



ABAQULUSI LOCAL MUNICIPALITY
HUMAN RESOURCES: POLICIES MANUAL

HUMAN RESOURCES POLICIES

The Human Resources Policies described in this document meet the requirements of the Public Service Human Resources Legislation and Frameworks.

Approval

Document for sign-off: Human Resources Policies Manual

Approved: **APPROVED BY COUNCIL : CR 24/2011** Date: **19 APRIL 2011**

Signed BE Ntanzi
MUNICIPAL MANAGER

Approved: **APPROVED BY COUNCIL : CR 24/2011** Date: **19 APRIL 2011**

Signed JFK Khumalo
DIRECTOR CORPORATE SERVICES

INTRODUCTION

The following guidelines on employment have been provided as a framework for the application of fair and consistent employment practices within the Municipality.

These policies are necessary to enable employees to contribute towards the attainment of the Municipality's organisational strategic objectives.

The Human Resources Policy Manual has been compiled in an enabling spirit and sets out the policy relating to employment within the Municipality. It is, therefore, important that these policies be perceived as an enabling tool, to facilitate employee management within the Municipality.

These conditions of service have also taken into consideration the following:

- The Municipality's strategic objectives;
- The expectations of the identified stakeholders

All conditions of service in this document subscribe to the laws of South Africa. The Municipality is an equal opportunity employer that values diversity in the workplace. It is an organisation that wishes to reflect the demographics of the country and promotes gender equality and sensitivity in the workplace.

In compiling this Human Resources Policy Manual reference was made to the Employment Equity Act No. 55 of 1998, the Labour Relations Act No. 66 of 1995, the Basic Conditions of Employment Act No. 75 of 1997, the Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000, the Skills Development Act No. 97 of 1998, the Local Government Municipal Finance Management Act, 2003, the White Paper on Affirmative Action in the Public Service and the White Paper on Human Resource Management in the Public Service. Organisations that are "similar" to the Municipality were studied and some aspects of the Municipality's conditions of service were modelled against these organisations.

Conditions of service in the manual were also benchmarked against other leading organisations both locally and internationally. This document is a working and living document that will continue to be updated in response to the needs of the Municipality as a growing and changing organisation. It should be remembered that the development of Human Resources Policy Manual is an interactive process; hence, this document will continue to be reviewed from time to time, and be adjusted accordingly as the activities of the Municipality dictate.

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ACKNOWLEDGEMENT OF UNDERSTANDING

This Human Resources Policy Manual is the property of the Municipality. If an employee leaves the employment of Municipality, he/she must return this Human Resources Policy Manual to the Human Resources Department on his/her last day of work.

Information contained in this Human Resources Policy Manual is to be used as a general reference. Human Resource Policy may be changed by the Council, as deemed necessary. This manual does not provide contractual rights and is not intended to convey a guarantee of continued employment, or any term, privilege, or condition of employment.

One of the most important conditions of service is to maintain in strict confidence any information regarding the Municipality's affairs acquired during the employee's employment. When the employee signs the "Acknowledgement of Understanding", the employee agrees to adhere to this policy of confidentiality both during and following their employment with the Municipality.

To acknowledge that the employee has reviewed and understood all of this material, they must please sign and date the acknowledgement and return it to Human Resources within ten (10) days of receipt of this manual.

APPROVAL OF THE HUMAN RESOURCES POLICY MANUAL

Information contained in this Human Resources Policy Manual has been approved by the Municipal Manager.

Municipal Manager : **BE Ntanzi**

Signed
BE NTANZI

19 April 2011

DEFINITIONS:

1. **“Absconding”**: is a process of terminating a contract of employment by the employee without a given notice to the Municipality.
2. **“A grievance”**: is regarded as any dissatisfaction that an employee or group of employees have that is connected to their work situation.
3. **“Act”** – means the Skills Development Act 97 of 1998
4. **“Acting Allowance”**: is a non-pensionable allowance paid to an employee who is appointed by the Municipality management to act in a higher position than his or her own.
5. **“AIDS”**: is the acronym for “acquired immune deficiency syndrome”. AIDS is the clinical definition given to the onset of certain life-threatening infections in persons whose immune systems have ceased to function properly as a result of infection with HIV.
6. **“Affirmative Action”**: is the Municipality business strategy and process aimed at creating an environment that permits previously excluded individuals on grounds of race, gender and disability to advance on the basis of their potential.
7. **“Annual Leave”**: is leave that an employee is entitled to take on full pay for rest or recreation purposes
8. **“Annual Leave Cycle”**: the continuous period of 12 months employment commencing on 1 January of each year
9. **“Bursary”**: refers to a grant that is given to an employee when a specific course of study is considered by the Municipality to be beneficial to the employee’s career development plan.
10. **“Calendar Month”**: means a period which runs from a specific date to the same date of the following month (eg 7 March to 7 April)..
11. **“Calendar Year”**: means the period from 1 January up to and including 31 December of the same year.
12. **“Common Business Language”**: is a use of words as a common method of communication in the course of conducting business for the Municipality.
13. **“Confidentiality”**: is defined as non-disclosure of any information or material, not generally available to the general public, generated, collected or used by the Municipality that relates to its operations, strategies, know-how, data, names or any contracts or prospective contracts the Municipality may have, documentation of the Municipality or its employees.
14. **“Conflict of Interest”**: means any situation where doubt may exist as to an employee’s ability to act with total objectivity to the Municipality’s decisions and interests in relation to his own.
15. **“Contractors and Consultants”**: are not employees of the Municipality. Contractors and consultants may be contracted for a short period to perform a task or engage in a definite project
16. **“Deductions from Salaries”**: refers to all amounts deductible from the employee’s salaries in compliance with the law and paid over to whom they are due.
17. **“Dependants”**: are defined as: -
 - The wife of the member including common law spouse.
 - The husband of the wife (member) if she is the breadwinner.
 - The child /children of the member.

- A member's unmarried child above the age of 21 who as a result of a mental or physical defect does not receive income.
 - Any dependent children up to age 25, who are full-time students attending a university or recognised college of higher education, provided a certificate from such university or college is produced each year.
 - Parents with regards to African extended families.
18. **"Disciplinary Code"**: is a framework that provide guides and regulate employee conduct in the workplace.
 19. **"Dismissal"**: is the termination of the employment contract of the employee by the Municipality for specific reasons such as incompetence, violation of rules, misconduct, operational requirements, etc
 20. **"Employee"**: means any person other than an independent contractor who -
 - Works for the Municipality and who receives, or is entitled to receive, any remuneration; and
 - In any manner assists in carrying on or conducting the business of the Municipality, and
 - "employed" and "employment" have corresponding meanings
 21. **"Employee Files"**: are any documents that contain information about individual employees.
 22. **"Employment Agencies"**: are organisations contracted by the Municipality to recruit and select external candidates for externally advertised posts.
 23. **"Extraneous Employment" (Moonlighting)**: is when a Municipality employee contract to work for any person or organisation other than the Municipality.
 24. **"Family Member or Relative"**: is any person related by blood, marriage or adoption, and includes "in-laws" and "step" family members.\
 25. **"Further education and training"** – means learning and training programme leading to a qualification from level 3 to 4 of the National Qualification Framework, which levels are above general education but below higher education;
 26. **"Higher education"** – means all learning programmes leading to qualification higher than grade 12 or its equivalent in terms of the National Qualifications framework as contemplated in the South African Authority Act 58 of 1995;
 27. **"Higher educational institution"** – means any higher educational institution that is established, deemed to be established or declared as a public higher educational institution under the Higher Educational Act 101 of 1997;
 28. **"HIV"**: HIV is the acronym for "Human Immune-deficiency Virus". HIV is a virus that attacks and may ultimately destroy the body's natural immune system.
 29. **"Immediate Family Members"**: are regarded as an employee's spouse/ partner and children (including legally adopted children).
 30. **"Incapacity"**: refers to the inability of an employee to do his or her work due to ill-health or any other conditions that impact on his/her ability to perform his/her duties
 31. **"Induction"**: is a process of integrating new employees into the Municipality and acquainting them with details and requirements of the new job.
 32. **"Intimate Relationship"**: is defined as any relationship in which dependence, affection or loyalty to another employee may impair objective decision-making, or result, even inadvertently, inappropriate exchanges of confidential information, or create the actuality or perception of favouritism or discrimination.
 33. **"Leave"**: is paid time off.
 34. **"Manager"**: unless otherwise indicated means an employee of the Municipality who is directly responsible for the administration of an office, unit, department, section or branch of the Municipality service, or his / her lawfully appointed nominee acting in that capacity.
 35. **"Maternity Leave"**: is paid end/or unpaid leave of absence associated with the birth of a child normally granted to all female employees.

36. **“Medical Aid Scheme”**: is an association or membership to a scheme by a service provider approved by Council that provides medical coverage for employees and their dependants.
37. **“Medical Examination”**: is a requirement to an employee to submit himself or herself for an examination by a registered medical practitioner or a medical board nominated by the Municipality for such a purpose.
38. **“Misconduct”**: means wrongdoing (bad behaviour) inclusive of any failure to meet the required standard of performance or conduct
39. **“Municipality”**: means the ABAQULUSI LOCAL MUNICIPALITY and includes any committee thereof or employee of the Municipality acting in accordance with the powers which have been vested in the Municipality and which have been delegated to such committee or employee.
40. **“Municipal Manager”**: means the Accounting Officer of the Municipality, irrespective of the designation of the post occupied by that official, as appointed by the Municipality or his / her lawfully appointed nominee acting in that capacity, or a person duly delegated the authority to perform tasks assigned to the Municipal Manager.
41. **“Next-of-Kin”**: is defined as own parents, parents-in-law, grandparents, brothers and sisters.
42. **“Municipal Assets”**: includes but not limited to time, cash, cheques, infrastructure, records, and equipment (including fax machines, copiers, telephones, computer hardware and software).
43. **“Overtime”**: means that portion of any period which an employee works at the workplace for his / her employer during any week or on any day, as the case may be, which is in excess of the respective ordinary hours of work prescribed for such employee.
44. **“Performance management”**: means the performance management system established by Council in terms of Section 38 of the Local government Municipal Systems Act of 2000
45. **“Policy”**: a document setting out an organisation’s position on a particular issue.
46. **“Probation”**: is a period given to an employee to determine his or her suitability for the job.
47. **“Recruitment”**: is a process of acquiring applicants who are available and qualified to fill positions in the Municipality.
48. **“Resignation”**: is a voluntary termination of an employment contract by the employee.
49. **“Retirement”**: refers to the termination of employment because of age, number of years in the Municipality or ill health.
50. **“Retention”**: is a process of creating the necessary conditions for selected individuals to remain within the Municipality.
51. **“P.E.T.S”** – means Practical Experience Training System.
52. **“Salary”**: unless where in conflict with any definition contained in any law, salary shall mean the salary for the applicable post level as determined by the Bargaining Council from time to time.
53. **“Salary Increments”**: means an annual increase in the employee’s salary in accordance with an approved salary scale.
54. **“Selection”**: is a process of choosing from a group of applicants the individual best suited for a particular position in the Municipality.
55. **“Sexual Harassment”**: Sexual harassment is unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual. Sexual attention becomes sexual harassment if:
 - The behaviour is persisted in, although a single incident of harassment can constitute sexual harassment; and/or
 - The recipient has made it clear that the behaviour is considered offensive; and/or
 - The perpetrator should have known that the behaviour is regarded as unacceptable.
56. **“Sick Leave Cycle”**: is the periods of 36 months continuous employment with Council calculated from the employee’s day of employment.
57. **“Student”** – means a person with his/her home address within the demarcated area of AbaQulusi and or Zululand and registered as full or part-time student at a further of higher educational institution, or who has partly completed their studies but still need practical experience to qualify;
58. **“Substance Abuse”**: is the abuse and misuse of drugs both legal and illegal, alcohol and or any other narcotic substances by employees.

59. **“Subsistence Allowance”**: any allowance given to an employee for expenses incurred or to be incurred in respect of personal subsistence and incidental costs (e.g. accommodation and meals)
60. **“Temporary or casual employment”**: refers to the employment services rendered by a person on an ad hoc basis or short-term contract
61. **“Termination of Service”**: is the ending of an employment contract, either voluntary or by dismissal.
62. **“Travel and Subsistence Allowance”**: refers to an allowance in respect of travelling and other expenses incurred by employees in carrying out official Municipality duties.
63. **“Uniform”**: means distinctive clothing - conforming to the same standards.
64. **“Unpaid Leave”**: means approved leave to which the employee is not entitled to payment.
65. **“Vacation Leave”**: means approved leave to which the employee is entitled payment
66. **“Victimisation”**: constitutes any action that intimidates or retaliates against an employee for complaining about sexual harassment or whistle blowing in the Municipality.
66. **Whistle Blowing**: is when an employee communicates or reports a suspected violation of law, regulation or unethical behaviour in the Municipality.

1. GENERAL:

1.1 Effective Date: This policy will, unless otherwise stated, become effective on the date approved by Council. Where the implementation of a policy requires the adoption of related policies or external agreements the policy will take effect once such policies and/or agreements are approved by Council

1.2 Collective Agreements: The following conditions of service are the result of collective bargaining on National and Divisional level. These conditions remain subject to any changes as may be agreed upon by collective bargaining and is merely reflected here in a summarised format and any interpretation must be based on the Collective Agreement:

Medical Aid

Retrenchment policy and severance pay

Retirement funds

Housing

Annual leave

Maternity leave

Sick leave

Hours of work

Family responsibility

Special leave

Acting allowance

Night work allowance

Standby allowance

Shift allowance

Long service bonus

Emergency work

Legal indemnification

1.3 MUNICIPAL MANAGER AND SECTION 57 EMPLOYEES

This policy will apply to the Municipal Manager and all Section 57 employees except in respect of the following benefits specifically provided for in their employment contracts:

- **Motor vehicle benefit**
- **Leave**
- **Retirement benefit scheme**
- **Medical Aid benefit scheme**
- **Housing allowance**
- **Group Life scheme**
- **Cell phone allowance**

Nothing herein contained will prevent such employee to participate in any of the above benefit schemes for which he/she may qualify provided that any contribution that might be payable by the employer will be paid by the employee

1.4 CONDITIONS MAY APPLY

This policy document may not always contain the full text of the policy and specific conditions may apply. Employees are requested to refer to the original policy document where full details of terms and conditions that may apply will appear.

1. ANNUAL AND OTHER LEAVE

OBJECTIVE

The objective of this policy is to regulate all forms of leave that are accrued and due to employees as a benefit, and to outline procedures to be followed for the granting and taking of such leave. Policy provisions apply to all permanent employees and contractual employees employed for a period of at least 40 hours per month over a continuous period exceeding three months.

POLICY

1.1 ANNUAL LEAVE

1.1.1 An employer shall grant the employee the following annual leave in a leave cycle (**1 January to 31 December of each year**): - **twenty-four (24) working days annual leave for five (5) day workers and 27 working days annual leave for six (6) day workers, this includes section 57 employees and the Municipal Manager;**

1.1.2 An employee is required to take leave within each leave cycle as follows;
*a five –(5) day worker shall take a minimum of sixteen –(16) days leave
*a six –(6) day worker shall take a minimum of nineteen –(19) days leave.

1.1.2 Of the leave referred to in 3.1.1 and 3.1.2 at least 10 days must be taken consecutively;

- 1.1.4 a. An employee (excluding Section 57 employees and the Municipal Manager) is entitled to retain a maximum of forty-eight (48) days of accrued leave.
- b. Any leave in excess of forty-eight (48) days may be encashed should the employee be unable to take such leave within a period of 6 months after the end of the respective leave cycle as a result of operational requirements.
- c. If , despite being afforded an opportunity to take leave, an employee fails, refuses, or neglects to apply for or take the leave due to him during the prescribed period, such portion of the compulsory leave not taken shall fall away
- d. In the event of a employee not being afforded the opportunity to take his/her 16 days compulsory leave during the leave cycle due to work requirements the respective Head of Department must submit a full report on the matter to Council for consideration Such vacation leave must be approved prior to the expiry of the limit set in the Basic Conditions of Employment Act.
- e. In the event of the termination of service, an employee shall be paid his leave entitlement calculated in terms of the relevant provisions of the Basic Conditions of Employment Act, 1997.

1.1.5 Encashment of leave:

Leave can only be accumulated if staff member cannot be granted leave due to operational arrangements.

- a. A maximum of 8 days leave may be encashed in December in the year that the leave was earned on condition that the employee has taken the 16 days compulsory leave in that leave cycle provided ;

(i) that an employee who has already 48 days accrued leave plus 24 (twenty four) days for the leave cycle will not be allowed to encash 8 (eight) days leave but must take the 24 days leave during the leave cycle in which it has been granted and ;

(ii) that an employee who has 40 or less days accrued leave plus 24 (twenty four) days for the new leave cycle and if such employee would like to encash them, then the full 8 days must be encashed in December of that year.

- b. The Municipal Manager may on compassionate grounds allow the encashment of the 8 days accumulative days leave or a portion thereof, provided such leave encashment will not jeopardize the employee's ability to take the 16 days compulsory leave during his/her leave cycle.
- c. The value of leave encashed in terms of this clause will be calculated on the salary of the employee at the time of converting the leave to cash.

Notwithstanding the provisions in 11.5 (a – c) Employers/Supervisors should take all possible steps to ensure that staff members take their annual leave.

1.2 SICK LEAVE

1.2.1 An employer shall grant an employee eighty (80) days sick leave in a three (3) year leave cycle.

1.2.2 In order to qualify for sick leave when taking more than two (2) consecutive days of sick leave an employee must submit to his direct Supervisor an acceptable medical certificate within 5 days from the first day of being so absent, and should subsequent consecutive days of sick leave be required, the employee must submit subsequent medical certificates within 2 days from the date of expiry of any submitted medical certificate, which shall be issued by a registered health practitioner.

1.2.2.1 Should an employee be on sick leave on the Friday and the consecutive Monday or on a day prior or following a public holiday, an employee will be required to provide a medical certificate.

1.2.2.2 No staff member will be allowed to convert annual leave to sick leave without a Medical Certificate after annual leave has been granted to that staff member.

1.2.3 The employer is further not required to pay an employee if an employee is absent on more than two occasions during an eight-week period, and on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.

1.3 MATERNITY LEAVE

1.3.1 An employee shall be entitled to four consecutive months maternity leave of which, subject to 3.3.2 below, three (3) months will be paid maternity leave, with no limit to the number of confinements.

1.3.2 To qualify for paid maternity leave, an employee must have one (1) year's service with the employer.

- 1.3.3 In addition the employee will be required to work back the period of paid maternity leave actually taken.
- 1.3.4 An employee may commence maternity leave
- a) at any time from four weeks before the expected date of birth, unless otherwise agreed; or
 - b) on a date from which a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of her unborn child. No employee may work for six weeks after the birth of her child, unless a medical practitioner or midwife certifies that she is fit to do so.
- 1.3.5 An employee who has a miscarriage during the third trimester of pregnancy or bears a stillborn child is entitled to maternity leave for six weeks after the miscarriage or stillbirth, whether or not the employee had commenced maternity leave at the time of the miscarriage or stillbirth.
- 1.3.6 Where practically possible, an employee must notify the municipality in writing, unless the employee is unable to do so, of the date on which the employee intends to commence maternity leave; and return to work after maternity leave. Such notification must be given at least four weeks before the employee intends to commence maternity leave.

1.4 FAMILY RESPONSIBILITY LEAVE

- 1.4.1 Family responsibility leave applies to an employee who has been in employment with an employer for longer than 4 (four) months.
- 1.4.2 An employer shall grant an employee during each **annual leave cycle** at the request of an employee, a total of 5 (five) days paid leave, which he employee is entitled to take, either when:
- (a) the employee's child is born.
 - (b) The employee's child is sick
 - (c) The employee's spouse or life partner is sick
 - (d) In the event of death of:
 - (aa) employee's spouse or life partner, or
 - (bb) the employee's parent, adoptive parent, grandparent, child, adopted child, grandparent or sibling.
- 1.4.3 An employee may take family responsibility leave in respect of the whole or part of a day and will be paid in accordance with section 27 (3) of the Basic Conditions of Employment Act, 1997.
- 1.4.4 An employee must within 2 (two) days from the conclusion of the family responsibility leave granted submit acceptable proof of the reasons for which the family responsibility leave is required. Should such proof not be provided as prescribed the family responsibility leave granted will be converted to annual leave provided that the Municipal Manager may grant extension of the period granted for compliance.
- 1.4.5 An employee's unused entitlement to family responsibility leave will lapse at the end of the annual leave cycle in which it accrues.

1.5 HOUSE RULES REGARDING LEAVE

- 1.5.3 It is the responsibility of the employee to apply for leave in good time to ensure that they take at least the required 16 (sixteen) days leave during a leave cycle and to maintain their accumulated leave within the 48 (forty-eight) day limit.
- 1.5.4 The Municipality will grant leave not later than 6 (six) month after the end of the employee's leave cycle.
- 1.5.5 Applications for vacation leave must be made in reasonably good time which should not be less than the number of days applied for prior to the commencement date of the leave.
- 1.5.6 It will remain the responsibility of the employee to ensure that leave applied for has been approved before proceeding on such leave;
- 1.5.7 ***In the event of an illness or other unforeseeable circumstances, it is the responsibility of the employee to notify his/her supervisor before 09h00 on the date of absence or, where possible, before then;***
- 1.5.8 Absence from work without approval and/or without a valid reason shall be regarded as Absence Without Official Leave (AWOL) and therefore a misconduct to be dealt with in terms of the disciplinary procedure;
- 1.5.9 Leave will be calculated from the date of engagement;
- 1.5.10 The Municipality encourages employees to take all leave that is due to them. Annual leave is intended to provide the opportunity for a period of rest and recreation, so employees are expected to take leave within the leave year, when leave is due. Leave may be taken at any time convenient both to the employee and the Municipality. Business needs and personal needs should be carefully balanced.
- 1.5.11 It will remain the responsibility of the Head of Department to timeously plan for leave allocations in respect of the taking of the compulsory component of at least 10 days consecutive leave. To this end staff are required to indicate at least two priorities for the scheduling of such leave to the Head of Department on request. The Head of Department must take such steps as may be necessary to resolve congestion of leave that may negatively impact on service delivery. An employee aggrieved with any decision by a Head of Department in this regard may appeal to the Municipal Manager for review.
- 1.5.12 An employee must apply for leave of absence on the prescribed form.
- 1.5.13 The Head of Department in the instance of an employee must approve an application for leave of absence, and an application by the Head of a Department by the Municipal Manager and the Municipal Manager takes leave in consultation with the Mayor.
- 1.5.14 The official with approving authority shall be responsible for ensuring that leave application forms are received by HR within 7 days of approval of such leave so that accurate records are maintained. The HR department shall keep record of leave days due to all employees.
- 1.5.15 All leave of absence due, granted and taken, shall be recorded in a leave register entrusted to the HR Manager, and an employee shall have access to their leave record at all reasonable times during office hours.

- 1.5.16 Leave of absence granted to an employee, with the exception of sick leave, may be cancelled, postponed or interrupted at any time by the HR Manager on the recommendation of the Head of Department concerned should this be deemed necessary in the interests of the Municipality. The Municipality shall compensate the employee for irrecoverable expenses or obligations entered into by the employee, before the employee was notified of postponement, cancellation or interruption.
- 1.5.17 As far as possible leave days due to employees will be reflected on the employees payslip and such balance may be utilized by the official with approving authority when considering applications for leave. The official leave register will however be the leave record maintained by HR.
- 1.5.18 HR will, bi-annually in June and December provide Heads with the vacation, sick, and family responsibility leave record for the past year of all employees in the department for control purposes.

1.6 HOLIDAY ARRANGEMENTS FOR NEW EMPLOYEES

- 1.6.1 Where the Municipality has agreed to honour holiday arrangements made by a new employee prior to joining the Municipality, any paid leave already accrued will be supplemented by the necessary amount of unpaid leave. The Municipal Manager or his/her delegate needs to approve such a holiday arrangement.

1.7 RELIGIOUS AND PUBLIC HOLIDAYS

- 1.7.1 Employees are not required to work on a public holiday except in accordance with an agreement. If a public holiday falls on a day on which an employee would ordinarily work, the municipality will pay the employee according to section 18 of the Basic Conditions of Employment Act, 1997. Employees that require leave for religious holidays that are not covered by the Public Holidays Act, 1994, should apply for special leave at least one month in advance.

1.8 STUDY AND EXAMINATION LEAVE

- 1.8.1 Employees undertaking courses of study privately and on a part time basis, which in the opinion of the Municipality will be of benefit to the Municipality and to the employee, may, subject to the convenience of the Municipality be granted paid study leave to attend such courses. The number of leave days will not exceed ten (10) working days per annum, Proof from the training institute will be required to determine the number of study leave days the student will need to complete his study for that year;
- 1.8.2 Paid leave for purposes of writing examinations for approved courses will be granted on the basis of the day of the examination and the working day preceding it. Proof of registration and an examination timetable need to accompany the application for leave. The number of such days will not exceed ten (10) working days per annum;
- (a) Where the day of the examination immediately follows a weekend (i.e. falls on a Monday) or a paid public holiday, only the day of the examination will be granted; and
 - (b) Leave must be applied for at least three (3) weeks in advance on the prescribed form and a copy of the examination timetable attached.

- 1.8.3 The study and examination leave granted in terms of 3.8.1 and 3.8.2 will be converted to annual leave and deducted from accrued leave of the employee in the event of the employee being unsuccessful in passing the course and /or examinations written in respect of which the study and/or examination leave have been granted. Proof of successful completion of the relevant course and/or examination must be submitted to HR by the employee within 3 months from the completion date of the course or date of examination

1.9 UNPAID LEAVE

- 1.9.1 Leave without pay may be granted on good cause, only to those employees who have used their full leave entitlement. This will be assessed by the relevant manager or any person delegated by them, who will approve or deny such a request; and

- 1.9.2 In all cases of unpaid leave, provision is to be made for deductions from the employee's salary to maintain contributions to Provident/Pension and Medical Aid funds.

1.11 SPECIAL LEAVE REPRESENTING KZN OR THE RSA

- 1.11.1 Where an employee has been selected to represent KZN Province or the RSA the granting of any Special Leave will be considered by Council on merit on an Ad Hoc basis

1.12 ABSCONDMENT

- 1.12.1 An employee who absented himself from work for a period exceeding 5 (five) consecutive working days without the Municipality's permission and without the Municipal Manager being informed during such period of such reasons for such absence shall be deemed to have unilaterally terminated his/her contract of employment with Municipality on the first working day on which he/she was so absent.

- 1.12.2 The employer, must by way of a registered letter addressed to the last known address of the absconded employee, or alternatively by hand delivery, inform such employee that he/she has absconded from Municipality's service and that he/she may appeal for re-employment by providing within a period of 14 (fourteen) days acceptable reasons for such absence to the Municipal Manager. Such period of 14 (fourteen) days may be extended by the Municipal Manager should circumstances, at the Municipal Manager's discretion warrants such extension

- 1.12.3 Should an employee after the period of 5 (five) days mentioned in 3.12.1 again wish to renew his services with Municipality, such renewal can only take place in the even that a Tribunal, appointed by the Municipal Manager, after hearing such evidence as may be presented by both the absconded employee and the employer, has resolved that the employee has valid and acceptable reasons for such absence.

- 1.12.4 Should the Tribunal resolve that the services of the employee must be renewed such renewal will take effect on the first working day following the decision of the Tribunal.

- 1.12.5 An employee whose services has after absconding been renewed by the Tribunal may apply to Council for the condonation of the break in service

1.13 RETIREMENT AGE

1.13.1 The compulsory retirement age for all employees is 65 years of age.

1.13.2 Where the above is in conflict with the rules of any approved pension fund the retirement age prescribed in the rules of the fund will apply to all members of the fund employed by AbaQulusi Local Municipality.

2. CODE OF CONDUCT/ETHICS

The Code of Conduct for Municipal Staff members as set out in Schedule 2 of the Municipal Systems Act, 2000 is applicable to all officials as set out below:

LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT 2000

GOVERNMENT GAZETTE NO: 21776 - DATED 20 November 2000

SCHEDULE 2

Definitions

1. In this Schedule “partner” means a person who permanently lives with another person in a manner as if married.

General conduct

2. A staff member of a Municipality must at all times—

- (a) loyally execute the lawful policies of the municipal council;
- (b) perform the functions of office in good faith, diligently, honestly and in a transparent manner;
- (c) act in such a way that the spirit, purport and objects of section 50 are promoted;

Section 50 read as follows:

- “
- (1) Local public administration is governed by the democratic values and principles embodied in section 195 (1) of the Constitution.
 - (2) In administering its affairs, a municipality must strive to achieve the objects of local government set out in section 15'2 (1) of the Constitution, and comply with the duties set out in sections 4 (2) and 6.“

- (d) act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised; and
- (e) act impartially and treat all people, including other staff members, equally without favour or prejudice.

Commitment to serving the public interest

3. A staff member of a municipality is a public servant in a developmental local system, and must accordingly—

- (a) Implement the provisions of section 50(2);
- (b) foster a culture 'of commitment to serving the public and a collective sense of responsibility for performance in terms of standards and 'targets;
- (c) promote and seek to implement the basic values and principles of public administration described in section 195 (1) of the Constitution;
- (d) obtain copies of or information about the municipality's integrated development plan, and as far as possible within the ambit of the staff member's job description, seek to implement the objectives set out in the integrated development plan, and achieve the performance targets set for each performance indicator;
- (e) participate in the overall performance management system for the municipality, as well as the staff member's individual performance appraisal and reward system, if such exists, in order to maximize the ability of the municipality as a whole to achieve its objectives and improve the quality of life of its residents.

Personal gain

4. (1) A staff member of a municipality may not—

- a) use the position or privileges of a staff member, or confidential information obtained as a staff member, for private gain or to improperly benefit another person: or
 - b) take a decision on behalf of the municipality concerning a matter in which that staff member, or that staff member's spouse, partner or business associate, has a direct or indirect personal or private business interest.
- (2) Except with the prior consent of the council 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.

Disclosure of benefits

5. 1) A staff member of a municipality 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 in writing full particulars of the benefit to the council.
- (2) This item does not apply to a benefit which a staff member, or a spouse, partner, business associate or close family member, has or acquires in common with all other residents of the municipality.

Unauthorised disclosure of information

6. (1) A staff member of a municipality may not without permission disclose any privileged or confidential information obtained as a staff member of the municipality to an unauthorised person.
- (2) For the purpose of this item “privileged or confidential information” includes any information—
- (a) determined by the municipal council or any structure or functionary of the municipality to be privileged or confidential;
 - (b) discussed in closed session by the council or a committee of the council;
 - (c) disclosure of which would violate a person's right to privacy; or
 - (d) declared to be privileged, confidential or secret in terms of any law.
- (3) This item does not derogate from a person's right of access to information in terms of national legislation.

Undue influence

7. A staff member of a municipality may not-
- (a) unduly influence or attempt to influence the council of the municipality, or a structure or functionary of the council, or a council or, with a view to obtaining any appointment, promotion, privilege, advantage or benefit, or for a family member, friend or associate;
 - (b) mislead or attempt to mislead the council, or a structure or functionary of the council, in its consideration of any matter: or
 - (c) be involved in a business venture with a councillor without the prior written consent of the council of the municipality.

Rewards, gifts and favours

8. (1) A staff member of a municipality may not request, solicit or accept any reward, gift or favour for-
- (a) persuading the council of the municipality, or any structure or functionary of the council, with regard to the exercise of any power or the performance of any duty;
 - (b) making a representation to the council, or any structure or functionary of the council;
 - (c) disclosing any privileged or confidential information: or
 - (d) doing or not doing anything within that staff member's powers or duties
- (2) A staff member must without delay report to a superior official or to the speaker of the council any offer which, if accepted by the staff member, would constitute a breach of sub-item (1).

Council property

9. A staff member of a municipality may not use, take, acquire, or benefit from any property or asset owned, controlled or managed by the municipality to which that staff member has no right.

Payment of arrears

10. 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 member's salary after this period.

Participation in elections

11. A staff member of a municipality may not participate in an election of the council of the municipality, other than in an official capacity or pursuant to any constitutional right.

Sexual harassment

12. A staff member of a municipality may not embark on any action amounting to sexual harassment.

Reporting duty of staff members

13. Whenever a staff member of a municipality has reasonable grounds for believing that there has been a breach of this Code, the staff member must without delay report the matter to a superior officer or to the speaker of the council.

Breaches of Code

14. Breaches of this Code must be dealt with in terms of the disciplinary procedures of the municipality envisaged in section 67(l)(h) of this Act.

Breach of this Conduct would be dealt with in terms of the Disciplinary Procedure.

3. DRESS CODE

Introduction

Abaqulusi Local Municipality, located within the Local government sector is aiming, at all times, to project and enhance its professional image, in keeping with its Mission. The dress of officials plays an important part in conveying and reinforcing this image to our clients and to the public in general as well as towards achieving world class standards.

General principles

The aim of this policy is to afford employees an opportunity to dress more comfortably for work. It is however important that all employees of the municipality share an appreciation for the professional nature of our business, the expectations of our clients, the environment in which we conduct business and the benefits we derive by making an appropriate dress code a part of our culture.

As always, the municipality expects everyone to present a professional appearance in dress and grooming. People should therefore use their discretion and good judgement in determining suitable clothing choices in order to present a professional appearance. It is important to note that an appropriate dress code is a merger between traditional business attire and the comfort of casual clothing and that at all times our clothing should reflect business first and casual second.

AbaQulusi Local Municipality understand that fashions in dress and grooming change from season to season. We appreciate and expect our employees to respond to these changes in fashion. However, in doing so we expect all our employees at all times to exercise good taste and to avoid any excesses that could detract from the overall professional image that we constantly seek to project.

Contravention of the dress code

We expect our people to continue to portray the quality, integrity and professionalism of the Municipality in their appearance and the benefit cannot be preserved if all staff do not follow the guidelines noted in this policy. If in doubt, consult your line manager or the HR section for advice and guidance.

If someone has crossed the line of 'acceptable' dress, they may be approached by their manager, with the suggestion that they reconsider their attire for the day. If the clothing is unacceptable and in clear violation of the Municipality's guidelines, there will be the expectation that the person goes home to change into more suitable attire.

Dress Code limitations

All employees are permitted to use the guidelines as outlined below, subject to the following provisos:

1. Where employees are expected to conduct client work under difficult circumstances e.g. site inspections/ visits or stock counts on industrial premises, they will be allowed to dress appropriately for the work they are expected to perform and the circumstances under which they need to perform this work.
2. The appropriate dress codes will apply for external functions e.g. cocktail, black-tie.
3. Business casual attire, rather than casual attire to be worn when attending either internal or external courses.

Technical Services

Items which are suitable clothing for technical staff members are the protective clothing as issued by the municipality. Such clothing, however, should at all times be clean, neat and unwrinkled.

4. RECOGNITION AWARDS

OBJECTIVE

To recognize and award the Staff of the AbaQulusi Local Municipality for displaying ability and initiative to perform and deliver consistent good work.

To build Staff morale thereby increasing Performance and Productivity.

(1) SUGGESTED CRITERIA

1.1 PERSONAL

Attendance at Work
Punctuality
Appropriate Dress code / Appearance
Sense of Humour

1.2 WORK RELATED

1. Ability to display initiative / problem solving
2. Ability to deliver consistently according to deadlines set
3. Timeous response to internal and public correspondence
4. Willingness to assist and co-operate in other sections / duties (i.e.) not a “not in my job description” type of personality
5. Consistently informing appropriate people of employee’s whereabouts.
6. Willingness to perform extra-ordinary levels of service in times of crisis.
7. Voicing appreciation to all fellow employees when necessary
8. Ability to perform as a team member, thereby always displaying team spirit

1.3 SOCIAL

1. Courtesy to the public at all times
2. Courtesy to fellow employees at all times
3. Answers the telephone within three rings
4. Prompt return of messages

(2) PROCEDURE

The Head of the respective department / section will nominate a staff member on a Monthly basis as the Best Achiever of the Month. The nominee will be evaluated on the basis of the criteria outlined in (1) above.

As set out below, there will be 10 possible nominees from the various Municipal departments/ sections.

The Head of the respective department / section will complete the Recognition Award Form, motivating the reason/s why the employee is nominated

The 3 nominees will be discussed at the Top Management Meeting and the employee will be selected accordingly

(3) AWARD

The selected Employee of the Month will be handed a Framed Certificate

A Gift Voucher to the value of R250.00 will be awarded to the Employee

The Employee may select a voucher according to the Voucher Checklist and preferred supplier

Voucher Checklist:

Meal	- Preferred Supplier
Clothing	- Preferred Supplier
Sporting	- Preferred Supplier
Other (Employee to specify)	- Preferred Supplier

A photograph and brief interview with the selected Employee of the Month to appear in the Newsletter

(4) ANNUAL AWARD

On an Annual basis the names of the twelve selected employees together with a Motivation will be submitted to the Municipal Manager to select, together with Top Management, the "Employee of the Year" Award.

The selected Employee of the Year will be handed a framed Certificate

A Gift Voucher to the value of R1000.00 will be handed to the employee.

RECOGNITION AWARDS

TEAM MEMBER OF THE MONTH

Nomination: _____

Department: _____

Section: _____

Employee No: _____

Occupation: _____

Motivation:

Personal:

Work Related:

Social:

	PERSONAL	WORK RELATED	SOCIAL
1	Below Average	Well Below Average	Below Average
2	Average	Below Average	Average
3	Above Average	Average	Above Average
4	Well Above Average	Above Average	Well Above Average
5	Excellent	Well Above Average	Excellent
6		Good	
7		Very Good	
8		Excellent	
8.5		Distinction	

Rating:

Personal:

- 1) Attendance At Work
- 2) Punctuality
- 3) Appropriate Dress Code/Appearance
- 4) Sense of Humour

Total:

1	2	3	4	5	Total

[20 Points]

Work Related:

- 1) Ability to display initiative/problem solving
- 2) Ability to deliver consistently according to deadlines set
- 3) Timeous response to internal and public correspondence
- 4) Willingness to assist and co-operate in other sections/duties (i.e.) not a 'not in my job description' type of personality
- 5) Consistently informing appropriate people of employee whereabouts

1	2	3	4	5	6	7	8	8.5	Total

5. ACTING ALLOWANCE

OBJECTIVE:

To remunerate officials who undertake additional responsibility in a higher position than their own when the incumbent is absent.

POLICY:

- The Acting Allowance is paid when an official assumes duties and responsibilities of a position on a higher post level than their own.
- All Acting Allowances must be Authorised by the respective Heads of Department and the Municipal Manager. In respect of the Heads of Departments, the Municipal Manager to authorise before the assumption of duties.
- In exceptional cases, the Council is to authorise.

PROCEDURE:

The Head of Department to forward the request for the Acting Allowance (Annexure A) to the Municipal Manager.

1. The Municipal Manager to forward the request for the Acting Allowance (Annexure A) to the Finance section for verification and payment purposes
2. The period that the official acted must be stipulated
3. The request forms for payment of an Acting Allowance are obtainable from the Human Resources Section
4. The request for an Acting Allowance duly authorised to be submitted to the Human Resources Section before the due date of each month for verification.
5. Officials will be paid an acting allowance should they be acting for 10 consecutive days.
6. Acting in a vacant position should not be longer than 6 consecutive months.
7. Employees acting in Section 57 positions should be paid an acting allowance of 60% of the package of the relevant Section 57 position.
8. Section 57 employees acting in the position of the Municipal Manager should be paid an acting allowance which is the difference between their salary and the salary of the Municipal Manager, **divided by two.**

The incumbent who is acting shall be paid an acting allowance equal to the difference between his salary and the minimum notch of the salary scale in which he /she is acting.

'Annexure A'

AbaQulusi Local Municipality

REQUEST FOR AN ACTING ALLOWANCE TO BE PAID

Kindly Authorise an Acting Allowance to be paid to:

Name: _____ Empl. No: _____

Designation: _____ Post Level: _____

Department: _____

Signed: Employee: _____

Acting Position: _____ Post Level: _____

Present Incumbent: _____

for the Period _____ to _____ (Both days inclusive)

The reason for the Acting Allowance to be paid being:

Requested By: _____ Date: _____

Designation: _____ Signed: _____

Acting Allowance Authorised: _____
Head of Department

Date: _____

Acting Allowance Not Authorised: _____
Head of Department

Reason: _____

Date: _____

Verified by the Human Resources Section: _____ Date: _____

FOR OFFICIAL USE ONLY

SALARY - ACTING POSITION: R _____

SALARY - INCUMBENT: Minus R _____

= R _____ ÷ 252 = R _____ X _____ (Days) = R _____

6. INTERNSHIP AND IN SERVICE TRAINING

1. PREAMBBLE

The development of an in-service training policy is a sign of the organisation's commitment to the transformation process as stipulated in the Skills Development Act.

2. PURPOSE

The main purpose of this policy is to:

- Manage in-service training for learners from tertiary institutions;
- To ensure a uniform approach in the admission of students;
- Provide opportunity to gain applied field experience prior to entry to labour markets;
- To expose students to meaningful life work experience which Compliments their classroom experience and enable them to gain confidence.

3. SCOPE OF OPERATION

Applies to all in-service learners assisted by the Municipality to gain experience in their field of study. As in service training can be defined as a programme for advancement while actively involved in learning, the policy applies to learners from tertiary institutions only. Preference will be given to current bursary holders from the Municipality.

The policy will be applicable within the Municipal area.

4. REQUIREMENTS

The student should be required to present the following documents to the municipality which will then be filed accordingly:

- Short curriculum Vitae
- Academic Records
- The field of study
- Period of in-service training needed
- Format of evaluation to be submitted by the tertiary institution
- Students will be required to enter into an Agreement signed by the employer, learner and institution.

5. DURATION OF PRACTICAL EXPERIENTIAL TRAINING

The period of practical experiential training by the student who is still studying will be prescribed by the educational institution. The agreement entered into with the student will indicate the dates of commencement and completion of practical experiential training. The period of in-service training may not exceed a period of 12 (twelve) months.

6. REMUNERATION AND OTHER ALLOWANCES.

The in-service trainees will receive a stipend allowance of R1 000.00 per month.

7. PLACEMENT OF IN-SERVICE TRAINING

Maximum learners per department to be determined by provisions in the budget but should not be less than two learners per given cycle per department.

8. IMPLEMENTATION

- 8.1. The procedures set out in paragraph 11 of this policy must be followed whenever a request for in-service training is received from a training institution.
- 8.2. The period of in-service training may not exceed a period of 12(twelve) months and the outcomes to which the learner is to be exposed to must be clearly stipulated.
- 8.3. Should disciplinary action deemed necessary based on the behaviour/attitude/conduct of a learner, the in-service period may be terminated immediately and the training institution must be informed accordingly.

9. GENERAL

- 9.1. Although in-service trainees are not deemed as Council employees, all Council approved policies and procedures are applicable during the period of their in-service training.
- 9.2. Work related instructions from supervisors must be adhered to.
- 9.3. In-service trainees must follow the line of authority should they encounter problems in the working area.
- 9.4. In cases where a Department has no budget for in-service trainees the HOD be authorised to negotiate with the incumbent to do in-service training at no cost for the Municipality and sign such agreement with the incumbent..

PROCEDURES OF IN- SERVICE TRAINING

10. REQUESTS FROM LEARNERS/TRAINING INSTITUTIONS

- 11.1 The training institution shall submit a formal letter to the Director: Corporate Services requesting in-service training, stating the following:
 - Name of learner
 - Field of study
 - Period of in-service training required, which will not exceed a period of 12(twelve) months.
 - Outcomes which the learner needs to be exposed to during the training period.

11. REFERRAL TO RELEVANT DEPARTMENT

- 11.1. Department Corporate Services refers the request for in-service training to the relevant department.

- 11.2. The decision to assist the learner is the responsibility/prerogative of the host department.
- 11.3. The learner must sign an indemnity form available from the Human Resources sections, Department Corporate Services.
- 11.4. The learner must be informed that no remuneration will be payable for the period of in-service training.
- 11.5. Security must be informed by the host department of the time period that the learner will be on the premises of the municipality.

12. REPORT BACK TO THE TRAINING INSTITUTION

- 14.1 The section head of the department where the learner has been assigned is responsible for completing all reports required by the training institution
- 14.2 The section head will issue a confirmation letter to the learner indication the period of in-service training and subjects/areas covered during then in-service period.

15.RECORDS

Records must be kept of all training in terms of the following format

DESCRIPTION	DOC. NR	RETAINED BY	RETENTION PERIOD	DESTROYED BY
Request from training institution				
Referral to relevant department				
Identity form				
Report to training institution				

7. PRIVATE WORK FOR REMUNERATION

Objective:

In terms of Clause 10.1.1.12 of the Conditions of Service as promulgated in Government Gazette No. 15257 read with the Code of Conduct for Municipal Staff Members an Employee shall be guilty of misconduct if he/she 'engages in remunerative work outside the Municipality's service, or commits themselves thereto without first requesting and receiving the Municipality's permission or contravenes any conditions upon which such permission is granted by the Municipality.

Policy:

In view of the above condition the following Policy will be applicable.

Private work/piece jobs will only be allowed under the following circumstances.

1. Private work undertaken may not interfere with the employee's normal duties at Abaqulusi Local Municipality.
2. The private work may not be executed during normal working hours.
3. The private work may not be executed whilst an employee is on official standby period.
4. The private work may not be detrimental to the employee's health in any way.
5. Employees may under no circumstances use the Municipalities transport/equipment and/or material for the purpose of private work.
6. No private work involving shift work or long hours, which may affect the employee's, performance/alertness during his normal working hours will be allowed.
7. Before an employee performs any private work he/she will receive written permission from both the Head of Department and Municipal Manager

A written request setting out the type of work, the conditions pertaining and the envisaged duration of such work must be submitted to the Municipal Manager/Head of Department who will submit written approval/declining as the case may be.

“Read together with Code of Conduct for Municipal Staff Members”.

8. PERSONAL GAIN

Policy:

A staff member of a municipality may not –

use the position or privileges of a staff member, or confidential information obtained as a staff member, for private gain or to improperly benefit another person: or

take a decision on behalf of the municipality concerning a matter in which that staff member, or that staff member’s spouse, partner or business associate, has a direct or indirect personal or private business interest.

Except with the prior consent of the council 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 other 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.

9. SUGGESTION BOXES

Objective

To afford Staff members/Public the opportunity to make valuable contributions to improve the efficiency and/or the effectiveness of the operations.

Procedure

- Employees/ Members of the Public who have any suggestions to make may obtain the Suggestion Box Input forms from AbaQulusi Local Municipality's front desk.
- The duly completed and signed form to be placed in the Suggestion Box.
- Forms that are not duly completed and signed will be discarded.
- Suggestions from anonymous employees will be accepted provided evidence is attached to the suggestion form (i.e.) Photograph/documentation etc.

Collection Procedure

- The boxes will be locked at all times.
- The keys to the boxes will be kept by the Municipal Manager.
- All suggestions submitted will be treated as Private and Confidential.
- The Municipal Manager and the Director: Corporate Services will, on a Monthly basis, visit the respective sections where the Suggestion Boxes are placed and remove the Suggestion Input forms.
- The suggestions will be placed in Folders marked according to the respective sections.

Opening Procedure

The Municipal Manager and the Director: Corporate Services will list all the suggestions in a Suggestion Register.

- The Suggestion Register will contain the following details:
 - Name of Staff Member
 - Section
 - Date
 - Short description of Suggestion
 - Reference Number
 - Close off Signature
 - Close off Date

Actioning Procedure

- The Suggestion Register will be tabled at the Top Management Meetings by the Municipal Manager.
- The name of the employee will not be divulged.
- Top Management will discuss all the suggestions and endeavour to action the suggestions where possible.
- All the suggestions actioned by Top Management and those pending action/input from Top Management will be tabled at the Management Meeting.
- The Staff member who submitted the suggestion, will be informed of the outcome.

General

- The Procedure as set out for the Staff Suggestion Box will also be applicable for the Public Suggestion Box save for the Suggestion Box Input form.
- (Legal Technology regarding the disclosure of information).

10. OVERTIME .

INTRODUCTION

The Overtime Policy is meant to be a guideline as to the responsibilities of the designated officials of each department regarding the working and payment of overtime as regulated by the Basic Conditions of Employment Act, 1977.

BACKGROUND

In terms of the Basic Condition of Employment Act, Section 10 an employer may not required or permits an employee:

- (a) To work overtime except by an agreement;
- (b) To work more than ten hours overtime a week.
- (c) An agreement may not require or permit an employee to work more than 12 hours on any day.
- (d) A collective agreement may increase overtime to fifteen hours per week for up to two months in any period of 12 months.

GENERAL

It should be the intention of the Council to reduce to a minimum the necessity for overtime to be worked. The requirement of frequent and substantial amounts of overtime, other than emergency overtime (not anticipated and due to a breakdown/temporary circumstance), shall be considered as a result of a work distribution problem or staff shortages or situations and will be subjected to an investigation by the Director of the relevant department and reported to the Municipal Manager.

Overtime shall be considered as time worked in excess of the regularly scheduled workday or work week.

In terms of the Basic Conditions of Employment Act, No.75 of 1997, the act determines that all employees earning in excess of R149 736.00 per annum (and/or as amended by the Department of Labour) (Government Gazette No 30720 dated 1 February 2008) be excluded from sections 9, 10,11, 12,15, 17(2), 18(3) of the Act with effect from 1 March 2008.

Control Measure for remunerative overtime:

Responsible Manager/s should ensure that:

1. Overtime work is minimized.
2. There is adequate control of remunerated overtime duty through both supervision and control of outputs
3. Overtime remuneration is cost effective
4. Records of all overtime duties are kept
5. Attendance register is signed by all employees at the starting and finishing time and controlled by the supervisor in charge
6. Funds are available to finance overtime pay
7. Staff members are not voluntarily employed to such an extent that the quality and quantity of work performed during normal hours and overtime are adversely affected
8. All overtime work should as far as possible be performed at the employees normal place of work

POLICY

In terms of the operational requirements of the job, employees will from time to time be required to work overtime. The conditions on which employees will be required to work overtime are as follows:

1. The policy is framed with the explicit knowledge that all employees, excluding shift workers employed to work a six day week, work from 07h30 to 13h00 and 13h30 to 16h00 (Mondays to Fridays) and that no employee has been appointed to work on Saturdays, Sundays or Public Holidays and that work performed on Saturdays, Sundays and Public Holidays shall be treated in terms of this policy.
2. Section 57 employees are exempted from claiming overtime;
3. The determination of hours of work for Senior Management, security personnel, traffic, fire and emergency personnel and those employees working less than 24 hours per month is delegated to be dealt with and finalized in the divisions of the Council. (This is in terms of the SALGBC Main Collective Agreement Part B Clause 2.2)
4. In terms of the Collective Agreement the only employees that are allowed to work longer hours are senior managerial employees, security, traffic, fire and emergency employees.
5. Employees earning in excess of the threshold of R149 736.00 per annum do not qualify for overtime payment and shall keep a register of overtime worked and time-off taken in lieu of overtime worked.
6. Where journeys outside the jurisdiction of the Council are undertaken, it will be at the discretion of the Director of the Department, in consultation with the Municipal Manager, to authorize such office to sleep over and claim overtime.

7. Should the AbaQulusi area be hit with a disaster or emergency the above rules of hours worked for overtime as well as the levels allowed to be compensated for overtime remuneration will fall away and shall be at the discretion of the Director of the Department in consultation with the Municipal Manager.
8. In the case of employees being on standby no prior consent is needed from the Manager of the section, this overtime will however be indicated on the daily timesheets filled in by the employee, this timesheet will be signed by the Senior on standby agreeing to the hours worked and the form will then be submitted to the Manager of the relevant section who will authorize the hours before submitting such timesheets to the Finance department (Costing section) for capturing.
9. An employee is not obliged to work overtime in the absence of the signed overtime agreement nor is the employer compelled to pay for overtime worked in the absence of such signed agreement; (See attached document) Overtime may only be worked with the prior consent of the Manager of the relevant section and who shall advise the Director of the Department and such overtime shall be in accordance with this policy.
10. Staff will be paid 1 ½ times their hourly rate for overtime worked or alternatively they may be granted 90 minutes paid time off for each hour of overtime worked during weekdays and Saturdays;
11. For overtime worked on Sundays and Public Holidays, staff will be paid 2 times their hourly rate, or alternatively they may be granted 120 minutes paid time off for each hour of overtime worked on a Sunday;
12. When claiming overtime, the overtime form and the completed and signed attendance register be attached and submitted to the Director of the Department for approval and then to the Finance Department for payment .
13. Staff granted special leave to attend lectures in terms of their approved bursary, shall not be entitled to claim overtime equivalent to the number of hours that special leave is granted for a specific month.

Compensation:

1. Unless a specific agreement is concluded with an individual or collectively, the Municipality shall provide compensation for overtime. Managers could agree on time-off if an employee wants to and if working circumstances permit or when funds are limited.
2. The Municipality shall compensate authorised overtime work by paying the employee concerned one and one third times his/her normal hourly remuneration or by granting him/her time off equal to time worked.
3. The Municipality shall compensate Sunday (Public Holiday or overtime worked between 20h00 and 06h00) overtime work by paying the employee concerned two times his/her normal hourly remuneration or by granting time off equal to the time worked.

Procedure:

1. Responsible Managers shall do a formal submission with motivation to Top Management beforehand the number of hours overtime duty to be performed each day, set production targets as well as financial implications for the entire overtime.
2. The Authority to approve remunerated overtime is vested with the Municipal Manager if the overtime is less than 14 days and with the Management Committee if it is more than 14 days.
3. The responsible manager will be informed of the outcome immediately when it is available. If the period of overtime falls in two financial years, approval should be granted separately for each financial year.

Claim Forms:

1. The attached overtime form to be used for **pre**-approved overtime.

ANNEXURE B

Abaqulusi Local Municipality

APPLICATION TO WORK OVERTIME

Name: _____ Salary . No.: _____

Designation: _____ Post Level: _____

I, _____, herewith request permission to work overtime on the following date/s:

Date	Envisaged Hours

The reason for the overtime being as follows:

Signed: _____
Employee

Date: _____

Overtime Authorised / Not Authorised:

Supervisor: _____

Date: _____

Manager: _____

Date: _____

Or

Municipal Manager: _____

Date: _____

Basic Conditions of Employment Act 75 of 1997

i. Overtime: Section 10

An Employer may not require or permit an Employee to work more than 3 hours overtime a day or 10 hours overtime per week.

- An Employer must pay an Employee 1.5 times the Employee's wage for overtime worked
 - Pay the Employee's ordinary wage for overtime worked and grant 30 minutes time off on full pay for every hour worked
 - No payment for overtime worked and grant 90 minutes paid time off for each hour worked
 - Time off must be granted within one month
 - an Agreement in writing may increase the period to 12 months

Sunday Work

- Employee must receive double pay

Alternatively

Employees earning in excess of R149736.00 per Annum be excluded from the following Sections

Section 9	Ordinary Hours of Work
Section 10	Overtime
Section 11	Compressed Working Week
Section 12	Average Working Hours
Section 13	Determination of Hours of Work by Minister
Section 14	Meal Intervals
Section 15	Daily / Weekly rest period
Section 16	Pay for Work on Sundays
Section 17	Night Work
Section 18 (3)	Public Holidays - payment should Employee work Read with Chapter Seven

11. INDUCTION

OBJECTIVE

The objective of this policy is to outline policy guidelines for the induction of permanent employees into the Municipality.

POLICY

1. All new employees must undergo an informal induction programme in the branch on the day they commence employment or as soon as possible thereafter. It is the responsibility of the HR Manager to ensure that the employee is correctly introduced to the Municipality in general.
2. The induction programme is to assist the new employees in his/her entry to the organization. It becomes essential to ensure that the new employee not only understands the way the organization and his/her job are organized, but also that he/she embodies the culture of the organization.
3. Starting a new job is considered to be one of the most stressful life experiences and a proper induction process that is sensitive to the anxieties and uncertainties, as well as the needs of the employee is therefore of the utmost importance.
4. A professionally sound induction processes requires that all employees of the Organisation be fully committed to and actively involved in creating a pleasant, friendly and harmonious work environment and that everyone is actively involved in the induction of new employees.

INDUCTION PROCESS AND PROCEDURE

The Human Resources department shall develop, update and administer the Induction process

12. PROBATION.

OBJECTIVE

The objective of this policy is to ensure that the candidate who best meets the selection criteria is appointed.

POLICY

1. Employees are employed on a probationary period of three (3) months. The purpose of a probationary appointment as part of the selection process is to assess, as early as possible in a working environment, an employee's suitability for employment in a particular job. During the probationary period, employees must be given the opportunity to demonstrate the standards expected of them and be provided with appropriate feedback, assistance and support by the Section Manager to achieve them. Resignation or termination during this period should comply with Basic Conditions of Employment Act Section 37.
2. Human Resources will give advice and support to all employees during the probationary period. All Managers should discuss as early as possible, with Human Resources, any doubts or uncertainties about an employee's progress.
3. The line manager must inform the HR Department when the employee has successfully completed the probationary. The HR department will in turn, confirm the employee's formal appointment to a position by means of a written letter to the employee. The probationary period may be extended based on the performance of the individual. If an extension is to be applied, the employee is to be advised in writing of such an extension and the conditions set out for this extension.
4. The line manager must conduct regular evaluations of the performance of new employees during the probation period and any corrective action must, after consultation with the employee and the Head of Department, be conveyed to the employee in writing. A copy of such evaluation and corrective action (if any) must be forwarded to HR for filing of the new employee's personnel file

13. TERMINATION OF SERVICES

OBJECTIVE

The objective of this policy is to outline policy guidelines for termination of service for permanent employees.

POLICY

1. Unless otherwise provided for in the contract of employment, an employee after completion of his/her probationary period must give 1 calendar month's written notice of their intention to resign. Notice of termination of contract of employment must not be given during any period of leave to which the employee is entitled. However, with an employee who has served three (3) months or less and is still on probation, the Municipality can terminate employment with immediate effect.
2. A resignation on short notice is in effect a unilateral effort to change the employment contract. The Municipal Manager in his/her discretion may or may not agree thereto. In the event that the Municipal Manager grants his/her consent, this should be on the conditions determined at the time by the HR Manager, or any person delegated by him/her, put in writing and signed by the employee.
3. Notice must be given on or before the first (1st) day of the month and shall run from the first (1st) day of that month. However, if the first (1st) day of the month falls on a day of rest, notice may be given on the first (1st) working day following such day of rest in which case the employee will be deemed to have given notice on the first (1st) day of the month.
4. If an employee gives notice on the first (1st) day of the month, they should be paid a salary and an allowance in respect of the full month despite the fact that the month may end on a day of rest, provided they are normally paid for days of rest and perform their duties up to and including the last working day of that month.
5. No annual leave may be taken during the notice period.
6. Human Resources shall grant all employees leaving the employ of the Municipality an exit interview, on or before the effective date of termination of service.
7. This policy will only apply to permanent, full-time permanent and part-time permanent employees.

14. STUDY AID

OBJECTIVE:

To grant financial assistance to employees who wish to pursue their studies alternatively who wants to enrol for studies.

POLICY:

1. The bursary granted will be in terms of Section 10(1)(q) read with section 23(j) of the Income Tax Act 58 of 1952.
2. In terms of the abovementioned Act the bursary granted will be termed as a closed bursary
3. The bursary is confined to employees of **ABAQULUSI LOCAL MUNICIPALITY**.
4. The bursary granted will be exempt from normal taxation.
5. In the event that the employee does not successfully complete the studies they will be expected to refund the full Bursary granted.
6. The amount of the Bursary will be deducted in 12 (twelve) equal instalments from their salary.
7. The same will apply as in Point 6 above when the employee decides not to continue with their studies after they have enrolled.
8. When an employee completes only part of their studies they will re-imburse the Municipality a pro-rata amount of the studies paid for but not completed.
9. Should an employee assisted re-write their examinations and pass, their monies should be re-imbursed
10. Should the employee assisted, resign from the Municipality within twelve months after the date of successfully completing the examination, they shall in respect of each month or part thereof from the date of termination of such service to the date upon which the twelve months would have expired, refund the Municipality one-twelfth of the total amount paid by the Municipality

PROCEDURE:

- The employee to duly complete an Application for a Study Loan (Annexure C) and submit same to his/her Supervisor/Head of Department.
- The employee to attach details of the actual Studies intended, setting out the duration and cost.
- Applications below R2000.00 may be authorized by the Municipal Manager.

Applications in excess of R2000.00 must be submitted to the Human Resource Committee and Local Labour Forum as well as Training Committee for their approval and thereafter to the Executive Committee for their approval.

- Once approved as per the above procedure the employee to complete the Study Loan Agreement (Annexure B) and submit same to the Human Resource section who will process same.
- Payments will be made directly to the Training Institute, unless the employee has already paid in which case proof of payment is to be submitted.
- Proof of registration of subjects to be supplied by the Staff member concerned.

ANNEXURE D

ABAQULUSI LOCAL MUNICIPALITY

BURSARY AGREEMENT

I, _____, Salary No. _____ hereby undertake to abide by the terms and conditions as detailed hereunder in respect of the bursary of R _____ granted to me to study for the year 20 _____ at _____

1. The bursary granted will be in terms of Section 10(1)(q) read with section 23(j) of the Income Tax Act 58 of 1952.
2. In terms of the abovementioned Act the bursary granted will be termed as a closed bursary.
3. The bursary granted will be exempt from normal taxation.
4. In the event that the employee does not successfully complete the studies they will be expected to refund the full Bursary granted.
5. If Point 4 above is applicable, the amount of the Bursary will be deducted in 12 (twelve) equal instalments from their salary.
6. The same will apply as in Point 4 above when the employee decides not to continue with their studies after they have enrolled.
7. WHEN AN EMPLOYEE COMPLETES ONLY PART OF THEIR STUDIES THEY WILL REIMBURSE THE MUNICIPALITY A PRO-RATA AMOUNT OF THE STUDIES PAID FOR BUT NOT COMPLETED.
8. Should the employee assisted, resign from the Municipality within twelve months after the date of successfully completing the examination, they shall in respect of each month or part thereof from the date of termination of such service to the date upon which the twelve months would have expired, refund the Municipality one-twelfth of the total amount paid by the Municipality.

MUNICIPAL MANAGER

Date Bursary Granted

I, hereby agree and accept to abide by the Terms and Conditions as set out in the Agreement

(Please print name) _____

APPLICANT'S SIGNATURE

15. EMPLOYMENT EQUITY

Objectives:

To transform AbaQulusi Local Municipality into a non-racial, non-sexist institution, and to ensure that staff is so composed that it is able to serve effectively and fairly all members of the community with due regard to culture and ethnic diversity.

To address imbalances in the composition of the present and future internal labour force with regard to race and gender by means of an Affirmative Action Programme for a limited period, until such time as the staff composition of the AbaQulusi Local Municipality is representative of the relevant labour market at all organisational levels.

The purpose of the Affirmative Action Programme is to level the playing field thereby enabling previously disadvantaged people to compete on an equal footing with other candidates for appointments.

To eliminate all forms of discrimination in the employment situation whether based on race, creed, gender or any other form of stereotypes of persons or groups; as well as

To identify and abolish all barriers and subjective practices that hampers the employment and/or advancement of members of staff, especially those who have been historically disadvantaged by prejudices that favoured and disfavoured others.

Employment Policy

Any vacancy that arises due to a New Position being created, Death/Resignation or Dismissal of an Employee is advertised internally to grant employees from within the Council the opportunity to apply.

In terms of the Local Government Bargaining Council Salary structure all occupations are Graded according to Responsibility, Qualification and Experience.

The Grading is divided into Post Levels 0-18. Post Level 0 being the highest & Post Level 18 the lowest.

NEW APPOINTMENTS

Special attempts are made to appoint applicants from disadvantaged groups to vacant positions while maintaining the merit principle.

Affirmative Action appointments will only apply in those job categories where disadvantaged people are not fairly represented.

Previously disadvantaged candidates will receive preference above others, all things being equal, in those job categories where Affirmative Action applies.

The merit principle will be adhered to. Merit is defined as the capacity to do the job, judged on qualifications, experience, knowledge, potential and/or demonstrated ability. Emphasis would be on meeting minimum requirements for the job and not necessarily appointing the ideal candidate or highest qualified candidate.

Relevant experience and length of service will be taken into account where formal qualifications are absent.

Disability and age shall not count as disqualifying criteria in recruitment or selection, unless if these are intrinsic requirements for specific positions.

Vacant positions must be analysed to determine the realistic person and post requirements (e.g. qualifications, experience and physical requirements) that meet the needs of the job and which do not privilege people with higher qualifications than those needed for the position.

Appointments and promotions will be based on prerequisite ability (proficiency and potential) so as to maintain and/or promote economic effectiveness, productivity and standards.

16. EMPLOYMENT

1. Recruitment

Where a vacancy arises the respective Head of Department is required to complete an Authority to Employ form.

The referred form is to be duly completed and authorised by the Head of Department and the Municipal Manager.

The reason for the vacancy must be stipulated.

A brief Job Description and requirements for the position must also be completed by the Head of Department and submitted with the form.

Special recruitment efforts will be launched to attract suitable applicants from disadvantaged groups by advertising in the Local Press in both English and IsiZulu Newspapers.

Priority shall be given to the employment of South Africans and where possible local community members. Foreign labour may only be employed after consultation with the Unions and when there is adequate evidence that there was no South African capacity to fill the said vacancy.

Internal recruitment shall take precedence over external recruitment, save where the latter is necessary for the implementation of the terms of the Employment Equity Plan.

1.1 Permanent and Section 57 Employees

1.1.1 The municipality shall not recruit any senior employee, if the municipal manager has not yet been appointed.

1.1.2 Any permanent position which the municipality intends to fill shall be reflected on the approved municipal organogram.

1.1.3 Recruitment of the municipal manager shall be undertaken by the executive committee of Council.

1.1.4 In case of heads of departments, the executive committee shall undertake the recruitment process after consultation with the municipal manager.

1.1.5 Recruitment of any other employee including managers below heads of departments shall be the responsibility of the municipal manager.

1.1.6 The municipal manager may mandate any official to undertake the recruitment processes.

1.1.7 Heads of departments shall within fourteen (14) days report to the human resources manager or any person performing his or her responsibility, any position becoming vacant as a result of resignation, dismissal, retirement or death which shall further be reported

to the municipal manager within seven days from the date of receipt of a report from the relevant head of department.

1.2 **Non-Permanent Employees**

1.2.1 The municipality may recruit non-permanent employees under the following circumstances:-

1.2.1.1 In case of leave as may be taken by employees from time to time, if circumstances so require.

1.2.1.2 If there is a seasonal duty to be performed.

1.2.1.3 If there is a project or function to be undertaken which is managed by the municipality.

1.2.1.4 In case of appointment of employees employed in terms of Section 57 of Municipal Systems Act No 32 of 2000.

1.2.1.5 In case of appointment of fixed-term contract employees excluding employees referred to in 1.2.1.4 herein.

All Application forms are submitted to the records Office. After the closing date of the Vacancy the applicants are numbered. .

The box/es with the applicants' CVS are handed to the Human resources Department where these are summarised and a memo is compiled requesting the Municipal Manager to appoint a shortlisting and interviewing panel.

Post Requirements

Reviewing and reducing of post specifications to a realistic minimum can be done on a continuous basis, but specifically as vacancies and needs arise.

Regarding requirements for experience, it is essential to bear in mind that if length of service in local government specifically is an explicit or implicit requirement for appointment, those eligible will be white and male as the workforce in this sector was previously predominantly white and male. These requirements should be subject to review and where they act as barriers to the mobility of personnel from under-represented groups, be reviewed.

2. Advertising

An advertisement must convey the impression that applications are welcome from all sectors of the population, unless being of a particular sex or ethnic group is a genuine occupational qualification.

Advertising in the Zulu press is essential, to attract more members of under-represented groups, and will perform the additional function of informing the readers of the local authority's commitment to equal employment opportunity.

- 2.1 The executive committee shall obtain the consent of council prior to advertising the post of the municipal manager and any other manager reporting directly to him/her.
- 2.2 The intention of executive committee to advertise the position of the municipal manager or any manager directly reporting to him shall be communicated with the candidate occupying the position (if any) one month prior to the placement of such advertisement.
- 2.3 Excluding the position of the municipal manager; Directors and managers reporting to Directors other positions shall be first advertised internally. If no suitable candidate is identified internally, then the post will be advertised externally.
- 2.4 External advertisements shall be placed in one (1) national and any other provincial or district and local newspaper.
- 2.5 ***In the event of scarce skills and crucial positions, posts shall be advertised internally and externally simultaneously. Preference will be given to suitable internal candidates.***
- 2.6 The municipal manager through the heads of departments must ensure that all advertisements for employment of general workers' positions are advertised in IsiZulu, English and Afrikaans.
- 2.7 Local advertisement of positions shall be placed on the official notice boards and/or local newspapers for a period not less than fourteen (14) days.
- 2.8 The municipal website may also be used to place all advertisements for positions if it is active during the time of such advertisements.
- 2.9 The advertisement of the positions shall clearly reflect, inter alia, the following:-
 - 2.9.1 The geographic location of the municipality;
 - 2.9.2 Specific location of the relevant workplace;
 - 2.9.3 The employment equity preferred group;
 - 2.9.4 The department or directorate under which the position in question belongs;
 - 2.9.5 The essential requirements of the post as stipulated in the job descriptions;
 - 2.9.6 The preferred requirements of the post for selection advantages;
 - 2.9.7 The remuneration and fringe benefits, unless if the reflection thereof will disadvantage the municipality in any manner;
 - 2.9.8 A brief description of duties as reflected in the relevant job description;
 - 2.9.9 The manner of lodging an application and required attachments thereto;

- 2.9.10 The surname and initials of at least one designated employee to take enquiries as well as telephone numbers and extensions;
- 2.9.11 Closing date and time for applications;
- 2.10 All applications for the advertised positions shall be submitted in writing to the office of the municipal manager not later than the closing date, without exemption to municipal employees.
- 2.11 For the purpose of recruiting general workers, application forms seeking to obtain all the relevant information for selection process shall be designed by the municipal manager or his or her nominee for filling by applicants.
- 2.12 Application forms can be filled in IsiZulu, English and Afrikaans and applicants who cannot write shall be assisted by the human resources section.
- 2.13 No advertisement shall bear discriminatory requirements which are against labour statutes.
- 2.14 No faxed or emailed applications shall be accepted.

3. SELECTION

3.1. Selection Panel

- 3.1.1 The selection panel shall perform sifting, short listing as well as any other pre-appointment functions as one (1) panel.
- 3.1.2 In case of appointment of the municipal manager, the selection panel shall be comprising of executive committee members, including the speaker, with the mayor as the chairperson.
- 3.1.3 For the appointment of managers directly responsible to the municipal manager, the selection panel shall be the executive committee members, including the speaker, with the mayor as the chairperson and the municipal manager performing advisory functions.
- 3.1.4 For the purpose of appointing a manager below heads of departments and any other employees, the municipal manager may appoint any official as the chairperson.
- 3.1.5 In case of appointment of general workers, the relevant supervisor can be invited on advisory capacity by the panel.
- 3.1.6 The human resources manager or any person responsible shall take all reasonable steps to ensure that all services required by the panel in respect of employment of general workers, including translation, are provided during all pre-appointment exercises.

- 3.1.7 Members and any other person in the selection panel shall behave professionally and bear confidentiality of all activities and possible results of the recruitment, selection and appointment processes.
- 3.1.8 The Municipality may use various tools or instruments to determine suitability of the candidate/s.

3.2. **SIFTING**

- 3.2.1. Prior to engaging in the exercise of sifting, the chairperson shall bring along and announce the list of applicants reflecting their Identity Document numbers, surnames and full names, academic qualifications, experience and residential and postal addresses.
- 3.2.2. Subsequent to performance of 3.2.1 functions by the chairperson, members of the panel shall be given an opportunity to recuse themselves from the process in case they have interests.
- 3.2.3. For the purpose of selecting candidates to be interviewed, the selection panel shall sift-out the following:-
 - 3.2.3.1. Applications which do not indicate the position applied for.
 - 3.2.3.2. Applications without certified copies of original qualifications as may be required.
 - 3.2.3.3. Applications without the required attachments as per the provisions of the advertisement.
 - 3.2.3.4. Applications lacking the essential requirements of the position.

3.3. **SHORT-LISTING**

- 3.3.1. Excluding the positions of municipal manager, executive managers, managers reporting to the executive managers, municipal employees and local applicants shall receive preference, subject to meeting the essential requirements of the position applied for.
- 3.3.2. The maximum of six (6) and a minimum of three (3) candidates per position shall be recommended by the panel for a short-list of qualified and/or suitably qualified candidates.
- 3.3.3. If only less than three (3) candidates among all the applicants qualifies for being on short-list, the position shall be re-advertised not more than once on any newspaper to be determined by the executive committee or Municipal Manager.
- 3.3.4. Should the municipality be unable to secure a candidate after compliance with clause 3.3.3. contained herein, the services of the employment agency shall be procured through the approved supply chain management policy.

- 3.3.5. The employment agency shall only provide the determined number of CV's of interested candidates to be interviewed by the municipality in terms of this policy for appointment purposes.
- 3.3.6. The objectives of the employment equity Act 55 of 1998 and approved employment equity plan of the municipality shall be considered during short-listing exercise.
- 3.3.7. Only candidates meeting the essential requirements of the position shall be put on a short-list.
- 3.3.8. ***For posts advertised internally, only internal applicants who have completed their probationary periods and meeting the essential requirements of the position shall be put on a short-list.***
- 3.3.9. All members of the panel shall sign the short-list after completion of the exercise.
- 3.3.10. Organized labour will be engaged in observer status.

3.4. **INTERVIEWS**

- 3.4.1. All candidates reflected on a short-list shall be invited for an interview.
- 3.4.2. Invitation of short-listed candidates for an interview shall be done telephonically and in writing by means of a fax or email with proof thereof kept in a file, not later than two (2) working days with effect from the date of short-listing exercise.
- 3.4.3. Questions for testing suitability of short-listed candidates shall be compiled on the date of interviews by the panel.
- 3.4.4. Candidates canvassing for appointment shall automatically be disqualified on submission of such evidence by the chairperson to the interview panel.
- 3.4.5. During the interview, candidates shall be assessed on academic knowledge, prior learning, potential to acquire within reasonable period the ability to perform duties and exposure displayed on the subject on which the question is based, as candidates will be attending to questions posed by the interview panel.
- 3.4.6. An interview questionnaire, as shall be distributed by the chairperson at a meeting of the interview panel to all parties (including observers) shall be utilized for allocating points to candidates as they attend to questions posed.
- 3.4.7. In case of appointment of the municipal manager and heads of departments, the executive committee shall allocate points to candidates for assessment purposes.
- 3.4.8. In case of appointment of any other employee excluding the municipal manager and heads of departments, only points scored by the interview panel, excluding a portfolio councillor, shall be utilised for assessment of candidates.

- 3.4.9. In case of the municipal manager and managers reporting to him/her, the selection and interview panel shall recommend the candidate for appointment to Council in line with provisions of EEA and approved employment equity plan of the municipality.
- 3.4.10. For recommending appointments, the interview panel shall endeavour to reach consensus and failing to do so shall constitute a referral of the matter to the municipal manager for a final ruling.
- 3.4.11. In case of appointment of the municipal manager and managers directly reporting to him/her, the selection panel shall endeavour to reach consensus on such appointment, and failing to do so shall constitute prevalence of word of majority.
- 3.4.12. Objections from observing parties shall be lodged in writing to the office of the municipal manager within two (2) working days with effect from the date of the interview.
- 3.4.13. In case of appointment of the municipal manager or managers directly reporting to the municipal manager, objections shall be lodged to the mayor for consideration by council.
- 3.4.14. Objections by the portfolio councillor observing shall be in a form of comments which shall intend to terminate any malpractice observed during the proceedings, and be given to the municipal manager.
- 3.4.15. In case of executive committee being the interview panel, no councillor may observe.
- 3.4.16. The applicant giving false information must be disqualified, upon submission of proof thereof by the chairperson of the relevant panel.
- 3.4.17. Trade union representatives and a chairperson of human resources portfolio committee or his/ her nominee serving in the committee shall be invited in writing at least forty eight (48) hours prior to interview dates.

4. **APPOINTMENT**

- 4.1. The municipal manager and managers directly reporting to him/her shall be appointed by council.
- 4.2. Managers not reporting to the municipal manager and other employees shall be appointed by the Municipal Manager.
- 4.3. Notwithstanding the provision that the Municipal Manager is appointed by council, his or her letter of appointment of shall be written and signed by the Mayor.
- 4.4. A letter of appointment of the manager directly reporting to the Municipal Manager and other employees shall be written and signed by the Municipal Manager.
- 4.5. Temporary and relief employees shall be appointed for a period of not longer than six (6) months, by the Municipal Manager across all municipal wards, to allow a situation where a number of people will get employment from the municipality.

- 4.6. Letters of appointment of successful candidates shall be written after two (2) working days in honour of clause 3.4.14 contained herein and shall comply with section 29 of the Basic Conditions of Employment Act No. 75 of 1997.
- 4.7. On the first day at work, the incumbent shall be orientated and on such exercise, the following shall inter alia, be executed:-
- 4.7.1. the incumbent shall be taken to the municipal manager for introduction and thereafter to the area of work;
 - 4.7.2. shall be taken to all municipal buildings excluding satellite offices outside town, unless if employed to work at those offices; and
 - 4.7.3. shall be taken to the relevant supervisor.
- 4.8. Within one (1) month from the date of employment, the incumbent shall sign a contract of employment.

5. **DISPUTE RESOLUTION**

- 5.1 In the event where any dispute related to recruitment, selection and appointment cannot be resolved internally, the aggrieved party may refer the matter to SALGBC for resolution.

6. **EXEMPTIONS**

- 6.1 General workers may not be required to attend interviews and may be assessed by the panel using the information provided in the relevant forms.
- 6.2 Should more than one applicant qualify in terms of all relevant assessments, including employment equity requirements, the most multi-skilled applicant, for relief purposes, shall be taken as the best candidate for appointment.
- 6.3 Relief employees, excluding temporary employees shall be employed randomly on database created by corporate services only for this purposes.
- 6.4 In respect of appointments made by himself or herself, the municipal manager may not be a role player but his or her office will remain as appeals office for observers and any other aggrieved person in respect of this policy.

7. **INTERPRETATION AND AMENDMENTS**

- 7.1 In the event of any inconsistency between the provisions of this policy and any labour legislation, the provisions of the latter shall prevail.
- 7.2 Council may review this policy should necessity arises.

The procedure that will be used to monitor and evaluate the implementation of the Plan:

The Employment Equity Steering Committee to meet on a Monthly basis, and consider the following:

- Positions that have become vacant must be discussed.
- The Job Descriptions and requirements for the position must be analysed.
- A six Monthly report to be submitted to the Meeting of all vacancies that occurred over the past 6 Months, the successful candidates and if they were internal or external candidates and from which region.
- A Monthly Training report on all Training that took place during the Month.
- The Training Officer's Monthly Report on the individual progress of the literacy learners.
- A Monthly Report on all officials that have been granted a Study Loan in terms of the Council's Study Loan Agreement, their progress and the success completion.

The internal procedure to resolve any dispute about the interpretation or implementation of the Plan:

The Council's internal Grievance Procedure as determined in the National legislation shall be work-shopped with all levels of Management and displayed in all appropriate and conspicuous points for the benefit of all Staff.

The officials of Council responsible for monitoring and implementing the Plan:

The Municipal Manager

Education, Training and Development:

The Training must be developed to enhance the skills and capacity of all Staff on all levels for career and labour market mobility.

Supervisors and Heads of Department shall be held accountable for the development, mentoring and coaching of their subordinates with specific focus on employees from previously disadvantaged groups.

In pursuance of the above, the Head of each Department shall redress the Training and development of all employees for career advancement where possible.

Wherever possible, informal on-the-job training that could facilitate employee growth and enable them to meet operational standards must be done.

Transferring / Sharing of Skills:

All employees, present and new (at all levels) are encouraged/obliged to transfer/share skills to other employees in a department in order to:-

- a) Prevent a “collapse” of the department in the face of unforeseen circumstances.
- b) Prepare people for advancement.
- c) Enhance transparency.

Managers and Supervisors to be trained / encouraged to recognize/foster talent in order to:

- 1. Give opportunities to employees with career potential
- 2. Make employees aware of opportunities.

New recruits (employees) to be brought to peak efficiency as early as possible through:

- in-service training/induction
- defined job descriptions
- performance appraisal

Monitoring and Evaluation:

Department Heads must furnish the Management Committee Progress Reports on a monthly basis. The report to include:

- Staff Turnover
- External Appointments
- Internal Promotions
- Progress on Appointments
- Evaluation of Individual Training and Development

A. Officials due for Retirement

	ii. Position	Level	Department	Date

B. Vacant Positions on :

Position	Level	Department	Salaries

17. RECOGNITION OF LONG SERVICE

Objective:

To award staff for long continued service as part of Council's staff retention policy

The Policy

1. After a period of continued service AbaQulusi Local Municipality (inclusive of service rendered at the three previous entities) all staff will receive on a once-off basis the following additional vacation leave:

After 5 years	5 days
After 10 years	10 days
After 15 years	20 days
After 20 years	30 days
After 25 years	30 days
After 30 years	30 days
After 35 years	30 days
After 40 years	30 days
After 45 years	30 days

2. The above vacation leave will be recorded separate from normal vacation leave.
3. The allowance will not be paid retrospectively to staff who did not previously qualify for the allowance and who has already completed one or more of the above service periods. Such staff will qualify for the allowance at the completion of the next applicable service period
4. The long service allocation can be converted to cash at salary value subject to TAX.
5. Such leave must be taken as soon as possible and any encashment will be calculated at the salary of the official at the time that he/she has qualified for the long service allowance.
6. After completing 25 years a gift not exceeding the amount of R5000-00 (To be reviewed annually)

18. SHIFT / NIGHT WORK ALLOWANCE POLICY

OBJECTIVE

To remunerate staff for services rendered after 18h00 and before 06h00 as required by the BCOE Act
Policy:

1. Council will pay a night work allowance to staff working after 18h00 and before 06h00.
2. Council will provide transport for staff required to work or returning from work after 18h00 and before 06h00
3. Council will pay employees performing shift/night work an allowance calculated using the following formula:

$$\frac{\text{Annual Salary}}{2080} \times \frac{4}{100}$$

19. STANDBY ALLOWANCE POLICY

OBJECTIVE:

To provide for standby and to formulate the rate at which employees will be remunerated for standby services rendered.

Policy:

1. All staff at levels in posts identified to do standby is required to do standby
2. Standby must as far as possible be rotated between available staff on an equal basis
3. No staff scheduled to do standby may exchange his standby shift with another employee without the approval of his direct supervisor
4. An employee required to perform standby duties must at all times ensure his availability within the norms set by the respective department
5. Staff on standby not receiving a cell phone or telephone allowance will receive an allowance in respect of the use of his/her private telephone

Standby allowance will be calculated according to the following formula:
(Industrial Council : Natal August 1995)

Annual salary of employee = x

$\frac{X}{252}$ = Daily wage (Y)

$\frac{Y}{8.33}$ = Normal daily allowance

$\frac{Y}{8.33} \times 1.33$ = Saturday allowance

$\frac{Y}{8.33} \times 2$ = Sunday & Public holiday allowance

20. TELEPHONE USAGE POLICY

2. **Scope of the Policy**

The Policy includes the following

- Land Lines
- Use of Fax machines
- Cellular Phones

3. **Application of the Policy**

This Policy shall apply to all Councillors and officials of the MUNICIPALITY, regardless of their designation.

4. **Policy Objectives**

- 4.1 To provide guidelines on the management and use of telephone system and cellular phones;
- 4.2 To implement a uniform Telecommunications Policy for officials and Councillors respectively;
- 4.3 To provide fair criteria for the allocation of cellular phone reimbursements;
- 4.4 To ensure the effective and efficient use of municipal telephones;
- 4.5 To ensure the recovery of all costs for the unofficial (private) use of cell phones, land lines and fax machines;
- 4.6 To implement the necessary control measures and reduce costs;
- 4.7 To ensure that only authorised persons use Council's telephones and facsimile machines in the performance of their duties;
- 4.8 To prevent the misuse of the above-mentioned facilities by Councillors and officials of the MUNICIPALITY.

5. **The Right to use Telephones, Fax Machines and Cellular Phone Facilities**

- 5.1 Council provides its employees with the above-mentioned facilities primarily for official purposes only.
- 5.2 No Councillor or official of the MUNICIPALITY has the right to use the above-mentioned facilities for private purposes without approval by the speaker or heads of departments or delegatee.

6. **Delegated Powers**

➤ **The Municipal Manager or delegatee inter alia has the following powers:**

6.1 To authorise the installation of telephones and other similar equipment on Council premises.

6.2 To authorise the allocation of cellular phones to or the installation of official telephones at the residences of personnel (under certain specific circumstances).

➤ **Powers of the Director: Finance (CFO):**

6.3 The **Director: Finance** inter alia has the power to make all payments and recoveries by deductions in accordance with the policies of Council and appropriate legislation.

8. **Telephone Policy**

➤ It shall be the responsibility of the Council to provide municipal offices or a combination of municipal offices with reliable telephone and facsimile service.

8.1 **Restrictions**

8.1.1 It is the policy of the MUNICIPALITY that telephones and facsimiles are to be used primarily for official purposes.

8.1.2 The Speaker shall determine which Councilors may have access to telephones in their offices for use in the performance of their official duties.

8.1.3 The Municipal Manager (or his/her delegatee) shall determine which officials may have access to telephones in their offices for use in the performance of their official duties.

8.1.4 Provision is made for the allocation of a PIN-code to all Councillors and officials within the Municipality. This is to ensure that only Council employees and Councillors utilize official instruments appropriately and to manage the usage of telephones.

8.1.5 Councillors and officials are expected to exercise reasonable discretion in using telephones for personal use. Excessive incoming or outgoing personal calls during the workday can interfere with employee productivity and be distracting to others.

8.1.6 Personal calls should be kept to a minimum in terms of the number of calls made as well as the duration of calls.

8.1.7 Councillors as well as officials are expected to reimburse the Municipality for any personal calls made in accordance with the control measures as set out below.

8.1.8 The Speaker shall have the discretion to determine which Councilors shall be allowed to make international, national, provincial and cell phone calls only and telephone lines shall be suitably barred on the basis of this classification.

8.1.9 The Municipal Manager or his delegatee shall have the discretion to determine which officials shall be allowed to make international, national, provincial and cell phone calls only and telephone lines shall be suitably barred on the basis of this classification.

8.1.10 The MUNICIPALITY has the right to monitor telephone bills and the usage to determine if misuse or abuse exists.

- 8.1.11 Subject thereto that telephone records be regarded as confidential information and not disclosed to third parties to alleviate liability as regard to the violation of the privacy of individual employees.
- 8.1.12 Councillors and officials should use their land lines as far as possible, to minimise the use of Cellular Phones. This applies also to Councillors and officials within the main centres who should be contacted via the dialled extensions (refer to telephone list) in order to reduce costs.
- 8.1.13 Councilors and officials shall only be entitled to make international calls with the specific approval of the Speaker and Management.
- 8.1.14 The Municipal Manager, his or her delegatee, after considerations of all *bona fide* operational requirements, may deviate from the provisions of this policy.

8.2 Telephone Usage Control Measures

- 8.2.1 The main centres are linked via dialled extensions (refer to telephone list). Telephone calls made between these centres are regarded as internal.
- 8.2.2 At the end of each month, the Switchboard Operator in the main centre shall provide the Director: Financial Services with a complete list of Councilors and officials who have made telephone calls during the month in question, the destination of such call, the cost incurred and its duration.
- 8.2.3 A detailed statement (printout) of all calls made and the total cost thereof would be provided to all Councillors and officials by the Department Financial Services within seven (7) days after the end of the month.
- 8.2.4 All Councillors and officials must identify private calls made and calculate the respective amounts due. The Councillor or official concerned shall be obliged to certify (sign) the printout. The printouts must also be signed and noted by the Executive Director or a person authorized to do so.
- 8.2.5 Signed printouts should be handed to the Finance before the 15th of the month. The costs in respect of private calls will be deducted monthly from staff members' salaries.
- 8.2.6 Management (or his/her delegatee) must approve all late submissions.
- 8.2.7 Where no signed printout or approval for late submission has been received, it will be investigated and if necessary disciplinary action will be instituted.
- 8.2.8 The municipality, in compliance with the BCEA, shall deduct any amount due, from an employee in question.
- 8.2.9 All calls exceeding an amount of R500.00 per month, will, in the absence of an explanation from the councilor/staff member concerned, be deducted from that councilor/staff member's salary.
- 8.2.10 All queries regarding landline telephones must be directed to the municipal manager or his/her delegatee.

8.3 Facsimile Access

- 8.4 The nature of fax transmissions makes information sent particularly vulnerable to unintended and unauthorized users. As with other communications related to

safeguarding confidential information, the MUNICIPALITY must reasonably safeguard information sent by fax.

- 8.5 All official faxes must contain an official cover sheet.
- 8.6 All facsimile facilities are provided in all buildings for the purpose of conducting Council business only and per agreement to Union Office Bearers.
- 8.6.1 Facsimile machines may have the ability to dial national numbers. Only those facilities in secure locations may have international access as determined by the Municipal Manager.

8.4 Procedure

- 8.4.1 All Councillors and officials should take reasonable safeguards to protect facsimile communications by:
 - 8.4.1.1 Ensuring that facsimile machines are located in an area that is not high in personnel or public traffic and is not within view or accessible to visitors.
 - 8.4.1.2 Ensuring that access for certain officials is limited to preserve the protection of confidential information.
- 8.4.2 Take reasonable steps to ensure that the fax transmissions/communications are sent to the intended contacts and destinations by:
 - 8.4.2.1 Refraining from sending highly confidential information via fax.
 - 8.4.2.2 Double-checking fax numbers before sending.
 - 8.4.2.3 Ensuring that copies of all faxes must be sent to registry for filing.

8.5. CELLPHONE POLICY

PREAMBLE

The AbaQulusi Municipality continuously endeavours to achieve best practice policies and procedures when managing the administration and operations of the assets of the Municipality.

In order to enable and enhance the productivity of the municipality's business units it is critical to make use of the latest means of communication technology. Based on this, cellular phones are allocated for sound business reasons, primarily for receiving business calls and making business calls when not located in the office.

The purpose of this Policy is to develop a means of managing these tools/assets in an effective and efficient manner. This document is an enhanced compilation of all previous documents/policies on this topic.

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

- Government Notice No. 1319 (Government Gazette No. 23965, 18 October 2002)
- AbaQulusi Municipality Supply Chain Management Policy
- AbaQulusi Municipality Asset Management Policy
- Municipal Finance Management Act 56 of 2003
- Municipal Supply Chain Management Regulations 2005
- Municipal Structures Act 117 of 1998
- Municipal Systems Act 32 of 2000
- AbaQulusi Municipality Subsistence and Travel Policy

DEFINITIONS

1. Municipality means the AbaQulusi Municipality.
2. Municipal Manager means a person appointed by the municipality in terms of section 82 of the Municipal Structures Act and who is the Head of Administration and also the Accounting Officer for the Municipality.
3. Head of Department means a person appointed by the municipality in terms of section 57 of the Municipal Structures Act and who is the Head of a department within the AbaQulusi Municipality.
4. Level 1 means a person appointed by the municipality in terms of section 57 of the Municipal Structures Act and who is the Head of a Department within the AbaQulusi Municipality.
5. Level 2 means an employee appointed by the AbaQulusi Municipality on a post level 2 at Manager level.
6. Level 3 means an employee appointed by the AbaQulusi Municipality on a post level 3 at Assistant Manager level.
7. Other Personnel means any other personnel appointed by the AbaQulusi Municipality on post levels 4 to 19.

1. APPLICATION OF THE POLICY

This Policy shall apply to:

- 1.1 Municipal Manager.
- 1.2 Section 57 Managers
- 1.3 Post Level 1
- 1.4 Post Level 2
- 1.5 Post Level 3
- 1.6 Any other official who has received approval from the Municipal Manager for a Cellular Allowance.

2. CELLPHONE ALLOWANCE

All officials must acquire their own cellular phone by means of a contract with a cellular phone service provider.

The user may structure a cellular package that best suits his/her needs, based on personal circumstances. The Municipality recognizes that cell phones are an extension of individuality and as such the user is at liberty to enhance the choice of item through a cash contribution towards the upgrading of available models, currently limited to the extent of allowances received.

The user enters into an agreement/contract with a service provider of his/her choice, i.e. Vodacom, MTN or Cell C, and a copy of such agreement is furnished to the municipality for validation purposes.

The contract is between the user and the service provider and the user is liable for the payment thereof.

A cell phone allowance that is effected through the payroll system is a taxable allowance and should not be construed as inclusive of a negotiated remuneration package.

The user may recoup depreciation charges, wear and tear allowances on cell phone item from taxable income on completion of yearly statutory tax returns.

The user is responsible for insuring the phone against theft, loss or damage and ensures that the cell phone is available for Council's use at all times, failing which the user will sacrifice the allowance.

An allowance will not be granted to employees with no official authorisation to acquire a cell phone for official use. The municipality will not be liable for any costs where an employee obtained a private cellular contract without prior official authorization.

Maintenance and insurance of cellular phones is for the cost of each user.

3. PROCEDURE TO BE FOLLOWED WHEN APPLYING FOR A CELLPHONE ALLOWANCE BY OFFICIALS WHO DO NOT RECEIVE A CELLULAR ALLOWANCE AS PART OF A REMUNERATION PACKAGE (OTHER PERSONNEL: LEVELS 4 TO 19)

This procedure applies to officials between the levels 4 to 19.

This procedure does not apply to officials between the levels 0 to 3.

All applications must be made in writing, supported with a proper motivation, and must be directed to the relevant Head of Department.

The Head of Department must consider the application and make a recommendation to the Municipal Manager.

The application must be submitted to the Corporate Services Department who will support/not support such an application.

Prepaid facilities will be made available to certain members of staff where required and will require approval from the relevant head of department.

After approval of such an allowance by the Municipal Manager the following will apply:

CELLPHONE ALLOWANCE

Corporate Services Department will submit a letter to the Human Resources Department and the Salaries Section of the Finance Department informing them to allocate the allowance on the user's salary as specified by the Municipal Manager's approval.

4. CONDITIONS AND RESTRICTIONS OF USE

4.1 CELLPHONE ALLOWANCE

Officials are provided an allowance in terms of the staff benefits provided by AbaQulusi Municipality.

All acquisition costs are for the bill of the individual.

The user enters into an agreement with a cellular service provider.

The contract is between the user and the service provider and the user is liable for the payment thereof.

Cell phone allowances to be effected through the payroll system as a taxable allowance, not construed as inclusive of negotiated remuneration packages.

The user may recoup depreciation charges/ wear and tear allowances on cell phone item from taxable income on completion of yearly statutory tax returns.

International roaming is for officials travelling abroad and must be activated by officials who are travelling abroad. Only official international calls made by a user will be paid in full by Council upon submission of a comprehensive itemised billing.

A limit of three private calls per week not longer than 6 minutes is permitted for users to contact family.

The user is responsible for insuring the phone against theft, loss or damage and ensures that the user is contactable at all times for Council purposes.

An allowance will not be granted to employees with no official authorisation to acquire a cell phone for official use. The municipality will not be liable for any costs where an employee obtained a private cellular contract without prior official authorization.

In instances where a particular employee is expected to exceed the approved limits on a continual basis as a result of their job function, a written motivation should be made to the applicable Head of Department to agree on a revised limit.

In instances where a particular employee exceeds the approved limits, a written motivation should be made to the applicable Head of

Department/Municipal Manager to recoup the amount in excess of the approved limit provided that these were utilised for business purposes. Proof must be provided by the user, e.g. itemised billing.

5. TAX IMPLICATIONS CELLPHONE ALLOWANCE

A fixed monthly cell phone allowance is subject to employees' tax, on the same basis as the equivalent amount of, say, salary. The employee is entitled to claim the cost of business calls against this allowance in the employees' annual tax return.

Section 8 of the Income Tax Act allows the employer to refund an employee for actual expenditure incurred as agent on behalf of the employer. This refund can be made on documentary proof of expenses actually incurred.

6. BUDGET PROVISION

A provision for the cell phone allowances will be made on the annual budget and reviewed annually.

Schedule of proposed cell phone allowances

EMPLOYEE DESIGNATION	MONTHLY ALLOWANCE
Municipal Manager	R2,500,00
Chief Financial Officer	R1,500,00
Executive Managers	R1,500,00
Managers – Levels 0 - 3	R1,000,00
Employee – Level 4 – 19 By application	R500.00
Stand-by Personnel	R 250,00 Pay as you go

To be amended annually

21. WORKING HOURS POLICY

OBJECTIVE

To regulate the working hours in line with the SALGBC collective agreement

POLICY

All employees are required to work a 40-hour working week except Senior Management, safety and security, and emergency services and employees working less than 40 hours per month.

Office staff will start work at 07h30 and finish off at 16h30, with a lunch break of 30 minutes. These hours shall be observed from Monday to Thursday. Friday hours will be 7h30 to 13h30 no lunch break.

The lunch break Monday to Thursday will commence at 13h00 and end at 13h30

All field staff will start work at 07h15 and knock off at 16h15 Monday to Thursday with a lunch break from 12h00 to 12h30 and will finish at 13h15 on Fridays.

If Friday falls on a Public Holiday the afternoon off “will fall away”

No overtime is to be claimed for work performed during an afternoon off provided that the Head of Department may sanction alternative afternoons off for field staff retained to perform work during this period

Cashiers, Museum and Library staff and other staff directly rendering service to the public may by Council resolution be required to work flexi hours and on Saturdays but the ordinary hours work will be limited to 40 hours per week.

The hours of work for security, traffic, fire and emergency services is subject to Collective Bargaining on Divisional level and will pending a determination in this regard be a minimum of 42.5 hrs per week. These employees may be required to work shifts and senior staff may be required to perform standby duties.

Management must keep a full record of employees attendance at work, inclusive of breaks and attendance registers must be maintained in this regard.

Registers must be ruled off at starting time on a daily basis and attendance must be analysed on a weekly basis.

Appropriate steps must be taken against defaulters.

22. PERFORMANCE MANAGEMENT POLICY

OBJECTIVE

The objectives of this policy are:

1. To provide a framework for Management to constructively manage performance in such a way that the overall strategic objectives of the AbaQulusi Local Municipality are met in line with its IDP.
2. To ensure a culture change so that all individuals employed by the AbaQulusi Local Municipality develop the core competencies as required by the organisation to reach its vision
3. The main focus area is to measure the performance of people to ensure that they develop in terms of their potential so as to add value to the municipality.
4. This policy applies to everyone employed by the AbaQulusi Local Municipality irrespective of the type of employment contract and level of functioning.
5. To ensure that the measurement is not focused on individual performance only, but also on the collective performance of the whole organisation.

POLICY

1. General principles in respect of performance management

- (a) It is the policy of the AbaQulusi Local Municipality that the performance of all individuals employed, be measured continually on a formal and informal basis. Performance requirements in respect of Section 57 Managers are set out in the Municipal Performance Management Regulations
- (b) As a point of departure a formal performance contract must be entered into between the relevant parties at least on an annual basis.
- (c) Performance management is a dynamic process that implies that this contract can be amended as and when necessary.
- (d) Management, as implied by the contracts of employment, lays down performance expectations. This will always be done within reasonable limits with a specific focus on the inherent requirement of the position via the position profile.
- (f) The municipality shall endeavour to ensure that those individuals who do not perform must timeously receive the necessary attention and support. Should under performance continue, despite the endeavours of the municipality to help the individual to perform, then continued employment would be seriously reviewed.
- (g) Performance Management should be done as objectively as possible to ensure that all individuals are treated fairly and consistently.
- (h) Recognition and rewards will be given to encourage that the right things are done right, with the right attitude. To encourage the formation of partnerships, Performance Management will be driven in a positive and constructive way between the relevant parties.
- (i) An individual development plan will be developed and revised continuously to ensure that the individual's performance improves via needs driven training and development.
- (j) Performance Management is an effective tool that allows management to make the necessary changes in terms of core competencies and outputs, should a changing social environment require it.
- (k) Rewards will be tangible as well as intangible and be complimentary to the annual remuneration review.

- (l) The Performance Management System should ensure that the municipality retains its good performers and that there is an alignment with the retention strategy of the AbaQulusi Local Municipality
- (m) To encourage integration of all departments and the objectives of the IDP, Performance Management plays a vital role to break down the silos and vest an integrated approach by focusing on internal as well as external customers.

2. Performance assessments

- (a) All individuals will have formal annual performance assessments.
- (b) In respect of Section 57 Managers quarterly reviews will be conducted. Other individuals will be subjected to reviews every 6 months.
- (c) All individuals will have informal annual coaching sessions.
- (d) All relevant documentation, such as activity sheets, and other forms of relevant feedback, will be used in the process of assessment.
- (e) Section 57 Managers performance will be reviewed and be assessed in accordance with Performance Management Framework adopted by the municipality.

3. The performance contract

- (a) The contract must be drawn up before the commencement of the specific year of assessment, (this will be done once a year).
- (b) The performance contract must be based on the position i.e. the inherent requirements of the position.
- (c) The contract will encompass both output and core competencies.
- (d) The Manager responsible for Performance Management will from time to time determine the weighting between the core competencies and the outputs.
- (e) Unless done in an unreasonable fashion and not based on the inherent requirements of the position, the performance contract will be valid and enforceable irrespective of the non – signature of the individual.

4. The performance incentive scheme

4.1 Performance Management Contracts

The Performance Contracts for all municipal employees will be linked mainly to the core functions of their department and to the municipality's IDP.

4.2. Resolution of disputes

- (a) Where individuals feel that performance contracts or reviews have been done in an unfair fashion, the normal grievance procedure will apply.
- (b) Should an individual follow this route the organisation will ensure, as far as practically possible that the person will not be victimised or prejudiced in any way.

5. Measures in respect of employees who do not perform adequately

- (a) The main objective is to take the necessary corrective measures to support individuals to ensure that they perform in terms of the required standards.

- (b) In situations where an employee does not perform adequately, the policy in respect of handling incapacity should be invoked and used.

Note that disciplinary action is not usually appropriate in situations of poor performance.

6. Learning and development

- (a) In enhancing the learning and development curve of individuals, focused training and development will take place.
- (b) This will ensure that the average performance within the municipality will continually improve, thus shifting the performance curve towards that of a high performing municipality.

7. Self growth

- (a) The Performance Management System should ensure that individuals develop to such an extent that their own job security lies within themselves via the development of new competencies, which can also be utilised outside the ABAQULUSI LOCAL MUNICIPALITY.

8. Procedures

General process principles in performance management

- (a) In order to give effect to a fair process, management together with the person that reports to the specific manager must together clarify certain critical issues at the beginning of the performance management review process. These critical issues are:
- (b) Outputs expected from the individual in a specific position as well as what standards/measurements will be used (these outputs can be changed and revised throughout the year due to circumstances that can change e.g. contents of position, organisational strategy etc).
- (c) Critical core competencies that the organisation has identified upfront which will be individualised for the specific position.
- (d) At the end of the performance management term the performance of the individual will be determined based on outputs, standards/measurement and priorities or weighting as well as critical core competencies which will encourage desired behaviour.

23. INCAPACITY POLICY

Introduction

It is important that employees perform optimally in the workplace and address issues relating to incapacity. AbaQulusi Local Municipality is committed to ensuring this is achieved.

Objectives

- Assist employees to overcome poor performance.
- Promote efficient and effective performance.
- Avert and correct inadequate performance.
- Ensure that the employer and employees share a common understanding of incapacity.
- Prevent arbitrary or discriminatory action by the employer toward employees.
- Give reasonable assistance to employees who are under performing in accordance with the needs of their jobs.
- Promote mutual respect between employees and between employer and employees.
- Support constructive labour relations in Local Government.

Codes, Rules and Standards

The Code of Good Practice contained in Schedule 8 of the Labour Relations Act of 1995, in so far as it relates to incapacity, constitutes part of this code and procedures.

In applying this procedure, management must assess the incapacity by considering:

- The extent to which the incapacity impacts on the Municipality, the employee's components, colleagues, and public.
- The extent to which, the employee fails to meet the required performance standards established by the Municipality.
- The extent to which the employee lacks the necessary skills to perform in accordance with the employee's job description.
- The nature of the employees work and responsibilities, and
- The circumstances of the employee.

Procedure for employees in respect of poor performance

If the employee's supervisor is of the view that the employee, whether on probation or permanent is not satisfactorily performing his/her duties and responsibilities per the job description, the Supervisor should:

- Give written reasons why it is necessary to initiate the procedures relating to incompetence or underperforming.
- After serving the written reasons, meet with the employee and if necessary, the employee's trade union representative and/or a fellow employee may attend.
- It is the Supervisor's responsibility to do the following:
 - Explain the requirements, grade, competencies skills and nature of the job
 - Evaluate the employee's performance in relation to the requirements of the job.
 - Indicate reasons for perceived poor performance
 - Obtain response from the employer regarding his performance in relation to the requirements for the job, and if the employee agrees she/he has not performed in accordance with the requirements of the job, request reasons for the unsatisfactory performance.
- This should be followed by a report to the respective Head of Department informing him/her of the employee's incapacity to perform.
- After hearing the employee's standpoint, where the Head of Department with including the Municipal Manager deems it necessary, she/he should develop and initiate a formal programme of counselling and remedial plan to enable the employee to attain the required standard of performance, which must include:
 - Agreement with the employee the timeframe for the employee to improve his/her work performance, on the basis of the assessment
 - If necessary, identify and provide appropriate training to reach the required standard of performance, and
 - Determination of measures to address any inhibiting factors that are beyond the employee's control and may affect the employee's performance.
- If the poor performance of the employee is not remedied within the time frame the Head of Department should:
 - Give the employee a written report on the outcome of the procedure, and
 - Consult again with the employee to explain the outcome of the procedures, and on measures to address any problems indicated in the report.
- After consulting with the employee, the Head of Department or the Municipal Manager should consider whether:

- To continue to give employee the appropriate guidance, support and counselling and establish a further appropriate period for the employee to meet the required standard of performance.
 - To mentor the employee
 - To place the employee in a more appropriate post, or
 - To terminate for incapacity whereby the Disciplinary Procedure will come into effect.
-
- Before exercising the option of dismissal or placement in an alternative post, the supervisor should give the employee a hearing an opportunity to discuss the issues in not meeting the required standards all documentary proof of non performance to be on hand to support the dismissal.
 - The employer may only place an employee in a post that has a lower pay, if the employee agrees to such steps.

23. TRAINING AND DEVELOPMENT POLICY

OBJECTIVE

The objective of this policy is to promote education and training in the organisation. To empower all employees especially people from all designated groups as prescribed in applicable legislation.

POLICY

The types of training courses and the development thereof will be determined by the Municipality. All education and training will be needs-based from the municipality's point of view. Employees are encouraged to become involved in their personal development, to manage their own careers by indicating to their supervisors their training needs requirement.

The Municipality recognises that its human assets are its most vital resource and is therefore committed to ensuring that all employees receive appropriate education and training:

- To enable to meet the requirement of their present jobs.
- To cater for personal development and the attainment of national qualification
- To enable them to make the most of their ability.

Employees are encouraged to take advantage of all development opportunities that are available to them.

The Human Resources Manager will assume overall responsibility for:

- a) Implementation of this policy.
- b) Co-ordinating all training and learning activities throughout the organisation.

Every departmental head is responsible for the training and development of his or her staff.

Whilst recognising the need for individual training and development, management wish to emphasise that education and training should be tailored to contribute to achieving the goals of the organisation. As a rule, only SETA accredited service providers will be appointed by the municipality.

In addition to training to enable employees to become competent at their jobs, the organisation will pay particular attention to specific training and learning arising from internal or external pressure of the business, i.e. legislation e.g. labour laws.

The Municipality believes that its employees should be empowered through training and education to become better South African citizens for the good of the country as well as the Municipality.

24. EMPLOYEE TRAINING AND EDUCATION POLICY

OBJECTIVE

The objective of this policy is to define the types of training that are applicable in order to achieve above mentioned training and development objectives of the Municipality.

POLICY

The three types of training and education are: -

- a) Internal staff training programmes
- b) Municipality sponsored external training programmes
- c) External institution courses for tertiary education for employees

It is expected that a Human Resources Manager will be empowered to manage, co-ordinate and budget for all training and education within the Municipality.

IN-HOUSE TRAINING PROGRAMMES

The Municipality shall from time to time organise programmes for training of employees. Such programmes shall either be for the whole Municipality, departments or individuals as appropriate.

The costs of such programmes will be borne by the Municipality and no agreements are required between the Municipality and the employees. Managers may approach the Skills Development Facilitator to suggest appropriate programmes to be incorporated into the overall training and education curriculum.

MUNICIPALITY SPONSORED EXTERNAL TRAINING PROGRAMMES

The Municipality shall from time to time organise programmes for training of employees by external educational institutes/consultants.

Such institutions/consultants shall be chosen at the discretion of the Municipality having fairly evaluated the competencies and appropriateness of the institution/consultant and the costs of the programmes. Such programmes should be for the whole Municipality, departments or all employees as appropriate.

The costs of the programmes will be borne by the Municipality and no agreements are required between the Municipality and the students. Managers may approach the Skills Development Facilitator to suggest appropriate programmes to be incorporated into the overall training and education curriculum.

SUBSISTANCE, TRAVELLING AND OVERTIME

- a. Accommodation arrangements will be made by Council and employees will not be entitled to any subsistence costs for the duration of the course
- b. If transport is not provided by Council the normal travelling allowance will be paid. For courses running for a month or less only one trip to and from the course will be paid for.
For courses lasting more than one month one additional return trip will be provided or paid for by Council
- c. If more cost effective Council may require an employee to return home on a daily basis in which case transport will be provided or be paid for by Council
- d. No overtime worked other than approved overtime worked for Council as part of the curriculum of a course will be paid for by Council

25. EXTERNAL INSTITUTION COURSES FOR INDIVIDUALS POLICY

OBJECTIVE:

To provide for employees' to attend external institutional courses.

POLICY:

- a. External institution courses shall be considered where: -
 - i. An employee approaches a Manager for consideration of a course;
 - ii. A Manager suggests to an employee their participation in a course; or
 - iii. The Municipality requires an employee to attend a course.
- b. In pursuance of its developmental objective the municipality may from time to time recruit contract or other employees for the purpose of granting them the opportunity to attend external institution courses. The successful completion of the course may lead to permanent employment
- c. Subsistence and Travelling for attending external training programmes will apply regarding subsistence, travelling and overtime during the attendance of such training courses

26. WELLNESS PROGRAMME POLICY

DEFINITION

An Employee Assistance Programme is a work-site based programme designed to assist in the identification and resolution of productivity problems associated with employees impaired personal concerns, but not limited to: health, marital, family, financial, alcohol, drug, legal, emotional, stress or other personal concerns which may adversely affect employee job performance.

INTRODUCTION

AbaQulusi Local Municipality cares about the health and social well-being of its employees and recognizes that there are a number of personal problems which impact negatively to the employees' personal and work lives. Personal problems can have a detrimental effect on performance, productivity and behaviour in the workplace.

PURPOSE

- As a result of the above, the Municipality provides an Employee Assistance Programme which is a confidential assistance and/or advisory service designed to assist employees in dealing with their problems.
- The Employee Assistance Programme is available to all employees of the Municipality and persons experiencing problems are encouraged to seek advice from the Employee Assistance Programme Co-ordinator.
- Participation in this programme is voluntary and utilisation of the programme will not jeopardise employees' promotional opportunities.
- The programme attempts to restore or improve employee well-being and/or job performance to acceptable levels with minimal interference in the private lives of individuals. Line Management does not usually have the qualifications or expertise to diagnose the nature of employees' personal problem(s) nor to counsel them on these problems. Referral to the Employee Assistance Programme Co-ordinator for assistance will therefore be made on the basis of job performance and/or employee well-being.
- Municipality will provide Supervisory, Managerial and Co-ordinator training in respect of the objectives, benefits and procedures involved in this programme, and the impact of the programme on the organisation.
- To assist employees participating in the programme, such employees may utilise available sick leave, or vacation leave when available sick leave has been exhausted when requiring admission to a treatment facility.
- Participation in the Employee Assistance Programme does NOT replace standard disciplinary/incapacity procedures, nor does it constitute a de facto exemption from such procedures.

AREAS OF ASSISTANCE

The programme will provide assistance in respect of, but not limited to:

- Marital, family and relationship problems
- Substance abuse (alcohol, drugs, prescription and over-the-counter medication)
- HIV/AIDS and other dreaded diseases
- Violence and trauma counselling
- Stress (social and job related)
- Sexual Harassment
- Psychological problems
- Financial management problems
- Gambling
- Rape
- Absenteeism
- Bullying

PRINCIPLES

a) **Confidentiality**

All employee records shall be kept in the strictest of confidence. Information pertaining to the precise nature of an employee's problem(s) will be treated confidentially and as such any records arising therefrom will be separately housed in a confidential and secure filing system. Disclosure of information without the express written consent from the employee is prohibited. Any breach of the confidentiality of an employee shall be dealt with in terms of the Disciplinary Code, *unless such breach is deemed legitimate in terms of the laws of South Africa.*

b) **Accessibility**

AbaQulusi Local Municipality shall ensure that the programme is accessible to all employees regardless of their positions within the organisation.

c) **Neutrality**

The Employee Assistance Programme shall not be utilised as a disciplinary tool for Management, subject to certain conditions. By the same token, the programme cannot be utilised as a defence mechanism for misconduct on the part of employees.

d) **Voluntarism**

The employee shall not be forced to access the EAP, but voluntarism (self-referral) will be encouraged, since it results in the earliest intervention possible.

e) **Constructive Coercion**

Once training and development interventions have been exhausted in respect of an employee who is not performing up to an acceptable standard, the supervisor or manager can persuade the affected employee to consult the Employee Assistance Programme official for assistance. *Where an employee refuses this offer of assistance and a decline in the work performance continues, such employee shall not be exempted from facing disciplinary action.*

f) **Consultation**

The Municipality's EAP policy has been developed and will be implemented in consultation with employees at all levels.

g) **Non-discrimination**

Participation in the Employee Assistance Programme is voluntary and utilisation of same will not jeopardise employees' promotional opportunity.

h) **Cost Implications**

The municipality will, as far as possible, utilise the services of state institutions or organisations for referrals. Should an employee who is not a member of a Medical Aid Scheme be required to undergo treatment at such institution/organisation, the municipality will be responsible for payment of the first complete treatment only. In all other instances, where illnesses or conditions are covered by a Medical Aid Scheme, employees will be required to submit claims in the normal way. Should the Medical Aid Scheme fail to cover the full treatment cost then the municipality will be responsible for the shortfall in respect of the first complete treatment only.

Where the staff member is a contributing member of a medical aid scheme, and that staff member chooses not to be referred to a state institution, he/ she will be responsible for the payment of his/her treatment by a medical practitioner of his/her choice.

In the event of an employee defaulting in the treatment programme, either voluntarily or due to poor participation and motivation, any payments paid by the municipality on behalf of the employee will be recovered from the employee.

Employees shall utilise their sick leave days for consultation or treatment. Once this leave is exhausted, an employees' vacation leave may be used.

If an improvement in the job performance or behaviour of the employee is evident after treatment, the vacation leave days which were used for consultation or treatment will be converted to special leave days.

i) **Default/ Discontinuance**

Should an employee decide to discontinue or be expelled from the recommended treatment or counselling programme, such employee must inform the Employee Assistance Co-ordinator, following which the co-ordinator will inform the employee that should job performance difficulties arise as a result of an unresolved problems, the employee may face disciplinary action.

j) **Relapse**

In the event of a relapse after treatment has been administered, it is at the discretion of Management whether to enforce disciplinary measures or to re-instate assistance. The decision will be based on the merits of each individual case.

If the employee relapses after two (2) years of sustained improvement in job performance after the initial treatment, the conditions and payment pertaining to a first time treatment will.

k) **Grievance Procedure**

The municipality should ensure that the rights of employees with regard to the Employee Assistance Programme and the remedies available to them in the event of the breach of such rights, become integrated into the existing grievance procedure.

PROCEDURE

Employees can access the Employee Assistance Programme in any one of the following manners:

Self-Referral

An employee, through a process of self-realisation, recognizes that a problem exists and seeks assistance by consulting the Employee Assistance Programme official directly. Self-referrals are treated with strict confidentiality. *Employees who voluntarily seek assistance shall apprise their supervisors of appointments with the Employee assistance Programme official.*

Formal Referral

A supervisor or manager who is concerned about the decline in an employee's performance, attitude and/or behaviour may refer said employee, with the employee's consent, to an Employee Assistance Programme official for assistance. The supervisor or manager is required to complete the referral form and submit same to the Employee Assistance Programme official at least three (3) days prior to the interview.

RESPONSIBILITIES

Management

It is the responsibility of Management to display visible support to the policy. Management must ensure that the Employee Assistance Programme's consulting premises are accessible to employees. Management must be well versed with the principles of the Employee Assistance Programme.

Employee Assistance Co-ordinator

This official is responsible for:

- Promoting an Employee Assistance Programme throughout the municipality
- Establishing and maintaining links with authentic referral institutions
- Conducting counselling sessions
- Safekeeping of confidential records as regards interviews and referrals
- Monitoring and evaluation of the Employee Assistance Programme effectiveness
- Training of supervisors

Supervisors

Supervisors shall

- Be alert and observe the performance of their subordinates with a view to identifying any changes in performance and declines in performance
- Keep records of deteriorating job performance, absenteeism, tardiness, failure to meet deadlines, physical appearance or any other visible behavioural change.
- Inform their subordinates about the observed changes
- Inform their subordinates about the value of the Employee Assistance Programme

- Refer the affected employee to the Employee Assistance Co-ordinator
- Attend all training sessions and be well versed with the Employee Assistance Programme.

Employees

It is the responsibility of the affected employee to:

- Note his/her behavioural change and take the initiative of utilizing Employee Assistance Programmes
- Ensure total co-operation in respect of appointments for consultation, treatment and avoiding relapses
- Attend information sessions and be well versed with the Employee Assistance Programme.

MONITORING AND EVALUATION

The Employee Assistance Programme shall be continuously monitored and evaluated if necessary, annually by the Employee Assistance Committee and Management.

27. WORKPLACE HIV/AIDS POLICY

OBJECTIVE

The objective of this policy is to describe the Municipality policy and procedures of non-discrimination of employees and prospective employees, training programmes and counselling regarding HIV and AIDS.

AIDS/HIV AND THE EMPLOYMENT CONTRACT

The Municipality will not treat employees or prospective employees with AIDS or who are HIV positive differently from other employees. If an employee discloses their status to the Municipality, this will be held in the strictest of confidence.

The Municipality will treat employees and prospective employees in a just, humane and life-affirming way, with due consideration to the interests of fellow employees.

The Municipality acknowledges that continued employment, including appropriate promotion and training opportunities, may be therapeutically important for an employee with a life-threatening condition such as AIDS.

RECRUITMENT, CONTINUED EMPLOYMENT AND TERMINATION OF EMPLOYMENT

Any medical examination undertaken either before employment or thereafter will be solely used into determine functional performance, and offer a prognosis on the fitness for work of the prospective employee. In this respect:

- An HIV test as a pre-condition of employment shall not be required under any circumstances, or for any position;
- If a person makes their HIV/AIDS status known voluntarily, it shall not be a basis for refusing to conclude, to confirm or to review their employment contract;
- Employees with HIV/AIDS shall be governed by the same contractual obligations as all other employees;
- HIV/AIDS shall not be used as a justification for the non-performance of duties agreed to by the Municipality and the employee; and
- No employee shall be dismissed, retrenched, or have their employment terminated merely on the basis of having a life-threatening condition such as HIV/AIDS.

PROMOTION, TRAINING AND DEVELOPMENT

HIV/AIDS status shall not be a criterion for refusing to promote, train and develop an employee who would otherwise be considered.

ILL-HEALTH, LEAVE AND PERFORMANCE

Following a diagnosis of an employee having HIV/AIDS, the employee and the Municipality may agree jointly on a medical examination to determine the employee's ability to continue to perform their duties.

The Municipality undertakes to ensure that people with HIV/AIDS not only retain their employment as long as possible but that their health be monitored and, when it is determined by medical opinion that an employee with HIV/AIDS can no longer perform their duties, the following steps should be taken:

- The Municipality will, at the earliest opportunity, through consultation with the employee and medical practitioners, endeavour to find a position that is less strenuous which the individual can fulfil. The employee's remuneration and benefits will be adjusted accordingly to that applicable to the new position, without discrimination;
- Termination of employment may be considered, after consultation with the employee, when an employee with an AIDS related condition is too ill to continue employment, or where a position suitable to the reduced state of health of the employee is unavailable;

- ❑ If the Municipality terminates the employment of such employee, merely due to the fact that they are no longer able to continue working, such termination shall be governed by the same procedures pertaining to comparable life-threatening conditions and disabilities (e.g. cancer, etc); and
- ❑ No employee shall be dismissed solely on the basis of HIV/AIDS, nor shall the HIV/AIDS status influence retrenchment procedures. No flags or symbols will be used on an employee's medical, personal or other records to indicate the HIV/AIDS status.

BENEFITS

The Municipality will not discriminate against any HIV/AIDS infected employee with regards to the Municipality benefits that are due to them or that they have accrued. Any employee with a life-threatening disease is provided with group life as opposed to a life policy.

TESTING

Pre-employment testing for HIV will not be required under any circumstances as it is prohibited by law.

WORKPLACE PROGRAMS

Council shall provide the following HIV/AIDS workplace programs as part of the broader wellness programs (EAP) its employees:

a. Education, Awareness and Prevention Programmes

Education and awareness have proved to be the most effective means to prevent the rapid spread of HIV/AIDS and hence comprehensive and ongoing HIV/AIDS and health education programs are to be undertaken targeting all employees.

- Every employee of the AbaQulusi Local Municipality shall attend at least one HIV/AIDS education program annually covering various aspects of the disease.
- Information, education, awareness and prevention programs will be developed and implemented with participation of all appropriate stakeholders and will involve recognised representatives of Labour. Council will also, wherever possible and necessary, utilise CBO's/NGO's and other resources in its intervention programme.

b. Openness, Care and Support

Mechanisms will be created in terms of the Employee Assistance Program (EAP) to encourage openness, acceptance and support for those who voluntarily disclose their HIV/AIDS status within the workplace (breaking the silence).

Voluntary Counselling and Testing will be encouraged. VCT and PMTCT services will be made available to all staff at no cost at any of the municipal clinics.

ROLES AND RESPONSIBILITIES

HIV/AIDS Committee

- To see to the effective implementation and evaluation of the HIV/AIDS Workplace Policy.
- To keep Council abreast of the developments in this regard

Labour

- To popularise the HIV/AIDS Workplace Policy amongst the employees in order to ensure maximum benefit.
- To identify the needs of employees living with HIV/AIDS.
- To look after the interests of employees in relation to the said policy.

Human Resources

- To align Human Resources Policies with the HIV/AIDS Workplace Policy in order to ensure that benefits are equitably implemented.

Health

- To see to the effective implementation and evaluation of the HIV/AIDS Workplace Programs.
- The Health Department in partnership with Labour shall collect, compile and assess data on HIV/AIDS, sexually transmitted diseases and tuberculosis and use such information to accelerate the fight against HIV/AIDS.

Management

- To ensure that the various stake holders are committed to the integration of the HIV/AIDS Workplace Policy in their everyday activities.
- To ensure that resources (human, financial etc.) necessary for the implementation of the HIV/AIDS Workplace Policy are made available.
- To ensure adherence to safety procedures by staff in the various departments in order to prevent Occupational HIV/AIDS Exposure.
- To popularise the HIV/AIDS Workplace Policy amongst the employees in order to ensure maximum benefit for both Council and employees.

Partners

- Partners in Government, Private Sector and NGO'S can share resources and expertise in relation to various elements of the HIV/AIDS Workplace Policy.

MONITORING AND EVALUATION

A monitoring and evaluation strategy shall be developed in order to assess the impact and the efficacy of the Workplace HIV/AIDS Policy and Programs.

Responsibility for monitoring of the policy for its successful implementation and evaluation for its effectiveness shall lie with the HIV/AIDS Committee, Labour and Council.

Monitoring of the implementation of the Abaqulusi Local Municipality HIV/AIDS policy must take place on a regular basis.

Review of the HIV/AIDS workplace policy shall take place on a regular basis.

Review of the intervention programme shall take place on a regular basis.

THE MUNICIPALITY'S SOCIAL RESPONSIBILITY

It shall be the Municipality's policy to handle every case on an individual basis by providing support in any area where the Municipality can be of assistance. All information shall be treated with strictest of confidence.

28. SEXUAL HARASSMENT POLICY

OBJECTIVE

The objective of this policy is to give practical guidance to employees on the protection of the dignity of women and men at work. The aim of the policy is to ensure that sexual harassment does not occur, to ensure that adequate procedures are readily available to deal with the problem and prevent its recurrence. The policy thus seeks to encourage the development and implementation of practices that establish working environments free of sexual harassment in which women and men respect each other's human dignity.

POLICY

Whereas:

- Every employee is entitled to fair labour practices;
- Employees have a right to their dignity;
- Employees have a right to equality; and
- The Municipality seeks to provide a working environment free from any form of harassment which constitutes unacceptable behaviour and which is offensive,

This policy outlines guidelines aimed at combating sexual harassment.

It is the duty and responsibility of all employees to comply with the policy and to ensure that their colleagues are treated with respect and dignity. Allegations of sexual harassment will be dealt with seriously, expeditiously and confidentially and employees who bring in a complaint of sexual harassment will be protected against victimisation or retaliation. Appropriate disciplinary measures will be taken against employees found guilty of sexual harassment.

The Municipality regards harassment as offensive, degrading and potentially threatening and it will not be tolerated. Individuals at any level, found to have engaged in conduct constituting harassment will be disciplined. The Municipality encourages reporting of all incidents of harassment, regardless of who the offender may be. All employees have the right to pursue a complaint without fear of reprisal or retaliation.

This policy forms part of the Municipality's broader policy to promote equal opportunities.

DEFINITION

Sexual harassment means any unwelcome and in certain circumstances tolerated sexual advances, request for sexual favours, and other verbal or non-verbal or physical or non-physical conduct of a sexual nature including the concept of hostile environment.

In determining whether any conduct, comment, gesture or contact of a sexual nature constitutes sexual harassment, the Municipality shall determine whether on reasonable grounds, the conduct complained of might be perceived by that employee or the employee's co-workers as placing a condition of a sexual nature on the individual's employment or any opportunity for training or promotion in respect of the employee recipient.

In determining the existence of a hostile environment the Municipality considers a hostile environment as one which a reasonable person would find hostile or abusive and which the victim or the victim's co-workers subjectively perceive to be abusive. In evaluating whether an environment is hostile or abusive, the Municipality shall look at a host of factors, including but not limited to the following:

- The frequency of the sexual discriminatory conduct,
- Its severity,
- Whether it is physically threatening or humiliating, or a mere offensive utterance, and
- Whether it interferes with an employees work performance,
- Whether the physical environment is such that it reflects or encourages a negative concept of the female or male gender.

Conduct that can constitute sexual harassment include but are not limited to: -

- Verbal conduct - unwelcome remarks, innuendoes or offensive comments about a person's body, clothing or sex, practical jokes of a sexual nature which cause awkwardness or embarrassments, propositioning or pressure for sexual activity, embarrassing questions;

- Physical conduct - unwanted or unnecessary physical conduct and contact, physical assault, caressing sexual conduct, physical bullying, threatening, unnecessary physical contact, such as touching, petting or pinching;
- Non-verbal conduct - display of pornographic or sexually suggestive pictures, whistling, leering (suggestive staring), sexually suggestive gestures, graffiti of a sexual nature, publication of gender offensive material, insulting gestures of a gender derogatory nature, displaying pinup pictures or other material of a gender derogatory nature, refusing or showing a reluctance to talk to, or work with, an employee solely because of his or her nature.

VICTIMISATION

Employees will be protected from intimidation, victimisation or discrimination following the complaint or their assisting in an investigation of harassment. Any action constituting retaliation against an employee for lodging a complaint about harassment will constitute a disciplinary offence and will be treated accordingly.

THE MUNICIPALITY'S COMMITMENT

The Municipality is committed to providing a work environment that is harassment free and where individuals are treated with dignity and respect. Individuals, who do not abide by this, will be disciplined appropriately. The Municipality will apply disciplinary action irrespective of seniority or status.

29. OCCUPATIONAL HEALTH AND SAFETY POLICY

OBJECTIVE

The purpose of this document is to describe the policy of this municipality regarding the Safety and Health of all its staff and clients.

1. POLICY - HEALTH AND SAFETY

- 1 The municipality's premises and equipment must comply with the relevant and most up-to-date health and safety legislation. As per the Occupational Health & Safety Act and Regulations education and training organizations are treated like any other workplace.
- .2 All activities should take place in an environment where potential hazards have been properly identified and dangers minimized through the establishment of safety procedures and where safe working practices are incorporated into all education and training programmes.
- 3 The requirements of the policy are met when there is evidence that the organisation and all its subcontractors for education and training and placement providers implement health and safety guidance and regulations for premises, equipment, and materials, for everyone using them (clients, learners, staff and visitors, and contractors).
- 4 Premises should be correctly registered. Clients, learners, and staff should be covered by appropriate insurance.

Responsibilities for health and safety should be appropriately allocated.

Arrangements should ensure that learners are correctly supervised by responsible people in all training locations (including subcontractors and placements) and that staff and learners know who to refer to for advice on health and safety matters.

Responsibilities for instigating, supervising, and reporting on safety audits, inspections, and accident reports and for taking corrective action should be clearly specified.

The requirement for review of health and safety arrangements has a number of specific deliverables for evidence in addition to general review requirements.

30. AFFIRMATIVE ACTION POLICY

OBJECTIVE

Section 195 (1) of the Constitution Act 108 of 1996 directs that public administration must, in addition to the principles listed below, be governed by the democratic and principles in the Constitution:

- 1.1 Promotion and maintenance of professional ethics.
- 1.2 Promotion of efficient, economic and effective utilisation of resources.
- 1.3 Rendering of public administration that is development-oriented.
- 1.4 Provision of services impartially, fairly, equitably and without bias.
- 1.5 Responding to people's needs and encouragement of the public to participate in policy-making.
- 1.6 Fostering of transparency by providing timely, accessible and accurate information.
- 1.7 Rendering of public administration in an accountable manner.
- 1.8 Cultivation of good human-resource management and career development practices that maximise human potential.
- 1.9 Ensuring that public administration is broadly representative of the South African people and employment and personnel management Practices are based on ability, objectivity, fairness and the need to redress the imbalances of the past.

The main focus of this policy is to ensure that the principle listed in subparagraph 1.9 above is attended to. Representivity can be defined as the inclusions of all previously discriminated groups in a manner that is in a broad sense representative of the South African population within all occupational classes at all post levels of the public service. Affirmative action should be understood to include all programmes aimed at ensuring that all employment in the public service is accessible to all South African citizens who comply with the requirements determined or prescribed from time to time and development of programmes to redress the imbalances of the past in order to ensure representivity.

AbaQulusi Municipality hereby acknowledges the existence of inequalities, imbalances, prejudices and injustice as a consequence of the past policies that were followed in the apartheid era. Whereas the municipality is aware of the need to create a new dispensation where all the South African citizens will enjoy and exercise their fundamental rights, there is also a great need for transformation of the public service in order to eradicate all forms of discrimination in the municipality.

In order to ensure that the constitutional objectives of a broadly representative public service are met in both the staffing and administration of the municipality, the measures as set out below are to be applied throughout the municipality.

It is important to note that this affirmative action policy is not a hiring policy but a holistic approach aimed at empowering people who were previously marginalised. The purpose of affirmative action programmes and strategies must be communicated effectively to all staff at all levels to assist with promoting a positive view of affirmative action.

OBJECTIVES

The objective of the Affirmative Action Policy is:

- to provide parameters and measures to be applied in the promotion Affirmative Action and Human Resource Development in AbaQulusi Local Municipality;
- to ensure that all forms of discrimination in the employment situation based on race, creed, gender or any other forms of stereotyping of persons or groups are eliminated;
- to provide measures for the eradication of past discrimination and to develop Equal Opportunity programmes aimed at promoting equality in the employment relationship;
- to facilitate a common understanding of such terms as “Affirmative Action” “discrimination” “Equal Employment Opportunities” “Sexual Harassment” and all such matters relating thereto
- to provide measures, general principles and guidelines as the Provincial Administration may consider necessary, including access to employment, recruitment and selection, Human Resource Development, career advancement and equal treatment in the work place in order to ensure the maintenance of efficiency.
- to provide measures for the effective implementation of policies and programmes, for the resolution of disputes and for disciplinary sanctions for breaches of same;
- to provide the required mechanism to enable the stakeholders to play a role in relation to the implementation and monitoring of programmes and projects;
- to provide parameters and measures to ensure that current and on-going processes of reviewing the employment structure aimed at enhancing the affirmative action strategies in the AbaQulusi Local Municipality;
- To define the municipalities obligations in relation to promoting an understanding of and communicating this policy as well as to oversee its implementation at all levels.

DEFINITION OF TERMS

“AFFIRMATIVE ACTION”

Programmes which are designed to redress the past imbalances to ameliorate the conditions of individuals and groups who have been disadvantaged on the grounds of race, gender and disability and which promote practices which have as their objective the achievement of a workforce is representative of the population of the country. It is a process that ensures that persons hitherto prejudiced by past policies or unequal access to education and training or subject to disabilities, racial or gender discrimination are permitted to acquire employment and training appropriate to their skills and needs respectively.

This effectively means the implementation of:

- programmes which actively enable employees to acquire skills needed to enter all levels of employment;
- programmes which create employment/advancement/promotion opportunities which allow for the advancement of groups previously discriminated against;
- human resources management policies which actively direct staff with the appropriate potential towards upward mobility, unrestricted by any considerations other than suitability for the job;
- programmes that ensure equal opportunity and treatment in recruitment, selection, planning, performance appraisals, promotion and all other staff development policies which enhance the career opportunities of those already in the employment or seeking to enter the service of the Administration;
- procedures which reject patronage, nepotism, favouritism, gender discrimination including sexual harassment;
- practices which actively aim at enabling employees acquire a range of skills, including skills useful outside of their current employment specification, and to open up promotion avenues and skills enhancement opportunities;

- Adult Basic Education and Vocational Training Opportunities Designed to enhance the basic skills of the workforce to enhance the quality of the AbaQulusi Local Municipality's performance in a way that will enable employees to go beyond the immediate needs of their current post;
- awareness programmes to re-orientate management and workers to acceptable non-discriminatory attitudes towards race, gender, disability or any other stereotyping;
- strategies and training establish capacity in the management of affirmative action policies and practices;
- policies within the service generally which have as their objective the achieving of equity in the workplace and the redressing of the past imbalances in employment practices; procedures in which colour is irrelevant and which pro-actively foster positive attributes of accountability, openness, competency, efficiency, non sexism and equity in all areas of the Administration.

“BLACK”

The term black is used in this document to refer to members of the African, Indian, and Coloured communities.

“CANDIDATE WITH POTENTIAL”

A candidate who displays an ability to perform at a higher level. A process of obtaining inputs and views from concerned parties with a view to reach consensus.

“DISABILITY”

“The White Paper on an Integrated national Disability Strategy, defines disabled person, as an individual whose prospects of securing and retaining suitable employment are substantially reduced as a result of physical or mental impairment”

(ILO Convention 159). The main emphasis is on job-relatedness. If the disability has no relation to the effective performance of the job, employment of the person shall not be affected.

“DISADVANTAGED”

Any person or persons who hitherto have received less advantageous conditions of service and wages and less advantageous social and community services on grounds of race, gender, sex, pregnancy, marital status, ethnic, or social origin colour, age, religion, conscience, culture, belief, language, birth or disability which have in turn impacted on their opportunity for advancement; Any person or group of people who have been deprived of rights, career opportunities, education, training or job advancement or received less favourable education, advantageous schooling benefits, conditions of service or wage rates than any other group on grounds of race, gender, or disability and/or been discriminated against by any form of distinction, preference or exclusion or personal treatment which directly or indirectly restricted development, made separate provision for, or provided less favourably treatment on grounds of race, gender or disability;

Any person who has been adversely affected in occupational mobility, on the grounds of race, religious belief, gender, ethnic origin or disability.

“DISCRIMINATION”

Any treatment, restriction of opportunity or differentiation based on race, gender, ethnicity, language, sexual orientation, religious conviction, disability or disadvantaged background or other generalizations and stereotypes;

Any special provision or limitations in service conditions which are not based on the intrinsic requirements and value of the job;

Any action or behaviour which implicitly or explicitly displays prejudice or stereotyping in relation to any other person or group of persons in the Administration.

“EMPLOYEE”

Any person employed in terms of the Act, 1994.

“EMPOWERMENT”

The process of holistic transformation of institutions and persons towards the achievements of employment equity in the public service. Empowerment applies to both the employee and employer and involves;

- 1 the removal of any disabling infrastructure: laws, policies, procedures, structures.
- 2 the removal of psycho-social barriers: attitudes, prejudices, stereotypes, self-perceptions, dysfunctional social norms.
- 3 The creation of an enabling infrastructure through:
 - (a) the provision of appropriate education and training to harness the maximum potential of all employees, especially for those identified as disadvantaged: induction courses to the public service particularly its protocol processes, skills based training literacy training, creation of opportunities to continue with formal schooling, supervisory and management training.
 - (b) the recognition of skills experience and training before and during employment in the public service, as well as appropriate qualifications obtained outside the service.
 - (c) appropriate modification of the physical environment to meet the needs of the disabled.
 - (d) modification of the socio-cultural environment in the workplace to generate an ethos that is tolerant, appreciative and respectful of diversity.

“EQUAL OPPORTUNITY”

The right to fundamental equality of opportunity for every person in employment irrespective of race, colour or creed, or any other generalisation/stereotype to be treated in employment on the basis of intrinsic personal merit, ability and potential to do a job or to be advanced to a higher job without favour or discrimination; to be protected against discrimination, exclusion or loss of opportunity in terms or privileges of employment on the grounds of race colour, religion, gender or ethnic origin; to be protected against discrimination because of one's ability or gender and from the payment of rates that are different from the opposite sex for equal work in jobs requiring equal skill, effort and responsibility and which are performed under similar working conditions; to be protected against discrimination in employment benefits on the grounds of pregnancy.

“EQUAL OPPORTUNITY PROGRAMMES”

Any programme which has as its objective the establishment of equity in employment and which develops intrinsic and personal merit without reference to racial, gender and disability criteria.

“INDIRECT DISCRIMINATION”

Rules or procedures which appear to be consistent with principles of equity but which implicitly reduces the chances of the disadvantaged from gaining mobility in the AbaQulusi municipality because of the self-perpetuating processes in the organisational rules of the AbaQulusi municipality that restricts their personal development

“INDIVIDUAL GRIEVANCE”

A complaint relating to the interpretation and/or application of the affirmative action policy of the AbaQulusi municipality by an employee in regard to these provisions as well as the conditions of employment, treatment or work practices within the AbaQulusi municipality.

“MERIT”

The term merit is broader than simply formal qualifications and takes into cognisance prior learning, commitment, potential and ability. It also includes technical expertise/leadership qualities/capacity to control/co-ordinate/plan and communicate.

“STAKEHOLDERS”

The term stakeholders shall refer to all employees and Labour forums of the Municipality, including management, unions and staff associations.

“SEXUAL HARRASSMENT”

Any unsolicited and unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature which is made explicitly or implicitly a term or condition of an individual's employment or promotion; sexual conduct that has the purpose or effect of interfering with an individual's work performance or personal space thereby creating or tending to create, a hostile or offensive working environment; any practice or behaviour which explicitly determines employment decisions and/or advancement or job requirements on the basis of submission to or rejection or sexual advances.

“UNFAIR DISCRIMINATION”

Any distinction, exclusion, preference or practice made on the basis of race, gender, political affiliation, social or personal treatment which directly or indirectly disadvantages, makes separate provision for, or provides less favourable treatment for any employee or potential employee; any practice based on the concept or treatment that is defined as “separate but equal”. It will however not constitute unfair discrimination to conduct programmes of training retraining and reorientation to encounter the debilitating effects of the past; Practices that may undermine or impair equality of opportunity or treatment in employment.

STATUTORY PROVISIONS

Section 195 (1)(1) of the Constitution, 1996, inter alia, directs that the Public Service must render an efficient public administration at Departmental level of government. Any measures or programmes formulated to ensure a broadly representative South African society by the various provincial departments must be in line with the following legislation;

- Constitution, 1996
- Public Service Act, 1994
- Public Service regulations
- Labour Relations Act, 1995
- RDP White paper
- White paper on the Transformation of the Public Service
- White Paper on Affirmative Action

- White paper on Human Resource Management
- Policy on Human Resource Development
- This policy document

31. POLICY ON STAFF STATEMENT TO THE MEDIA

An employee may not make any statement or provide any information to members or representatives of the media concerning any business and/or interests of the MUNICIPALITY and may not provide answers to the media concerning questions about such business and/or interests unless prior written and specific permission has been given by the Municipal Manager to do so.

Any employee contravening this policy will be subject to disciplinary action.

32. STUDENT ASSISTANCE POLICY (SAP)

1. PREAMBLE

ABAQULUSI MUNICIPALITY has a social responsibility to assist students within its jurisdiction and outside its jurisdiction, wherever possible, in terms of social and economic upliftment, including education, training and development.

2. OBJECTIVES OF THE POLICY

- 2.1. Use the MUNICIPALITY as an active learning and training environment,
- 2.2. Provide students with opportunities to acquire skills and experience in their respective fields,
- 2.3. Contribute towards developing a new cadre of competent and committed future employees for a people oriented service,
- 2.4. Develop the employability skills of students and improve their ability to find employment both in the private and public sector,
- 2.5. Offer insights into future employment opportunities,
- 2.6. Assist students to evaluate their career options,
- 2.7. Improve the foundations for human development,
- 2.8. Improving the supply of high quality skills (particularly scarce skills), which are more responsive to societal and economic needs, and
- 2.9. Increasing the MUNICIPALITY's participation in life long learning,

3. FOCUS AREAS OF STUDENT ASSISTANCE POLICY

3.1 Work Shadowing Programme:

Students within AbaQulusi Municipal boundaries (i.e. from high schools) shall be required to spend a specified period of time 'shadowing' employees in order to gain experience within the work environment. Also this takes place during National programmes of "Take-the-Girl Child to Work". Where possible this placement will take place during their vacation, unless otherwise determined by the Municipal Manager. Generally, the duration of shadowing shall not exceed one month.

3.2 Practical Training Programme:

This programme seeks to assist students from institutions of higher learning who require specialist experiential training within their field of study in order to obtain a qualification. In most instances, prescribed work categories are furnished and a formal record is kept of all practical experience. Generally the duration of the training from this area ranges from one month to one year.

3.3 Internship:

Students who have already completed their Diplomas/Degrees are accommodated in this programme in order to gain experience in their chosen field of studies. This could range from 1 month to a maximum of 3years.

3.4 Other

On an *ad-hoc* basis requests are received from international academic Institutions, to accommodate students for internship programmes ranging from one to six months. All costs incurred (including insurance / remuneration) will be covered by the respective international institutions.

4. COMMUNICATION WITH INSTITUTIONS OF LEARNING

Training and Development Officer / Skills Development Facilitator or any other designated official from the Human Resource Section will co-ordinate all communication (written or verbal) with both line management as well as the relevant institutions of learning and where necessary with any other institution of Learning.

4.1 Designated official will be responsible for the following:

4.1.1 Request and collate, from the learning institutions, any information pertaining to the training programme, i.e. the practical experience which the student is required to obtain before being awarded the specific qualification; the number and details of students who require the practical experience, etc.

4.1.2 The said official will then liaise with each Department the MUNICIPALITY in order to establish most practical arrangement.

4.1.3 It will be the responsibility of each Department to nominate a relevant person who will establish and maintain an appropriate mentorship programme and further co-ordination with the Human Resources section.

5. ORGANISATIONAL CAPACITY TO PROVIDE STUDENT ASSISTANCE TRAINING

Each Department, once furnished with all relevant information, must determine whether they are able to provide the required training. The decision to provide training should be made on the basis of the following criteria:

5.1 The capacity of the Department to provide relevant practical training and mentorship in accordance with the requirements as laid down by the institutions of learning; and

5.2 The availability of funds.

6. SELECTION OF APPLICANTS FOR STUDENT ASSISTANCE TRAINING

The selection of students for training must take the following criteria into account:

- 6.1 Preference shall be given to designated groups, in line with the objectives of the Employment Equity Act (District's Employment Equity Plan) and the Skills Development Act. Persons from previously advantaged backgrounds will, however, not be excluded from the selection process;
- 6.2 Preference shall be given to persons residing within the Municipal boundaries, but shall not exclude persons residing outside of these boundaries (particularly if these persons are from the designated groups.)
- 6.3 The appointment of students will be co-ordinated by the designated official from the Human Resources section (in compliance with the MUNICIPALITY recruitment and selection policy and employment equity plan) in co-operation with the relevant line departments, unless the Municipal Manager decides otherwise.

7. PAYMENT OF STUDENTS DURING THE PERIOD OF TRAINING

Payment of students shall be as follows, unless otherwise determined:

7.1 Work – Shadowing Program:

Tariff: R0, 00 per day

7.2 Practical Training Program

Tariff: R1000.00 per month

7.3 Internship:

Tariff: R1000.00 per month

This payment is intended to cover travelling and incidental costs.

8. GENERAL PROVISIONS

- 8.1 Compliance with all relevant legislative arrangements shall be strictly observed and complied with,
- 8.2. The Municipal Manager may from time to time amend, vary or deviate from any provision(s) of this policy, if such act is informed by *bona fide* operational requirements of the municipality.

33. SUBSTANCE ABUSE POLICY

It is the policy of ABAQULUSI MUNICIPALITY to make every effort to prevent the abuse of any habit forming substance amongst its employees and to assist in the rehabilitation of those employees who have developed a dependency on any drug or alcohol. MUNICIPALITY further acknowledges that dependency on drugs or alcohol is an illness which requires special treatment.

1. Definitions

For the purpose of this policy unless the context otherwise indicates –

- 1.1 “abuse” means use to bad effect or for a bad purpose,**
- 1.2 “alcohol” means a substance taken/drunk to infuse drunkenness,**
- 1.3 “drugs” means medicinal or natural substance causing addiction,**
- 1.4 “dependency” means unable to do without (in this instance alcohol or drugs)**
- 1.5 “influence” means affected by alcohol drink,**
- 1.6 “premises” means any building, vehicle, vessel, train or aircraft,**
- 1.7 “rehabilitation” means restoring to normal life by training after dependency,**
- 1.8 “workplace” means any premises or place where a person performs work in the course of his or her employment.**

2. Prevention

Prevention of alcohol/drug abuse at work is a management responsibility.

3. Rules

3.1.1 The MUNICIPALITY cannot be prescriptive regarding private drinking or drug-use on condition that:

- [i] an employee’s job performance, attendance, or interpersonal relationships at work are not affected;**
- [ii] an employee’s conduct does not cause a safety risk to themselves, fellow workers, Municipal property, clients or members of the public;**
- [iii] an employee’s conduct within an official capacity does not cause an injury to the Municipality’s reputation and good standing;**
- [iv] an employee does not commit an alcohol or drug related offence in terms of the MUNICIPALITY Disciplinary Code.**

3.1.2 If any of the above are contravened the MUNICIPALITY reserves the right to evoke disciplinary measures which may include mandatory referral for rehabilitation. The employee may follow the voluntary referral route.

3.1.3 Any offer of assistance does not exempt the employee from standard disciplinary measures.

3.1.4 If an offer of assistance is accepted by the employee he/she must:

- [i] render full support towards assessment;**
- [ii] co-operate with recommendations of assessment;**
- [iii] take full responsibility for the following up of appointments and treatment as prescribed or deemed necessary.**

3.1.5 The employer will undertake to fund the first period of rehabilitation for alcohol abuse and to share the cost for the second rehabilitation period. Any subsequent rehabilitation thereafter will be for the employee's own account.

3.1.6 Should an employee refuse assessment or fail to co-operate with treatment/counselling, a report shall be submitted to the Head of Department. The employer reserves the right to implement the disciplinary code in this instance.

3.17 The Council reserves the right to obtain an independent assessment on the employees dependency prior to agreeing to assist the employee in terms of the above mentioned.

Such assessment must be conducted by a registered recognised body/authority on the treatment of substance abuse.

3.18 Treatment

The principles of treatment are:

- * referral – voluntary/mandatory;**
- * assessment on premises and with outside bodies of the Municipality's choice;**
- * counselling on and off Municipal premises;**
- * education;**
- * rehabilitation back into normal work duties.**

3.19 Ongoing monitoring which should last for a period mutually agreed upon by the MUNICIPALITY and the employee concerned.

4. Where the employee concerned is a member of a Trade Union such Trade Union will be kept informed of the steps taken to address the alcohol and/or drug dependency problem. Such employee will have the right to decide on whether the representative Trade Union will be involved and until what stage such Trade Union's involvement will continue.

34. SUCCESSION PLANNING AND CAREER PATHING POLICY

1. Definition

1.1 “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.

1.2 “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.

2. Purpose of the Succession Planning and Career Pathing Policy

- to ensure continuity of suitably trained staff in key posts for the future
- 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.
- to comply with the legal requirements of the Employment Equity Act which requires the appointment and promotion of suitably qualified persons from previously disadvantaged groups, to ensure proportional representation in all occupational categories and levels.
- 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.
- 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.
- 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.
- to establish a highly motivated work force which could lead to a decrease in staff turnover

3. Responsibility in Implementing Succession Planning and Career Pathing

The responsibility for implementing succession planning and career pathing rests with management (more specifically departmental management), the Corporate Services Department and the employees themselves. The trade unions should also play a supportive role in the process.

The responsibility for succession planning and career pathing should be seen as a partnership between these parties.

More specifically, the responsibilities of the partners in the succession planning and career pathing process are as follows:

3.1 Responsibilities of the Council (Management)

- **the council must accept the responsibility for the training and development of all its employees**
- **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**
- **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.**
- 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.
- **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**
- **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**
- **The council may decide, based upon fair criteria, which employees are suitable for specific training and development.**

3.2 Responsibilities of the Unions

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

3.3 Responsibilities of Employees

- 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.
- 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.
- **Employees must accept the principle that age is of no importance in training and development.**

4. 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:

- **departmental organogram**
- **skills audit results**
- **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.**
- **departmental estimates or staff budget**
- **schedule showing the ages of current staff and dates of retirement. This can be obtained from the Human Resources Department**
- **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).

5. 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:

1.1 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:

- **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.**
- **which posts on the organogram are already vacant and have funds provided for them on the annual estimates**
- **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)**
- **which posts require specialist technical or formal training, e.g. university degrees and for which there are presently no suitably qualified internal staff members**

1.2 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.)

1.3 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. 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.

7. 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.

1.4 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.

8. Conclusion

The correct implementation of Succession Planning and Career Pathing within a municipality will have great benefits for MUNICIPALITY and staff members. 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.

ANNEXURE A

2. FORMAT OF UNIT STANDARD

(FOR MACHINE OPERATOR)

N O .	CONCEPT	DESCRIPTION	EXAMPLE
1	CAPABILITY	Ask the question: “Person at this level is capable of?” (Broad statement)	Person at this level is capable of operating any light-equipment which is power driven
2	PERFORMANCE OUTCOMES	Ask the question: “What must a person demonstrate or do in order to be assessed as capable at this level?” (Brief statement) VERB+NOUN+ ADJECTIVE	<ol style="list-style-type: none"> 1. Prepare power-driven equipment for task to be completed 2. Operate power-driven equipment 3. Do maintenance on power-driven equipment 4. Ensure that safety measures are strictly adhered to.
3	ASSESSMENT CRITERIA	Ask the question: “What evidence is needed in order that the employee can demonstrate capability	<ol style="list-style-type: none"> 1. Check fuel and oil level 2. Check blades and mechanical conditions 3. Fill tanks with appropriate fuel/oil mixture

		<p>and receive the necessary credits?"</p> <p>(Brief statements)</p>	<ol style="list-style-type: none"> 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
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35. TRAVEL AND REMOVAL EXPENSES POLICY.

a. Purpose

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.

2. Scope

This policy applies to all employees of Council.

3. Policy

3.1 Removal Expenses

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.

3.2 Travel Expenses

The appointee, dependant family is not entitled to any travelling expenses for the acceptance of the offer of employment.

3.3 Internal Appointments

When an employee of Council voluntarily and at his/her own accord applies for position within Council service, and became 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 Council's cost.

3.4 Internal Transfer

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

3.5 Voluntary Internal Transfer

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

3.6 Exclusions

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

3.7 Employee Obligations

Should any employee whose travelling and removal expenses have been covered by Council leave within a period of less than 12 calendar months, the total amount travelling and removal expenses will be recovered by Council on a pro-rata basis.

ACKNOWLEDGEMENT BY EMPLOYEE

I acknowledge that I have read and that I understand the material contained in the Human Resources Policy Manual.

.....
Print Name

.....
Signature

.....
Date