on operational requirements, employees may be allowed time off from 12:00 on the last working day preceding Christmas Day and New Year's Day. However, a skeleton staff component has to remain on duty to provide essential services on these days, with the provision that they will be granted time off at a later date by arrangement with their supervisor.
- ii. Employees may also be allowed time off in other deserving cases at the discretion of management. Concessions may be granted in lieu of time worked in, by agreement between the employee and his supervisor.

b) Cancellation of leave

- i. Leave of absence granted to an employee, with the exception of sick-leave, may be cancelled, postponed or interrupted at any time by the Manager, Municipal Services on the recommendation of the Head of Department concerned, should this be deemed necessary in the interests of the Municipality, and such employee shall be compensated by the Municipality for irrecoverable expenses or obligations entered into by him/her before he/she was notified of the postponement, cancellation or interruption. Proof of any such irrecoverable expenses is the responsibility of the employee:
- ii. If an employee's application for leave of absence is cancelled, postponed or interrupted, the reasons for this must be placed on record and the employee must be credited with the leave that has been cancelled, postponed or interrupted, on condition that should such leave credit arise from the postponement or interruption of an employee's compulsory leave, it is placed to the credit of the employee on the same basis, and the period for which such compulsory leave is valid is extended by a maximum of one year.
- iii. If an employee, whose leave of absence is interrupted, has to travel in order to resume duty, the Municipality shall pay his/her expenses for the travelling from



there and back and such a person shall be deemed to be doing service while travelling. Postponement or interruption of leave of absence is confirmed in writing.

c) Medical disability

If an employee is absent from duty as a result of illness for a continuous period of more than six months and the full recovery of the employee is questionable according to medical reports, the Manager: Municipal Services arranges either for the appointment of a Medical Council in accordance with the statute of the Pension Fund/ Provident Fund with a view to retirement owing to lasting medical disability of the employee concerned, or that sick-leave be granted for at most two further periods of not more than three months each, following which a Medical Council shall be appointed on condition that, if the physician is of the opinion at the matter shall be referred (without further delay) to the relevant Pension Fund/Provident Fund.

d) Indisposition in the course of a working day

Should an employee take ill and leave his/her work at any stage during a working day, he/she shall be compensated in full for that day. No sick-leave application form is required in this regard.

19.6.1.18 Special leave

a) Leave without pay

Regarding leave for urgent private matters, the Manager: Municipal Services may grant leave without pay to an employee for periods of not more than one month, provided that satisfactory arrangements can be made for the execution of the duties of such an employee during his/her absence and with the provision that the employee concerned will first take all accumulated leave which may have accrued to him/her before leave without pay may be taken. Leave without pay for periods of more than one month in exceptional cases, is subject to the Municipal Manager's approval.



b) Official business

The Municipal Manager may grant leave with full salary to an employee when he/she has to attend a meeting or conference concerning municipal or related affairs, or is out of town on official business.

c) Quarantine

Special leave of a maximum of 6 months (180 calendar days) with full pay may be granted by Head of Department to an employee when such a person is placed under quarantine by a physician with the authority to do so. Longer periods will be considered on merit by the Manager: Municipal Services.

d) Court cases

Special leave with full pay be granted by the Head of the Department to an employee when the latter acts as an assessor, or is summoned by the State to give evidence as a witness in a court case, on condition that the necessary proof hereof is submitted together with the application for leave.

e) Leave related to injury while on duty

- i. When an employee is unable to perform his/her duties owing to an accident to which the stipulations of the Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993) as amended apply, leave shall be granted as determined in the relevant Act and the Leave Regulations.
- ii. However, special leave with full pay shall be granted should the accident be related to natural disasters, stone throwing, civil unrest, strikes, labour, riots, political rioting and acts of terrorism, with the exception of war, and provided the injury can be confirmed as such by the specific Head of the Department. The stipulation of the Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993) shall, however, apply in the event of medical costs and permanent disability grants, except that any monthly pension in such a case shall only come into effect once an employee's service is terminated.



- iii. Should it become apparent to a Department Head or the Manager: Municipal Services that an employee is abusing the benefits related to injury while on duty, he/she may in consultation with the relevant Union decide to withdraw compensation to such an employee in accordance with the stipulation of the Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993).

19.6.1.19 UNAUTHORISED ABSENCE: FORFEITURE OF SALARY

An employee who is absent from his work without leave or valid reason shall not be entitled to any salary for the period of his absence. The deduction is calculated pro-rata according to the length of his absence.

19.6.1.20 VARIATIONS FROM POLICIES

In the event of circumstances arising, which justify a departure from the provisions of the above policies, the MM will use his/her discretion regarding those alternative provisions and measures. MLM may also at its discretion, prescribe special leave privileges for and employee or classes of employees, and also make recommendations and give directions that are not covered by the above policies.

19.7 DEFAULT

None compliance with any of the conditions or stipulations will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary code of conduct.

19.8 ADOPTION OF THE POLICY

This policy will be adopted by Council.

19.9 INCEPTION DATE

This policy will be in operation from the 1st of July 2016.

19.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as it is necessary.

19.11 ENQUIRIES

Human Resource Division is the custodian of this policy.

19.12 SIGNATURES

Formulated by: Human Resource Date:



Consulted: LLF

Date:

MM Approval:

Date:

Council Approval:

Date:



20 DRESS CODE, UNIFORMS AND PROTECTIVE CLOTHING POLICY

i. ACRONYMS AND ABBREVIATIONS

- Msa- Municipal Systems Act, 32 of 2000

ii. CLARIFICATIONS OF TERMS

- All terminology used in this policy shall bear the same meaning as in the applicable legislation.
- **Dress Code:** A set of rules about what clothing may or may not be worn in a specific Municipality
- **Professionalism:** the conduct, aims, or qualities that characterize the image of the department
- **Municipal wear:** A municipal dress code typically specific suits, slacks, dresses and skirts. Personal appearance and grooming habits should also meet the standards of those in a professional position
- **Business Casual:** Business casual dress is a step up from smart casual, but not dresses as formal work attire
- **Traditional attire:** traditional clothing that represents specific tribe or the nation of your ancestors
- **Smart casual:** casual refers a type of office dress code or clothing style that is a little more casual than formal business wear
- **Protective clothing:** refers to protective clothing, helmets, goggles, or the garments or equipment designed to protect the wearer's body from injury.
- **Council:** It is the legislative arm of the Municipality.

20.1 PREAMBLE

This code will ensure that employees dress in a manner that is keeping with the professionalism and the image that the Municipality wants to portray. Therefore, it is imperative that standards are laid down to highlight appropriate work/business attire that conveys the values endorsed by the municipality.

20.2 PURPOSE AND OBJECTIVES

The Municipality as an employer and a government institution must conduct itself in a professional way, which also includes its public and professional image. It has thus to portray itself by way of how its officials dress in an acceptable and presentable manner. This will improve its public image and status.

20.3 SCOPE OF APPLICATION

This policy applies to all employees of the Municipality.



20.4 LEGISLATIVE FRAMEWORK

- The Constitution of South Africa 108 of 1996
- Municipal System Act, 32 of 2000

20.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts full responsibility for the implementation and monitoring of the policy.

20.6 POLICY CONTENTS

20.6.1 ACCEPTABLE DRESS CODE FOR ALL EMPLOYEES:

a) FOR WOMEN

- i. Prescribed uniform in the case of employees who are required by the regulation to wear uniforms
- ii. Protective Clothing
- iii. Name tags
- iv. Blazers, suits or jackets
- v. Non body hugging $\frac{3}{4}$ pants and trousers
- vi. Blouses or shirts
- vii. Scarves or foulards
- viii. Dresses that are knee level or longer
- ix. Dress trousers or tailored trousers
- x. Skirts or Split skirts(at knee or longer)
- xi. Sweaters, Cardigans, pullovers and polo necks
- xii. Dress shoes or boots

b) FOR MEN

- i. Prescribed uniform in the case of employees who are required by the regulation to wear uniforms
- ii. Protective Clothing
- iii. Name tags
- iv. Blazers, suits or jackets
- v. Shirts
- vi. Ties
- vii. Sweaters, cardigans, pullovers and polo necks
- viii. Formal shoes or boots
- ix. Formal trousers or tailored trousers
- x. Golf shirt



c) FRIDAY ATTIRE

- i. Smart casual
- ii. Sports dress code
- iii. Presentable jeans that are not tight fitting
- iv. Clean sneakers or Shoes

20.6.2 UNACCEPTABLE DRESS CODE FOR ALL WORK DAYS INCLUDING FRIDAYS

- i. Beach wearer
- ii. Evening wear during day time
- iii. Tight fitting/body hugging trousers, skirts, dresses and jeans
- iv. Clothing that is torn, frayed with patches or holes
- v. Revealing and see through transparent clothing worn without camisole/vests/slips
- vi. Any clothing with political/offensive slogans
- vii. Sportswear except Fridays
- viii. Head covering except for cultural, religious, safety and medical reasons
- ix. Shorts or $\frac{3}{4}$ pants for males
- x. Tank tops, tube tops, halter tops with spaghetti straps, off—the shoulder tops
- xi. Midriff length tops
- xii. Flip flops and flat shoe toe ring sandals unless for medical reasons
- xiii. Biker jackets except Fridays

20.6.3 OTHER CIRCUMSTANCES

- i. An employee's choice of dress must be suitable for official functions, formal meetings and visits
- ii. It is expected that employee will apply common sense approach to the dress code and dress in a manner befitting their role, audience and purpose
- iii. Where there are official function of the municipality like team building, sporting activities and commemoration events, employees will be required to dress accordingly
- iv. Recognition of cultural representation and diversity is provided for employees by the acceptance of traditional wear only in cases where an indication of acceptance of traditional wear for a particular event is indicated
- v. Employee must abide by the safety policies and procedure and wear required protective clothing and safety equipment as required
- vi. Accessories such as jewellery must be simple and neat



- vii. Piercings' should be limited to the earlobes; surface piercings should not be exposed
- viii. Facial piercings' are not allowed, a nose ring will be allowed for religious purpose only
- ix. Staff should refrain from wearing clothing that could be regarded as sexually provocative by the opposite sex.

20.7 DEFAULT

None compliance with any of the conditions or stipulations will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary code of conduct.

20.8 ADOPTION OF THE POLICY

This policy will be adopted by Council.

20.9 INCEPTION DATE

This policy will be in operation from the 1st of July 2016.

20.10 REVIEW OF THE POLICY

This policy will be reviewed in three years or as it is necessary.

20.11 ENQUIRIES

Human Resource Division is the custodian of this policy.

20.12 SIGNATURES

Formulated by: Human Resource Date:

Consulted: LLF Date:

MM Approval: Date:

Council Approval: Date:



21. EXTERNAL BURSARY POLICY

i. ACRONYMS AND ABBREVIATIONS

- Msa- Municipal Systems Act,32 of 2000

ii. CLARIFICATIONS OF TERMS

“Municipality”	Means Makhuduthamaga Local Municipality in the Sekhukhune district, limpopo Province; South Africa
“Bursar/Student”	Means a person to whom a study bursary/aid is granted.
“Bursary”	Means the financial assistance provided by the Municipality to enable the bursar to study at the recognized accredited higher institution of learning.
“Parties”	Means the Bursar and his/her legal guardian/parent and the Municipality.
“Year”	Refers to an academic year of the higher institution of
“Full-time Student”	Bursar at the higher institution of learning on a full-time basis.
“Academic year”	The year on which the Bursar commences with his/her studies.
“Expected Commencement date of Service”	The date within three months after completion of study.
“Normal Duration of Study”	A defined period of study as determined by the higher institution of learning.
“Duration of Bursary”	The number of years which the Bursar has been granted the bursary.



“Commencement Date of Agreement”	The date on which this agreement is signed by the last signing party.
“Satisfactory progress”	An achievement that allows the bursar to register for the next academic level.
“Bursary Agreement”	Means this signed agreement.
“Mentor”	Means an official appointed to manage the student throughout the study period.

21.1 PREAMBLE

- a. Makhuduthamaga Local Municipality is committed to increasing the level of investment in education and training in the labour market within the Municipal area of its jurisdiction.
- b. Municipality also seeks to improve the employment prospects of persons previously disadvantaged by unfair discrimination and to redress those disadvantages through the creation of education opportunities for its residents.
- c. The studies to be funded, the number of beneficiaries and the cost of bursaries will be determined annually by giving due consideration of changing circumstances, availability of funds and the needs of the Municipality every year.
- d. The external bursary policy focuses on the recruitment and financing of deserving young people to obtain qualifications which are identified as critical and scarce within the Municipal area of jurisdiction.
- e. The pursuit of further education ensures continued supply of learned human capital that will enhance and sustain service delivery by the Municipality.
- f. Increasing the level of education and training, growth and development and enhance human resources development within Makhuduthamaga Local Municipal area.
- g. The discretionary donation shall be granted by Council to students who show exceptional academic excellence.



21.2 PURPOSE AND OBJECTIVES

- a. To give financial assistance to the needy students of this Municipality who pursues qualifications which ensure a supply of scarce skills for the Municipality.
- b. To ensure that the Municipality recruit and attract potential individuals with scarce skills in anticipation of the current and future Municipal needs.
- c. To promote an integrated strategic approach in addressing education, training and skills development.
- d. To increase the levels of investment in education and training in the labour market within the Municipal area of its jurisdiction.
- e. To cultivate a culture of lifelong learning.
- f. The Bursary policy provides guidelines for the implementation and effective management in the awarding of the bursary and the learning process accessed through the Municipal Bursary.

21.3 SCOPE OF APPLICATION

The policy is applicable to all recipients of Bursary funded by the Municipality through its External Bursary Scheme.

21.4 LEGISLATIVE FRAMEWORK

- a) Constitution of the Republic of South Africa
- b) Skills Development Act
- c) Skills Development Levies Act
- d) South African Qualifications Authority Act (including National Qualifications Framework)
- e) Employment Equity Act
- f) National Skills Development Strategy
- g) Municipal Financial Management Act



h) Municipal Systems Act

i) JIPSA and AsgiSA

21.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts full responsibility for the implementation and monitoring of the policy.

21.6 POLICY CONTENTS

21.6.1. BURSARY CONDITIONS

The conditions stipulated hereunder shall apply with regard to awarding and payments of bursary transactions to all applicants.

- a) A partnership is formed when the Municipality grants a bursary to the student and the student enters into a contract to that effect with the Municipality. Each party must keep to the terms and conditions of the contract.
- b) Payment of bursary which is due for study fees will be made directly to the relevant institution after receiving specified account/invoices.
- c) The Municipality's bursary scheme will be focused on the needs of the Municipality in terms of scarce and critical skills identified in the Local Government Sector, e.g. Mining, agriculture, water care, etc.
- d) A Bursary holder will not be permitted to change from one service provider (Institution) to another without prior recommendation by the relevant mentor and written approval from the Municipal 6.5 The bursar is obliged to utilize the bursary only for the approved study direction, no changes will be permitted.
- e) After the first year of study no further payments for the following years of study will be made without the submission of final examination results for the previous year of study.
- f) The Municipality may at any time withdraw or suspend financial assistance to the bursary holder in its sole discretion if the bursary holder is not making satisfactory academic progress.
- g) Bursary holders are obliged to serve on completion of their studies for the period equal to the duration of their study, failing which the bursary holder shall pay back all expenses incurred plus interest.
- h) Bursary allocation will happen subject to the availability of funds approved



annually on the Municipality's operational budget.

- i) No monies will be paid out for failed or repeated subjects.
- j) Study progress of the bursar shall be closely monitored through quarterly visit by the Mentor and progress reports from the bursar.
- k) In the event of death or the bursary holder being incapacitated by any mental or physical disability, any liability for the refund of any money that may be owed to the Municipality, the Bursary Committee shall communicate this to the Accounting Officer to obtain authority from council to write off the debt.

21.6.2 REQUIREMENTS

- a) Admission to the Bursary scheme will only be considered in accordance with the bursary allocation criteria provided in this policy.
- b) Availability of bursaries will be advertised in the local newspapers, Municipal notice boards and Youth Development Centers not later than August each year.
- c) Applications for bursaries must be submitted on the prescribed application form for consideration and must reach Makhuduthamaga Local Municipality on or before the closing date as stipulated in the advert as mentioned in clause 7.2 (Supra).
- d) Applicants will be informed in writing, not later than 20th January annually, of the outcomes of the application
- e) A proof of exceptional academic excellence must be submitted
- f) A student must register at the reputable institution registered with the council for tertiary institution and department of education.
- g) Selected bursary candidates will be expected to enter into a legitimate written contract with the Municipality.
- h) The following documents must be submitted:
 - i. Complete application form
 - ii. Motivational letter
 - iii. Certified copy of ID and Matric/Grade 12 Certificate
 - iv. Proof of residential address
 - v. Latest academic record if already studying
 - vi. Proof of ID copies of parents/Guardian
 - vii. Proof of Parent/Guardian income (if unemployed attach affidavit)



- viii. A letter of acceptance or provisional acceptance from the institution through which you wish to enroll.

21.6.3. CRITERIA FOR AWARDING BURSARIES

1. ACADEMIC MERIT

The academic merit consideration will be based on the grade 12 results of the applicant.

Applicants must gain an overall rating of points which shall be determined by the selection committee in line with the rating system applicable in relevant tertiary institution for admission in order to qualify for a bursary.

2. FIELD OF STUDY

The field of study chosen for funding shall be determined by the Municipality in terms of its skills needs and the scarce and critical skills of the Local Government Sector and the current economic realities of Makhuduthamaga, e.g, mine engineering, medical and health sciences, finance studies , agriculture and etc.

3. SELECTION

- a) All Applications will be considered by the Selection Committee which will be constituted by the Municipal Manager.
- b) The Bursary Committee shall make recommendations to the Municipal Manager for final approval.
- c) The committee shall also identify a number of standby candidate(s) in case a selected student does not/cannot take up the offer of an award.
- d) The selection of the Bursary candidates shall consider the geographical representation of the Municipality and equity issues.
- e) A list of all successful candidates shall be made public, circulated to all High Schools, Youth Development Centers and Circuit offices of the department of education.

4. MENTORSHIP

All bursars will be allocated mentor(s) after the finalization of the Bursary agreement between the Bursar and the Municipality.

The mentor will be appointed by the Municipal Manager in writing, preferably the Human Resources Manager/Skills Development Facilitator or Youth Development Manager.

The allocated mentor(s) shall compile the academic and student coping reports



The allocated mentor(s) shall compile the academic and student coping reports on a quarterly basis and recommend necessary interventions to the Municipal Manager.

Two annual contact meetings shall be held with all Bursars in order to conduct interviews for the compilation of reports to assess progress, coping capabilities and possible interventions.

5. FINANCING OF THE BURSARY

The Municipal Council shall make budgetary provisions on an annual basis for the Bursary Scheme in line with its quest to address scarce and critical skills within the Sector and according to the Municipality's needs.

The Executive Mayor may also source donations from private sector and/or any organizations, to contribute towards the budgeted funds by the Council.

Payment of Bursary will only cover the following:

a) **Tuition Fee – 100%**

b) **Accommodation and meals – 100%**

c) **Prescribe book fees – 100%**; Quotation and proof of purchase (invoice) of books from the credible bookshop must be provided, coupled with the prescribed books from the institution before any payment can be made. Only authentic invoices with clear references will be accepted as proof of purchase.

A monthly allowance of R 600.00 shall be paid to a bursary holder in case he/she's registered on an indigent register.

6. IMPLEMENTATION AND MONITORING

This policy will be implemented effectively once recommended by the Local Labour Forum and approved by Council.

Bursary monitoring meetings will be conducted once per semester and minutes will be taken, issues relating to orientation, induction and bursary administration processes will be discussed. Specialists in various careers funded by the MLM Bursary Scheme will be invited to motivate the students.

7. COMMUNICATION

This policy will be communicated to all young people of MAKHUTHAMAGA Local



Municipality using the full range of communication methods available to the municipality.

21.7. DEFAULT

None compliance with any of the conditions or stipulations will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary code of conduct.

21.8. ADOPTION OF THE POLICY

This policy will be adopted by Council.

21.9. INCEPTION DATE

This policy will be in operation from the 1st of July 2016.

21.10. REVIEW OF THE POLICY

This policy will be reviewed in three years or as it is necessary.

21.11. ENQUIRIES

Human Resource Division is the custodian of this policy.

21.12. SIGNATURES

Formulated by: Human Resource Date:

Consulted: LLF Date:

MM Approval: Date:

Council Approval: Date:



22. POLICY ON OVERTIME WORKED AND OVERTIME RATES

i. ACRONYMS AND ABBREVIATIONS

a) BCEA-Basic Conditions of Employment

ii. CLARIFICATION OF TERMS

Remuneration- Money paid for work or a service rendered

Overtime- Time worked in addition to one's normal working hours.

22.1 PREAMBLE

The policy aims to give directives and guidelines in the management of overtime worked by employees. This policy also aims to remove any gaps or contradictions in its application or implementation.

22.2 PURPOSE AND OBJECTIVES OF POLICY

To provide a framework and guideline for the implementation and maintenance of overtime worked and the remuneration thereof.

22.3 SCOPE AND APPLICATION

The policy applies to all full time employees of the Municipality except Managers, Senior Managers and those employees excluded by earning more than the threshold amount as published by the Minister of Labour, unless otherwise agreed.

22.4 LEGAL FRAMEWORK

Basic conditions of employment Act, No 75 of 1997

SALGBC Main collective agreement, 2015

Collective agreement-Limpopo Division

22.5 ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of the policy.

22.6 POLICY CONTENT

1. Subject to Chapter 10 of the BCEA, an employer may not require or permit an employee to work-

- a) Overtime except in accordance with an agreement;
- b) More than ten hours' (10) overtime a week.



2. An agreement in terms of subsection (1) may not require or permit an employee to work more than 12 hours on any day.
3. An employer must pay an employee at least one and one-half times the employee's wage for overtime worked.
4. Despite subsection (2), an agreement may provide for an employer to—
 - a) pay an employee not less than the employee's ordinary wage for overtime worked and grant the employee at least 30 minutes' time off on full pay for every hour of overtime worked; or
 - b) grant an employee at least 90 minutes' paid time off for each hour of overtime worked.
5. An employer must grant paid time off in terms of subsection (4) (a) within one month of the employee becoming entitled to it
6. An agreement in writing may increase the period contemplated by paragraph (a) to 12 months.
7. An agreement concluded in terms of subsection (1) with an employee when the employee commences employment or during the first three months of employment, lapses after one year.
8. A collective agreement may increase the maximum permitted overtime to 15 hours a week.
9. A collective agreement contemplated in section (8) may not apply for more than two months in any period of 12 months.

22.7 Operational Requirements

Due to the business and operational requirements of the Municipality, employees will be required to work overtime on occasion.

The employer may not require or permit an employee to work overtime or to work on Sundays or Public Holidays except in accordance with an agreement.

22.8 Overtime worked on Saturdays

The employee will be granted paid time off within one month of the employee becoming entitled to it.

- a) Employees who normally work a five day week will be paid one and one-half times the employee's wage for overtime worked, or



- b) Paid not less than the employee's ordinary wage for overtime worked and be granted at least 30 minutes' time off on full pay for every hour of overtime worked; or
- c) Granted at least 90 minutes' paid time off for each hour of overtime worked during week days

22.9 Overtime worked on Sundays

Employees, who normally work a five day week, will be:

- a) Paid double the employee's wage for overtime worked, or
- b) Paid not less than the employee's ordinary wage for overtime worked and be granted at least 60 minutes' time off on full pay for every hour of overtime worked; or
- c) Granted at least 120 minutes' paid time off for each hour of overtime worked during week days

22.10 Overtime worked on Public Holidays

- a) Employees who normally work a five day week will be:
- b) Paid double the employee's wages for overtime worked
- c) Paid not less than the employee's ordinary wage for overtime worked and be granted at least 60 minutes' time off on full pay for every hour of overtime worked; or
- d) Granted at least 120 minutes' paid time off for each hour of overtime worked

22.10 Exemptions

Top Management, Section 56, Senior Management (post levels 1 –3), Senior Managerial (post levels 4 – 6) and administrative personnel, technical and professional personnel, if in receipt of a regular annual earnings of not less than the amount per annum as regulated by Government Gazette from time to time regarding the earnings threshold (for 2014 to date determined at **R205 433.30**) are exempted from this policy.

22.11 Calculations

- a) Calculations of Overtime Pay (Five day work week)
- b) Employees who work a five-day work week are deemed to work 21.671 days to complete a full month based on the five-day workweek.
- c) The working week consists of 40 ordinary hours per week.
- d) The working day is deemed to consist of 8 working hours for which the employee is paid, and 45 minutes meal break which is not paid time.



22.12 DEFAULT

Non compliance of any of the stipulations contained in the Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

22.13 ADOPTION OF THE POLICY

This policy will be adopted by Council

22.14 INCEPTION OF THE POLICY

After approval by council

22.15 REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

22.16 ENQUIRIES

Human Resource Division

22.17 SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



23. CAR AND TRAVEL ALLOWANCE POLICY

ACRONYMS AND ABBREVIATION

- b) BCEA-Basic Conditions of Employment
- c) MLM- Makhuduthamaga Local Municipality

CLARIFICATION OF TERMS

Remuneration- Money paid for work or a service rendered

23.1 PREAMBLE

This document details Makhuduthamaga Local Municipality (MLM) policy and procedures regarding Car Allowance. The Policy applies to all categories of staff employed by (MLM) as outlined below. Amendments to the policy may be considered in special circumstances, but all amendments require the prior approval of the Council.

23.2 PURPOSE AND OBJECTIVES OF POLICY

- 23.2.1 The aim of this policy is to regulate the granting of Car and Travel allowance to the employees of Makhuduthamaga local municipality.
- 23.2.2 To regulate payment of travel allowances to MLM employees who have to travel in the execution of official duties
- 23.2.3 To establish uniform directives, procedures, conditions and limitations according to which the car and travel allowance can be paid
- 23.2.4 To establish procedures and conditions under which employees can use their private vehicles in the execution of the official duties.

23.3 SCOPE AND APPLICATION

- a) Municipal Manager
- b) Senior Managers
- c) Managers
- d) Senior Officers and related posts
- e) Officer's positions
- f) Other employees based on the nature of their duties(e.g. Field Workers)

23.4. LEGAL FRAMEWORK

- a) Municipal Systems Act,
- b) Municipal Structures Act
- c) Basic Conditions of Employment Act
- d) Labour Relations Act,
- e) Employment Equity Act

23.5. ADMINISTRATION OF THE POLICY



The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of the policy.

23.6. ALLOCATION OF CAR ALLOWANCE

23.6.1 The allocation of car and travel allowances to employees is mainly informed by the functions and duties that they perform. However, the following positions shall automatically qualify for the allowances:

- a) Municipal Manager and Sec. 57 Managers
- b) Deputy Senior Managers
- c) Managers
- d) Senior Officers and related posts
- e) Officer's positions
- f) Other employees based on the nature of their duties (e.g Field workers)

23.6.2. Municipal Manager, Section 57 Managers and contract employees have the latitude of structuring their motor vehicle allowance as a condition of their employment contracts.

23.6.3. An employee occupying a post other than those mentioned in 22.6 (22.6.1) above may be considered for allocation provided that the departmental manager for that employee will, based on the functions and duties of that employee, make an application motivating for the allocation of the allowance to the concerned employee. The application should further be recommended by HR and be approved by the Municipal Manager or his /her delegate

23.6.4. Allocation of car and travel allowance to employees may be reviewed if the duties of that position change.

23.6.5. All employees allocated a car and travel allowance must have the vehicle on which a travel allowance is paid, available for the execution of official duties at all times. Other official transport will not be made available to such incumbents.

23.6.6. Prior written permission must be obtained from supervisors for the use of a different vehicle, other than the one for which an allowance is paid for. Such written permission must be submitted together with the travel claim and authorization.



23.6.7. All heads of Departments must ensure that adequate budgetary provisions are made for all posts that qualify for an allowance during the budgetary process.

23.6.8. The employee concerned should initiate the application for car allowances to their Heads of Departments and HR, who will motivate to the Municipal Manager/Corporate Services Department

23.7. PAYMENT ON AD-HOC AND TRAVEL ALLOWANCES

- a) Ad hoc allowances refer to allowances paid monthly to incumbents of posts not linked to the car and travel allowance scheme but that are remunerated in accordance with pre-determined distances.
- b) This calculation basis also refers to employees not appointed in positions linked to the travel allowance scheme but who are required from time to time to undertake official ad-hoc trips with private transport.
- c) Ad- hoc claims are paid upon submission of relevant claim forms, certified as correct by the relevant departmental manager.
- d) The calculation and payment of ad-hoc travel allowance will be the same as the one applicable to other officials entitled to a car allowance.

23.8. TERMINATION OF TRAVEL ALLOWANCES

- a) If an employee, who is an incumbent of a position linked to the travel allowance, is transferred by the municipality to another position not linked to a travel allowance and such transfer was not requested by the employee, the municipality will give the employee six months written notice of its intention to withdraw the travel allowance.
- b) Where an employee occupies a position which for operational reasons, a car allowance is discontinued an employee will be given a six months notice of such termination of the car allowance.
- c) During the six-month period the employee shall receive the full monthly travel allowance as was applicable prior to the transfer.
- d) After the six- month period only a fixed travel allowance, as previously applicable, shall be payable based on applicable fixed costs until such time as the official's motor debt is paid-off, upon which the payment will be terminated. The employee has the responsibility of supplying the municipality with all documentation required for the execution of the payment.



- e) Payment of the allowance in **23.8(a)** will be terminated immediately if the employee decides to dispose off the vehicle for which a travel allowance was received
- f) If the employee is demoted or transferred based on act of misconduct, the municipality will give such employee six months written notice for the termination of the allowance.
- g) The municipality will terminate the travel allowance on termination of service by the employee.

23.9. CONDITIONS FOR ALLOCATION OF CAR AND TRAVEL ALLOWANCE

- a) All officials who travel for official purposes will be reimbursed for all the kilometres travelled
- b) All claims for official trips must be supported by a trip Authorization Form, which shall be submitted as travel claims are presented.
- c) All field work activity claims shall be accompanied by a pre-authorized call-out form
- d) The applicable running cost tariff in terms of the Department of Transport Schedules/AA Rates will be paid with regard to official trips travelled mentioned in 22.9.3, and as per the official claim form submitted.
- e) All claims shall be duly certified by the relevant departmental manager, before submission. The Municipal Manager will certify claims for the Departmental senior Managers.

23.10. PAYMENT OF TRAVEL CLAIMS

- a) Travel claims shall be paid 2 times a month, on the 15th and on the 25th of every month
- b) Travel Claims for the previous week shall be submitted by the supervisor to the payroll officer every Monday or first working day of the week subsequent to the claim week for payment on the next Tuesday or second working day of the subsequent week (together with the attached call-out report for field worker

c) CAPPING OF MONTHLY TRAVEL KILOMETERS

1. Municipal Manager	2500
2. Senior Managers	2500
3. Deputy Senior Managers	2000
4. Managers	2000



5. Senior Officers	2000
6. Officers	1500
7. Other employees(field Workers)	1500

- ❖ Any other kilos to be travelled in excessive of the above mentioned caps should be approved by the Municipal Manager or his/her delegated assignee

23.11. PAYMENTS IN RESPECT OF A FIXED TRAVEL ALLOWANCE

- This payment refers to the fixed amount which is paid monthly to incumbents of positions mentioned in paragraph **22.6.1**.
- Payment of car allowance for officials is based on (twenty-five percent) 25% of an employee's monthly basic salary.

23.12. ADJUSTMENT OF TRAVEL ALLOWANCE

The travel allowance will be adjusted annually in line with the incumbent's basic salary.

23.13. FINANCING

- Employees are expected to arrange for the financing of private vehicles at a financial institution of their choice.

23.14. CHOICE OF VEHICLE AND PURCHASE PRICE

- The decision about the choice of a vehicle, which the employee prefers to use in the daily execution of work activities, rests with the employee, with the understanding that the type of vehicle shall comply with the purpose and requirements for the execution of the employee's official duties.

23.15. FORMALITIES, WHICH HAVE TO MET WHEN ALLOCATING TRAVEL ALLOWANCE

- The following documents must be submitted to HR division before an allowance can be paid:
- Certified copy driver's license.
- Certified copy of vehicle registration certificate.
- Vehicle contract

23.16. EFFECTIVE DATE



This policy comes into effect on the date of approval by council.

23.17. IMPLEMENTATION OF THE POLICY

The implementation of this policy to all qualifying employees is subject to the approval of Municipal Manager/Delegated assignee and availability of funds.

23.18. DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

23.19. ADOPTION OF THE POLICY

This policy will be adopted by Municipal Council

23.20. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

23.21. ENQUIRIES

Human Resource Division

23.22. SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date:



24. ACTING POLICY

ACRONYMS AND ABBREVIATIONS

BCEA-Basic Conditions of Employment

MLM- Makhuduthamaga Local Municipality

CLARIFICATION OF TERMS

Remuneration- Money paid for work or a service rendered

24.1. PREAMBLE

The Municipal Council accepts as a fact that from time to time an employee may not be available to discharge his duties and responsibilities in terms of the contract of employment.

The Municipal Council recognize that from time to time there would be a need to appoint another employee to discharge the duties of another employee in an acting capacity on behalf of who is absent. Amendments to the policy may be considered in special circumstances, but all amendments require the prior approval of the Council.

24.2. PURPOSE AND OBJECTIVES OF POLICY

The aim of the policy on acting in other posts is to provide guidelines within which acting has to occur and to provide guidelines for the handling of acting in various positions.

24.3. SCOPE AND APPLICATION

This policy applies to all full-time employees of the municipality except interns and learnerships incumbents

24.4 LEGAL FRAMEWORK

Municipal Systems Act,

Basic Conditions of Employment Act

Labour Relations Act,

Employment Equity Act

SALGBC Main Collective Agreement

Collective Agreement-Limpopo Division

24.4. ADMINISTRATION OF THE POLICY

The Municipal Manager or his/her delegate assignee accepts overall responsibility for the implementation and monitoring of the policy.



24.5. Principles of Acting and payment of Acting allowance

- 24.5.1.** When an employee is required by written approval of the Municipal Manager to act in a more senior post for a period of not less than ten (10) consecutive working days, an acting allowance at an annual rate equal to the difference between an employee's salary and the commencing notch the salary scale of the post in which he acts, shall be paid to such employee in addition to his salary in respect of the period in which he acts.
- 24.5.2.** when an employee acts in higher post, such employee shall accept full duties and responsibilities of the higher position in addition to the full duties and responsibilities of his/her normal position.
- 24.5.3.** Any interruption of less than three (3) working days in total shall be deemed to form part of the acting period if occasioned by any of the following circumstances:
- i. Illness supported by a medical certificate
 - ii. Family bereavement
 - iii. Attendance at court as witness, if suspicious
- shall be regarded as continuous period of acting provided that no acting allowance will be paid for the period of absence.
- 24.5.4.** Only employees in the next line of supervision may act in higher positions, except where none of the "next-in-line" of supervision is available, then acting maybe delegated to a following incumbent within the line of supervision and the employee should have relevant qualification and skills towards the position to act on.
- 24.5.5.** Acting in a higher position does not leave the employee's normally appointed position vacant, and therefore no "ladder effect" may happen where acting allowance is paid to a second and/or third employee.
- 24.5.6.** The period in which an employee acts in a higher position should not exceed four (4) calendar months. The council must approve the acting for a period longer than four (4) months. The council must approve additional acting for a period not exceeding two (2) months.
- 24.5.7.** Acting allowance will be paid at least on the starting or minimum notch of the position in which the employee is acting. In the case where the starting or minimum notch of the position in which the employee is acting, is equal or less than the current notch of the employee, then the employee will receive an acting allowance on the next higher notch of the position in which the employee is acting



- 24.5.8.** Where an employee has to travel (or to travel additionally) due to the employee acting in higher position, such employee can claim additional kilometres travelled by keeping the necessary log sheets.
- 24.5.9.** An employee has the right to decline to act (or refuse to continue to act) on submission of reasons.
- 24.5.10.** Vacant post where there is an acting incumbent, on a municipality's permanent staff establishment should be filled within six (6) months unless there is a compelling reason not to do so.
- 24.5.11.** Unless operational requirement dictate otherwise, acting appointments should be confined to employees reporting directly to the applicable acting position.
- 24.5.12.** An employee holding a transport allowance bearing, acting in a higher position, shall also be entitled to running cost for additional travelling involved in a higher position.
- 24.5.13.** An employee holding a non-transport allowance bearing post, acting in a transport allowance bearing position shall be entitled to the transport allowance payable to such post subject to the Municipality's Vehicle Allowance Policy.
- 24.5.14.** When an employee is required to act in S56 or S57 position for a period not less than ten (10) working days the acting allowance will be calculated as follows:
Total remuneration package of section 56 or 57 Manager X 60% minus Basic Salary of the acting incumbent
- 24.5.15.** Condition for payment of acting allowances include: The employee has been duly appointed in writing by the Municipal Manager or his delegates to act.

24.6. ACTING ON HORIZONTAL POSTS

The Municipal Manager will in terms of the provisions in the Local Government: Municipal Systems Act, Act 32 of 2000, approve acting in a horizontal position and the remuneration therefore based on 25% of the salary of the incumbent of the vacant post.



24.7. EFFECTIVE DATE

This policy comes into effect on the date of approval by council.

24.8. IMPLEMENTATION OF THE POLICY

The implementation of this policy to all qualifying employees is subject to the approval of Municipal Manager/Delegated assignee and availability of funds.

24.9. DEFAULT

Non compliance of any of the stipulations contained in this Policy will be viewed as misconduct and will be dealt with in terms of the Municipality's disciplinary Code

24.10. ADOPTION OF THE POLICY

This policy will be adopted by Municipal Council

24.11. REVIEW OF THE POLICY

This policy will be reviewed in three years or as is necessary.

24.12. ENQUIRIES

Human Resource Division

24.13. SIGNATURE:

Formulated by: Human Resource

Date:

Consulted: LLF:

Date:

MM Approval:

Date:

Council Approval:

Date: