

# SOL PLAATJE MUNICIPALITY

## Human Resource: Recruitment & Selection Policy



*Approved by Council: 2 June 2015*

*In terms of Council Resolution: C122/06/15*

## INDEX

<b>CHAPTER 1: RECRUITMENT AND SELECTION POLICY</b>		<b>Page</b>
1.	Preamble	1
2.	Definitions	1
3.	Legal Framework	2
4.	Scope and Application	2
5.	Objectives of Policy	2
6.	Policy Content	3
7.	Accountability	3
8.	Post Establishment	4
9.	Principles of Recruitment, Advertising and Appointments	4
9.1	Recruitment	4
9.2	Advertising	5
9.3	Appointments	7
10.	Appointment without Advertisement	8
11.	Procedures	8
12.	Handling of Enquiries and Application Forms	9
13.	Selection	10
13.1	General Principles Governing Selection	10
13.2	Canvassing	10
13.3	Nepotism	10
13.4	Selection Process	11
13.5	Preparation	11
14.	Compiling of Master Lists	12
15.	Interviewing in Respect of Vacancies	13
16.	Appointments Committee	14
17.	Post-Selection: Administration	14
18.	Probation	15
19.	Induction	16
20.	Appointment of Employees as Contract Workers, "Specialised" Contract Workers, Seasonal Workers, Students, Scholars, Interns or Temporary Relieve Staff	16
21.	Appointment of Replacement Labour in the event of a Strike	17
22.	Reimbursement of Interview Related Costs	17
23.	Relocation of Newly Appointed Employees	18
24.	Individual Transfers	18
25.	Secondments	19
26.	Records Keeping	20
27.	Dispute Resolution	20

# CHAPTER 1

## RECRUITMENT AND SELECTION POLICY

### 1. PREAMBLE

The staffing policy and its implementation will be fundamentally aimed at matching the human resource to the strategic and operational needs of the Municipality, ensuring the full utilisation and continued development of these employees.

All aspects of the staffing, structuring, recruitment, selection, interviewing and appointment of employees will be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions. This policy must however be read in conjunction with the Municipality's Policy on Employment Equity and Employment Equity Plan.

### 2. DEFINITIONS

- "induction" initiation means a formal entry into the organisation or position or office;
- "nepotism" means favoritism on the basis of family relationship or friendship;
- "candidate" means an applicant for a post;
- "recruitment" means the activities undertaken in the human resource management function in order to attract sufficient and competent job candidates who have the necessary talent, capabilities (knowledge, skills, experience, motivation and other attitudes and aptitudes, etc.) and qualifications to become an employee, fill job requirements and assist the Municipality in achieving its objectives;
- "reference check" means the gathering of information about a candidate's past history from people and institutions with whom such candidate has been associated; and
- "selection" means the process of making decisions about the matching of candidates taking into account individual differences and the requirements of the job.

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

### **3. LEGAL FRAMEWORK**

- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) [Systems Act];
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) [Structures Act];
- Employment Equity Act, 1998 (Act 55 of 1998) (Amendments) [EEA];
- Promotion of Equality and Prevention of Unfair Discrimination
- Bill of Rights in terms of the Constitution of the Republic of South Africa, 1996
- Basic Conditions of Employment Act, 1997 (Act No 75 of 1997) [BCEA]; and
- Labour Relations Act, 1995 (Act 66 of 1995) (Amendments) [LRA]
- Public Administration Management Act , 2014
- Collective Agreement on Conditions of Service

### **4. SCOPE AND APPLICATION**

To ensure a fair and equitable employment process, this policy shall apply to all permanent appointments made within the Municipality.

This policy will not apply to:

- appointments arising out of a procurement processes;
- temporary relief staff;
- "specialised" contract workers as determined by the Municipal Manager; and
- Replacement labour in the event of a strike

### **5. OBJECTIVES OF POLICY**

The Municipality recognises that its employment policies, practices and procedures must comply with the principle of the rule of law. The principle of the rule of law includes the principle of legality, which requires the Municipality, its political structures and political office-bearers as well as its employees, to comply at all times and without exception with the relevant legal provisions governing the situation concerned.

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

- be characterised by a high standard of professional ethics;
- promote the efficient, economic and effective utilisation of employees;
- be conducted in an accountable and transparent manner;

- promote good human resource management and career development practices, to maximize human potential; and representative of the South African people, with human resource management practices based on ability, objectivity and fairness.

## **6. POLICY CONTENT**

The responsibility for the appointment of a Municipal Manager rests with the Council in terms of section 82 of the Structures Act.

The responsibility for the appointment of relevant Executive Directors (so-called section 56 appointees) rests with the Council, or its delegate, after consultation with the Municipal Manager, in terms of section 56 of the Systems Act.

The responsibility for the appointment of all other personnel rests with the Municipal Manager or his/her delegate in terms of section 55(1)(e) of the Systems Act.

## **7. ACCOUNTABILITY**

The municipal council must:

- appoint a Municipal Manager as head of the administration or an acting Municipal Manager under circumstances and for a period as prescribed in the Systems Act 32 of 2000 and System Act Regulations on Appointment and Conditions of Employment of Senior Managers;
- after consultation with the Municipal Manager, appoint a relevant Executive Director or an acting relevant Executive Director under circumstances and for a period prescribed by the Systems Act 32 of 2000 and System Act Regulations on Appointment and Conditions of Employment of Senior Managers;
- Consistent with section 55 (1) of the Systems Act, the Municipal Manager, subject to the policy direction of the municipal council, is responsible for the appointment of staff other than those referred to in section 56 of the Amendment Act; and
- In accordance with section 67 (1) of the Employment Equity Act, the Municipality must develop and adopt appropriate systems and procedures to ensure fair, efficient, effective and transparent personnel administration, including the recruitment, selection and appointment of persons as staff members.

## **8. POST ESTABLISHMENT**

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

The post structure must be aligned with the municipality's Integrated Development Plan and approved system of job evaluation in the municipality.

All requests for new positions on the staff establishment must be submitted via the relevant Executive Directors to the Municipal Manager for his consideration and approval in terms of section 55 of the Systems Act.

## **9. PRINCIPLES OF RECRUITMENT, ADVERTISING AND APPOINTMENTS**

### **9.1 RECRUITMENT**

#### ***Determining recruitment needs***

Prior to filling a post, the necessity for filling shall be assessed and motivated by the relevant Executive Director to the Municipal Manager or his delegate.

#### **Recruitment for Municipal Manager Position**

In accordance with the Regulations if the post of a Municipal Manager or a relevant Executive Director becomes vacant, the municipality must:

- advertise the post nationally to attract a pool of candidates nationwide;
- select from the pool of candidates a suitable person who complies with the prescribed requirements for the post for appointment to the post.
- readvertise the post if there is no suitable candidate who complies with the prescribed requirements.

The Municipal Manager or relevant Executive Director:

- determine the inherent requirements of a job;
- ensure that the requirements for employment do not discriminate against persons historically disadvantaged; and
- comply with statutory requirements for the appointment of employees.

## 9.2 ADVERTISING

### ***Recruitment Advertisement***

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

- The name and location of the Municipality.
- A statement that the Municipality subscribes to the principles of employment equity.
- The designation of the position that is advertised.
- The minimum requirements in terms of qualification, skills, expertise and other requirements for appointment.
- A summary of the key performance areas/primary duties of the position.
- A statement that the appointment will be permanent or for a fixed term, and the term (if applicable).
- The name and contact details of the person to whom enquiries may be directed.
- A statement that canvassing will disqualify any candidate from being considered for appointment.
- An indication of the remuneration offered.
- The address where, and person to whom, applications must be delivered.
- The closing date for the submission of applications.
- A statement that applications received after the closing date will not be accepted or considered.
- A statement that if an applicant does not hear from the municipality within 30 days his/her application was unsuccessful.

Human Resource shall ensure that vacant posts in the municipality are so advertised as to reach, as efficiently and effectively as possible, the entire pool of potential applicants, especially historically disadvantaged persons.

An advertisement for a job shall specify the inherent requirements of the job, job title and whether it is an affirmative action appointment.

All vacancies (other than those referred to in the section 56 of the Municipal Systems Act) must first be advertised internally, and if no suitable candidates are found, the vacancy must be advertised externally. However, where the Municipal Manager (or his/her delegate) is of the opinion that no current employee is suitable for the post, vacancies may be advertised externally. Human Resource shall be consulted in such

cases as the workplace skills plan will give a clear indication of the potential supply of skills and competencies within municipality.

All advertisements will be distributed internally via the normal mail process and displayed on the notice boards.

Due to the extreme costs involved in advertising vacancies in the newspapers, Human Resource will select the appropriate source, taking in consideration the scarcity of skills and the seniority of the available candidates for the position.

The minimum advertising time will be 10 working days. Human Resource will only deviate from this unless otherwise determined by the Municipal Manager.

The Municipality will strive to recruit applicants from the local community (if possible) when a position is advertised externally.

Vacancies must be advertised internally and may at the same time be advertised externally, provided that external advertisements must at least be published in a newspaper of record as provided for in section 21(1) of the Systems Act.

### ***Validation of inherent requirements***

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

Prior to the recruitment process commencing, the outputs, skills, knowledge and competencies and stated educational requirements as contained in the competency/job profile or job description are to be scrutinised as to relevance and applicability at the time of filling the post

### ***Unsolicited Applications***

Unsolicited applications received during the course of the Municipality's operations must be returned forthwith to the applicant stating that the Municipality did not have any vacancies at the time when the application was submitted and that should any vacancy arise, the Municipality would advertise such vacancy.

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



### ***Head hunting***

Head hunting will be applied with caution at all times, and it may only be employed with the explicit approval of the Municipal Manager and only after the selection panel, in consultation with the relevant Executive Director, if applicable, is of the opinion that the assessed candidates are not suitable and or do not meet the requirements of the position advertised.

Normally targeted persons will be provided with the copy of the recruitment advertisement and allowing them to apply of their own accord.

## **9.3 APPOINTMENTS**

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

The municipality:

- may appoint employees on a permanent or temporary basis, either full-time or part-time;
- may, where the employment is temporary, appoint an employee under a special contract, on a casual basis or on a seasonal basis;
- may not appoint any person under the age of 15 years;
- shall require an employee to undergo a medical check-up only where the inherent requirements of the job are of such a nature as to require determination of the health status of the applicant;
- shall require an employee to be subjected to security clearance only where the duties attached to the post are of such nature as to make security clearance necessary; and
- may appoint a casual employee for a period not exceeding 3 months;
- shall ensure that each employee upon appointment, is provided with a written contract of employment, including the terms and conditions of his/her service.

### ***Appointment of Municipal Manager and Relevant Executive Directors***

Such appointments must take place in terms of section 82 of the Structures Act, sections 56 and 57 of the Systems Act and the Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006 (Regulation R805 dated 1 August 2006) or any amendments of same from time to time.

### ***Appointment to a permanent position***

The Executive Director: Corporate Services must present every newly appointed employee with a letter of appointment as provided for in section 9 of the Basic Conditions of Employment not later than the day on which he/she starts working.

Whenever any of the details contained in such a letter are changed, the Executive Director: Corporate Services must inform the employee in writing of such changes.

In the event of an employee that cannot read the relevant changes, the Manager or his delegate must explain the content of such letter and any amendment thereof to every such employee in a language that he/she understands.

## **10. APPOINTMENT WITHOUT ADVERTISEMENT**

Appointment without advertisement may be permitted where:

- The incumbent is being considered for a contract renewal for a contract;
- A person has been identified with scarce skills for a specialised post;
- External funding is linked to the appointment of a specific candidate

The process involves three mandatory stages:

- Motivation
- Approval
- Recommendation

## **11. PROCEDURES**

Request for filling of vacancies (other than section 54A and 56 posts); must comply with the following procedures:

11.1 Line management request filling of position by completing a PK7 form available at the Human Resource. Line management must establish the following:

- whether the vacancy exists;
- if there is a need to fill the vacancy;
- if the vacancy is budgeted for;
- what is the salary scale; and
- post requirements

- 11.2 The PK7 must be signed by the relevant Executive Director of the appropriate directorate as well as the Municipal Manager approving the filling of the vacancy.
- 11.3 The Employment Equity Manager must sign the PK7 form.
- 11.4 The Budget Office shall confirm the funding for the vacancy by signing the PK7 form.
- 11.5 The PK7 form must be sent to Human Resource. If any of the required information is not properly completed, the form will be sent back to the line manager. It is the line manager's responsibility to see that all the necessary information and signatures are completed on the PK7 form.
- 11.6 Human Resource shall regard the PK7 as an instruction to advertise the vacancy precisely as stated on this form (the salary scale, recruitment source, affirmative action status and requirements). Human Resource will however verify the information to ensure that it is in accordance with staff establishment and council policy.
- 11.7 Human Resource will discuss any alterations on the PK7 form (if necessary) and any changes must first be approved by the relevant role players before a vacancy will be advertised.

## **12. HANDLING OF ENQUIRIES AND APPLICATION FORMS**

- 12.1 All applications must be submitted by way of a comprehensive Curriculum Vitae. The Municipal Manager or his delegate may exclude any category of applicants from this requirement and such categories must complete an official application form.
- 12.2 Human Resource will be responsible for having all application forms available and will handle all the telephonic and written communication of applicants, during the recruitment process.
- 12.3 All the application forms, emails, faxes and curriculum vitae must be handed in on the third floor, Civic Centre, Human Resource.
- 12.4 It is the responsibility of the applicant to make sure that his/her application form is handed in.
- 12.5 Human Resource will under no circumstances accept any late application forms. The closing date will strictly be adhered to (and closing time to be

16:00). Any application forms given to other personnel in the municipality and not handed in before due date will be regarded as late.

- 12.6 It is the sole responsibility of the applicant to complete the application form thoroughly and correctly. Human Resource will not gather any information from the Human Resource personal files or source personal information of any candidate which is not provided for in the CV or application forms.
- 12.7 To save costs no regret letters will be sent to applicants
- 12.8 No waiting lists will be kept by Human Resource in any circumstances.

### **13. SELECTION**

#### **13.1 *General Principles Governing Selection***

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

The central guiding principle for selection shall be, competence in relation to the inherent requirements of the job, taking into account the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.

Unless formal or statutory qualifications are clearly justified as essential for the job, relevant experience/performance, training [internal/external] as reflected and measured through competencies, and potential for the prospective vacancy shall be an important criterion.

#### **13.2 *Canvassing***

Attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Municipality's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

#### **13.3 *Nepotism***

It is the policy of the Municipality to seek competent applicants for positions and to further the careers of those employed, regardless of whether they have close relatives already employed at the Municipality. The basic criteria for appointment and retention are appropriate qualifications, experience and performance as set out in the policies of the Municipality.

Family relationships shall constitute neither an advantage nor a deterrent to appointment and retention at the Municipality, provided the individual meets and fulfils the appropriate appointment standards.

For the purpose of this policy "close relative" is defined as spouse, domestic partner, parent, mother-in-law, father-in-law, step-parent, child, son-in-law, daughter-in-law, step-child, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandchild, aunt, uncle, nephew, niece and first cousin.

If a situation arises to deviate from the above provisions, a detailed motivation must be submitted to the Municipal Manager via the relevant Executive Director to consider the individual case.

#### **13.4 Selection Process**

The purpose of selection is to identify the most suitable candidates from all the persons who applied and to eliminate unsuitable candidates in the fairest way possible.

The selection process for the position of Managers shall be conducted by a Selection Panel consisting of:

- the relevant Executive Director;
- Labour Unions - as observers only;
- Employment Equity, Gender and Human Resource - support

The Selection process for all other staff than those mentioned above shall be conducted by a Selection Panel consisting of:

- the Manager of the Department;
- Labour Unions- as observers only
- Employment Equity, Gender and Human Resource - support

#### **13.5 Preparation**

13.5.1 Human Resource will compile schedules which are a summary of the applicants' gender, their place of residence, qualifications and current position.

13.5.2 The completed application forms will be available at Human Resource.

13.5.3 Applicants on the shortlist will be contacted telephonically.

13.5.4 Applicants will be informed at least 3 days prior to the date of the interviews that they are invited.

13.5.5 Appointments will be arranged with the appropriate directorate by Human Resource.

The Municipal Manager may delegate the responsibility for the appointment of candidates to the relevant Executive Director.

All appointments as prescribed by section 56 of the Municipal Systems Act shall be conducted by council.

#### **14. COMPILING OF MASTER LISTS**

After the closing date of an advertisement all the applications received for every specific position are to be captured on the master list compiled by Human Resource. The master list must contain, in table form, the following particulars in respect of each candidate:

- the applicant's surname followed by his/her initials and contact telephone number
- the applicant's gender;
- the applicant's race;
- the applicant's qualifications;
- the applicant's employment history and experience relevant to the job description and job specification; and
- if applicable, the nature of the applicant's disability

Human Resource must submit the master list, together with the applications to the relevant selection panel.

##### **14.1 *Compiling short lists***

Short listing must be done in accordance with the following order of preference -

- Internal applicants
- Local applicants
- Provincial applicants
- National applicants

##### **14.2 *Notification of short listed candidates of selection proceedings***

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

## **15. INTERVIEWING IN RESPECT OF VACANCIES**

Except for appointments that must be made by the Municipal Council, the interview process of all other staff shall be conducted by an Interview Panel consisting of:

- the relevant Executive Director and/or the Manager of the Department;
- not more than one, if any, other senior employee from the relevant department;
- Labour Unions- as observers only
- Employment Equity, Gender and Human Resource - support

The Municipal Manager or his/her designated representative may attend and participate in any interview for appointing of an employee.

After having assessed the applicants, the Interview Panel shall submit its motivated proposal to the Municipal Manager or his/her delegate for his/her consideration and an appointment decision in terms of section 55(1)(e) of the Systems Act.

Completed score sheets must be kept in safe storage for a period of at least six months after an appointment decision has been made.

### ***Conducting proficiency tests***

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

### ***Reference checking/Vetting***

Reference checks/vetting must only be carried out for applicants recommended by an Interviewing panel. Reference checks must be conducted by the Recruitment and Selection Manager or his/her nominee. The person performing the reference check must obtain, but not limited to, the following information during the course of the reference check:

- confirmation of the applicant's employment history, including date of commencement with service at the previous employer and any past or pending disciplinary actions regarding the employee;
- Reasons for leaving previous employment if any
- the applicant's current position and remuneration details; and
- the job requirements and key performance areas of the applicant's current position.

Human Resource must, during the compilation of the short list, take all reasonable steps and actions to establish the validity and accuracy of any certificates and other information supplied by an applicant. If any candidate submitted or claimed that he/she had some or other certificate or diploma, qualification, experience or disability that is disproved, such candidate must be disqualified forthwith.

Before making a decision on an appointment or the filling of a post, an executing authority shall-

- satisfy himself/herself that the candidate qualifies in all respects for the post and that his/her claims in his/her application for the post have been verified; and
- record in writing that verification has been conducted

## **16. APPOINTMENT'S COMMITTEE**

The Municipal Manager shall constitute an appointment's committee, for all posts other than the section 54A and 56 posts, whose responsibility shall include (but shall not be limited to):

- The relevant Executive Director: chairs the appointment's committee and makes the final recommendation regarding appointments;
- The Municipal Manager approved all appointments.
- The Gender Manager and the Employment Equity Manager, will, respectively advise the appointments committee on all gender and equity related matters. The latter shall also ensure that all appointments are in line with the Municipality's Equity Plan.
- Union: observe the proceedings of the appointments committee.
- Human Resource: handles the recruitment process, record minutes of the interview process, advice line managers and implement decisions on the appointments.

## **17. POST-SELECTION: ADMINISTRATION**

The successful candidate will only be notified after all relevant parties have signed the application forms. The Municipal Manager signs all appointments.

A person will only be regarded as appointed once Human Resource offers the candidate the appointment letter.

All successful candidates will always be offered the lowest notch on the advertised grading. In cases of an internal promotion, where the lowest notch



on the new scale is the same as the present scale of the candidate, the next higher notch will be offered. The relevant Executive Director may deviate from this in exceptional cases.

A formal letter of appointment will be addressed to each successful candidate.

Dates of commencement of service will be either on the first (preferably) or on the 16th of the month.

No travelling or accommodation cost will be paid to applicants who reside in Kimberley.

A medical test will be done on new employees, only if it is an inherent requirement of the job.

## **18. PROBATION**

A newly appointed employee who is appointed for the first time in a position on the staff establishment of the Municipality must serve a period of probation of 6 (six) months before the appointment of the employee is confirmed.

The relevant Executive Director and/or Manager concerned must evaluate the progress and performance of an employee appointed on probation after serving six months' probation according to such factors, objectives and criteria as may be prescribed in terms of the Municipality's employee performance appraisal system.

An employee must be given reasonable evaluation, instruction, training, guidance or counselling in order to allow the employee to render a satisfactory service.

If it is determined that the employee's performance is below standard, the relevant Executive Director and/or Manager should advise the employee of any aspects in which the he/she considers the employee to be failing to meet the required performance standards. If the relevant Executive Director and/or Manager believes that the employee is incompetent, the relevant Executive Director and/or Manager must advise the employee of the respects in which the employee is not competent. The relevant Executive Director and/or Manager may either extend the probationary period for a further maximum period of 6 (six) months or recommend further training and skills development of the employee to the Municipal Manager or his/her delegate only after complying with the following, as the case may be:

- the period of probation may only be extended for a reason that relates to the purpose of probation; and

- the relevant Executive Director and/or Manager may only decide to extend the probationary period or to recommend further training and skills development of an employee after he/she has invited the employee to make representations and has considered any representations made. A trade union representative or fellow employee may make the representations on behalf of the employee.

If the Municipal Manager and/or his delegate decide to dismiss the employee or the relevant Executive Director and/or Manager decide to extend the probationary period, the employee must be advised of his/her right to dispute such decision.

## **19. INDUCTION**

The Human Resource Manager will take full responsibility for induction of persons appointed in a permanent position.

As such:

- the new incumbent will be introduced to his/her immediate staff/colleagues by the Human Resource Manager or his/her delegate;
- the Human Resource Manager shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed;
- the Human Resource Manager will explain and provide a copy of the job description relating to the new employee's specific position/job function whilst the respective line managers are expected to conduct a full job orientation; and
- the Human Resource Manager will also explain and make available copies of the Municipality's Human Resource Policies and the Code of Conduct of Municipal Staff Members as provided for in Schedule 2 of the Systems Act.

The relevant Manager is responsible for the induction of each employee in his/her department in order to familiarise the employee with the department in which he/she has been appointed.

## **20. APPOINTMENT OF EMPLOYEES AS CONTRACT WORKERS, "SPECIALISED" CONTRACT WORKERS, SEASONAL WORKERS, STUDENTS, SCHOLARS, INTERNS OR TEMPORARY RELIEVE STAFF**

Persons appointed to the above temporary positions -

- Are appointed at the salary as approved by the Municipal Manager;
- may not receive any housing and travelling benefits;

- may not become a member of a retirement fund, medical aid scheme or group life scheme to which the Municipality must contribute; and
- earns leave and sick leave in accordance with the provisions of the Basic Conditions of Employment, as amended from time to time.

## **21. APPOINTMENT OF REPLACEMENT LABOUR IN THE EVENT OF A STRIKE**

The Municipal Manager may, after consultation with the relevant Executive Director, employ replacement labour during a strike in terms of, and consistent with, section 76 of the Labour Relations Act.

Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the Basic Conditions of Employment Act. The letter of appointment must clearly stipulate that:

- the appointment is only for the duration of the strike and that the services of the employee will terminate immediately when the regular employees of the Municipality return to work;
- termination of any replacement labour employment shall not constitute a dismissal of the person concerned and that he/she shall not be entitled to any additional remuneration or compensation in respect of the completion of such period;
- the person's employment with the Municipality will come to an automatic end on expiry of the term and such termination shall not be construed as a termination based on the Municipality's operational requirements, nor as an unfair dismissal; and
- accordingly, reference in this paragraph to additional remuneration or compensation to which the person shall not be entitled, includes but is not limited to, severance pay, notice pay, retirement and medical aid fund benefits to which an employee may otherwise be entitled to in the event of a termination based on an employer's operational requirements.

## **22. REIMBURSEMENT OF INTERVIEW RELATED COSTS**

Any prospective applicant, who is invited to attend an interview, shall be paid the running costs tariff as determined from time to time by the South African Revenue Services in accordance with the cylinder capacity of the applicant's vehicle.

In the event of an applicant making use of air travel, the applicant shall be paid the cost of a South African Airways economy class return ticket.

In the event of a prospective applicant spending the night away from his place of residence, he/she shall be paid in accordance with the Municipality's Travel and Subsistence Policy.

### **23. RELOCATION OF NEWLY APPOINTED EMPLOYEES**

The Municipality shall pay an employee's cost of moving from another place (including transit insurance, but excluding any packing and packaging cost) to an address within the area of jurisdiction of the Municipality, as indicated on the cheapest of the quotations, regardless of the quotation the employee accepts.

For this purpose the employee must obtain three written quotations for the relocation of that employee's household and appoint a removal company to relocate his/her household goods. The written quotations obtained by the employee must be attached to his/her claim for reimbursement.

Should the Employee leave the service of the Municipality before the expiration of twenty four months since commencement of duties, the removal costs calculated on a pro rata basis from the date of his/her appointment will immediately be payable to the Municipality. In this regard the employee must, prior to the removal costs being paid, authorise the Municipality to deduct the outstanding amount from any source which is due to him/her by the Municipality and which is to be paid to him/her on the date of the termination of the employee's service with the Municipality.

### **24. INDIVIDUAL TRANSFERS WITHIN THE MUNICIPALITY**

An employee may only be transferred:

- If the employee requests or consents in writing to the transfer;
- If there are reasonable grounds for the transfer to be processed;
- With written consent of the relevant Executive Director or his/her delegate;
- If the vacancy exist on the staff establishment;
- If the post is budgeted for, and vote number be provided to Human Resource;
- If the transfer to the new position is a lateral transfer, the final decision rests with the relevant Executive Director or his/her delegate;
- If the transfer does not interrupt the employee's continuity of employment;
- If the skills of the employee meet the requirements of the post in which he/she is transferred to;

- If the transfer of such an employee be to the benefit of the organization and not for personal interest of employee;

The Municipal Manager or his/her delegate, reserves the right to decline such transfer should the reasons provided not be sufficient enough to substantiate the transfer.

## **25. SECONDMENTS (Public Administration Management Act, 2014)**

25.1 Any employee of an institution may be seconded to another institution or to any other organ of state in such a manner, and on such terms and conditions as may be prescribed.

25.2 An employee may be seconded:

- If the employee possesses the necessary skills and knowledge or the intended position at the time of the secondment;
- If the employee requests or consents to the secondment;
- In the absence of consent, after due consideration of any representations by the employee, if the secondment is justified.

25.3 Any employee of an institution may only be seconded to:

- Another institution in consultation with the relevant executive authorities of the seconding and recipient institutions;
- An organ of state other than an institution, on request of the organ of state and in consultation with the relevant authority of the seconding institution.

25.4 (a) If an employee is seconded between a national or provincial institution and a municipal institution or from one provincial or municipal institution to another provincial or municipal institution, the remuneration and conditions of service of the employee upon the secondment are as agreed between the executive authorities of the transferring and recipient institutions.

(b) If an employee is seconded in terms of subsection (1) and unless the employee consents, the remuneration and conditions of service may not be less favourable than those on which the employee was employed immediately before he secondment.

## **26. RECORD KEEPING**

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

## **27. DISPUTE RESOLUTION**

Internal dispute resolution processes shall be followed in the event of any grievances and disputes arising out of the implementation of this policy. For all external candidates, the recognised labour relations mechanisms shall be applied.