

Musina Local Municipality



Human Resource Policies

Handbook

2020 / 2021

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ATTENDANCE AND PUNCTUALITY POLICY

Policy Number: HRM1.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to provide a standard of attendance and punctuality for all employees.

Because employees are vital to the work of the MUNICIPALITY, reliable and consistent attendance is a condition of employment.

THE POLICY

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.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

- a) Labour Relations Act 66 of 1995
- b) Basic Conditions of Employment Act 75 of 1997
- c) Main Collective Agreement 2007 – SALGBC

4. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY. Employees are expected to be at their work area 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 Divisions including hours of work.

5. OBJECTIVES OF POLICY

The policy objective 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 a condition of employment.

6. POLICY CONTENT

6.1 Absence

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

6.1.1 *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 Directorate and employee based on the operational needs of the Directorate. Absence can be considered scheduled if a 24-hour advance notice is given in advance, and the absence is approved by the supervisor.

6.1.2 *Unscheduled Absences:*

If an employee misses work due to an unscheduled absence (e.g. Calling-in due to sickness), he/she must follow prescribed Departmental procedures for calling in. Failure to follow prescribed Departmental 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 abscondment and the employees' status can be terminated effective from the day following the last day of work.

6.1.3 *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:

- i. 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.
- ii. 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.

6.1.4 *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 and lunch breaks. Departments 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 the Departments prescribed procedures. Employees may not extend a normal workday to make up for being tardy without supervisor's approval.

6.1.5 Attendance Register:

Where applicable, employees must use a time reporting system or attendance register to document work time and breaks from work. Absences, late arrivals, early departures, and extended breaks in the workday are accounted for on employee's time record. Failure to adhere to time reporting procedures may be grounds for instituting disciplinary procedures up to and including dismissal.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

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.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

EMPLOYMENT EQUITY POLICY

Policy Number: HRM2.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Why Have a Policy?

The purpose of this policy is to state the broad principles of employment equity to which the Municipality is committed and to describe in general how the Municipality seeks to realize these principles. This policy document does not constitute the Employment Equity Plan of the Municipality, but simply sets out the framework and guiding philosophy that will govern an Employment Equity Plan.

THE POLICY

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:

- d) designated and non-designated employee
- e) employees in all the job categories and occupational levels
- f) representative Unions
- g) 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. DEFINITIONS

‘candidate’ means an applicant for a post,

‘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 under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- h) Employment Equity Act, Act 55 of 1998
- i) Skills Development Act, Act 97 of 1998

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.

5. 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. These objectives should:

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

The broad objectives of Employment Equity are the following:

- m) 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.
- n) 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.

- o) 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.
- p) Establishing procedures for the monitoring and enforcement of the implementation process.
- q) Establishing procedures to address and resolve disputes regarding the implementation and enforcement of Employment Equity.

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:

6.1 Affirmative Action Measures

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.

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:

- i. The redrafting of employment application forms and employment contracts so that all discriminatory or prejudicial provisions and clauses are removed.
- ii. 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.
- iii. 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.
- iv. Compliance with numerical targets and annual benchmarks.

- v. 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.
- vi. 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.

6.1.3 Training and development of people from designated groups

The Municipality recognizes 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:

- r) Bursaries for secondary and tertiary education
- s) Job-related training
- t) Training in line functioning, management, and supervisory skills
- u) Learnerships
- v) 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.

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.

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.

6.1.6 Steps to ensure that members of designated groups are appointed in such positions that they are able to meaningfully participate in corporate 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.

6.1.7 *Steps to ensure that the corporate 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 recognizes 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 utilization 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.

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.

6.3 Numerical Goals

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.

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.

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 labor 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.

6.4 Consensus

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.

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.

7. IMPLEMENTATION AND MONITORING

A report detailing the progress with the implementation of Employment Equity, with specific reference to achievement of numerical goals, has to be compiled every six months by the person with the responsibility for implementation and monitoring.

The above-mentioned report must be made available to all consulting parties for perusal and comment.

A summary of the above-mentioned report must be circulated to all staff members by means of circulars, and notices on notice boards.

The above-mentioned summary must contain an invitation to all employees to submit their comments or questions on the progress with the implementation of the plan to the responsible person or persons specified in the plan.

8. COMMUNICATION

Circulars, messages and notices on notice boards will be utilized in order to inform all employees of the availability of the Employment Equity Documentation. Copies of Employment Equity documentation will also be distributed to the parties that took part in the consultation process.

9. POLICY REVIEW

In terms of section 20(1) of the Employment Equity Act the Employment Equity Plan for Municipality is for a period between 1 and 5 years in duration. The duration of the plan is based on the planning needs of the Municipality with specific reference to the need to set attainable numerical goals to be achieved over a reasonable period of time.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

The Municipal Manager accepts overall responsibility for the implementation and monitoring of the employment equity process.

12. RECORD KEEPING

A copy of all relevant employment equity documents must be kept at the Department of Human Resources for perusal by employees of the Municipality.

13. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

14. DISPUTE RESOLUTION

An employee or union which is dissatisfied with any aspect of the implementation of the employment equity process may refer a grievance in this regard to the Department of Human Resources at the Municipality who then has to inform the person and/or persons responsible for the Implementation and monitoring of the employment equity process.

Once a grievance has been referred to the person and/or persons responsible for the implementation and monitoring of employment equity such person or persons must arrange a consultation with the aggrieved parties and the management within 14 days after the referral of the matter to such person or persons. The consultations may be joint consultations or separate consultations at which the person and/or persons responsible for the arrangement of the consultations as previously referred to must act as a mediator between the parties in an attempt to find a mutually acceptable resolution of the dispute.

If a satisfactory resolution of a grievance as previously described cannot be found within 30 days after the referral of such dispute to the responsible person, the aggrieved party may refer the dispute to the relevant forum in terms of the relevant Acts.

15. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

EMPLOYMENT PRACTICE POLICY – (RECRUITMENT)

Policy Number: HRM3.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

This policy is intended to create a framework for decision-making in respect of employment practice/s in the Municipality. As such it attempts to establish a set of rules for the consistent interpretation and application of collective agreements and legislation governing the acquisition of staff by the Municipality.

THE POLICY

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.

2. DEFINITIONS

- **‘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 under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- Municipal Systems Act, 2000 (Act 32 of 2000).
- Employment Equity Act (Act 55 of 1998)
- Basic Conditions of Employment Act 1997 (Act No 75 of 1997)
- Labour Relations Act, (Act 66 of 1995)

4. SCOPE AND APPLICATION

To ensure a fair and equitable employment process, this policy shall apply to all appointments made within the Municipality. This policy will not apply to appointments arising out of a procurement process, acting appointments or rotating portfolios to which staff is elected by popular voting.

5. OBJECTIVES OF POLICY

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.

This policy is further based on the principles set out below. Human resources management in the Municipality must –

- (a) be characterized by a high standard of professional ethics;
- (b) promote the efficient, economic and effective utilization of employees;
- (c) be conducted in an accountable manner;
- (d) be transparent;
- (e) promote good human resource management and career development practices, to maximize human potential; and
- (f) 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.

6. POLICY CONTENT

The municipality must ensure that fair employment practices are maintained and that legislation is adhered to.

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.

Job Evaluation:

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.

6.2 Recruitment – Refer Annexure A

6.2.1 *Determining recruitment needs*

Prior to filling a post, the necessity for filling shall be assessed and motivated in writing by the Head of Department to the Municipal Manager or his delegate: Provided that the authority to fill vacancies can only be delegated to a Head of Department.

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.

6.2.3 *Recruitment Advertisement*

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

- a) The name and location of the Municipality.
- b) A statement that the Municipality subscribes to the principles of employment equity.
- c) The designation of the position that is advertised.
- d) The minimum requirements in terms of qualification, skills, expertise and other requirements for appointment.
- e) A summary of the key performance areas/primary duties of the position.
- f) A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).
- g) 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.
- h) The name and contact details of the person to whom enquiries may be directed.

- i) A statement that canvassing will disqualify any candidate from being considered for appointment.
- j) An indication of the remuneration offered.
- k) The format and content of applications.
- l) The address where, and person to whom, applications must be delivered.
- m) The closing date for the submission of applications.
- n) A statement that applications received after the closing date will not be accepted or considered.
- o) A statement that if an applicant does not hear from the municipality within 30 days his/her application was unsuccessful.
- p) A statement that email and faxed applications may/may not be considered.

Vacancies may be advertised internally or externally, provided that externally 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
Temporary elementary positions	Local newspapers and internal
Permanent elementary occupations	Internally and local newspapers
Entry and middle level occupations	Internally and local newspapers
Senior management and professional Occupations	Internally, provincial and national newspapers

For positions from Post level 15 – 8 the vacancy will be advertised internally first for between 7 and 14 days. If a suitable candidate cannot be appointed from internal applications the position may be advertised externally.

A copy of the final advert for a vacancy must be provided to Organized Labour.

6.2.4 Unsolicited applications

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. This is applicable to the requests to serve as interns as well.

Nobody may promise or undertake to accept an unsolicited application for appointment and to submit it when a vacancy is advertised.

6.2.5 Head hunting

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.

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.

6.2.6 Application forms

The Director Human Resources 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. 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.

6.3 Selection – Refer Annexure B

6.3.1 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.

6.3.1.1 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.

6.3.2 Selection Process

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.

The Selection process will be conducted by a Selection Panel consisting of (depending and with due cognizance of the post):

- a) The Municipal Manager or his delegated assignee(s)
- b) Manager of Department/Section
- c) HR Department
- d) Employment Equity Officer
- e) Organized Labor (as observers)

6.3.3 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 GM: Corporate Services. 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 description and job specification; and
 - v. if applicable, the nature of the applicant's disability
- b) The GM: Corporate Services must submit the master list, together with the applications to the relevant departmental head or in the case of the appointment of a Municipal Manager or a manager directly accountable to the Municipal Manager, to the Mayor.
- c) The GM: Corporate Services or his/her designated representative 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.

6.3.4 Compiling short lists

- i. The departmental head concerned or the Mayor, as the case may be, must select from the master list, with due regard for the numerical goals set in the Municipality's employment equity plan not more than 10 applicants who in her/his opinion would be the most suitable candidates to be subjected to the selection process.
- ii. Short listing must be done in accordance with the following order of preference
 -
 - a) Internal applicants
 - b) Local applicants
 - c) Provincial applicants

d) National applicants

- iii. The relevant departmental head or the Mayor, as the case may be, must submit the particulars of the short listed candidates to the GM: Corporate Services.
- iv. The selection panel must meet to consider the short listing done by the Department head of the Mayor.

6.3.5 Notification of short listed candidates of selection proceedings

The GM: Corporate Services or his/her designated representative 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.

6.3.6 Interviewing in respect of vacancies – Refer Annexure C

- i. Except for appointments that must be made by the Council, the GM: Corporate Services or his/her designated representative, the departmental head concerned and not more than one other senior employee from the relevant department must conduct interviews for all positions. Organized labor will be invited as observers.
- ii. The Municipal Manager or his/her designated representative must attend and may participate in any interview for appointing an employee-
 - 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
- iii. Completed score sheets must be kept in safe storage for a period of at least six months after an appointment decision has been made.

6.3.7 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.

6.3.8 Vetting or security clearance

Certain positions will require the recommended or short listed candidates to undergo vetting or security clearances.

6.4 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.

6.4.1 Appointment for a fixed term

- a) A person appointed as –
 - i. Municipal Manager,
 - ii. Manager directly accountable to the Municipal Manager.
- b) The employment contract of a person appointed for a fixed term must include, subject to applicable labour legislation, details of:–
 - i. the duties, remuneration, benefits and other terms and conditions of employment of the employer and employee;
 - ii. the term of employment, which terms may not exceed a period ending two years after the election of the next council of the Municipality, provided that the term of any person appointed to work directly under the supervision and command of a political office-bearer or other councillor must expire if that office-bearer ceases to hold that office;
 - iii. include a provision for cancellation of the contract, in the case of non-compliance with the employment contract or the performance agreement;
 - iv. stipulate the terms of the renewal of the employment contract, but only by agreement between the parties; and
 - v. reflect the values and principles referred to in Section 50, the Code of Conduct set out in Schedule 2, and the management standards and practices contained in section 51 of the Municipal Systems Act.
- c) The annual performance agreement must be concluded within a reasonable time after a person has been appointed and, thereafter, on or before 31 July each year and must include:–
 - i. The performance objectives and targets that the incumbent must meet during the next financial year. Such performance objectives and targets must be practical, measurable and based on the key performance indicators set out in the Municipality's integrated development plan.
 - ii. The time frames within which those performance objectives and targets must be met;
 - iii. standards and procedures for evaluating performance;
 - iv. the intervals for evaluation; and
 - v. the consequences of substandard performance.
 - vi. The annual performance agreements of the municipal manager, senior managers and any other categories of officials as may be prescribed in terms of the Local Government: Municipal Finance Management Act, Act No 56 of 2003 must be made public no later than 14 days after the approval of the municipality's service delivery and budget implementation plan as required by the abovementioned Act.
 - vii. Copies of such performance agreements must be submitted to the council and the MEC for Cooperative Governance, Human Settlements

and Housing in the province within thirty days after signing of the performance agreements.

6.4.2 *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.

6.4.3 *Appointment of personnel in the office of any councillor*

- i. Only a full-time political office-bearer is entitled to one or more employees being assigned to her/him. Any position created with the sole purpose of providing administrative support to a councillor, is created in the department responsible for corporate services.

6.4.4 *Appointment of replacement labour in the event of a strike*

- i. The Municipal Manager may, after consultation with the relevant departmental heads and the Chief Financial Officer, employ replacement labour during a strike in terms of, and consistent with, section 76 of the Labour Relations Act 1995.
- ii. 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:
 - a) 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
 - b) 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.
 - c) 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.

- d) 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.

6.4.5 Appointment to a permanent position

- i. The GM: Corporate Services or designated official 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.
- ii. Whenever any of the details contained in such a letter change the GM: Corporate Services must inform the employee in writing of such changes.
- iii. 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.

6.4.5.1 Probation

- i. Any permanent employee who is newly appointed must be appointed on probation for at least 6 months. The appointing authority must determine the period of probation at the time of making the appointment having regard for the inherent requirements of the position concerned. 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.
- ii. 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. The Probation Period may be extended after evaluation of progress was done.

6.4.5.2 Induction

On permanent appointments, the respective HR Manager will take full responsibility for induction:

- a) The new incumbent will be introduced to his / her immediate staff / colleagues by the HR Manager.
- b) The respective HR Manager shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed.
- c) The responsible HR Manager will arrange a tour / explanation for the new incumbent of the range of services.
- d) 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).

- e) The HR Manager will also explain and provide a copy of the Councils Human Resources Policy and Procedure Manual.
- f) The Head of Department is responsible for the induction of each employee in his/her department in order to familiarise the employee with the department in which he/she has been appointed.

6.5 Relocation of Newly Appointed Employees

- i. The Municipality shall pay for an employee's cost of moving from another place to a place closer to her/his workplace on her/his appointment, including transit insurance, but excluding any packing and packaging cost, as indicated on the cheapest of the quotations, regardless of the quotation the employee accepts.
- ii. The Municipality must obtain three written quotations for the relocation of that employee's household and appoint a removal company to relocate her/his household goods.
- iii. The employee must reimburse the full amount of the subsidy to the Municipality if her/his employment with the Municipality is terminated for whatever reason within one year after the subsidy had been paid.

6.6 Confidentiality

By signing, the Contract of employment, all employees bind themselves to an undertaking of confidentiality, whereby they will not disclose any information pertaining to the operations of Council without the permission of Council and Municipal Manager, unless required within the course of their duties, whether this be during or after termination of employment.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

Role	Responsibility
Municipal Manager (subject to its delegations if any)	Approves the establishment and all appointments other than section 57 posts
Council	Develops the strategy and approves recommendations of the selection panels in respect of appointments on job levels relating to the Municipal Manager and Section 57 Employees
Line Director	Reviews the operational needs for advertising the positions and appoints in terms of authority and delegations by the Municipal Manager
Selection Panels	Short-lists, conducts interviews and make recommendations on suitability of candidates.
Human Resources	Custodian of recruitment selection, placement and induction processes
Labour Representatives	Ensures transparency and openness in the selection processes

12. RECORD KEEPING

Adequate records of the entire selection process need to be maintained, including selection and short listing criteria: reasons for inclusion/exclusion of candidates; structured interview guide; copies of all other assessments utilised; comprehensive notes on assessment of each candidate; assessment ratings; reference checks. As in the recruitment process, these records need to be maintained for the prescribed period.

13. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

14. DISPUTE RESOLUTION

Internal dispute resolution processes shall be followed in the event of any grievances and disputes arising out of the implementation of this policy. For all

external candidates, the recognised labour relations mechanisms shall be applied.

15. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

ANNEXURE B

RECRUITMENT TIME FRAMES

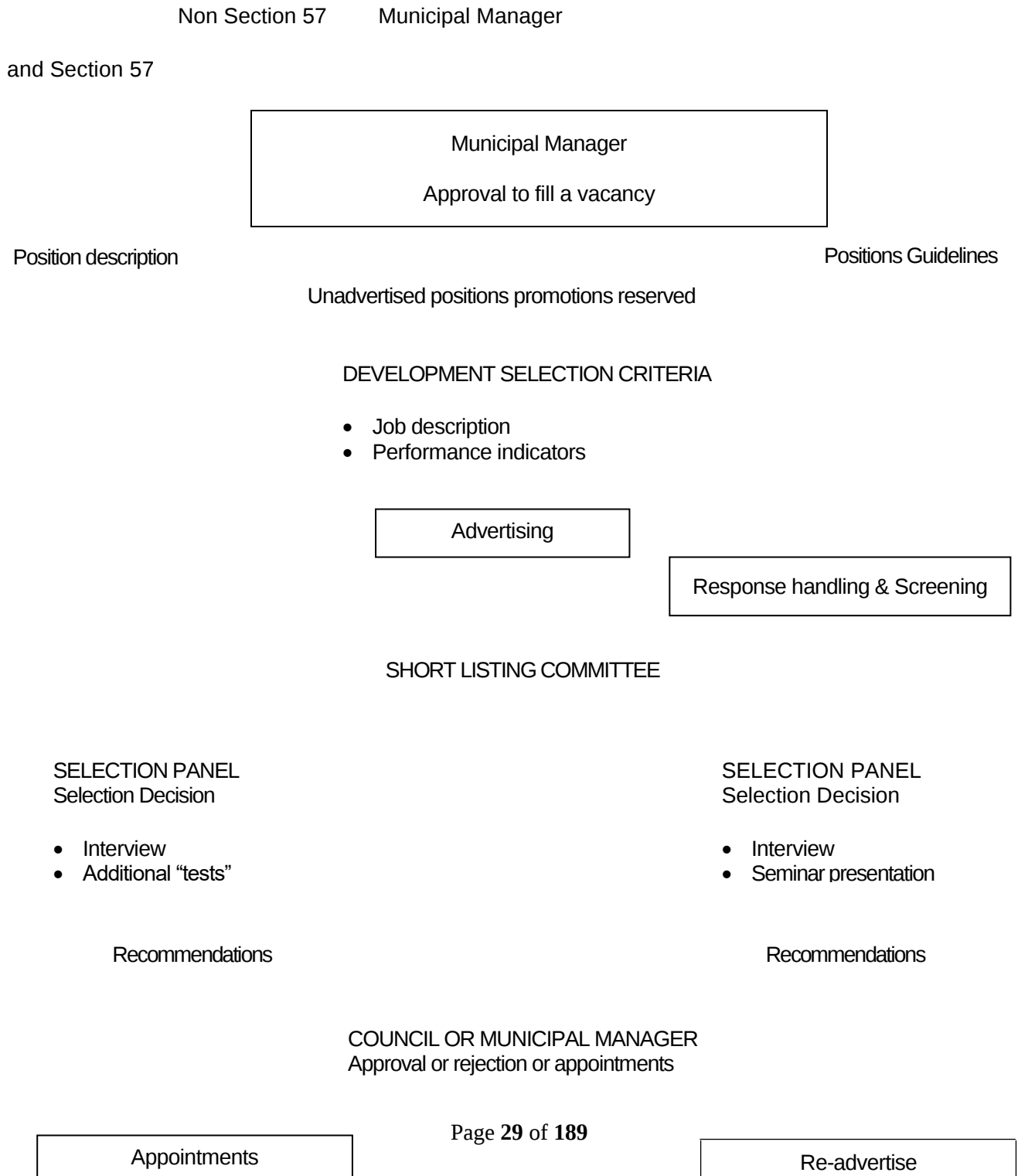
The following times frames should serve as a guideline for turnaround on recruitments.

ACTIVITY	RESPONSIBILITY	TIME
VACANCY • through resignation • dismissal • retirement	Line Manager to motivate filling of post to MUNICIPAL MANAGER	Within 2 (two) weeks of occurrence of vacancy or as soon as reasonably possible
ADVERTISEMENT • internal	Deputy Director: Corporate Services or Human Resources Department on referral by Deputy Director: Corporate Services to request job profiles and place advertisements	Advertisements are for 2 (two) weeks period with a grace of an additional 3 (three) days for posted applications
SCREENING • rejecting non conforming applications	Recruitment Office	Within 3 (three) days from the closing date of applications in terms of the advertisement
SHORTLISTING	Short Listing Committee	Within a week from the closing date of applications in terms of the advertisement
INTERVIEW	Selection Panel	Within a week from the final short listing
APPROVAL	Municipal Manager Authority or Council	Within a week after recommendations submitted by the Selection Panel
APPOINTMENT	Line Director 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

ANNEXURE B

FLOW CHART: EMPLOYEE SELECTION PROCEDURES

The following flow chart should serve as a guideline on Employee Selection Procedures:



EMPLOYMENT PRACTICE

ANNEXURE C

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 Head of Department 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: personal qualifications, experience, work history, personal achievements, social activities, and 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 the responses by the candidate should be recorded.
9. Each member of the panel must make individual assessments prior to discussion with candidates.
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. 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.
12. After the interview is completed strictly within the timeframe provided the Chairperson will thank the candidate and with one of the panel members, escort him out.

HIV/AIDS POLICY

Policy Number: HRM4.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

A workplace policy provides the framework for action to reduce the spread of HIV/AIDS and manage its impact. It:

- a) makes an explicit commitment to municipality's action;
- b) ensures consistency with appropriate national laws;
- c) lays down a standard of behavior for all employees (whether infected or not);
- d) gives guidance to supervisors and managers;
- e) helps employees living with HIV/AIDS to understand what support and care they will receive, so they are more likely to come forward for voluntary testing;
- f) helps to stop the spread of the virus through prevention programmes;
- g) assists the municipality to plan for HIV/AIDS and manage its impact, so ultimately saving money.

Policies should be shaped by local needs and conditions. No single policy is relevant to all situations, but the components below can usefully be included. Having taken into account the specific needs of the Municipality, the policy outlined below is recommended as the final product.

THE POLICY

1. PREAMBLE

The 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 recognises 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.

2. DEFINITIONS

LLF Local Labour Forum

HIV/AIDS Human Immunodeficiency Virus/ Acquired Immune Deficiency Syndrome

All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- a) 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.
- b) 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.
- c) 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.
- d) 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).
- e) 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 minimizing the risk of occupational infection with HIV.
- f) 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.
- g) 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.

- h) 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.
- i) 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 programme.

4. SCOPE AND APPLICATION

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

5. OBJECTIVES OF POLICY

This Policy will cover all employees, workplaces and contract employment under the jurisdiction of the Municipality. 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:

Ensure non-discrimination between individuals with HIV infection and those affected (e.g. co-workers) and between HIV/AIDS and other life threatening conditions.

- Create a safe and healthy working environment for all employees and members of the public who utilise the Municipality's facilities.
- Introduce educational awareness and prevention programmes to contain and prevent the spread of HIV.
- 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.
- Ensure that no person discriminate against an employee or prospective employee on the basis of his or her HIV status.
- 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.

6. POLICY CONTENT

The Municipality will ensure that the following principles are adhered to:

- a) The principle of voluntarism, which acknowledge that the most effective form of referral is self-referral.
- b) 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.

- c) The principle of neutrality, that the role and function of the HIV/AIDS Counsellor 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.
- d) The principle of accessibility, committing management to make the service available to all employees.
- e) The broad brush principle, which refers to all problems which should affect job performance.
- f) The principle of constructive motivation in that management should motivate and gives employees the option to make use of the HIV/AIDS services.
- g) The principle of permanency, by means of a mutually agreed policy statement which guarantees the survival of the HIV/AIDS programme.

6.1 Awareness, Prevention and Care Programmes

The Municipality will provide life-skills training and empowerment programmes for all its employees and these will focus on:

- (a) Health promotion, prevention and care.
- (b) Appropriate prevention and management of STD's & TB (and other opportunistic infections).
- (c) Condom promotion and distribution.
- (d) Counselling on risk reduction.

6.1.1 Awareness Programmes

Every Division, Department, depot or workplace will participate towards developing and implementing a workplace HIV/AIDS Awareness Program.

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.

All new employees will attend an HIV/AIDS awareness programme as part of their Induction Training.

6.1.2 Prevention and Care Programmes

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.

The Municipality will develop comprehensive and effective on-going education programmes.

All employees will on an on-going basis be exposed to educational programmes.

Peer educators will be identified, trained and supported to promote the programme at workplace level.

The Municipality will endeavour 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.

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, counselling, and care services. At a minimum, these programmes will cover at least:

- (a) HIV/AIDS (statistics, medical facts, etc.).
- (b) Sexually Transmitted Diseases (STD's) and Tuberculosis (TB) and their link to HIV.
- (c) Risk assessment and Safer sex practices.
- (d) Sexuality, Sexual Orientation, Sexual and Reproductive Health.
- (e) Gender and Cultural issues related to HIV/AIDS.
- (f) Relationships and Communication.
- (g) Attitudes and Values, Discrimination (to decrease stigma).
- (h) Living with HIV/AIDS (management, support, care, referral).
- (i) Universal Precautions.
- (j) Legal and Ethical issues (employment, confidentiality and disclosure).
- (k) HIV/AIDS and Pregnancy.
- (l) Pre and Post Test Counselling, HIV Testing.

6.1.3 Workplace exposure

There are numerous ways in which employees could be exposed to HIV/AIDS in the workplace, for example:

- a) Injuries that occur resulting in bleeding and blood staining of clothes, tools and objects.
- b) Health care employees exposed to body fluids or HIV – infected materials.
- c) Resuscitation and first aid measures.
- d) Rape or sexual penetrating assault.
- e) Assault with sharp instruments or bleeding injuries.

6.1.4 Educational programmes

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

6.1.5 Gender specific programmes

- a) All programmes should be gender sensitive as well as sensitive to race and sexual orientation.
- b) Programmes 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 programmes should be developed for men and should include strategies to promote men's responsibilities regarding HIV/AIDS prevention.

6.1.6 Voluntary Counselling & Testing

- a) The employer shall encourage all employees to be tested to determine their HIV status.
 - Such testing shall be voluntary and shall be accompanied by pre and post-test counselling to ensure informed consent.
 - Counselling and testing records will remain confidential.
 - Employees/prospective employees who voluntarily disclose their HIV status will not be refused employment/promotion on the grounds of their HIV status.
 - 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.

6.2 Confidentiality and Disclosure

All persons with HIV/AIDS have the legal right to privacy regarding their HIV status in all aspects of employment.

An employee is under no obligation to inform the employer of his/her HIV status.

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.

6.3 HIV/AIDS Testing

HIV testing is any form of medical testing to determine the HIV status of a person.

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.

Pre-test counselling 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.

Post-test counselling should be provided when an individual receives his/her HIV test result.

An employer is permitted and may provide testing to an employee who has requested a test in the following circumstances:

- (a) As part of a health care service provided in the workplace.
- (b) In the event of an occupation accident carrying a risk of exposure to blood or other body fluids.
- (c) For the purposes of applying for compensation following an occupational accident involving a risk of exposure to blood or other body fluids.

Such testing may only take place within the following defined conditions:

- (a) At the initiative of an employee.
- (b) Within a health care worker and employee-patient relationship.
- (c) With informed consent and pre- and post-test counselling.
- (d) With strict procedures relating to confidentiality of an employee's HiV status.

Employers who require testing must adhere to the Labour Legislation in, amongst others, the following circumstances:

- (a) During an application for employment.
- (b) As a condition of employment.
- (c) During procedures related to termination of employment.
- (d) As an eligibility requirement for training staff development programmes.
- (e) As an access requirement to obtain employee benefits.

6.4 Creating a Safe Working Environment

The Municipality will strive to provide and maintain, a working environment that is safe and without risk to the health of its employees.

The Municipality will provide psycho-social support to the counsellors and affected staff wherever possible.

The Municipality will take steps to ensure the risk of HIV transmission at work is minimized. These will include:

- (a) Assessing the risk, if any, of the occupational transmission of HIV within the workplace.
- (b) Providing appropriate training on how to deal with and reduce the risk of HIV transmission at work.
- (c) Providing appropriate equipment and materials to deal with and reduce the risk of transmission at work.

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:

- (a) assess the risk of HIV transmission (counselling)
- (b) prevent the risk of HIV transmission prior to zero-conversion (testing and treatment/ prophylaxis)

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: ***“A Protocol for needle sticks injuries and other sources of exposure to blood and blood products.”***

These guidelines will include such elements as:

- (a) Creating an awareness of the risk of HIV transmission in the event of an occupational incident involving blood or bodily fluids.
- (b) HIV testing of the parties involved in an accident.
- (c) Reporting procedures.

6.5 Compensation for HIV/AIDS Infection at Work

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 centres.

A claim to the Compensation Commissioner will only be submitted upon confirmation of zero-conversion of the employee.

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.

6.6.1 Medical Aid Schemes

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.

Normal benefits should be available to all who initially qualify for admission to the funds via normal procedures.

6.6.2 Pension/Retirement Funds

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.

No person should be denied access to the Pension or Retirement funds provided they fulfil initial criteria for admission.

6.7 Managing HIV positive employees

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.

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).

The Municipality will work towards ensuring that the performance of every staff member is maintained, where possible.

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.

Employees with HIV/AIDS will be governed without distinction or discrimination to existing sick leave allocations (ill health policy).

If health care facilities or services are not available at the workplace, employees will be referred to appropriate services within the community.

The Municipality will endeavor to provide support or take steps to assist employees with HIV/AIDS to have access to appropriate medical treatment. These will also include:

- (a) Giving the employee time off according to the sick leave policy to attend clinics or counselling.
- (b) Transferring the employee to lighter or less stressful duties, where it is both necessary and possible.
- (c) 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.

6.8 Grievance Procedure

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.

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.

The Municipality develop special measures to ensure confidentiality of the complainant during such proceedings, including ensuring that such proceedings are held in private.

Where disputes may arise in relation to HIV/AIDS in the workplace, the Municipality will take steps to deal with this issue, including:

- (a) An investigation into the nature and cause of the dispute.
- (b) Attempt to resolve the dispute through the relevant dispute resolution mechanism.
- (c) Provide counselling and additional education to all those involved.
- (d) As a final resort, the taking of disciplinary steps against staff causing the disruption.

6.9 Dismissal

Employees with HIV/AIDS have the right not to be unfairly dismissed on the basis of their HIV status.

Diagnosis of a person's HIV/AIDS status is not a sufficient reason to dismiss an otherwise healthy person.

The Municipality is obliged to follow accepted guidelines regarding dismissals for incapacity before terminating an employee's services.

The above will include attempts to accommodate the employee's disability and to find alternatives to dismissal.

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.

An employee cannot be compelled to undergo a HIV test or to disclose his or HIV status as part of incapacity proceedings.

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.

6.10 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.

7. IMPLEMENTATION AND MONITORING

In order to plan and evaluate its HIV/AIDS policy and programme effectively, the Municipality will undertake a survey to establish baseline data and regular risk and impact assessment studies. The studies will include knowledge, attitudes and behavior/practices (KAB/P). Studies will be carried out in consultation and with the consent of employees and their representatives, and in conditions of complete confidentiality.

8. COMMUNICATION

This policy, and related information on HIV and AIDS, will be communicated to all Municipal employees and Councillors using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary in the light of changing conditions and the findings of surveys/studies conducted, by the Health and Safety Workplace Committee.

10. BUDGET AND RESOURCES

When it becomes necessary, the Municipality will make every effort to establish a budget for HIV/ AIDS activities but realizes that many interventions can be put in place at little or no cost. Many of the required services are available in community facilities.

11. ROLES AND RESPONSIBILITIES

The policy on HIV/AIDS not only establishes certain rights but it also imposes certain responsibilities on the relevant stakeholders. This section seeks to identify the said rights and responsibility. It is further acknowledged that the success of the policy framework is dependent on the co-operation of all parties.

11.1 The Municipal Manager

The Municipal Manager takes overall responsibility for the implementation of the policy and compliance with the relevant legislation.

11.2 Human Resources Department

The Human Resources Department carries the following responsibilities:

- a) In conjunction with line management, the Human Resources Department must ensure that all employees are familiar with the policy.
- b) Monitor and advise the Municipal Manager of any irregular application of the policy.
- c) Arrange for counselling where requested by employees.
- d) Advise management on disciplinary steps to be taken in circumstances where the policy was breached.

11.3 Managers & Supervisors

All Managers and Supervisors:

- a) Must ensure that all employees are aware of and familiar with the content of the policy.
- b) Are responsible for the implementation of this policy.
- c) Must establish and maintain communication channels to raise awareness concerning HIV/AIDS in the workplace.
- d) Must make appropriate arrangements to ensure that confidential information, regarding the HIV status of an employee, is protected.
- e) Must ensure that immediate and appropriate corrective action is taken where the policy is breached.

11.4 Employees

- a) Employees should acknowledge that a fellow employee's health condition is private and confidential and an employee living with HIV/AIDS is under no obligation to disclose his/her status to a manager or any other employee.
- b) Employees shall not discriminate against fellow employees who are living with HIV/AIDS and in particular an employee may not refuse to work with a colleague who is HIV positive. The Health and Safety Officer should nevertheless ensure that all employees are familiar with the basic safety procedures where there is potential exposure to HIV/ AIDS.
- c) Employees shall endeavour to play a supportive role towards fellow employees who are living with HIV/AIDS.
- d) Employees who are aware of their positive HIV status shall take every precaution to ensure that fellow employees are not affected.

12. RECORD KEEPING

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of issue.

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

14. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the LLF must be incorporated into the policy.

15. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

INCAPACITY DUE TO ILL HEALTH / INJURY POLICY

Policy Number: HRM5.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Why Have a Policy?

Incapacity on the grounds of ill health may be temporary or permanent. Certain types of disability may be temporary but recurrent, such as illnesses related to AIDS and HIV. In the instance of ill health, the employer or the manager acting on behalf of the employer would need to assess the capability of the employee and to determine whether the inability to perform is caused by ill-health. Alternatives to the termination of employment should be sought. For example: whether the employee could be accommodated in a different position performing different duties in the organization.

THE POLICY

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.

2. DEFINITIONS

- I. Incapacity refers to an individual's inability to perform according to the stipulated work standards of a particular job.
- II. All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- Basic Conditions of Employments Act (Act 75 of 1997)
- Labour Relations Act (Act 66 of 1995)
- Occupational Health and Safety Act (Act 85 of 1993 + Regulations)
- Compensation for Occupational Injury and Diseases (Act 85 of 1993)

4. SCOPE AND APPLICATION

The policy shall apply to all employees of the employer

5. 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.

6. POLICY CONTENT

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.

6.2 Guidelines for Managing Incapacity

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 employees 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.

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. The application should be made in respect of the relevant fund or scheme applicable to the employee.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

INCAPACITY: DUE TO POOR WORK PERFORMANCE POLICY

Policy Number: HRM6.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to establish a policy and procedure for managing incapacity due to 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.

THE POLICY

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.

2. DEFINITIONS

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. Poor work performance could include:

- Less than expected output poor quality;
- Failure to meet set targets;
- Work requiring rework/repair;
- Unnecessary material wastage;
- Any non-conformance to reasonable or agreed standards;
- Time wasting

All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

Labour Relations Act (Act 66 of 1995 as amended)

4. SCOPE AND APPLICATION

The policy shall apply to all employees of the employer.

5. 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. POLICY CONTENT

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.

Performance standards must be set in consultation with the employee.

Factors which have hindered an employee from reaching the set standards must be taken into consideration.

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.

Management must assist and support the employee as far as possible. This assistance can take place by regular report-backs, refresher courses, training and counselling.

A Reasonable time period to improve performance must be given, subject to the requirements of the job.

All communication between management and the employee must be confirmed in writing.

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.

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.

6.1 Probation Period

Provision must be made for dealing with poor performance during an employee's probation period. 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.

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.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

It is the responsibility of management at the Municipality to manage performance and ensure that:

- Job descriptions and clear performance standards are communicated to and consulted with employees.
- Appropriate instructions, training and guidance are provided to employees.
- Employees are given a reasonable period, depending on seniority of the post, to capacitate themselves on the content of their jobs.
- Feedback, counselling and where appropriate, retraining are provided to employees to enable them to perform to standards.

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of issue.

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

The dispute resolution procedures as provided for in terms of the SALGBC dispute resolution procedures, must be followed, where disputes arises in terms of this policy

AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

Municipality Department:

CONFIDENTIAL

MONTHLY REPORT FOR SALARIED EMPLOYEES ON PROBATION

NOTE: This report must be submitted **before the 5th of each month.**

Staff no	Name	Branch				
		Employment				
Designation				date		
End of						
1st month month	2nd month	3rd month	4th month	5th month	6th	
7th month month	8th month	9th month	10 th month	11 th month	12 th	
Work on which engaged at time of report:						
Performance Rating – to be indicated by an “X” in the appropriate column						

Knowledge of work: or ability to acquire it	Needs frequent instruction, even on routine jobs; or, lacks ability to understand instructions	Fair knowledge but needs more training; or, has some difficulty in understanding instructions	Has good all round knowledge of the work, or, under stands instructions without difficulty	Well informed on all phases of the work, or quick at understanding instructions	Has extremely good knowledge of the work and all related matters or, exceptional ability in acquiring full knowledge of the work
Quantity of work: Volume of work based on recognised standards of performance	Consistently low	Fair, amount should be increased	Steady producer, regularly meets recognised standards	Always turns out more than average	Usually high output
Quality of	Below standard. Needs constant	Usually acceptable, but	Meets accepted Standards	Uniformly accurate and	Maintains highest quality

Accuracy and thoroughness with which work meets recognised standards of performance	checking	must be checked occasionally	regularly. Needs very little checking	thorough	
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INCAPACITY: DUE TO POOR WORK PERFORMANCE

Sense of responsibility, punctuality, compliance with instructions, dependability under varying conditions	Undependable. Needs constant follow up	Fairly dependable but requires more than normal supervision	Dependable with normal supervision	More than normal dependability. Requires minimum supervision	Highly dependable without supervision
Initiative: Resourcefulness, independent thinking, versatility and adaptability	Completely lacks confidence and ability to take any independent action	Follows established precedent only	Able to think for him /herself and requires little direction	Adaptable. Goes ahead on own judgment	Highly resourceful versatile and self-reliant
Human relation Disposition, tact, courtesy sincerity and co-operation	Frequently clashes with others, creates an unfavourable impression	Gets along reasonably well. Relations with others are not quite what they should be	Normally makes a satisfactory impression	Well-liked and respected	Has an extraordinary aptitude for gaining goodwill and cooperation
Overall job performance					

Is this employee properly placed in his/her present position? If not, where his /her services could be utilised to the greatest advantage:

Reporting Officer's remarks:

Employee's remarks:

**Signature of Employee
Officer**

Date

Signature of Reporting

Designation

Reviewing Officer's report:

(After interview with employee, if considered necessary)

Signature of Reviewing Officer

Designation

Date

Senior Manager's remarks:

(Where he did not himself act as Reviewing Officer)

Signature

Designation

Date

SUGGESTED CHECKLIST FOR MANAGING POOR WORK

PERFORMANCE (Always keep written records of discussions, action plans, etc.)

No	Activities	Yes/No
1	Identify sub-standard performance	
2	Review standards to ensure they are reasonable	
3	Arrange interview with employee. Also inform employee	
4	Inform employee of your dissatisfaction with his/her performance	
5	Establish if employee is aware of performance standard. If employee is unaware, spell out standards and indicate to employee that performance will in future be monitored	
6	If employee is aware of standard, enquire into reason for poor performance	
7	Consider your employee's reasons. If satisfactory, end the session.	
8	If not or if indications are that further action is required, stress the need for standards to be maintained	
9	Discuss with employee possible ways of addressing the problem e.g. training, assistance, transfer, etc.	
10	If agreement is reached on an action plan, secure employee's commitment to it.	
11	If no agreement is reached, spell out your own action plan. Be clear on standards required as well as time allowed for performance to improve. Make sure that it is reasonable.	
12	In both cases inform employee that he/she will be monitored and that failure to comply with performance standards may lead to dismissal.	
13	Assure employee of support – and give it.	
14	Thereafter monitor progress.	
15	If problem persists, arrange for formal incapacity hearing. Employee is entitled to representation. Enquire about reasons for failure to improve and, if reasons are acceptable, decide on further assistance. If reasons are unsatisfactory, terminate services on notices.	
16	Inform the employee of the right to refer any disagreement about termination to review by a more senior level of management	
17	If the review is unsuccessful, inform the employee about hi/her right to refer the matter externally	
18	Attend to administrative issues, eg. UIF and Certificate of Service	
19	Always keep accurate record of interview, action plans, etc!	
Checked by : Date : (in print)		

MUNICIPALITY

PROGRESS REPORT

Name of Employee	Staff Number	Job Designation	Post Level
Division	Department	Date of Appointment	Town
MINIMUM REQUIREMENTS FOR THE POSITION			
KEY RESPONSIBILITIES			

LEVEL OF WORK CONTENT	
COMPLEXITY	KNOWLEDGE
INFLUENCE	PRESSURE

MANAGEMENT CONTENT (IF APPLICABLE)	
PLANNING	ORGANISING

DIRECTING / SUPERVISING	MONITORING & CONTROL

JOB HOLDER CHARACTERISTICS (Select where applicable)
(State personal characteristics of the job holder that are inherent job requirements)

Integrity — Job requires being honest and ethical

Leadership — Job requires a willingness to lead, take charge, and offer opinions and direction.

Initiative — Job requires a willingness to take on responsibilities and challenges.

Stress Tolerance — Job requires accepting criticism and dealing calmly and effectively with high stress situations.

Achievement/Effort — Job requires establishing and maintaining personally challenging achievement goals and exerting effort toward mastering tasks

Dependability — Job requires being reliable, responsible, and dependable, and fulfilling obligations

Independence — Job requires developing one's own ways of doing things, guiding oneself with little or no supervision, and depending on oneself to get things done.

Persistence — Job requires persistence in the face of obstacles

Adaptability/Flexibility — Job requires being open to change (positive or negative) and to considerable variety in the workplace.

Cooperation — Job requires being pleasant with others on the job and displaying a good-natured, cooperative attitude.

Responsibility - exerts a high level of effort and perseveres towards goal attainment

Self-esteem - believes in own self-worth and maintains a positive view of self

INCAPACITY: DUE TO POOR WORK PERFORMANCE

Other Information Pertinent to Job Holder's Position (select where applicable)
Skills / Competencies required : Basic Skills :
Active Learning — Understanding the implications of new information for both current and future problem-solving and decision-making. Active Listening — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times. Critical Thinking — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems. Learning Strategies — Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things. Mathematics — Using mathematics to solve problems. Monitoring — Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action. Reading Comprehension — Understanding written sentences and paragraphs in work related documents.
Resources Management Skills:
Management of Financial Resources — Determining how money will be spent to get the work done, and accounting for these expenditures. Management of Material Resources — Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work. Management of Personnel Resources — Motivating, developing, and directing people as they work identifying the best people for the job
Social Skills:
Coordination — Adjusting actions in relation to others' actions. Instructing — Teaching others how to do something. Negotiation — Bringing others together and trying to reconcile differences. Persuasion — Persuading others to change their minds or behaviour. Service Orientation — Actively looking for ways to help people.
Systems Skills:

Judgment and Decision Making — Considering the relative costs and benefits of potential actions to choose the most appropriate one.

Systems Analysis — Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.

Systems Evaluation — Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system.

ASSESSMENT OF PERFORMANCE:

1ST REPORT 2 MONTHS	2ND REPORT 4 MONTHS	3RD REPORT 6 MONTHS
Performance	Performance	Performance
Further training required	Further training required	Further training required

EMPLOYEE

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Date

EMPLOYEE

.....

Date

EMPLOYEE

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Date

SUPERVISOR

Date

SUPERVISOR

Date

SUPERVISOR

Date

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DIRECTOR

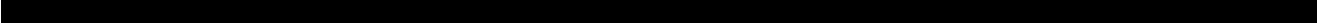
DIRECTOR

DIRECTOR

Date Date Date

RECOMMENDATION TO BE APPOINTED PERMANENTLY	YES	NO
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IF NOT, MOTIVATE



INTERNAL BURSARY POLICY

Policy Number: HRM7.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The internal Bursary Policy 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 POLICY

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.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

Municipal Finance Management Act 56 of 2003

4. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY.

5. OBJECTIVES OF POLICY

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

6. POLICY CONTENT

6.1 Administration of Scheme

The General Manager: Corporate Services or designated official 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.

6.2 Financial Assistance

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.

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.

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.

6.3 Contractual Obligations

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 during 2 consecutive years, he/she shall be obliged, from a date fixed by the Municipal Manager or his/her assignee to repay the Municipality the full amount of the financial assistance given to him/her, inclusive of study leave, in terms of the Scheme plus interest thereon, calculated at prime interest rate plus 1%. Where an employee has been granted leave on full pay he/she may, at his/her option, be permitted to have his/her accumulated annual leave reduced by an equivalent number of days taken as study leave provided that such action does not conflict with any leave regulations of the Municipality.

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 plus interest thereon, calculated at prime interest rate plus 1%.

With correspondence courses, the timeframe in which an employee can complete a diploma qualification is at least four to five years with 18 to 22 modules that must be completed. The employee will be under an obligation to pay back all financial assistance over the period that he/she studied if the employee wants to resign, etc. The current bursary agreement indicates that an employee has to remain in the service of the Municipality for at least one year for every funded subject that was written successfully by the student in a particular year. It does not place an obligation on the student to remain in the service until the qualification has been completed.

In the event of an employee dying or becoming physically or mentally incapable of completing the qualification in respect of which he/she was granted financial assistance in terms of the Scheme, he/she or his/her estate, as the case may be, shall at the employer's option, repay to the Municipality the total financial assistance received from the Municipality plus interest thereon, calculated at prime interest rate plus 1%.

For block release courses, an employee shall, whether or not he/she obtains the qualification concerned, serve the Municipality for two years in respect of each year in which study leave up to and including twenty-six weeks is taken in any one year, the period of obligation being one year for each period of study leave up to twenty six weeks per year taken.

In the event of an employee retiring, resigning or being dismissed from the Municipality's service before having served his/her period of obligation, he/she shall repay to the Municipality the total financial assistance received from the Municipality plus interest thereon calculated at prime interest rate plus 1%.

Service obligation shall not be condoned on a pro-rata basis. Therefore, unless the employee remains in the service of the Municipality until the expiry date of his/her service obligation he/ she shall remain liable for the full settlement of the financial assistance received in terms of the Scheme.

In the event of an employee dies or become physically or mentally incapable of completing his/her service obligation, he/she or his/her estate, as the case may be, shall at the employer's option, repay to the Municipality the total financial assistance received from the Municipality plus interest thereon calculated at prime interest rate plus 1%.

The employee shall cede to the Municipality his/her rights, title and interest in and to all amounts due to the employee by the Municipality and the Pension Fund to which the employee contributed during his/her employment with the Municipality, both future and present, as security for the indebtedness of the employee to the Municipality arising out of the obligation created by this agreement.

The cession 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.

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.

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.

6.4 Study Leave

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:

Examination leave for the date or dates on which he/she is required to present himself/ herself as a candidate for such examination.

- a) Study leave, two days per examination paper, solely for the purpose of preparing for an examination prescribed by the registered educational institution where the employee is registered.
- b) 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 fulfilment of the contract entered into in terms of the Scheme.
- c) 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.
- d) 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. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

The Municipal Manager or his assignee shall have the authority to:

- i. Approve qualifications and its priority for inclusion in the Scheme, or delete those which are no longer appropriate.
- ii. In conjunction with the Chief Financial Officer determine the amount of, and conditions governing, financial assistance in connection with approved qualifications as deemed necessary to give effect to the principles of this scheme, and to safeguard the interests of the Municipality.
- iii. Approve the continuation, extension, variation or termination of facilities to individual students on conditions laid down in the Scheme.
- iv. Determine the educational institutions at which any student may pursue an approved qualification.
- v. In conjunction with the Chief Financial Officer determine the method and terms under which money owing to the Municipality for financial assistance paid in terms of the scheme shall be repaid.
- vi. Adopt whatever actions are deemed necessary to address any anomalous situation which is not specifically addressed by the Scheme.
- vii. Continuously monitor the effectiveness of the Scheme and submit recommendations to the Municipality whereby the Scheme may be amended to accommodate changing or anomalous circumstances.

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

13. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

EMPLOYEES UNDER THE INFLUENCE OF INTOXICATING SUBSTANCES POLICY

Policy Number: HRM8.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The Municipality is committed to maintaining the highest possible standards of occupational health and safety and considers alcohol and drug abuse as disruptive of and detrimental to a safe and productive working environment.

THE POLICY

1. PREAMBLE

The 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.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

Labour Relations Act

4. SCOPE AND 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.

5. OBJECTIVES OF POLICY

The 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.

6. POLICY CONTENT

6.1 Discipline

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.

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.

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:-

- i. Being under the influence or using chemical substances whilst on the premises or on duty:

First offence: Final written warning effective for 6 months plus offer of assessment/counselling and/or, welfare support.

Second offence: (within the operative 6 month period following a previously issued final written warning): Dismissal

- ii. 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.

First offence: Written warning effective for 6 months plus the offer of assessment counseling and/or welfare support.

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.

Notwithstanding these guidelines, The Council reserves the right to vary the sanction depending on the circumstances of each case.

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.

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.

In the event of employees receiving counselling 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 counsellor 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.

6.2 Stand-by/call-out employees

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.

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. Should the employee fail the Verification of Intoxication Test, the employee shall be sent home without any sanction. 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.

6.3 Management of Suspected Intoxication

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. 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.

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.

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.

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.

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.

The Manager should take all reasonable steps to ensure that the employee has 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. The employee leaving the premises without accepting assistance will do so at his own risk.

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.

6.4 Referral Modes

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.

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.

The acceptance of the offer of assistance, whether voluntary or mandatory, does not exempt the employee from standard disciplinary measures whilst under treatment.

6.4.1 Suggested/Disciplinary Referrals

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 Wellness Officer or shop steward with the view of acquiring confidential assistance. Employees:

- i. who commit an alcohol or drug related offence and/or,
- ii. 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 counselling 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.

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/counselling following a substance abuse related offence,
- ii. absconding from the treatment centre, being non-compliant with the treatment/counselling regime.

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.

6.5 Assessment, Counselling and Treatment

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 counselling. Such assessment and counselling shall as far as reasonably possible occur during normal working hours without any deductions from the employee's salary. Assessment and/or counselling will be to a maximum of 6 interviews.

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 counselling but will serve to give an indication of his commitment and co-operation towards attaining sobriety.

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. In instances where the employees have exhausted his sick leave, annual leave will have to be utilised, where-after unpaid leave will have to be taken.

The Council will not contribute towards the cost of such treatment.

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.

If a professional counsellors 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.

6.5.1 Dealing with relapses:

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.

6.5.2 Recovery unlikely:

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. If the employee declines to allow the Municipality access to their medical records a decision about future employment would be made with them information that is available to the Municipality.

6.6 S Social Functions and Promotions

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.

No alcohol will be served by the Municipality during training courses or seminars except in the event of evening functions.

No Municipal employee may consume alcohol during normal working hours. (Including lunchtime).

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.

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.

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.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

LEGAL AID POLICY

Policy Number: HRM9.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

THE POLICY

1. DEFINITIONS

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

2. LEGAL FRAMEWORK

Municipal Systems Act 2000

Inquests Act, 1959 [Act 58 of 1959]

3. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY.

4. POLICY CONTENT

Whereas Section 109 A of the Municipal Systems Act 2000 permits a municipality to provide a councillor 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:

Whenever a claim is made or legal proceedings are instituted against any councillor 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 councillor or employee as a consequence of their election as a councillor 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:

- a) shall, in the case of a civil claim or civil proceedings, if it is of the opinion that the councillor or employee concerned acted in good faith and without negligence, indemnify them in respect of such claim or proceedings, and –

- i. shall provide for the legal representation of such councillor 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
- b) shall, in the case of criminal proceedings, if it is of opinion that the councillor 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
- c) 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 councillor or employee in respect of their legal costs therein or provide for their legal representation at the cost of the council;
- d) 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 councillor or employee concerned any costs incurred by it on their behalf, if such councillor or employee –
 - i. has made any admission or statement which the council considers to be prejudicial to a successful defense;
 - ii. has made any offer of payment or settlement;
 - iii. declines to accept the services of a legal representative nominated by the council;
 - iv. fails or refuses to furnish such information as the council may require or furnishes false or misleading information, or
 - v. fails or refuses to co-operate with the council or to render such assistance as may be required by the council.

For the purposes of this policy “councillor” or “employee” includes a former councillor or employee of the council.

Whenever any claim is or is proposed to be made or legal proceedings are or are to be instituted by any councillor 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 –

- a. such act or thing was done or omitted in relation to or in consequence of the exercise and performance by such councillor or employee of his powers, duties and functions;
- b. such councillor or employee exercised and performed such powers, duties and functions in good faith and without negligence, and
- c. such claim or proceedings has or have a reasonable prospect of success, the council may indemnify such councillor or employee against all legal costs [including such councillor or employee’s own legal costs] which may be or become payable by them 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 councillor 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 furnished false information, or

- iii. failed or refused to co-operate with the council or render such assistance as may be required by the council.

Notwithstanding anything to the contrary contained herein, the Council shall refuse to grant legal aid to a councillor or employee in any action resulting from an act or omission which constitutes or would constitute an infringement of the Codes of Conduct for Councillors and Municipal Staff Members contained in the Municipal Systems Act, 2000.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

OCCUPATIONAL HEALTH AND SAFETY POLICY

Policy Number: HRM10.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The MUNICIPALITY and its staff believe that the prevention of injuries and exposure to disease of all the employees is of paramount importance to the organisation in its quest to be a leader in health and safety. Furthermore, management acknowledges its responsibility and moral obligation to provide a safe and healthy workplace.

We will strive to be pro-active in the recognition of risks with the objective of reducing exposure to injury and disease.

Involvement will be at all levels and the responsibility will be shared by everyone, in order to reach the objective

THE POLICY

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:

- (a) Promote and maintain the highest degree of physical, mental and social wellbeing of workers.

- (b) Prevent amongst workers, ill health caused by their working conditions.
- (c) Place and maintain workers in a working environment that is adapted to their individual physiological and psychological conditions.
- (d) Protect workers from factors adverse to their health.
- (e) Promote and maintain working environment that is free from harassment.

2. DEFINITIONS

“Hazard” means a source of or exposure to danger

“Health and safety committee” means a committee established under section 19 of Occupational Health and Safety Act, No 85 of 1993,

“Healthy” means free from illness or injury attributable to occupational causes

“Incident” means an incident as contemplated in section 24 of Occupational Health and Safety Act,

“Issue” – means personal safety equipment/protective clothing as well as other clothing and uniforms not compulsory by law.

“machinery” means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to performing work, or which is used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy,

“medical surveillance” means a planned programme of 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”

“Occupational health” means including 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 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),

“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,

“Risk” means the probability that injury or damage will occur.

“Safe” means free from any hazard.

All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- a. Basic Conditions of Employments Act (Act 75 of 1997)
- b. Labour Relations Act (Act 66 of 1995)
- c. Municipal Systems Act (Act 32 of 2000)
- d. Municipal Finance Management Act (Act 56 of 2003)
- e. Locally negotiated agreements (LLF Resolutions)
- f. Occupational Health and Safety Act (Act 85 of 1993 + Regulations)
- g. Compensation for Occupational Injury and Diseases (Act 85 of 1993)
- h. 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)

4. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY.

5. OBJECTIVES OF POLICY

- a. To implement an Occupational Health and Safety Programme
- b. To be aware of all risks and changes in risk factors in areas regarded as high risk
- c. To stay abreast of legislative requirements and to meet them as far as is reasonably practicable
- d. To train everyone in the municipality on matters pertaining to their work and the associated risks involved
- e. To ensure the knowledge and information available is adequate to achieve these objectives
- f. To continually evaluate health and safety programmes, adapting them as and when problems are identified.
- g. To partake actively in the accident/incident prevention programme.
- h. Employees exposed to OHS Act injuries must be issued with protective clothing at all times.

6. POLICY CONTENT

6.1 Medical Surveillance Programme

A Medical Surveillance Programme is used to identify and record the presence of any occupational disease and the degree of exposure. The information is used to ensure that the health of the employee will not be compromised by placement in a particular job.

Employees who have a health condition which will or could be compromised will not be placed in high risk areas. General health information, not required for the job, is used to identify health needs and the health care that the individual would require.

6.1.1 Pre-employment examination (PEM)

Certain employees will undergo a pre-employment medical examination prior to being appointed to a position. The position being filled will determine whether an examination is needed. The selection criteria will be the risks involved, determined by the job and results kept confidential. The inherent medical requirements will be used to ensure non-discrimination results.

A declaration will be signed by the prospective employee to accepting the conditions of the Medical Surveillance Programme and any resulting testing required.

The Manager will be notified of the suitability of the prospective employee

6.1.2 Periodic Screenings (PS)

Employees working in specific areas or shifts will undergo screening at various intervals, depending on the health risk profile to risk – e.g. drivers will be examined annually. A certificate of fitness will be issued.

6.1.3 Transfer Screenings (TS)

Employees are only screened for the job they are initially placed in. This means that they will not necessarily be suitable to work in another area, except if they are required to be multi-skilled and work in all areas. Thus any employee requiring or applying for transfer would first undergo an assessment to ensure suitability.

6.2 Legislative Compliance

The Council will follow all aspects of the Occupational Health and Safety Act no. 85 of 1993 and its Regulations, including any other mentioned documents (i.e. SABS codes). Where specific compliance or risk exists, company rules and procedures will apply.

Any training done with respect to the legislation or company health and safety programme, policies and procedures will be noted and kept on file. Any person who does not adhere to this legislation will be guilty of an offence and thus be disciplined according to the disciplinary code.

6.3 Injury Reporting

In terms of the Occupational Health & Safety Act no. 83 of 1993, all injuries and incidents must be reported immediately or as soon as practically possible, for assessment, recording; or possibly investigation.

6.4 Wearing of Personal Protective Clothing (PPC)

Various occupations will be identified in the job specification as requiring PPC to be worn by the employees. Employees will be required to sign for the PPC, to follow the procedure and undergo training required for correct usage.

Where Safety clothing or equipment has been issued, it will be seen as an offence if these are not worn at all times, and thus disciplinary action, according to the disciplinary code, will be taken on non-compliance.

6.5 Hazardous Chemical Substance In Daily Use

Material Safety Data Sheets will be available regarding the safe use, storage etc, of all chemical substances in use on site. Each department will have the relevant information in an accessible file and ensure the necessary training, according to Section 13 of the Occupational Health & Safety Act & Regulations, is given to all.

6.6 Health and Safety Procedures

6.6.1 *Workplace Safety and Protective Clothing Rules*

Your safety is the constant concern of this MUNICIPALITY. Every precaution must be taken to provide a safe workplace. Occupational Health and Safety Officer makes regular inspections and holds regular safety meetings. He or She also meets with management to plan and implement further improvements in our safety program. Common sense and personal interest in safety are still the greatest guarantees of your safety at work, on the road, and at home. We take your safety seriously and any willful or habitual violation of safety rules will be considered cause for disciplinary actions. MUNICIPALITY is sincerely concerned for the health and well-being of each member employee.

The cooperation of every employee is necessary to make MUNICIPALITY a safe place in which to work. Help yourself and others by reporting unsafe conditions or hazards immediately to your supervisor or to a member of the safety committee. Give earnest consideration to the rules of safety presented to you by poster signs, discussions with your supervisor, posted department rules, and regulations published in the safety booklet. Begin right by always thinking of safety as you perform your job, or as you learn a new one.

- (a) Accident reporting:** Any injury at work, no matter how small, must be reported immediately to your supervisor and receive first aid attention. Serious conditions often arise from small injuries if they are not cared for at once.
- (b) Specific safety rules and guidelines:** To ensure your safety, and that of your coworkers, please observe and obey the following rules and guidelines:
 - 1)** Observe and practice the safety procedures established for the job.

- 2) In case of sickness or injury, no matter how slight, report at once to your supervisor. In no case should an employee treat his own or someone else's injuries or attempt to remove foreign particles from the eye.
- 3) In case of injury resulting in possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe head injury, the employee is not to be moved until medical attention has been given by authorized personnel.
- 4) Do not wear loose clothing or jewelry around machinery. It may catch on moving equipment and cause a serious injury.
- 5) Never distract the attention of another employee, as you might cause him or her to be injured. If necessary to get the attention of another employee, wait until it can be done safely.
- 6) Where required, you must wear protective equipment, such as goggles, safety glasses, masks, gloves, hair nets, etc.
- 7) Safety equipment such as restraints, pull backs, and two-hand devices are designed for your protection. Be sure such equipment is adjusted for you.
- 8) Pile materials, skids, bins, boxes, or other equipment so as not to block aisles, exits, firefighting equipment, electric lighting or power panel, valves, etc. FIRE DOORS AND AISLES MUST BE KEPT CLEAR.
- 9) Keep your work area clean.
- 10) Use compressed air only for the job for which it is intended. Do not clean your clothes with it and do not fool with it.
- 11) Observe smoking regulations.
- 12) Shut down your machine before cleaning, repairing, or leaving.
- 13) Tow motors and lift trucks will be operated only by authorized personnel. Walk-type lift trucks will not be ridden and no one but the operator is permitted to ride the tow motors. Do not exceed a speed that is safe for existing conditions.
- 14) Running and horseplay are strictly forbidden.
- 15) Do not block access to fire extinguishers.
- 16) Do not tamper with electric controls or switches.
- 17) Do not operate machines or equipment until you have been properly instructed and authorized to do so by your supervisor.
- 18) Do not engage in such other practices as may be inconsistent with ordinary and reasonable common sense safety rules.

- 19) Report any UNSAFE condition or acts to your supervisor.
- 20) HELP TO PREVENT ACCIDENTS.
- 21) Use designated passages when moving from one place to another; never take hazardous shortcuts.
- 22) Lift properly—use your legs, not your back. For heavier loads, ask for assistance.
- 23) Do not adjust, clean, or oil moving machinery.
- 24) Keep machine guards in their intended place.
- 25) Do not throw objects.
- 26) Clean up spilled liquid, oil, or grease immediately.
- 27) Wear hard sole shoes and appropriate clothing. Shorts or mini dresses are not permitted.
- 28) Place trash and paper in proper containers and not in cans provided for cigarette butts.

(c) Safety checklist: It's every employee's responsibility to be on the lookout for possible hazards. If you spot one of the conditions on the following list—or any other possible hazardous situation—report it to your supervisor immediately.

- 1) Slippery floors and walkways
- 2) Tripping hazards, such as hose links, piping, etc.
- 3) Missing (or inoperative) entrance and exit signs and lighting
- 4) Poorly lighted stairs
- 5) Loose handrails or guard rails
- 6) Loose or broken windows
- 7) Dangerously piled supplies or equipment
- 8) Open or broken windows
- 9) Unlocked doors and gates
- 10) Electrical equipment left operating
- 11) Open doors on electrical panels
- 12) Leaks of steam, water, oil, etc.

- 13) Blocked aisles
 - 14) Blocked fire extinguishers, hose sprinkler heads
 - 15) Blocked fire doors
 - 16) Evidence of any equipment running hot or overheating
 - 17) Oily rags
 - 18) Evidence of smoking in non-smoking areas
 - 19) Roof leaks
 - 20) Directional or warning signs not in place
 - 21) Safety devices not operating properly
 - 22) Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed
- (d) **Safety equipment:** Your supervisor will see that you receive the protective clothing and equipment required for your job. Use them as instructed and take care of them. You will be charged for loss or destruction of these articles only when it occurs through negligence.
- (e) **Safety shoes:** MUNICIPALITY will designate which jobs and work areas require safety shoes. Under no circumstances will an employee be permitted to work in sandals or open-toe shoes. A reliable safety shoe vendor will visit the company periodically. Notices will be posted prior to the visits.
- (f) **Safety glasses:** The wearing of safety glasses by all shop employees is mandatory. Strict adherence to this policy can significantly reduce the risk of eye injuries.
- (g) **Seat belts:** All employees must use seat belts and shoulder restraints (if available) whenever they operate a vehicle on MUNICIPALITY business. The driver is responsible for seeing that all passengers in front and rear seats are buckled up.
- (h) **Good housekeeping.** Your work location should be kept clean and orderly. Keep machines and other objects (merchandise, boxes, shopping carts, etc.) out of the center of aisles. Clean up spills, drips, and leaks immediately to avoid slips and falls.
- Place trash in the proper receptacles. Stock shelves carefully so merchandise will not fall over upon customer contact.
- (i) **Wear and use of issues:** Employees are compelled to wear and use the relevant issues. Departmental Heads are responsible as stipulated in Section 16(2) of Act 85 of 1993. Supervisors, Occupational Health Safety Officers and safety representatives will continuously check on employees and report deviations to the relevant Manager and the Municipal Manager. No employee may use or wear issues in his/her private time or for private use.

- (j) **Cleaning:** Cleaning, washing and ironing of issues are the responsibility of the employee. Abnormal circumstances can be referred to the Municipal Manager or his assignee for consideration.
- (k) **Ownership:** All issues issued for a specific cycle remain the property of the Council during that cycle. All issues of equipment remain the property of the Council and must be marked in such a way that the date of issue can be determined. When an item is replaced, such item, when replaced, will be taken in and subsequently destroyed.
- (l) **Undertaking in writing:** All employees must undertake in writing to wear and use all issues, before an issue can take place.
- (m) **Termination of service:** When an employee leaves the Council's service, Managers must see to the return or retaining of issues issued for a specific cycle as well as recovering of outstanding monies in collaboration with the Manager: Human Resources, as determined in the employee's service contract.
- (n) **Induction training:** All new employees must be properly informed of this policy and the contents thereof, and must sign to acknowledge receipt of a copy. This policy is therefore a part of each employee's service contract and where necessary specific conditions in this regard must be additionally included in the service contract.
- (o) **Frequency/terms of issue:** Issues of overalls will be made annually according to schedules. Other issues are based on the principle of as and when needed and will therefore only be replaced when worn out. This schedules serves as determination of which equipment and clothing must be issued; the quantities that must be issued as well as the minimum life expectancy of the items issued. Proof that the items are worn out or the returning of worn out items, is compulsory before a new issue can/may be made.
- (p) **Responsibility for issues:** Employees who negligently loose or damage their issues will be held responsible.
- (q) **Disregarding of policy conditions:** Disregarding of the policy conditions will be dealt with in accordance to the existing disciplinary procedures of the Council.

6.7 Working when it Rains

Every employee who works in the open air must wear suitable protective clothing on any working day during which it rains. Depending on the level, rate or concentration of the rainfall, the supervisor concerned may require employees who work in the open air to continue working whilst it rains, provided they wear suitable protective clothing.

The supervisor concerned must evaluate the rainfall level, extent, concentration and the effect it has on the safety, health and qualitative production of employees working in the rain. Should the supervisor be of the view that the level, rate or concentration of the rainfall affects the safety, health, effectiveness or qualitative production of the employees, he/she must order work be abandoned forth with and order such employees to move to a suitable place identified by the supervisor where there is shelter.

Should the supervisor upon his/her assessment of the weather conditions be of the view that there is slim and/or no prospects of the stoppage of rainfall, he/she may instruct the employees to abandon work and return to the relevant depot, workshop or plant.

Any employee removed from a worksite in the open air due to rain may be expected to perform other duties at the depot, workshop or plant, which will not expose her/him to rain.

7. IMPLEMENTATION AND MONITORING

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

All issues may only be done in terms of this policy of the agreed schedules, and the approval of the relevant Manager (Section 16(2) delegated in terms of Act 85 of 1993).

Additions, reductions or changes to the schedules must be motivated by the relevant Manager in writing to the Municipal Manager or his assignee.

Each department must keep proper record of all issues to each employee and these records must be open for audit and inspection by the Manager: Internal Audit and the Occupational Health and Safety Officer.

8. COMMUNICATION

This policy, and related information pertaining to occupational health and safety, will be communicated to all Municipal employees and Councillors using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary in the light of changing conditions and the findings of surveys/studies conducted, by the Health and Safety Workplace Committee.

10. BUDGET AND RESOURCES

Purchases and issues must be controlled by each Manager or his assignee as well as by the Storekeeper and Managers must budget as necessary.

11. ROLES AND RESPONSIBILITIES

11.1 Responsibilities of Employers:

- 1) Identify potential hazards which may be present while work is being done, and any equipment is being used.
- 2) Ensure that plant, tools, equipment and machinery are safe, maintained in good working order and those materials and operational processes are without risk to health.

- 3) Establish the precautionary measures that are necessary to protect his or her workers against the identified hazards and provide means to implement these precautionary measures in order to reduce or remove the risks associated with the hazards
- 4) Provide the necessary information, instructions, training and supervision.
- 5) Not permit anyone to carry on with any task unless the necessary pre-measures have been taken.
- 6) Take steps to ensure that every person under his control comply with the requirements of the act.
- 7) Enforce the necessary control measures in the interest of health and safety.
- 8) See to it that work being done and equipment being used is under the general supervision of a worker who has been trained to understand the hazards associated with the work and such a worker must ensure that the precautionary measures are implemented and maintained.
- 9) Delegate responsibilities to employees appointed in terms of the Act
- 10) Decide if employees appointed in terms of the Act may sub-delegate responsibilities.
- 11) Provide employees appointed in terms of the Act with appropriate information, training, facilities and time to execute.

11.2 Duties of the Corporate Services Manager

- 1) Ensure full compliance with the OHS Act.
- 2) Make written appointments indicating duties, functions and responsibilities
- 3) Document all agreements relevant to OHS
- 4) Report all deviations, deficiencies and concerns to the Municipal Manager for authorization, action and implementation within reasonable timeframes.
- 5) Ensuring that all aspects of the programme are identified, assessed, suitable risk control measures are implemented, maintained, evaluated and reviewed for efficiency and compliance.

11.3 Duties of SHE Officers

- 1) Incident Investigations
- 2) Internal Audits
- 3) Monitoring of legal compliance
- 4) Training, development and facilitation of employees, reps, awareness, information, formal and informal training. Committee meetings, remedial actions, Contractor control
- 5) Support structures for reps and committees
- 6) Maintain OHS information, records and database
- 7) Supervise COID Act execution and compliance
- 8) Report on incidents, trends, risks

11.4 Duties of Employees

- 1) Take care of his or her own health and safety, as well as that of other persons who may be affected by his or her actions or negligence to act.
- 2) Follow all the health and safety rules and procedures that are provided and communicated by the employer or anyone authorized or competent to do so.
- 3) Wear the prescribed safety clothing or use the prescribed safety equipment where it is required
- 4) Cooperate with an employer or any person who has been authorized by the employer to carry out duties in terms of the act.

- 5) Inform the employer or their health and safety representative of any unhealthy circumstances or acts that they are aware of.
- 6) Give information to an inspector from the Department of Labour if he or she should require it.
- 7) Formally report any incident that they were involved in or aware of that could cause a health risk or that may result in an injury.
- 8) Not to interfere with, damage or misuse anything that is provided in the interest of health or safety. This applies to intentional and or careless or irresponsible actions

12. RECORD KEEPING

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of issue.

13. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

14. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the LLF must be incorporated into the policy.

15. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

PRIVATE WORK AND DECLARATION OF INTEREST/S POLICY

Policy Number: HRM11.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to manage and regulate the performance of work done by officials in the service of the municipality outside their employment contract.

THE POLICY

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.

2. DEFINITIONS

“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.

3. LEGAL FRAMEWORK

Item 4 of the Code of Conduct for Municipal Employees, ***Municipal Systems Act, 32 of 2000*** provides as follows:

“(2) Except with the prior consent of the council of a municipality a staff member of the municipality may not -

(c) be engaged in any business, trade or profession other than the work of the municipality.”

Section 22 of the ***Constitution of the Republic of South Africa, 1996*** (“the Constitution”) provides that any person has the right to choose an occupation or profession freely and that the practice thereof may be regulated by law. In terms of his/her employment contract with the municipality (linked to relevant collective agreements) an employee is required to devote a fixed number of hours of service to the municipality.

It is therefore necessary to read the provisions of the aforementioned Section 22 of the ***Constitution*** together with the provisions of legislation that regulate hours of service, since the latter places a limitation on the right of the individual as mentioned in Section 22 of the ***Constitution***.

Since labour law allows an employer to take action against an employee if the employee fails to deliver his/her hours of service properly or allows another occupation to affect his/her employment relationship with the employer detrimentally, this policy is established to regulate outside work properly.

No employee is allowed to perform any outside work unless previously officially approved on an individual basis by the Municipal Manager. All applications must be submitted to the Department of Human Resource Management for recommendation before being presented to the Municipal Manager for a decision.

4. SCOPE AND APPLICATION

The policy shall apply to all employees of the employer.

5. OBJECTIVES OF POLICY

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

6. POLICY CONTENT

6.1 Private Work:

No employee will be granted permission to perform private work after hours that is in direct conflict with his profession and/or authority.

Example:

- Electrician performing electrical work in his private capacity and issues a certificate of competence in his official capacity
- Building Control Officer is allowed to draw building plans after hours and approves the same building plans in his official capacity etc.

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.

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:

- i. 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.
- ii. The proposed remunerated work must take place entirely outside the employee's prescribed hours of work.
- iii. 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.
- iv. Municipal resources may under no circumstances be used in the performance of the envisaged remunerated work.
- v. 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*. 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.

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.

Ex post facto permission may not be granted to an employee to perform remunerated work outside his/her official duties to the municipality.

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:

- name;
- staff number;
- rank;
- directorate;
- division;
- application for remunerated work approved/denied;
- period and hours for which permission was granted;
- name of the (outside) employer, type of work, nature of work and contact details; and
- starting date.

6.2 Declaration of Interest/s

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.

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:

- (a) shares and securities in any company;
- (b) membership of any close corporation;
- (c) interest in any trust;
- (d) directorships;
- (e) partnerships;

- (f) consultancies and retainerships
- (g) other financial interests in any business undertaking;
- (h) other employment and remuneration;
- (i) interest in property;
- (j) pension; and
- (k) Subsidies, grants and sponsorships by any organisation.

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

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.

Applications to do private work or have a business interest by any other member of staff must be approved by the Municipal Manager.

Applications for private work or declaring a business interest must be submitted in writing on the prescribed form (see annexure A and B) for consideration. A copy of the application with the decision of the competent authority must be filed on the employee's personal record. Personnel Services will be the custodian of the administrative infrastructure and processes to safeguard the relevant documentation and files.

7. IMPLEMENTATION AND MONITORING

All employees are to apply afresh (annually), even if current approvals are in place. Such applications to be submitted to the relevant Director.

Individual approvals will be granted for 12-months which cycle will run from date of approval by the relevant competent authority where after the approval will automatically lapse.

Employees will on their own accord after the expiry of the original approval have to reapply for further approval.

All applications to do private work or have a business interest will only be considered if the prescribed application form has been duly completed and is only valid when authorised.

In the event of an application not being approved, the competent authority to provide reasons for the decision.

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

ANNEXURE A

APPLICATION TO UNDERTAKE PRIVATE WORK
(HR576)

TO: Head of Department:

Name		Employee number	
Position		Contact number	
Directorate		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

Name in full

Date

.....

ANNEXURE B

EMPLOYEE DETAILS

TO: Head of Department:

Name		Employee number	
Position		Contact number	
Directorate		Department	

SPOUSE'S / PARTNER'S DETAILS

Surname

First name.....

Date of birth

ID number.....

BACKGROUND OF INFORMATION

- In terms of Section 4, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member may not use his/her position, privileges or confidential information gained as a staff member for personal gain. Staff members can also not take decisions in which that staff member's spouse, partner or business associate has a direct or indirect personal or private gain.

Only with the prior consent of Council may a staff member be a party to a contract (provision of goods or services, performance of any work otherwise than a staff member), obtain financial interest in any business of the municipality or be engaged in business, trade or profession, unless the task is in the performance of work for the municipality (within the job description / function).

- In terms of Section 5, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the staff member is aware at the first meeting of the municipal council at which it is possible for the staff member to make the disclosure i.e. report the matter to Human Resources, soonest to ensure appropriate disclosure to Council.
- In terms of Section 6, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member may not without permission disclose any information obtained as a staff member to unauthorised persons.

Privileged or confidential information includes any information determined by the municipal council or any structure or functionary of municipality to be privileged or confidential discussed in closed session with council or committee of council, disclosure of which would violate a person's right to privacy; or declared to be privileged, confidential or secret in terms of law.

DECLARATION FORM

1. FINANCIAL INTEREST

This Item does not derogate from a persons' right of access to information in terms of national legislation.

- In terms of section 7, of the Code of Conduct for Municipal Staff Members, as set out in –
 - Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member may not influence or attempt to influence the council of the municipality, or functionary of council with a view to obtaining any appointment, promotion, privilege, advantage or benefit, for themselves or for a family member, friend or associate;
 - Mislead or attempt to mislead the council or functionary of the council; and/or
 - Be involved in a business venture with Councillors
- In terms of Section 8, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member may not request solicit or accept any reward gift or favour for:
 - Persuading the council with regard to the exercising of any power or performance of duty;
 - Making representation to the council, or any structure or functionary of the council;
 - Disclosing privileged or confidential information; and/or
 - Doing or not doing anything within that staff member's powers or duties.
- In terms of Section 9, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member may not use, take acquire, or benefit from any property or asset, controlled or managed by the municipality to which that staff member has no right.
- In terms of Section 10, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member of a municipality may not be in arrears to the municipality for rates and service charges for a period longer than 3 months, and a municipality may deduct any outstanding amounts from a staff members salary after this period.
- In terms of Section 11, of the Code of Conduct for Municipal Staff Members, as set out in Schedule 2 of the Local Government: Municipal Systems Act 32 of 2000, a staff member of a municipality may not participate in an election of the municipality, other than in an official capacity or pursuant to any constitutional right.

Any change in the nature of detail of financial interest of a staff member must be declared in writing to the Municipal Manager (or his nominee) annually and copied to the Chief Audit Executive.

COMPLETION OF FORM:

- Please ensure that **EVERY QUESTION IS ANSWERED** by placing a tick on the "yes" or "no" box, even if the details have remained unchanged from previous financial interest form submissions.
- Please attach **ADDITIONAL DETAILS** if there is insufficient space to fill in an answer, with the appropriate referencing.

1.1. Do you or your partner own shares or securities in any company?

(this includes listed shares obtained on the Stock Exchange and debentures)

YES	NO
-----	----

If yes, please provide details by completing "Schedule A"

1.2. Are you a member of any close corporation?

YES	NO
-----	----

If yes, please provide details by completing "Schedule B"

1.3. Do you have an interest in any trust?

YES	NO
-----	----

If yes, please provide details by completing "Schedule C"

1.4. Are you a director/ member of any company or its Committee? (This includes executive and non-executive directorship of companies, parastatals, NGO'S, Section 21 companies, etc.)

YES	NO
-----	----

If yes, please provide details by completing "Schedule D"

1.5. Do you have financial interest in any partnerships?

YES	NO
-----	----

If yes, please provide details by completing "Schedule E"

1.6. Do you have financial interest in any business undertaking?(e.g. trader, consultancy)

YES	NO
-----	----

If yes, please provide name by completing "Schedule F"

1.7. Are you currently in paid employment over and above that of being a City Official?

YES	NO
-----	----

If yes, please provide details by completing "Schedule G"

1.8. Are you receiving any financial interests from businesses, other than what was defined in questions 1.2 – 1.7 above?

YES	NO
-----	----

If yes, please provide details by completing "Schedule H"

1.9. Do you have a financial interest in any property?

YES	NO
-----	----

If yes, please provide details by completing "Schedule I"

1.10. Are you receiving a pension of any kind?

YES	NO
-----	----

If yes, please provide details by completing "Schedule J"

1.11. Are you the beneficiary of any subsidies, grants or sponsorships by any organisation?

YES	NO
-----	----

If yes, please provide details by completing "Schedule K"

1.12. Are you or your partner a vendor of the City or deliver any service goods, etc. to the City?

YES	NO
-----	----

If yes, please provide details by completing "Schedule L"

2. REWARDS, GIFTS & FAVOURS

2.1. Did you receive any gifts / benefits exceeding R350 or hospitality as a gift for the past financial year?

YES	NO
-----	----

If yes, please provide details by completing "Schedule M"

2.2 Did you declare gifts exceeding R350?

YES	NO
-----	----

If yes, was authority obtained to enjoy the gift?

2.3 Did you or your partner receive any rewards (financial and or other) from:

2.3.1 City

- 2.3.2 Vendors
- 2.3.3 Contractors
- 2.3.4 Fellow Staff

2.4 Did you or your partner receive any favours (financial and other) from:

- 2.4.1 City
- 2.4.2 Vendors
- 2.4.3 Contractors
- 2.4.4 Fellow Staff

2.5 Did you travel abroad during the last financial year?

(Foreign travel for which the councillor/municipality did not pay) If yes, please provide details by completing "Schedule N"

3. OTHER

3.1 Have you or your partner made use of Council assets -

- without authority; and/or

YES	NO
-----	----

- while not performing municipal Duties?

YES	NO
-----	----

3.2 Have you or you partner participated in an election of Council or municipality, -

YES	NO
-----	----

- other than in an official capacity; or

YES	NO
-----	----

- Pursuant to any constitutional right?

YES	NO
-----	----

3.3 Is there any member of your family or relative employed by the City?

YES	NO
-----	----

If yes, please provide details by completing "Schedule O"

I declare that the information furnished by myself in this declaration is, to the best of my knowledge is a true and correct reflection of my compliance to the Statutory Code of Conduct for Municipal Staff as well as the Council's policy on Private Work and Declaration of Interests as at the date of my signature and I

indemnify the Council against any claim of whatever nature that may arise from my having other business interests.

Signature (Applicant)

Name in full

Date

I *recommend / do not recommend* the application

Head of Department

Name in full

Date

Schedule A

Company(s) where shares/securities are kept	Nature of shares (e.g. ordinary, preference, etc)	Number of shares	Nominal value of shares	Total value of shares

Schedule B

Name of Close Corporation	Type of business	Reg. number	Details of ownership (i.e. sole member of 50% share etc.)	Remuneration received from membership (per annum)	Does the CC do business with the City?	
					YES	NO

Name of company/ institution/ organization	Type of business activity	Reg. Number (Not applicable for non owners)	Details of ownership (% of shareholding) or membership	Remuneration received from directorship/ membership (per annum)	Does the Organisation do business with the City?	
					YES	NO
				Nature or interest		

Schedule D

Schedule E

Name of partnership	Type of business activity	Reg number	Details of ownership (% of partnership)	Remuneration received from partnership (per annum)	Does the partnership do business with the	
					YES	NO

Schedule F

Name of business undertaking	Type of business	Remuneration received from undertaking (per annum)	Does the undertaking do business with		Does the undertaking do business with City Vendors?		Who is primary client?
			YES	NO	YES	NO	

Schedule G

Name of business	Type of business activity	Designation	Remuneration received for such employment	Does the organisation do business with the City?	
				YES	NO

Schedule H

Name of organisation	Type of business	Nature of benefit	Reason for benefit	Does the organisation do business with the City?		Expected life span of benefit?
				YES	NO	

Schedule I

Type/description of property (i.e. residential, flat, vacant land, industrial, commercial, etc.)	Area	Physical address or Erf #	Nature of interest (owner, landlord, lessor, etc.)	Is City making use of property?	
				YES	NO

Other properties outside of South Africa (description)		Where is the property situated – Country			

Schedule J

Source of the pension (Pension Fund)	Value of the pension
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Schedule K

Source of subsidy(s), grant(s) or sponsorship(s)	Description of subsidy(s), grant(s) or sponsorship(s)	Is assistance from a non-party source?		Value of subsidy(s), grant(s) or sponsorship(s)
		YES	NO	

Schedule L

Service Provider (Name of Organisation)	Description of service	Value of Service	Directorate in which Service was rendered

Schedule M

Description of gift	Source of gift	Value of gift(s) per source per annum.

Schedule N

Where	Reason	Sponsor (incl. Self name)	Authority obtained (if paid by another person other than self)	
			YES	NO

Name of employee	Employee number	Designation (level)	Directorate	Years of Service
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RELOCATION POLICY

Policy Number: HRM12.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

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

THE POLICY

1. PREAMBLE

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

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

None.

4. SCOPE AND APPLICATION

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

5. OBJECTIVES OF POLICY

The 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.

6. POLICY CONTENT

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.

6.2 Travel Expenses

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

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.

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).

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.

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.

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.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

SEXUAL HARASSMENT POLICY

Policy Number: HRM13.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The Municipality is committed towards creating a working environment where the dignity and respect of employees, non-employees and Municipal Councilors is upheld. We are concerned about the occurrence of Sexual Harassment and are committed to prevent this kind of behavior and disapprove of any form of Sexual Harassment. The Municipality will deal with all allegations of Sexual Harassment in a serious, expeditious, sensitive and confidential manner; and will strive to protect the parties involved in alleged Sexual Harassment against victimization.

THE POLICY

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.

2. DEFINITIONS

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.

Sexual attention becomes sexual harassment if:

- 1) The behavior is persistent, although a single incident of harassment can also constitute sexual harassment depending on the gravity of the incident.
- 2) The recipient has made it clear that the behavior is considered offensive and the perpetrator had continued with such behavior.

The perpetrator should have known that the behavior is unacceptable.

Sexual harassment may include:

- 1) Unwelcome remarks, jokes, innuendoes or taunts about a person's body, clothing or sex;
- 2) Insulting gestures and practical jokes of a sexual nature which causes awkwardness or embarrassment;
- 3) Displaying pornographic, pin-up pictures, graffiti or other offensive material;
- 4) Leering (suggestive staring);
- 5) Demands for sexual favours.

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. The threat may relate to a loss of employment unless advances are submitted to.

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.

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

- 1) 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.
- 2) 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.
- 3) Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects.
- 4) 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.

3. LEGAL FRAMEWORK

- 1) Employment Equity Act 1998 Chapter 2 clause 6 (1) and (3).
- 2) The Constitution of the Republic of South Africa 1996 Chapter 2 clause 9, 10, 12 24(a).
- 3) 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.
- 4) Item 12, schedule 2 of the Local Government, Municipal Systems Act (No 32 of 2000), as amended – Code of Conduct for Municipal Staff Members.

4. 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.

5. OBJECTIVES OF POLICY

Policy objectives are to ensure:

- 1) 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.
- 2) 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.
- 3) The Municipality is committed to investigate all complaints and grievances brought to its attention.
- 4) The Municipality undertakes to inform all employees of this policy and the need to refrain from any form of sexual harassment.
- 5) It should be noted that this policy also protects prospective employees as well as clients of the Municipality.
- 6) 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 dismissible offences.
- 7) Allegations of sexual harassment will be dealt with seriously, expeditiously, sensitively and confidentially.
- 8) It is a disciplinary offence to victimize or retaliate against an employee who in good faith lodges a complaint of sexual harassment.
- 9) False or vindictive accusations shall be viewed in a very serious light.
- 10) Anonymous complaints will be disregarded.

6. POLICY CONTENT

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.

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:

- 1) All employees must refrain from committing acts of sexual harassment.
- 2) 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.
- 3) 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.
- 4) 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.

6.1 Commitment by Management

- 1) Management undertakes to deal with any allegations of sexual harassment speedily and without favor.
- 2) Management further undertakes to deal with allegations of sexual harassment in a confidential manner.
- 3) Any person bringing allegations of sexual harassment to the attention of management will be protected against victimization.
- 4) Whilst management will act against anyone who commits acts of sexual harassment it will also protect employees against false accusations.
- 5) 5) Subject to an investigation, management may suspend an employee 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.
- 6) Sexual Harassment is a serious form of misconduct and if found guilty employees may be dismissed, even for a first offence.

6.2 Specific Considerations

6.2.1 Confidentiality

The Employer will endeavor 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.

6.2.2 Identity

The Employer will endeavor 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.

6.2.3 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.

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.

6.3.1 Advice and Assistance

Sexual harassment is a sensitive issue and a victim may feel unable to approach the perpetrator, lodge a 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:

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

6.3.2 Options to resolve a problem

- 1) 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.
- 2) The employee should be under no duress to accept one or the other option.

6.3.3 Informal Procedure

- 1) 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.

- 2) 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.

6.3.4 Formal Procedure

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

- 1) Specify to whom the employee should lodge the grievance.
- 2) Make reference to timeframes which allow the grievance to be dealt with expeditiously.
- 3) Provide that if the case is not resolved satisfactorily, the issue must be dealt with in terms of the disciplinary procedures.

6.3.5 Investigation and Disciplinary Action

- 1) 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.
- 2) 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.
- 3) 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.

6.3.6 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.

6.3.7 Confidentiality

- 1) 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.
- 2) 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.

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

Employee lodge completed Annexure A form to Manager or next reporting level

Address grievance within **10** working days

No resolution, refer to Municipal Manager

Address grievance within 6 working days

No resolution, refer grievance to the Council/Bargaining Council

7. IMPLEMENTATION AND MONITORING

The policy shall be implemented after consultation with the labour unions and the approval of the Municipal Manager and municipal Council.

8. COMMUNICATION

This policy, and related information, will be communicated to all Municipal employees and Councillors using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. RECORD KEEPING

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of issue.

13. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code. Sexual Harassment is a serious form of misconduct and if found guilty employees may be dismissed, even for a first offence.

14. DISPUTE RESOLUTION

Should a complaint of alleged sexual harassment not be satisfactorily resolved by the internal procedures set out above, either party may within 30 days of the dispute having arisen, refer the matter to the Bargaining Council for conciliation in accordance with the provisions of section 135 of the LRA. Should the dispute remain unresolved, either party may refer the dispute to the Labour Court within 30 days of receipt of the certificate issued by the Commissioner in terms of section 135[5].

15. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

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

MANAGERSEXUAL HARASSMENT

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

SMOKING POLICY

Policy Number: HRM14.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Why Have a Policy?

As an employer, the Municipality has a duty under the Tobacco Products Control Amendment Act (Act No. 12 of 1999) to ensure that the rights of employees who do not wish to be exposed to tobacco smoke in the workplace are protected. In terms of the Occupational Health and Safety Act no. 85 of 1993 the municipality is required to provide a safe working environment and protect the health and safety of persons at the workplace. Consequently, in the interest of the health and safety of all employees, the Municipality is moving towards a smoke-free working environment.

THE POLICY

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, Councillors and visiting public at the workplaces.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

- 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.

4. SCOPE AND APPLICATION

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

5. OBJECTIVES OF POLICY

- 1) 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.

- 2) 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.
- 3) To regulate smoking in all municipal workplaces.
- 4) To ensure that indoor air is of good quality.

6. POLICY CONTENT

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 in the above mentioned public health issues.

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.

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.

This smoke free workplace policy applies to employees, contract workers, clients and visitors.

Heads of Departments are required to oversee that no working hours are lost as a result of smoking by employees.

And therefore it is proposed that only two smoke breaks of 5 minutes each are taken during the day at 10:00 in the morning and 15:00 in the afternoon.

6.1 Designated Smoking Areas

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.

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.

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, counselling should be available.

7. IMPLEMENTATION AND MONITORING

All reasonable efforts will be made to help individuals meet the requirements of the smoke-free policy. Any breach of this policy may result in disciplinary action for employees and a fine to members of the public, as imposed by the Tobacco Products Amendment Act, No 12 of 1999.

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed and amended on an annual basis or each time any Act or Conditions of Service or other agreements deem it necessary. All proposed amendments will serve before the Local Labour Forum for recommendations and the Council for approval.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

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.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

SUCCESSION PLANNING POLICY

Policy Number: HRM15.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The policy aims to develop career paths for individual staff members by assisting 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.

THE POLICY

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.

2. DEFINITIONS

“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.

3. LEGAL FRAMEWORK

- Employment Equity Act (Act 55 of 1998)
- Skills Development Act of 1998 (Act 97 of 1998)

4. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY.

5. OBJECTIVES OF POLICY

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

- 1) to ensure continuity of suitably trained staff in key posts for the future
- 2) to ensure that someone is always available to fulfil 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.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) to assist the employee in meeting his/her performance goals. Individual goals must be aligned with the goals of the overall department and the organisation, 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.
- 7) to establish a highly motivated work force which could lead to a decrease in staff turnover

6. POLICY CONTENT

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

The Head of Department, together with the Human Resources official (preferably Training Officer) should obtain the following:

- 1) departmental organogram
- 2) skills audit results
- 3) 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.
- 4) departmental estimates or staff budget

- 5) schedule showing the ages of current staff and dates of retirement. This can be obtained from the Human Resources Department
- 6) 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).

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:

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:

- 1) 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.
- 2) which posts on the organogram are already vacant and have funds provided for them on the annual estimates
- 3) 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)
- 4) 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:

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.

(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:

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.

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 competency development plan, to improve the competency of identified employees must then be implemented.

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:

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 will stand a better chance of promotion. However, no promises must be made.

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.

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.

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 personalised 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.

7. IMPLEMENTATION AND MONITORING

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.

8. COMMUNICATION

This policy, and related information pertaining to succession planning, will be communicated to all Municipal employees and Councillors using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

Purchases and issues must be controlled by each Manager or his assignee as well as by the Storekeeper and Managers must budget as necessary.

11. ROLES AND RESPONSIBILITIES

11.1 Responsibilities of the Council (Management)

- 1) the council must accept the responsibility for the training and development of all its employees
- 2) the council 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
- 3) the Council (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.
- 4) the council must establish and maintain structures, policies and procedures (job enrichment, job rotation, job enlargement, special projects, career counselling, discussion groups, workshops, assessment centres) to facilitate Succession Planning and Career Pathing within the organization.

- 5) The council 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
- 6) The council 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
- 7) The council may decide, based upon fair criteria, which employees are suitable for specific training and development.

11.2 Responsibilities of the Unions

- 1) The unions should continuously encourage and motivate their members to participate in training and development programs
- 2) 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.

11.3 Responsibilities of Employees

- 1) 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.
- 2) 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.
- 3) Employees must accept the principle that age is of no importance in training and development.

12. RECORD KEEPING

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of issue.

13. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

14. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the LLF must be incorporated into the policy.

15. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

ANNEXURE A

FORMAT OF UNIT STANDARD (FOR MACHINE OPERATOR)

	CONCEPT	DESCRIPTION	EXAMPLE
1	CAPABILITY	Ask the question: "Person at this level is (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 (Brief statement) VERB+NOUN+ ADJECTIVE	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)	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

	CONCEPT	DESCRIPTION	EXAMPLE
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 Director		
H R Assistant Director		
Chief Human Resource Officer		
Human Resource Officer		
	ENTRY LEVEL	

TRAINING AND DEVELOPMENT POLICY

Policy Number: HRM 16.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The Municipality believes that its employees form the cornerstone of service delivery to the communities within the Municipality. It therefore adopts a policy of giving priority to the training and development of its staff, within the parameters at what is feasible and sensible in the context of the municipality's resource deployment requirements. It will identify and assess the training needs and potential of staff, match it with the requirements of the Municipality and afford all employees the opportunity to develop their potential, improve their performance and advance their career prospects within the municipality. Special attention will be paid to training and development opportunities for employees belonging to designated groups.

THE POLICY

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 programmes 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.

2. DEFINITIONS

a. **“accreditation”** means a process through which an organisation's capability to perform or deliver training and / or assessment is recognised and approved to fulfil the intended outcomes.

- b. **“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,
- c. **“career pathway”** means a plan you need in order to progress through the learning bands on a chosen career path,
- d. **“designated groups”** means to refer to black people (African, Coloured and Indian), women and people with disabilities, in terms of Employment Equity Act,
- e. **“education, training and development”** means practices which directly or indirectly promote or support learning. Teaching or designing learning materials or programmes, or managing learning institutions or programmes are all examples of such practices,
- f. **“in-house”** means programmes 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
- g. All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

There are a number of national laws and policies which impact on how an organisation approaches education, training and development. The legislation includes:

- 3.1 Occupational Health and Safety Act, 85 of 1993
- 3.2 South African Qualifications Authority Act, 58 of 1995 (this lays the foundation for the National Qualifications Framework (NQF))
- 3.3 Labour Relations Act, 65 of 1995
- 3.4 Constitution of the RSA, 108 of 1996
- 3.5 Basic Conditions of Employment Act, 75 of 1997
- 3.6 White Paper on Local Government, March 1998
- 3.7 Employment Equity Act, 55 of 1998
- 3.8 Skills Development Act, 97 of 1998
- 3.9 Skills Development Levies Act, 9 of 1999
- 3.10 Municipal Systems Act, 1999
- 3.11 Demarcation Act, 1999
- 3.12 Promotion of Equality and Prevention of Unfair Discrimination Bill, 57 of 1999

These laws underpin and inform the MUNICIPALITY's Education, Training and Development Policy Framework. The local policy context will include the Conditions of Service of Employees, as well as the Procurement Policy.

4. SCOPE AND APPLICATION

The terms "education, training & development" cover various forms of learning that take place at diverse sites as well as at specialist and academic institutions. The content of learning covers technical and non-technical fields, capacity building as well as general employee training (such as Occupational Health and Safety, Life skills and Adult Basic Education and Training (ABET).

5. OBJECTIVES OF POLICY

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:

- Development of training and skills development strategy in line with the stipulations of Skills Development Act as amended and other relevant legislations.
- Introducing fair and reasonable objective principles for education, training and development of employees in the employ of Council.
- Providing guidelines for training and development of employees in the employment of Council.
- Conduct thorough Skills Audit and identify gaps existing and devise strategies in terms of the broader vision of Council.
- Allocate significant training resources, within the means of Council.
- Putting up comprehensive education, training and development programmes that focus on literacy, numeracy, technical competencies and management and development programmes.

6. POLICY CONTENT

6.1 Training and Development

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

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:

- a. To enable to meet the requirements of their present jobs.
- b. To cater for personal development and the attainment of national qualifications
- c. To enable them to make the most of their potential to performance.

In particular the skills development and training policy is guided by the following principles:

- a. Employees and managers should develop and maintain their education, training and development on an on-going basis through proper professional training.
- b. Every individual is in the first instance responsible for his / her own continuous development.
- c. The municipality is therefore not necessarily responsible for providing or conducting all training. Various training providers are available for utilisation e.g. College, Universities, and external consultants.

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.

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 organisation can perform effectively in their assigned responsibilities.

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).

Programmes 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.

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.

The education, training and development efforts of the municipality will comply with the relevant requirements requiring compliance from time to time

6.2 Skills Development Facilitator

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

6.3 Learnerships and Skills Development Programmes

Learnerships and skills programmes 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.

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 programmes are smaller units of learning which are credit-bearing and may build credits towards a qualification.

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.

The MUNICIPALITY is committed to learnerships and skills programme which:

- are diverse (i.e. cover a lot of different fields)
- are provided on the basis of organisational needs
- involve partnerships and co-operation between various workplace contexts to provide learners with the necessary work experience
- may be undertaken in any occupational field, not only traditionally technical trades
- integrate education and skills training and will provide a work-based route to a qualification – or build credits towards a qualification
- provide a basis for lifelong learning
- implement the Skills Development Plan

6.4 Career Streaming

Career streams are vocational pathways along which an employee can move, to promote their own development and the organisation'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 organisation. The MUNICIPALITY will:

- a. Ensure that education, training and development provision is within identified career streams
- b. Assist employees to decide on the career paths they could follow through the Learner Support Programme
- c. Provide study assistance to permanent employees according to organisational needs, capacity and priorities

- d. 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 organisation.

6.5 Assessment and Quality Assurance

As the new organising 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.

The MUNICIPALITY is committed to:

- a. Ensuring specialist employees are trained and registered in outcomes based assessment
- b. Establishing and implementing a corporate 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 (ETQA) guidelines
- c. Identifying which learning standards and qualifications it will register as a provider of learning.

6.6 Recognition of Prior Learning (RPL)

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.

RPL assessments are subject to:

- a. Operational requirements
- b. Organisational needs
- c. The availability of financial and human resources
- d. Operational constraints

The MUNICIPALITY is committed to:

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

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

Council

The Council's role is to encourage and facilitate the education, training and development of all employees and councillors in recognition of the strategic importance thereof. The Council is responsible for:

- a. Ensuring compliance with relevant legislation and national strategies, as well as consultation with the unions with regards to the implementation thereof.
- b. Approving (with due consultation) the education, training and development policy, the Workplace Skills Plans, and the implementation thereof. Evaluating and assessing results and/or progress.
- c. Providing the required resources as well as the infrastructure for delivery in order to meet strategic objectives, implementation plans and priorities for education, training and development.

Line Managers

The education, training and development of staff are a key performance area for Line Management. Their role is proactive, developmental and monitoring. Line Management is primarily responsible and accountable for:

- a. Ensuring that employees are educated, developed and trained to do their work competently by continually monitoring performance and identifying developmental needs.
- b. Coaching, counselling and mentoring staff on an on-going basis.
- c. Liaising with the Training and Development Officer (HRM) to address the identified developmental needs.
- d. Facilitating and actively supporting the transfer of skills to the workplace (i.e. the implementation of the newly acquired or enhanced skills and knowledge).
- e. Monitoring and evaluating the acquisition of and the subsequent transfer of skills, knowledge and attitudes (competencies) in the workplace and taking the necessary action.
- f. Familiarizing themselves with the relevant legislation in order to ensure compliance.

Employees

Employees should play an active role in the identification of their own developmental needs, and should commit themselves to participation in and ownership of education, training and development programmes in order to ensure the success of learning interventions. Their responsibilities include:

- a. Liaising with Line Management regarding their competency and performance in order to identify developmental needs.
- b. Making use of education, training and developmental opportunities in a responsible manner.
- c. Transferring the newly acquired or enhanced skills, knowledge and attitudes into the workplace, thus improving performance.

Labour

The recognized collective employees' organizations are acknowledged as stakeholders in the processes of skills development. They should play an active role in consultative forums in order to represent the interests of their members both collectively and individually with regards to education, training and development. Their responsibility includes:

- a. Informing, encouraging and motivating their members to participate in appropriate education, training and development interventions.
- b. Actively engaging in the consultative forums and processes regarding skills development.

- c. Familiarizing themselves with the relevant legislation in order to ensure compliance.

Human Resources Department

The Human Resources Department plays a supportive and integrative role with regards to education, training and development. The HRD is primarily responsible for:

- a. Providing the infrastructure, systems, procedures and policies to ensure compliance with legislative requirements and corporate education, training and development initiatives.
- b. Ensuring that all education, training and development activities and initiatives are aligned with the overall integrated Human Resource Management strategy for the organisation.

Training and Development Division

The Training and Development Division within Human Resources plays a strategic, facilitative, consultative and coordination role with regards to all education, training and development interventions in order to facilitate learning throughout the organisation. Training and Development Division is responsible for:

- a. Facilitating, implementing, monitoring, evaluating and assessing all learning interventions as set out in the policy framework.
- b. Advising and providing guidance to all role players with regards to education, training and development initiatives of a corporate or a functional specific nature.
- c. Ensuring in the development and implementation of the workplace skills plan.
- d. Establishing and maintaining a data base with all relevant information of the education, training and development of any particular staff member.
- e. Custodian of the Training and Development Policies.
- f. Monitoring and reporting on budgets and expenditure relating to education, training and development.
- g. Liaising and co-operating closely with all relevant parties

Training Committee

The role of the Training Committee is that of a consultative forum for the organisation, primarily responsible for:

- a. Interpreting and translating national and local education, training and development issues with a view to informing strategy and policy in the BDM.
- b. Determining the strategic direction of education, training and development in alignment with the corporate vision, mission and values of the organization.

- c. Developing the Skills Development Plans in accordance with legislative, regulatory and organizational priority requirements.
- d. Ensuring the uniformity of the implementation of education, training and development strategies, interventions and initiatives at a corporate level.
- e. Monitoring and evaluating the implementation of the Skills Development Plans.

External Education, Training and Development Providers

In order to ensure the effective implementation of the Workplace Skills Plan external ETD providers may be utilized. The External Providers are responsible for:

- a. Ensuring that they comply with the conditions/requirements as set out in the contract with MUNICIPALITY
- b. Conduct continuous integrative assessments where appropriate

Skills Development Facilitator

The roles of the skills development facilitator is to ensure compliance as per legislative Requirements and to act as a link to the LGSETA. The responsibilities include the following

- a. Establishing consultative structures.
- b. Preparing and submitting the Workplace Skills Plan.
- c. Ensuring the implementation of the Workplace Skills Plan.
- d. Reporting on the implementation of the Workplace Skills Plan.
- e. Ensuring the effective management and co-ordination of the arrangements related to the skills development levy and levy grants.
- f. Acting as convener of the MUNICIPALITY Training Committee.
- g. Facilitate communication between Council and the LGSETA.

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

TRANSPORT ALLOWANCE POLICY

Policy Number: HRM 17.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to create a uniform policy throughout the sector that is adequate for all employers and employees who qualify for a transport allowance throughout the sector with due regard to the already prevailing positions in some municipalities.

THE POLICY

1. PREAMBLE

The purpose of this policy is to create a uniform policy throughout the sector that is adequate for all employers and employees who qualify for a transport allowance throughout the sector with due regard to the already prevailing positions in some municipalities.

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

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.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

Municipal Finance Management Act – Act 56 of 2003

4. SCOPE AND APPLICATION

Employees employed in terms of Section 57 of the Municipal Systems Act are excluded from this policy.

5. OBJECTIVES OF POLICY

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.

6. POLICY CONTENT

Senior employees at a managerial level who received a transport allowance prior to the introduction of this policy are eligible to receive a transport allowance as a fringe benefit in addition to their salaries.

Eligible employees will be paid in terms of a kilometer allocation of 850km.

Any claims in excess of 850km will be remunerated according to officially approved log sheets at running costs only as by the official Automobile Association tables upon submission of officially approved log sheets.

The formula for the calculation of the allowance will be as follows:

$$(F + R) \times Km$$

Where: **F** = Fixed cost component read off 10 000 km column of **AA** tables (according to annual salary).

R = Running cost according to the AA table for a vehicle with an engine capacity of 2,5 litres.

Km = Fixed kilometrage allocation according to allocation to different levels concerned.

6.1 Fixed Compensatory Transport Allowance

Employees who by nature of their duties are involved on a daily basis on both the functional and managerial levels as determined by Council or employees who are compelled to utilize their private vehicles in the completion of their official duties on a regular basis are eligible to receive a fixed compensatory transport allowance.

In order to provide a form of fringe benefit as well as to provide for actual distances travelled a fixed transport allowance will be coupled to these levels.

The fixed allocation for this category will be paid in terms of a kilometer allocation of 550km.

The allowance payable will be calculated according to the fixed and running costs of the Automobile Association tables according to the 10 000 km column of the fixed cost component taking into account the employee's annual salary.

The formula for the calculation of the allowance will be as follows:

$$(F + R) \times Km$$

Where: **F** = Fixed cost component read off 10 000 km column of **AA** tables (according to annual salary).

R = Running cost according to the AA table for a vehicle with an engine capacity of 2,5 litres.

Km = 550.

Should there be employees on this level who wish to claim distances in excess of 550 km, officially approved log sheets must be submitted

Any employees on this level whose average monthly distances traveled are in excess of 550 km and who wish for a fixed coupling in this regard, may approach the Departmental Head/Head of Directorate who will approve the maintenance of log sheets.

To provide financial discipline and administrative simplicity in this regard, kilometrage allocations must be coupled according to the following intervals:

150 km – increasing at intervals of 50 km to 850 km where after upon monthly submission of officially approved log sheets running costs will be paid.

The procedure for the coupling of an allocation to a post will be as follows:

- a. The incumbent will maintain officially approved log sheets of actual distances travelled for a period of six months.
- b. Only distances travelled within the Metropolitan boundaries or to Council premises/works outside such boundaries in the execution of official duties will be taken into account, distances between work and home will be excluded.
- c. The Departmental Head/Head of Directorate will send a motivated report along with the log sheets to the Human Resource Division for investigation and recommendation, where after the General Manager: Human Resources will approve/disapprove the coupling of the allocation to the post.
- d. As it is accepted that employees do not, as a result of vacations etc, always utilize their full allocations every month, the lower interval will be allocated to the post should the average of the log sheets submitted fall between two intervals.
- e. Should the Departmental Head/Head of Directorate after the initial approval wish to increase the kilometrage allocations, the procedure above must once again be followed.

This implies that the Departmental Head/Head of Directorate will not have the discretion to increase allocations at will after the initial approval.

- f. It will be expected of employees in posts with allocations above 550 km to, one year after receiving the allowance, maintain log sheets for a minimum of three months annually as a control measure. Employees should send the log sheets to their Department/ Directorate to ensure that they are still entitled to the allocation. Control sheets should be sent to the Head: Human Resources who will approve/disapprove the allocation. Should the kilometers be reduced, the Human Resources Division in conjunction with the Department/Directorate will inform the employee, of the reduction of the allocation after giving the employee one month's written notice.

- g. The Departmental Head/Head of Directorate can at any stage terminate the transport allowance, after giving six months written notice, should he/she deem it no longer a necessity for the incumbent of the post to utilize his vehicle in the completion of his duties. During this period only the fixed cost component of the allowance will be paid. The General Manager: Human Resources should then be informed accordingly.

6.2 Ad Hoc Allowance

- 1.1 If employees in posts not in receipt of permanent travel allowance and in the absence of pool vehicles are requested and agreed to by the departmental head to use their private motor vehicles for Local Authority's business on an ad hoc basis are eligible to receive the following allowance (in cents) based on the following table:

A	B	C	D	E	F
ENGINE SWEPT VOLUME CM3	SEDAN/ STATION WAGON	LIGHT DELIVERY VEHICLE	4 X 4 LIGHT DELIVERY VEHICLE	MINI-BUS/ MPV	MOTOR CYCLE/ SCOOTER
To 1250	-	-	-	-	84.8
Over 1250	-	-	-	-	113.0
Up to 1550	141.3	149.0	-	-	-
1551 - 1750	155.4	163.6	184.8	-	-
1751 - 1950	172.5	184.2	202.0	197.1	-
1951 - 2150	190.5	208.2	227.5	237.4	-
2151 - 2500	213.0	234.7	262.4	259.3	-
2501 - 3500	233.3	261.5	292.5	280.9	-
Over 3500	258.0	290.0	325.4	305.7	-

The ad hoc scheme takes the following form:

- a. All ad hoc claims must be approved by an official on at least the level of the Directorate Head or Departmental Head.

6.3 General

Employees in receipt of permanent transport allowances shall at all times provide motor vehicles of suitable types and conditions as predefined and approved by the overall heads of department concerned for the proper discharge of their duties.

Employees are to provide proof of availability of suitable vehicles on the request of management and/or Human Resources.

Alternatively, the affected employees' transport allowances must be stopped until such vehicle is available/ provided.

Employees must inform their employer (the employing local authority/municipality) immediately if they do not have a vehicle available.

In the event that it can be shown that the employee has received the transport allowance without having the requisite vehicle available the overpayment of the allowance for the identified non qualifying period must be recovered from the employee's salary

Further, they may face disciplinary action and/or incapacity proceedings relating to their non-compliance with this provision and inability to perform their duties due to them not having the requisite vehicle and where they continued to receive the allowance without complying with the above qualifying requirements they must be charged with fraud.

The Local Authority may terminate or vary any transport allowance on the recommendation of the overall head of department concerned with the concurrent approval of the Transport Allowance Committee after consultation with the affected employee.

The Transport Allowance Committee shall approve of any employees' in receipt of permanent transport allowances, who are required to be transferred by the Local Authority to other posts to which no transport allowances are attached, or whose duties change to the extent that their posts no longer justify transport allowances being attached to them, to continue to be paid the fixed cost portion of the allowances for the duration of outstanding fixed periods or payments of their existing vehicle financing agreements for their current vehicles purchased in terms of the this scheme, or until the agreement or commitment is terminated/expires for any reason whatsoever.

Affected employees may not renegotiate or reschedule the agreements in any way to have the effect of extending the agreements and/or commitments/obligations in terms thereof to cause allowances to continue to be paid for longer than they otherwise would have been.

If such agreements should terminate at an earlier time due to whatever reason the employees concerned must inform their management immediately and the transport allowance must be discontinued forthwith.

Employees without transport allowances and those in receipt of transport allowances in their current posts and who apply for and are appointed to new or promotional posts to which transport allowances are attached shall receive the new post's approved allowance that they take up the duties (are appointment) of the promotional post; and employees who are in receipt of existing transport allowances which they enjoyed from their previous post and who are appointed to promotional posts that do not have transport allowances attached to them shall have their existing transport allowance discontinued from the time that they take up the duties of the new promotional post.

6.4 Transitional Arrangements

An employee who received a transport allowance prior to the introduction of this policy, will continue to receive allowances in terms of his/her former scheme until the end of the agreed term, where after he/she will be placed on the new arrangements in terms of this policy.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute that arise from this policy must be dealt with in terms of the procedures as set out in the SALGBC Main Collective Agreement.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

WHISTLE BLOWING POLICY

Policy Number: HRM18.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The objective of this Policy is to provide guidelines for procedures in terms of which employees may disclose information regarding unlawful or irregular conduct by Councilors of the MUNICIPALITY or other employees of the municipality and to provide for the protection of employees who make such disclosures.

THE POLICY

1. PREAMBLE

By remaining silent about corruption, offences and other malpractices taking place in the workplace, an employee necessarily contributes to, and becomes part of, a culture of fostering such improprieties which will undermine his or her own career as well as be detrimental to the legitimate interests of the South African society in general.

2. DEFINITIONS

“disclosure” means any disclosure of information regarding any conduct of an employer, or an employee of that employer, made by any employee who has reason to believe that the information concerned shows or tends to show one or more of the following :

- (a) that a criminal offence has been committed, is being committed or is likely to be committed,
- (b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which that person is subject,
- (c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- (d) that the health or safety of an individual has been, is being or is likely to be endangered,
- (e) that the environment has been, is being or is likely to be damaged,

- (f) unfair discrimination as contemplated in the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No, 4 of 2000) or
- (g) that any matter referred to in paragraphs (a) to (f) of Protected Disclosures Act of 2000 has been or is likely to be deliberately concealed.

All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWORK

- Equality and Prevention of Unfair Discrimination Act, 2000 (Act No, 4 of 2000)
- Protected Disclosures Act of 2000

4. SCOPE AND APPLICATION

This Policy is applicable to all employees of the municipality.

5. OBJECTIVES OF POLICY

The objective of this Policy is to provide guidelines for procedures in terms of which employees may disclose information regarding unlawful or irregular conduct by Councilors of the MUNICIPALITY or other employees of the municipality and to provide for the protection of employees who make such disclosures.

6. POLICY CONTENT

The Council, as the employer, has a responsibility to disclose and eradicate any criminal and other irregular conduct in the workplace.

An employee has, likewise, a responsibility to disclose and eradicate any criminal and other irregular conduct in the workplace;

The Council, as the employer, will take all possible and reasonable steps to create an environment in which every employee may, without fear, disclose information of criminal and other irregular conduct in the workplace and ensure that employees who disclose such information are protected from reprisals as a result of such a disclosure.

No employee will be victimized or penalized on account of having made a disclosure in accordance with any one of the procedures provided for by the Act.

No employee will be subjected to any disciplinary action, dismissal, suspension, demotion, harassment or intimidation or any act constituting an occupational detriment as defined in the Act on the grounds of making a protected disclosure, provided such disclosure is made in good faith and the employee, when making such disclosure, reasonably believes that the information disclosed is true.

The Council, as employer, will lay down certain procedures in terms of which disclosures must be made and which may include procedures for the making of disclosures to persons other than the Council.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

CELLPHONE ALLOWANCE POLICY

Policy Number: HRM 19.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to provide clear directives and procedures with regard to the approval and payment of a cell phone allowance to councillors and employees that qualify.

THE POLICY

1. PREAMBLE

In order to enable and enhance the productivity of the municipality's strategic business units, it is critical that latest means of Communication technology is used. It is on this premise that Municipal Councillors and officials should have access to cellular phones, primarily for receiving and making official calls when not in the office.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

The guiding principles used in developing this Cell Phone Policy were sourced from the following legislation and policies:

- Municipal Finance Management Act 56, 2003
- Municipal Supply Chain Management Regulations, 2005
- Municipal Structures Act 117, 1998
- Municipal Systems Act 32, 2000
- Remuneration of Public Office Bearers Act of 1998, section 7(3)
- Determination of Upper Limits of salaries, allowances and benefits of members of Municipal Councils

4. SCOPE AND APPLICATION

The following categories of employees and Councillors shall automatically qualify to receive Cell phone allowance:

- All Councillors of the Municipality
- Municipal Manager

- General Managers
- Managers (Level 2)
- Managers (Level 3)

An employee occupying a post other than those mentioned above may be considered for allocation provided that the head of department 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 to the Municipal Manager.

5. OBJECTIVES OF POLICY

The purpose of this policy is to provide clear directives and procedures with regard to the approval and payment of a cell phone allowance to councillors and employees that qualify.

6. POLICY CONTENT

6.1 *Conditions for cell phone allowance:*

- i. All officials mentioned under sub-section 3.1 will receive monthly cellular phone allowance reflected in their salaries to acquire cellular phone service from either of the mobile phone operators in the Republic of South Africa.
- ii. The method for acquiring the cellular phone service could either be through a personal contractual agreement or prepaid service.
- iii. It is not for the municipality to prescribe the packages that officials and political office-bearers must choose for as long as they are able to effectively and efficiently perform their assigned official functions as and when it is necessary to do so.
- iv. Councillors and Officials may structure a cellular package that best suits their circumstances to enable them to sufficiently fulfil official duties.
- v. The municipality recognizes that cellular phones are an extension of individuality and as such officials are at liberty to enhance the choice of item through a cash contribution towards upgrading.
- vi. Allocation of cell phones allowance to employees may be reviewed if the duties of that position change.
- vii. All heads of Departments must ensure that adequate budgetary provisions are made for all posts that qualify for an allowance during the budgetary process.
- viii. Officials must furnish the Corporate Services department with cellular numbers that they use for official purposes as soon as they have entered into a contract or obtained a gadget through prepaid.
- ix. Any contractual agreement entered into between officials and the service provider is binding on the said official and the municipality is absolved whatsoever, in any shape or form from that agreement.
- x. Political Office-bearers and Officials who already have private contracts or any means of cellular phone access may use same for official purposes for as long as they can be accessed at any time of the day, including after hours.

6.2 *Allocation of Cell phone allowance*

Cell phone allowance for Councillors will be allocated in terms of the Government Gazette on the Determination of Upper limits of salaries, allowances and benefits of different members of Municipal Councils as promulgated from time to time.

The municipality shall continue to pay monthly contributions to Service Provider for existing contracts on behalf employees until the lapse of the contract. On termination of the contract employees will be allocated a monthly cell phone allowance in their salaries.

The municipality shall allocate cell phone allowance as follows:

DESIGNATION	ALLOWANCE PER MONTH
Municipal Managers and General Managers	R3000
Senior Managers (Post Level 2)	R3000
Managers (Post Level 3)	R3000
Superintendents	R1000
Other officials	As per agreement

6.3 Termination for allocation of Cell phone allowance

- a) In the event that the Councillor cease to hold office at Musina Local Municipality the allowance shall also discontinued immediately
- b) Should the employee leave the municipality s/he will have to return the cell phone and sim card on or before his/her last day of employment with the municipality
- c) Where cell phone allowance is provided termination for allocation of cell phone shall be effected upon termination of contract, resignation, dismissal and death
- d) An employee ceases to do the duties that require a cell phone allowance.
- e) An employee fails to make available his/her cell phone available for official duties.

6.4 Tax implications for cell phone allowance

- i. A Cellular phone allowance is affected through the payroll system and is therefore subjected to tax.
- ii. The determination of allowance; through Budget and Treasury Department, shall also take into consideration tax implications of the allowance.
- iii. Because it is a taxable allowance, cellular phone allowance should not be misconstrued as inclusive of a negotiated remuneration package.
- iv. The user may recoup depreciation charges, wear and tear allowances on Cell phone items from taxable income when completing yearly statutory tax returns
- v. Officials may also be entitled to claim the cost of business calls against this allowance in the annual tax return.

7. IMPLEMENTATION AND MONITORING

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

8. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed annually and revised as necessary

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

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

12. PENALTIES

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

13.DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

14. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

BEREAVEMENT POLICY

Policy Number: HRM 20.2015	Approved Date: 28 May 2015
Effective Date: 1 July 2015	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to provide clear directives and procedures with regard to the approval and payment of a cell phone allowance to councillors and employees that qualify.

THE POLICY

1. PREAMBLE

Bereavement Policy and its implementation will be fundamentally aimed at regulating the attendance of memorial services and also act as a guide in terms of assistance to employees who wish to attend the funeral of the deceased co-worker.

NB: arrangements for Memorial Services should at all costs be standard in that: The venue will be the same in terms of decorations in that no additional deco showing the deviation to standard will be allowed

2. APPLICATION

This policy shall apply to all employees of the Musina Local Municipality including Section 57 Managers.

3. DEFINITIONS

In this policy, unless the context indicates otherwise-

- a) **“employee”** means any person, excluding an independent contractor, who
 - I. works for the Musina Local Municipality) and who receives, or is
 - II. entitled to receive, any remuneration;
- b) **“Council” or “Municipality”** means the Musina Local Municipality

4. DELEGATIONS

- a) The responsibility to ensure that the Memorial Service, purchase of wreath (flowers for funeral) as well as the order of the programme lies with the Employee Wellness Unit through the office of Manager Human Resources, in consultation with the affected Trade Union.
- b) The Section of the Deceased as well as the affected Trade Union will assist Employee Wellness Unit in the organization of the Memorial as well as transportation to the Funeral.

5. POLICY PROVISIONS

- a) Every deceased employee of the Council including Section 57 shall have the following rights:

- i. Memorial Service
- ii. Wreath (flowers)
- iii. Attendance of funeral by colleagues
- iv. Group Scheme (to be investigated)
- v. Other logistical support

6. MEMORIAL SERVICES

- a) The policy shall apply whenever an employee passes on, it is compulsory for EAP Unit in consultation with the affected Trade Union to organize a memorial service if the family agrees, this will be in honour of the deceased employee;
- b) The EAP Unit takes responsibility and ensures that an application is approved by the General Manager Corporate and Shared Services, to hold a memorial service at a particular day, time and venue.
- c) The General Manager Corporate and Shared Services shall be notified in advance to ensure that contingency arrangements (skeleton staff/ a certain number to remain) are in place to continue rendering Municipal services for the duration of the memorial service thus not adversely affecting productivity;
- d) Employees within a Service Delivery Centre will be allowed to attend the memorial service during working hours, for a period not exceeding two (2) hours and that an attendance register be kept for the attendees of the memorial service;
- e) A programme for memorial service in honour of the deceased employee should be conducted peacefully and the following items in consultation with the family will be standard for a memorial:
 - I. Speech by Councillor as an employer
 - II. Speech by Municipal Manager or his delegate representing management
 - III. Colleagues/ co-worker/ friend
 - IV. family members
 - V. Representative of the applicable Trade Union
 - a) organized Labour will also be personally invited.
 - b) The Section where the deceased worked together with Human Resource Section shall be responsible for the organizing and ensuring that the memorial service run smoothly.
 - c) To ensure mass participation to memorial service, Council transport where possible will be provided by Council to employees without transport.

- d) Proceedings Must be reported officially to Section 80, Mayoral Committee and the Council through an item
- e) Official Condolences to the Family, a card must be sent to the family.

7. THE FUNERAL

7.1. FUNERALS WITHIN THE BOUNDARIES OF THE MLM

- a) No subsidy shall be paid or Council car will be availed to any employees towards the cost of transport to attend the funeral of a co-worker unless necessary arrangements are made timeously.
- b) The attendance of a funeral by colleagues of the deceased employee shall be voluntary and not regarded as a remunerative activity or work;
- d) In an event of a uniformed employee of the Public Safety Department dies whilst on duty, a detachment of fifteen (15) employees from the department will be nominated to attend and act as a Guard of Honour on behalf of the Municipality.
- e) In an event where the funeral takes place during the normal working hours of the departmental representative(s), the General Manager of the Section concerned will approve the *special leave* for such a representative.
- f) A wreath (flowers) will be given to the deceased' family at cost to Council.
- g) Transport to the funeral will be managed in line with the transport policy of the Council.

7.2. FUNERALS OUTSIDE THE BOUNDARIES OF THE MUNICIPALITY

- a) The Municipality shall provide transport.
- b) The EAP Unit will avail transport however, should there be additional personnel that need to attend the funeral additional transport can be sourced through EAP Unit Budget.
- c) The representatives to attend the funeral will be inclusive of all but biased towards the Department or Section where the deceased employee was working;
- d) The attendance of a funeral by colleagues of the deceased shall be voluntary and not be regarded as a remunerative activity;
- e) In an event of a uniformed employee of the Public Safety Department dies whilst on duty; a detachment of fifteen (15) employees from the department will be nominated to attend and act as a Guard of Honour on behalf of the Municipality;
- f) In the event where the funeral takes place during the normal working hours of the chosen departmental representative(s), the General manager of the Department concerned, will approve the *special leave* for such a representative
- g) Members attending funerals outside the boundaries of the Council will complete an indemnity form.

8. COMMUNICATION

This policy will be communicated to all Musina Local Municipality employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

This policy will be reviewed after five years and revised as necessary.

10. BUDGET AND RESOURCES

- a) The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

- a. The Section shall report the demise of the employee to Employee Assistance Programme Unit.
- b. The Employee Assistance Programme Unit, affected Trade Union and the Section of the deceased shall be responsible for the arrangement of all logistics pertaining to the Memorial
- c. **NONE COMPLIANCE**

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

12. DISPUTE RESOLUTION

Any dispute arising from this policy must be referred to the Dispute Resolution Committee for adjudication.

13. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2015
Consulted LLF	Item LLF5.5.2015	Date	20 May 2015
Approval by MM		Date	20 May 2015
Council approval	CR 23.5.2015	Date	28 May 2015

LEAVE POLICY

Policy Number: HRM21.2019	Approved Date: May 2019
Effective Date: 1 July 2019	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to provide a standard of attendance and punctuality for all employees.

Because employees are vital to the work of the MUNICIPALITY, reliable and consistent attendance is a condition of employment.

THE POLICY

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.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

- e) Labour Relations Act 66 of 1995
- f) Basic Conditions of Employment Act 75 of 1997
- g) Main Collective Agreement 2007 – SALGBC

4. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY. Employees are expected to be at their work area 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 Divisions including hours of work.

4.1 Leave Arrangements:

The Council makes provision for annual leave, sick leave, maternity leave and leave for family responsibilities. All leave is given in accordance with the requirements of the prevailing Conditions of Employment Agreement and/or Conditions of Employment Act. With regard to types of leave, the following will apply:

4.2 Annual Leave:

- a) During each calendar year, the Municipal Manager will determine the recess period for the Council for the forthcoming December.
- b) Each Departmental Manager draws up a leave roster for his department, in consultation with his personnel, to prevent overlapping of leave. The leave roster is sent to the personnel manager who then draws up a consolidated leave roster for the Council. This information is used to timeously arrange for relief personnel where required.
- c) Notwithstanding the roster being available, each employee who has to go on annual leave must complete a leave application form. The completed form to be submitted to the Manager thirty (30) days prior to the starting date of the leave. It is the responsibility of the Manager of the department to ensure that sufficient personnel is available at all times to perform the work, therefore he/she must first recommend the leave and then submit the form to the personnel officer.

4.3 Sick Leave:

- a) In the case of sick leave, the employee completes an application for leave form, obtains the necessary recommendation from the head of department then forwards the form to the personnel officer. Should an employee fall ill unexpectedly, he / she is to notify the Council either in writing, by telephone or send a message. Such notification is to contain an indication of when the employee expects to resume work.
- b) Should an employee be absent due to illness for more than two(2) consecutive days or more than once in eight (8) days, the employee must provide the Council with a medical certificate. Such certificate can only be issued by a registered medical practitioner/traditional healer and must contain the reason for as well as the period of absence / booking off.

4.4 Maternity Leave:

An employee applies for maternity leave by submitting the appropriate form as soon as the employee becomes aware of the pregnancy. This will provide the opportunity to arrange for a temporary replacement in advance.

4.5 Leave for Family Responsibilities:

Under normal circumstances the Council expects the employee to apply for family responsibility leave seven (7) days in advance. Should the need for such leave arise unexpectedly, the employee must notify the Council, either by telephone or by sending a message as soon as possible, but not later than twelve (12) hours after the occurrence. Within a reasonable period the employee must then submit reasonable proof of the occurrence.

5. OBJECTIVES OF POLICY

The policy objective 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 a condition of employment.

6. IMPLEMENTATION AND MONITORING

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

7. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

8. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

9. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

10. ROLES AND RESPONSIBILITIES

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

11. PENALTIES

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. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

13. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2019
Consulted LLF		Date	May 2019
Approval by MM		Date	May 2019
Council approval		Date	May 2019

OVERTIME POLICY

Policy Number: HRM22.2019	Approved Date: May 2019
Effective Date: 1 July 2019	Review Date: Annually in May

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

Why Have a Policy?

The purpose of this policy is to provide a standard of attendance and punctuality for all employees.

Because employees are vital to the work of the MUNICIPALITY, reliable and consistent attendance is a condition of employment.

THE POLICY

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.

2. DEFINITIONS

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

3. LEGAL FRAMEWORK

- h) Labour Relations Act 66 of 1995
- i) Basic Conditions of Employment Act 75 of 1997
- j) Main Collective Agreement 2007 – SALGBC

4. SCOPE AND APPLICATION

This policy applies to all employees of the MUNICIPALITY. Employees are expected to be at their work area 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 Divisions including hours of work.

5. APPLICABILITY

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

This policy must be read as an addition to Clause 4.2 of the Council's Labour Policy, which states as follows:

"Arrangement of Over Time:

- 4.2.1 The Council is in principle not in favour of working overtime and overtime is only worked when and where it does not affect the health and safety of employees.
- 4.2.2 Overtime may only be worked when instructed by the Departmental Manager. Overtime must be reasonable and only be allowed when it is absolutely necessary. The order / instruction to work overtime will, whenever possible, be given well in advance."

6. SCOPE

This document describes the overtime, rates of pay and overtime rates.

7. OBJECTIVE

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

8. DEFINITIONS

- | | | |
|----------------|---|---|
| "Deductions" | - | means income tax, pension, medical fund etc., |
| "Earnings" | - | means gross pay before deductions, |
| "Overtime" | - | means the time that a qualifying employee works during a day or week in excess of the ordinary hours of work, |
| "Remuneration" | - | compensation in money or time off for overtime worked, |
| "Wage" | - | means the amount of money paid or payable to an employee in respect of ordinary hours of work. |
| "days" | - | means "working days". |

9. RESPONSIBILITIES

- a. Every manager/section head has the responsibility for the implementation, maintenance and management of the overtime system.
- b. The Pay Office is responsible for the calculation and pay out of overtime worked.
- c. Managers and /designated section heads are responsible for co-ordination and controlling system implementation and maintenance at operational level.

10. PRINCIPLES

Employees may not work overtime except in accordance with an agreement signed with the municipality.

11. LIMITATIONS

If an employee agrees to work overtime, the employee may not work:

- a. Overtime except in accordance with an agreement,
- b. More than 10 hours overtime per week,
- c. More than 3 hours per day.

12. PRIOR APPROVAL

No employee will be remunerated for overtime worked unless such overtime has been budgeted for and authorised by the manager or is required in terms of a work schedule.

13. REMUNERATION

Employees will be:

- (a) paid one and one-half times the employee's daily/hourly 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.

14. TIME FRAME

- a. The employee will be granted paid time off within one month of the employee becoming entitled to it.
- b. The employer will pay the overtime pay on the employee's normal pay day.

15. OPERATIONAL REQUIREMENTS

- a. Due to the business and operational requirements of the municipality, employees will be required to work overtime on occasion.
- b. 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.

16. OVERTIME WORKED ON SATURDAYS

Employees who normally work a five-day week, will be;

- a. Paid one and one-half times the employee's wage for overtime worked, or
- b. Paid not less than the employee's ordinary daily/hourly 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.

17. OVERTIME WORKED ON SUNDAYS

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

- (a) paid double the employees daily/hourly 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.

18. OVERTIME WORKED ON PUBLIC HOLIDAYS

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

- (a) paid double the employee's daily/hourly wage for overtime worked,
- (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.

19. EXEMPTIONS

- (a) Top Management, which consists of the Municipal Manager and Section 57 appointments, Senior Management (post levels 1-3) and any other position with an annual salary of not less than the amount per annum as regulated by *Government Gazette from time to time regarding the earnings threshold are exempted from this policy, but will receive 6 days special leave annually to provide for hours worked or meetings attended over and above the prescribed office hours per week. (see footnote)**
- (b) *Managers in (a) may be remunerated for ad hoc work outside the normal scope of work, eg Annual Show.*

20. CALCULATIONS

Calculations of Overtime Pay (Five day work week)

- (a) 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 work week.
- (b) The working week consists of 40 ordinary hours per week.
- (c) The working day is deemed to consist of 8 working hours for which the employee is paid and 60 minutes meal break which is not paid time.

21. IMPLEMENTATION

This policy will be effective from the date of adoption by Council, subject to any

Amendments by Ministerial determination of the Earnings Threshold as published in the Government Gazette from time to time.

It will further be reviewed and amended as the need arises.

22. OBJECTIVES OF POLICY

The policy objective 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 a condition of employment.

23. IMPLEMENTATION AND MONITORING

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

24. COMMUNICATION

This policy will be communicated to all Municipal employees using the full range of communication methods available to the municipality.

25. POLICY REVIEW

This policy will be reviewed annually and revised as necessary.

26. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

27. ROLES AND RESPONSIBILITIES

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

28. PENALTIES

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.

29. DISPUTE RESOLUTION

Any dispute arising from this policy due to ambiguous wording or phrasing must be referred to the Local Labour Forum for adjudication. Resolutions from the Local Labour Forum must be incorporated into the policy.

30. AUTHORITY

Formulated by	GM Corporate Services	Date	May 2019
Consulted LLF		Date	May 2019

Approval by MM		Date	May 2019
Council approval		Date	May 2019

DANGER ALLOWANCE POLICY

Policy Number: HRM23.2019	Approved Date: AUGUST 2018
Effective Date: 1 July 2019	Review Date: Annually in May

1. PREAMBLE

- (a) Whilst the municipality acknowledges that each job inherently has its own dangers and risks that the incumbent may be exposed to.
- (b) The municipality acknowledges its duty to at all material terms provide a work environment that is safe and take reasonable steps to mitigate risks that may give rise to an unsafe work environment.
- (c) Despite all measures taken to safeguard employees within their various work spaces some work functions have an omnipresent high level of safety risks.
- (d) Taking into account the varied levels of hazards and safety threats that incumbents of certain positions are exposed to some recognition of such an above average risk exposure becomes necessary.

2. PURPOSE

- (a) To establish terms and conditions regulating danger allowance.
- (b) To identify positions and/or category of jobs that qualifies for danger allowance.
- (c) To determine applicable rates for danger allowance.
- (d) The policy applies to municipal employees who would be deemed eligible for payment of danger allowance by the outcomes of the risk assessment to be conducted by the municipality to determine the level of risk exposure to danger.
- (e) The purpose of this policy framework is to properly inform the basis upon which a municipality may pay a danger allowance as goodwill of the municipality in appreciation and recognition of the employees who may, on occasion or continuously, be subjected to life-threatening situations in the course of duty

2. DEFINITIONS

In this policy, unless the context indicates otherwise-

- a) **“employee”** means any person, excluding an independent contractor, who
 - III. works for the Musina Local Municipality) and who receives, or is
 - IV. entitled to receive, any remuneration;
- b) **“Council” or “Municipality”** means the Musina Local Municipality

- c) **“Danger Allowance”** means a monthly amount paid to a qualifying employee;
- d) **“Day”** means a working day;
- e) **“High Risk Designation”** means a designation whose duties exposes incumbents to high level of prospects to encounter physical or environmental or operational dangers amongst others.
- f) **“High Risk Functions”** means a field-based role or job that has exposure to physical, environmental and operational dangers
- g) **“Month”** means a working month;
- h) **“Ad-hock Danger Allowance”** means a non-continuous monthly allowance amount paid to qualifying employees for a specified duration of time as a result of a specific life-threatening situation which is expected to last for a defined time period or the risk exposure may be / is fully mitigated within a defined period.
- i) **“National Disaster Determined Essential Services Danger Allowance”** means a special purpose instrument for the COVID 19 period as a monthly danger allowance paid on an adhoc basis for the period equals to basis to employees performing classified as essential services and required to report for duty and perform specific duties and functions during the national lockdown period.
- j) **“Life threatening situations”** means situations where an employee may be required to enter an area where there is:
 - political upheaval accompanied by violence and arson;
 - serious criminal activity with risk of violence;
 - a serious threat of being electrocuted;
 - a serious threat of fire or explosion;
 - a serious threat of inhaling poisonous life-threatening chemicals or smoke;
 - a serious threat of tunnel/building/infrastructure collapse;
 - a serious threat of viral infection

3. APPLICATION

- (a) This policy shall apply to employees qualifying to receive a danger allowance.
- (b) The following categories and designations are considered high risk functions and high-risk designation and eligible for payment of danger allowance:

3.1 Fixed Standby Continuous Danger Allowance

Department	Division	Sub-function	Qualifying Designations
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Technical Services	Electrical	Maintenance	• Superintendent • Technician • Electrician • Artisan • Artisan Assistant • Driver / Operator • Service Workers
	Water & Sanitation	Pump station	• Superintendent • Pump Operators
	Water & Sanitation	Sewer Plant	• Superintendent • Sewer Plant Technician • Sewer Plant Operator
Community Services	Traffic Law Enforcement & Protection Services	Traffic	• Manager Traffic Law Enforcement • Chief Traffic Officer • Superintendent • Assistant Superintendent • Traffic Officer • Traffic Warden
Municipal Manager	Risk & Security Management	Security Services	• Senior Security Officer • Security Officer

3.2 National Disaster Determined Essential Services (COVID-19) Danger Allowance

Department	Division	Eligible Classifications	Category of Employees Eligible for National Disaster Determined Essential Services (COVID-19) Danger Allowance	Duration
All Departments	All Affected Divisions	• Very High-Risk Exposure Jobs ▪ High Risk Exposure Jobs • Medium Exposure Risk Jobs ▪ Low Exposure Risk Jobs	As per the Accounting Officer Approval	Applicable only for the subsistence of the Lockdown

3.3 Ad-hock Danger Allowance

Department	Division	Eligible Classifications	Ad-hock Danger Allowance	Duration
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All Departments	All Affected Divisions	• Very High-Risk Exposure Jobs ▪ High Risk Exposure Jobs	As per the Accounting Officer Approval	Applicable only for the period of the life-threatening situation
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4. ELIGIBILITY.

c) A qualifying employee as per clause 3 above will be entitled to receive a monthly danger allowance on condition:

- (i) The employee is not absent without leave (AWOL) during that month for any number of days.
- (ii) Has not taken more than 15 leave days in a given month.
- (iii) Has not engaged in unprotected industrial action / strike.
- (iv) The employee remains appointed to designation classified as qualifying designation

d) For a designation to qualify to be classified as high risk the following criterion must be met:

- (i) The designation must be within a department / division / sub-division designated / classified as high-risk function.
- (ii) The nature of the employee's duties, the work environment and the frequency of the risk, i.e. when do the employees experience a genuine risk to life during the course of execution of related work must be such that it creates / poses an imminent substantial risk.
- (iii) The determination of risk exposure and the applicable level must be fairly based, informed and supported by a comprehensive danger risks exposures assessment report compiled in consultation with line management, Safety Committee and submitted for consideration and recommendation of the appropriate workplace consultative structures responsible for processing and proposing policy reviews.
- (iv) The risk assessment report must identify specific or glass of danger risks exposures associated / inherent in the position / designation including available mitigatory options,
- (v) The identified glass of danger risk exposure must be life threatening
- (vi) A determination must be made by the recommending and approving authority that the specific or glass of danger risks exposures associated / inherent in the position / designation have not been adequately mitigated or cannot be proactively eliminated with amongst others the use of reasonable precautionary health and safety measures.
- (vii) If mitigating measures are in place, the degree to which the risk could be mitigated. If not mitigated or partially mitigated the reasons that the risk persists and the degree to which it continues to present a genuine life-threatening risk to the employee/s; and
- (viii) In an instance where the risks cannot be mitigated through safety and/ or precautionary measures a substantive motivation must be provided by the respective head of department and approved by the municipal manager.
- (ix) That the factors giving rise to a danger risks exposure are consistent (not of an adhoc nature) and may occur unexpectedly.
- (x) A determination by a legislative authority and /or an industry standard application.

5. DANGER CLASSIFICATION FOR VIRAL INFECTIOUS DESEASES

5.1 Based on a workplace risk assessment and classification of employee risk or occupational exposure to danger the following level descriptors shall guide classification of various jobs and / employees:

5.1.1 VERY HIGH-RISK EXPOSURE JOBS

(a) These are jobs with very high potential for direct unavoidable exposure to known or suspected sources of a viral infectious disease classified as a pandemic and / or declared as a disaster during execution of specific work processes.

5.1.2 HIGH RISK EXPOSURE JOBS

(a) These are jobs with high potential for direct unavoidable exposure to known or suspected sources of a viral infectious disease classified as a pandemic and / or declared as a disaster during execution of specific work processes.

5.1.3 MEDIUM EXPOSURE RISK JOBS

(a) Medium exposure risk jobs include those that require frequent and / or close contact (i.e. within 2 meters) of people who may be infected or suspected to have been infected with a viral infectious disease classified as a pandemic and / or declared as a disaster.

5.1.4 LOW EXPOSURE RISK JOBS

(a) Low exposure risk jobs are those that do not require contact with people known to be, or suspected viral infectious disease classified as a pandemic and / or declared as a disaster, nor frequent close contact (within 2 meters of) the general public. Workers in this category have minimum occupational contact with the public and other co-workers.

6. ALLOWANCE

- (a) Danger allowance shall be a monthly benefit and applicable tax prescription shall apply.
- (b) The monthly tax inclusive benefit shall be R 500.00 per month per qualifying employee and it can be adjusted annually.
- (c) The value of the benefit shall be adjusted annually at a percentage increase determined for salaries and wages as determined by parties at the South African Local Government Bargaining Council (SALGBC).
- (d) The allowance will be paid along with normal salary and subject to applicable taxation and disclosures.

6. POLICY REVIEW

- (a) This policy will be reviewed annually and revised as and when necessary.
- (b) A review may be necessitated by a legislative change in which instance the policy will be considered promptly with a view to align to legislative prescripts.

7. BUDGET AND RESOURCES

- a) The financial and resource implications related to the implementation of this policy should be provided for in the appropriate municipal budget vote.

12. ROLES AND RESPONSIBILITIES

- a) The Human Resource Management and Expenditure Divisions shall be responsible for overall implementation of the policy.
- b) The Human Resource Management Division shall be responsible for generating advisory reports / request for payments of the allowance, whilst the Expenditure Division shall be responsible for verifying compliance, make calculations and make payments as well as applicable deductions.
- c) The qualifying employee's department shall generate monthly variation advisory reports to Human Resource Management regarding compliance or non-compliance qualifying criteria.
- d) A qualifying employee has a responsibility to adhere to provisions of the policy.

9. NONE COMPLIANCE

- a) Non - compliance of any of the stipulations contained in the Policy will be viewed as an act of misconduct and will be dealt with in terms of Musina Local Municipality's Disciplinary Code.

10 DISPUTE RESOLUTION

- (a) Any dispute arising from this policy must be referred to the Dispute Resolution Committee for adjudication.

11. CONSULTATION AND APPROVAL.

- (a) The policy will be consulted with and inputs solicited from labour representatives, employees and management.
- (b) The Local Labour Forum (LLF) shall cognizant of inputs of amongst others Safety Committee, Line Management and the relevant LLF Sub-Committee responsible for the review of the policy, consider amendments to the policy and recommend to council for approval.
- (c) Council shall consider and approve a policy for implementation by management.

12. COMMENCEMENT & TRANSITIONAL ARRANGEMENTS

- (a) The policy shall come into effect on a date determined by council as an effective date of the policy.
- (b) The approved policy shall automatically repeal and replace any such similar policy or benefit as may have been applicable.

13. AUTHORITY

Formulated by	GM Corporate Services	Date	August 2018
Consulted LLF		Date	
Approval by MM		Date	
Council approval		Date	September 2018

