

FRANCES BAARD DISTRICT MUNICIPALITY

RECRUITMENT AND SELECTION POLICY



Date of Adoption:	29 May 2018
Date of Implementation:	29 May 2018
Signature of Speaker:	L. Buda
Date:	24 July 2018

Table of Contents

PART A: POLICY ON RECRUITMENT AND SELECTION4

1. GENERAL.....4

2. SCOPE OF THE POLICY4

3. LEGAL FRAMEWORK.....4

4. DEFINITIONS4

5. EMPLOYMENT EQUITY IN RECRUITMENT AND SELECTION4

6. PRE-RECRUITMENT5

6.1 APPROVAL TO FILL VACANT/NEWLY CREATED POSITIONS.....5

6.2 JOB REQUIREMENTS.....5

6.3 RECRUITMENT6

6.3.1 DETERMINING THE RECRUITMENT STRATEGY.....6

6.3.2 EVALUATION OF THE RECRUITMENT STRATEGY AND RECRUITMENT INFORMATION.....6

7. THE RECRUITMENT PROCESS.....7

7.1 DRAFTING AND PLACEMENT OF THE ADVERTISEMENT.....7

7.2 INITIAL PROCESSING OF APPLICATIONS8

8. THE SELECTION PROCESS8

9. OFFER OF EMPLOYMENT11

10. RECORD KEEPING11

11. SUPPORT STRUCTURES11

PART B: POLICY FOR THE EMPLOYMENT OF SPOUSES FAMILY MEMBERS, RELATIVES AND FRIENDS12

1. SCOPE.....12

2. PURPOSE.....12

3. DEFINITIONS12

4. ONUS12

5. MUTUAL SERVICE RELATIONSHIP.....12

6. SUPERVISORS AND PROMOTORS13

7. OTHER SITUATIONS13

PART C: POLICY FOR THE INDUCTION OF NEW EMPLOYEES14

1. PURPOSE.....14

2. INDUCTION PROCESS.....14

2.1 RESPONSIBILITIES.....14

2.2	MENTORING.....	14
2.3	PROCESS	15
PART D: POLICY ON THE PROBATION OF STAFF MEMBERS.....		
1	INTRODUCTION.....	15
2	GOALS AND OBJECTIVES ON ASSUMPTION OF DUTY.....	15
3	FIRST PROBATION REPORT.....	16
4	FINAL PROBATIONARY REPORT.....	16
5	EXTENSION OF PROBATION.....	16
6	NON-CONFIRMATION OF APPOINTMENT.....	17
PART E: POLICY FOR THE SECONDMENT OF "FRANCES BAARD DISTRICT MUNICIPALITY" STAFF (INTERNAL).....		
1	BACKGROUND.....	17
2	PURPOSE.....	17
3	SCOPE.....	17
4	DEFINITIONS.....	17
5	PRINCIPLES.....	17
6	APPLICATION.....	18
7	SECONDMENT.....	18
7.1	SHORT-TERM SECONDMENT (3-6 MONTHS).....	18
7.2	LONG-TERM SECONDMENT (EXCEEDING 6 MONTHS).....	19
PART F: POLICY ON THE TERMINATION OF SERVICE.....		
1	APPLICATION.....	20
2	NOTICE OF TERMINATION OF EMPLOYMENT.....	20
3.	PAYMENT INSTEAD OF NOTICE.....	21
4.	EMPLOYEES IN ACCOMMODATION PROVIDED BY EMPLOYERS.....	21
5	PAYMENTS ON TERMINATION.....	21
6	SEVERANCE PAY.....	22
7	CERTIFICATE OF SERVICE.....	22

PART A: POLICY ON RECRUITMENT AND SELECTION

1. GENERAL

1.1. Frances Baard District Municipality [FBDM] is attentive to the recruitment and selection of personnel. Such attention is focused primarily on ensuring the fair treatment of applicants through:

1.1.1. Recruitment and promotion of suitable candidates for vacant positions in the municipality.

1.1.2. The promotion of equitable representation of all population groups, sexes and persons living with disabilities in all post categories and all levels within the municipality. The recruitment and selection of personnel will greatly use the municipality's Employment Equity Plan as reference.

2. SCOPE OF THE POLICY

2.1 This policy applies to all officials who fall within the registered scope of the South African Bargaining Council and on parties to council.

3 LEGAL FRAMEWORK

3.1 This policy will be implemented in line with the constitution and the relevant national legislation outlined hereunder:-

3.1.1 Basic Conditions of Employment Act 75 of 199

3.1.2 Municipal Systems Act 32 of 2000

3.1.3 Labour Relations Act 66 of 1995

3.1.4 Employment Equity Act 55 of 1998

3.1.5 SALGBC Collective Agreements (Northern Cape Division)

4 DEFINITIONS

4.1 **Designated Groups:** refers to Africans, Coloureds, Indians, Women and People living with disabilities.

4.2 **Black people:** is a generic term meaning Africans, Coloureds and Indians

5 EMPLOYMENT EQUITY IN RECRUITMENT AND SELECTION

5.1 The recruitment and selection process, at FBDM will always choose the person whom the selection committee believes will make the best contribution to the municipality

5.2 The following equity measures will be taken:

- 5.2.1 In determining the suitability of applicants, the standards necessary for competence (regards of knowledge, skills and personal characteristics) on the job will be determined prior to the advertising of each post. Care will be taken to ensure that the qualifications and/or work experience required do not exceed the inherent job requirements;
- 5.2.2 Consideration will be given to the potential of applicants from designated groups to meet the job requirements as well as to proven merit;
- 5.2.3 Where it is difficult to distinguish between candidates in trying to determine the best candidate, preference will be given to the member of the designated group;
- 5.2.4 In the selection of applicants from designated groups, where it is difficult to distinguish between candidates, preference will first be given to nationals;
- 5.2.5 Where a person with a disability has applied, consideration must be given to how the environment and/or job can be adapted;
- 5.2.6 Where a candidate who is not a member of a designated group has been chosen, the selection committee will be required to indicate why applicants from the designated groups were not chosen. This information must be evaluated and collated by the Manager: Human Resources and concerns discussed with the HOD: Administration. This information will be reported on a bi-annual basis to the Employment Equity Committee or the local labour forum (LLF).
- 5.2.7 In selecting the members of the selection committees, diversity must be a consideration.

6 PRE-RECRUITMENT

6.1 APPROVAL TO FILL VACANT/NEWLY CREATED POSITIONS

- 6.1.1 At the time of termination of employment and/or of a new position, the Human Resources Manager will consult the affected Head of Department [HOD], with regards to the filling of the vacancy. Should the HOD consider restructuring or believe that the position requires regrading; the evaluation of such a position shall be undertaken prior to its advertisement. The affected HOD shall recommend the filling of the vacancy.
- 6.1.2 The Manager: Human Resource [HR] will complete the motivation for the filling/creation of the position; a full job profile will be concluded according to the TASK format to ensure that it conforms to the new grading and job content. The Administration Department in consultation with the affected HOD will be responsible for drawing up the Job Description before advertising the post.
- 6.1.3 Where the position is a newly created post, a provisional job description will be concluded and sent to the Job Evaluation Committee [JEC] indicating the position's creation and requesting grading. Once clarity has been obtained on the nature and grade of the position (internally), a formal approval must be obtained from the Municipal Manager within two working days.

6.2 JOB REQUIREMENTS

- 6.2.1 The Job Profile is a source document which will be submitted to the Selection Committee. This committee will not have any authority to make amendments to this document. The authority to make amendments to any job profile will be the prerogative of the Municipal Manager.

- 6.2.2 All Job profiles must reflect the competencies, knowledge, skills and key performance areas. The affected Head of Department is required to provide the information on the competencies required of the employee's effective performance.
- 6.2.3 Where the job is similar to other jobs in that job category (e.g. secretary), the Head of Department in consultation with Human Resources will develop a generic job description for the job category and ensure that the selection criteria does not result in unfair discrimination according to the Employment Equity Act namely race, ethnicity, age, gender, marital status, or sexual orientation. Any criterion that is based on the inherent requirements of the particular position or seeks to achieve the advancement of groups designated for affirmative action do not constitute unfair discrimination.

6.3 RECRUITMENT

6.3.1 DETERMINING THE RECRUITMENT STRATEGY

- 6.3.1.1 In determining the recruitment strategy for a position that does not require scarce skills, cognisance must be taken on whether there are likely to be suitable staff with the suitable skills within the municipality who meet the competencies associated with the position. Should such staff be available within the municipality, the position will be advertised internally. The application for such a position will be open to all (*contract, casual and permanent*) employees who have been in the employment of Council for three months and more. Vacant positions between TASK4-14 will firstly be advertised internally before being advertised externally.
- 6.3.1.2 Where under-representation of designated groups has been identified in the job category for a specific position, Council may consider using both internal and external recruitment.
- 6.3.1.3 Where only one possible suitable internal candidate has been identified, and is deemed to meet the competencies for the position, that position must be advertised externally.
- 6.3.1.4 In cases where the individual candidate does not meet the requirements of the position or where there is no suitable candidate internally, the Manager may advertise the post externally. In this case, the selection committee is required to provide sound and defensible reasons for the strategy.
- 6.3.1.5 Where the recruitment is aimed at addressing the requirements of Council's Employment Equity Plan, and there is a likelihood that too few applications will be received from members of designated groups, the Human Resources Manager will use other recruitment methods (i.e. headhunting, etc.) to ensure that members from these groups are encouraged to apply. In this case the language and medium used for recruitment will also be determined.

6.3.2 EVALUATION OF THE RECRUITMENT STRATEGY AND RECRUITMENT INFORMATION

- 6.3.2.1 The Human Resources Unit will keep the following information up to date:
 - 6.3.2.1.1 The number of candidates applying for each vacant position;

- 6.3.2.1.2 The number of candidates from the designated groups applying for each vacant position;
 - 6.3.2.1.3 The number of candidates from the designated groups with the necessary qualifications applying for each vacant position;
 - 6.3.2.1.4 In respect of each internal and external recruitment; the method used to reach the target group (including the designated groups).
- 6.3.2.2 The Human Resources Department will, on a semester basis, evaluate the recruitment method of Council with specific reference to the following:
- 6.3.2.3 Are the correct target groups identified with specific reference to Council's employment equity plan?
- 6.3.2.4 Do the media used for the recruitment reach the target group that is identified in the employment equity plan?
- 6.3.2.5 Is the content of Council's recruitment material of such a nature that it succeeds in convincing suitable candidates from the designated groups to apply for the vacant positions?

7 THE RECRUITMENT PROCESS

Recruitment is a process of ensuring that suitable applications are received for a vacancy, and can only commence once the documentation has been received.

7.1 DRAFTING AND PLACEMENT OF THE ADVERTISEMENT

- 7.1.1 On confirmation of the recruitment and selection strategy by the Municipal Manager, the HR Department will draft the advertisement. The advertisement will include all critical job requirements and competencies. The closing date for applications is placed in all advertisements and interested parties will normally be given the following time in which to submit their applications:
- 7.1.1.1 Internal advertisements: 5 working days
 - 7.1.1.2 Local advertisements: 10 working days
 - 7.1.1.3 National advertisements: 15 working days
- 7.1.2 Internal advertisements of vacant positions will be published on municipal notice boards and Intranet.
- 7.1.3 Local advertisements will be published in local printed media and the municipal Website.

- 7.1.4 National advertisements will be published in national printed media and the Municipal Website.

7.2 INITIAL PROCESSING OF APPLICATIONS

- 7.2.1 Applicants for vacant positions are required to submit their applications on the prescribed application form of the municipality. An application for each applicant received is registered and kept in a confidential file at the Archives unit until the closing date of such applications. No late applications will be considered by the municipality.

8 THE SELECTION PROCESS

- 8.1 In order to ensure fairness, accountability and to meet the requirements of the municipality's selection process the following criterion shall apply:-
- 8.1.1 Merit;
 - 8.1.2 The need and status of the department in which the vacancy is situated;
 - 8.1.3 The need for specialised qualifications and/or skills;
 - 8.1.4 The need for "fresh minds" from outside the municipality;
 - 8.1.5 The need to balance the composition of the staff in terms of qualifications, experience, seniority and role models;
 - 8.1.6 The stability of the department/staff and the ability to support an individual appointed based on merit or on potential;
 - 8.1.7 Negative or positive resources implications of employing certain candidates and, in the case of negative implications, the municipality's ability to meet the necessary resources implications;
 - 8.1.8 Balancing the municipality's commitment to the national equity targets and the importance of attracting and employing foreign nationals;
- 8.2 In striving to "serve the community", Frances Baard District Municipality strives to ensure diversity amongst its staff. The municipality must continue to balance the employment of nationals and foreign nationals with an intention to source skills and come up with the best candidates.
- 8.3 Screening and short listing of applicants:
- 8.3.1 The Selection Committee will be established by the Municipal Manager with the recommendation from the Head of Department: Administration. SAMWU and IMATU will form part of the selection committee as observers during the shortlisting of candidates. After the closing date and based on the selection strategy to be followed, Human Resources unit will circulate the candidate's profile to the Selection/Short listing Committee.
 - 8.3.2 The candidates who have been shortlisted during this stage will proceed to the interview. The interview criteria will always be determined by the interviewing panel.
- 8.4 When undertaking this process, the selection team is encouraged to shortlist no more than 7 candidates, due to time constraints and administrative costs associated with this process. The Human Resource will endeavour to contact all short listed candidates and request that they attend the interview. The municipality pays all reasonable costs relating to travel and accommodation associated with attending the interview for out-of-town candidates.

- 8.5 According to the municipality's employment equity policy, Selection Committees are required to demonstrate that sufficient effort has been made for qualified individuals who are members of the designated groups. Where insufficient effort has been suspected in this regard, this matter may be brought to the attention of the Head of Administration.
- 8.6 Requesting referees' reports
- 8.6.1 Referees' reports may be requested for all positions. HR will conduct a reference check of at least one referee per candidate. The referees will be requested to provide a written report. However, under special circumstances, HR may request these references via telephone.
- 8.6.2 The report will address the specific competencies relevant to the position in question as well as the following:-
- 8.6.2.1 The candidate's current job title and nature of the work done
- 8.6.2.2 The candidate's period of employment
- 8.6.2.3 The candidate's performance record
- 8.6.2.4 The candidate's relationships with superiors, subordinates and colleagues
- 8.6.2.5 The candidate's absenteeism record, including sick leave record and
- 8.6.2.6 Disciplinary record, particularly instances of substance abuse, insubordination, theft/fraud and poor performance.
- 8.6.3 The Human Resource is responsible for requesting the referees' reports and making every attempt to ensure timely arrival of these reports before the interview
- 8.7 Reference checks:
- 8.7.1 Reference checks require checking the accuracy of the information provided by the candidate on the application as well as certain employment information. In conducting a reference check, the assigned person may contact at least one previous employer (not the current employer without the applicants consent) for information on the following:
- 8.7.1.1 The candidate's current job title and nature of the work done
- 8.7.1.2 The candidate's period of employment
- 8.7.1.3 The candidate's performance record
- 8.7.1.4 The candidate's relationships with superiors, subordinates and colleagues
- 8.7.1.5 The candidate's absenteeism record, including sick leave record and
- 8.7.1.6 Disciplinary record, particularly instances of substance abuse, insubordination theft/fraud and poor performance.
- 8.7.2 The Selection Committee reserves the right, in the case of internal candidates, to contact Managers as well as to consult the personal files of relevant candidates.
- 8.7.3 The Human Resource will avail this information to the Selection Committee before the interviews so that any problems raised by previous employers/current managers can be addressed with the applicant.
- 8.8 Conducting interviews:
- 8.8.1 The Selection Committee is responsible for conducting a fair and equitable interview through the running of a structured or semi-structured interview including, ensuring that:-
- 8.8.1.1 Questions asked are related to the relevant job competencies (note that the questions will have been determined on the interview day just before commencement);
- 8.8.1.2 Careful consideration is given to the use of any question that may be perceived as unfair or discriminatory by candidates;

- 8.8.1.3 Similar questions are asked to each candidate (probing is practicable provided it is in the realm of the same core competencies);
- 8.8.1.4 Each candidate is presented with the same demands within the interview;
- 8.8.1.5 The introduction of prior knowledge of the candidate is well managed to ensure fairness;
- 8.8.1.6 Any concerns due to prior knowledge and/or referees' reports and checks are raised with the candidate, giving him/her opportunity to respond;
- 8.8.1.7 Each candidate is assessed relative to the competencies identified;
- 8.8.1.8 There is consistency in rating of candidates.

8.9 THE SELECTION RECOMMENDATION

- 8.9.1 The selection and recommendation takes place after all the interviews and screening have been conducted.
- 8.9.2 The recommendation to the municipal manager on whom to appoint will depend on:-
 - 8.9.2.1 Looking at and discussing all evidence collected (from interviews and any other selection criteria);
 - 8.9.2.2 Recording in writing the reasons why any candidates interviews were not recommended for the appointment;
 - 8.9.2.3 Making the final proposal on whom to recommend for appointment and, where appropriate, recommending a second choice.
- 8.9.3 In addition, consistent with the municipality's employment equity policy, the following must be considered:-
 - 8.9.3.1 Consideration must be given to the potential applicants from designated groups to meet the job requirements as well as merit (this is within the contextual considerations raised in point 7 above);
 - 8.9.3.2 Where it is difficult to differentiate between candidates in trying to determine the best candidate, preference should be given to nationals; and
 - 8.9.3.3 Where a person with a disability has applied, consideration must be given to how the environment and/or the job can be adapted.
 - 8.9.3.4 The demographic profile of the municipality will be taken into cognisance where two South Africans from the designated groups are considered to be equal.
- 8.9.4 Should no suitable applications be received for the post, the Selection Committee should recommend to the Municipal Manager to re-advertise at a later stage.
- 8.9.5 The appointment rests with the Municipal Manager.

8.10 THE PROCEDURE for Recommendations

- 8.10.1 A recommendation for appointment will be by consensus by the Selection Committee members

9. OFFER OF EMPLOYMENT

9.1 Once the Selection Committee's recommendation has been approved, the Head Administration or his/her delegated official will make an offer of employment in writing to the candidate. The offer of employment will be based on the first notch of the salary scale. Should the respective employee earns a higher salary and apply for reconsideration of the offered salary The Municipal Manager will have the sole prerogative to determine the cash salary component of the remuneration package in line with the applicable post levels.

10 RECORD KEEPING

10.1 Consistent with the commitment to transparency and the right of the applicant to written feedback, the municipality will document the criteria used within each selection process and the decisions taken about each candidate relative to those criteria.

10.2 The following records will be kept:-

- 10.2.1.1 Recruitment procedure; advertisement and media used and target group (external and or internal);
- 10.2.1.2 Statistics of the number of applications received for each race and gender group as well as from applicants with disabilities;
- 10.2.1.3 Selection procedure: criteria, process including interview questions used; the evaluations of individual candidates and the decisions taken, including why applicants were unsuccessful.
- 10.2.1.4 The view of the Selection Committee as to the fairness of the process; and
- 10.2.1.5 Any other relevant equity statistics.
- 10.2.1.6 Record of all recruitment and selection processes will be kept for a period of 12 months.

11 SUPPORT STRUCTURES

11.1 The Human Resources recognises its obligation to fulfil the following roles within the municipality's recruitment and selection process:

- 11.1.1 Handling all administrative work associated with the procedure and appointments;
- 11.1.2 Providing HOD's, section managers and Selection Committees with assistance in executing their recruitment and selection responsibilities effectively;
- 11.1.3 Active participation on the Selection Committees with full voting rights;
- 11.1.4 Evaluating the recruitment and selection process and ensuring that the process keeps up to date with legal and local government requirements as well as technological advances, and
- 11.1.5 Ensuring adherence to all legislative and policy requirements.

PART B: POLICY FOR THE EMPLOYMENT OF SPOUSES FAMILY MEMBERS, RELATIVES AND FRIENDS

1. SCOPE

- 1.1. This policy is applicable to all staff members (permanent, temporary, full-time, part-time). Hereafter, "staff member".

2. PURPOSE

The purpose of this policy is to:

- 2.1 prevent unfair preferential treatment; and
- 2.2 prevent situations that can lead to conflict of interests.

3. DEFINITIONS

For the purpose of this policy, the following definitions are accepted:

- 3.1 **Nepotism** is the unfair favouring of close relatives, household members and close friends as defined in 3.4.
- 3.2 **Close relatives** include the person himself/herself, and blood relations related persons to the second degree of consanguinity (for example spouse(s) (also life partners), child, parent, brother, sister, grandparents, grandchildren, in-laws, etc.).
- 3.3 **Household members** include all individuals that share a staff member's home on a regular basis.
- 3.4 **Close friend**, for the purpose of this policy, refers to a personal relationship that makes an objective and responsible professional relationship impossible.
- 3.5 **Purchaser** refers to any staff member who acquires goods and/or services on behalf of the municipality.

4. ONUS

- 4.1 The onus of declaring the above relationship lies with employees of the municipality. Should there be any uncertainty; the Director Administration must be consulted so that action consistent with the content and spirit of this policy may be ensured.

5. MUTUAL SERVICE RELATIONSHIP

- 5.1 Staff members may neither directly nor indirectly be involved in the initiation of or participation in decisions about direct condition of service (e.g. initial appointment, promotion, salary, work allocation, award of research funds, leave, etc.) in respect of close relatives, household members nor close friends.

- 5.2 In cases where staff members are being considered for being taken into employment or promoted in positions where a member of their close family, household member or close friends would, in the normal course of business, take decisions or play a significant role in decision making with regard to their direct conditions of service, the decision-making power or role will, in consultation with the municipal manager, be assigned to someone else, if reasonably possible. A written recommendation in this regard must be submitted by the HOD concerned. The municipal manager will take the final decision concerning this recommendation before any appointment can be made.
- 5.3 In cases where staff members are being considered for being taken into employment or promoted into positions where they will be exposed to the close supervisory authority of a member of their close family, household members or close friends, the close supervisory authority will, in consultation with the Director Administration, be assigned to someone else within that environment, if reasonably possible. A written recommendation in this regard must be submitted by the HOD concerned. The Municipal Manager will take the final decision concerning this recommendation before any appointment can be made.

6 SUPERVISORS AND PROMOTORS

- 6.1 In cases where it is unavoidable that a staff member acts as supervisor, co-supervisor, promotor or co-promotor for a close relative, household member or close friend, an unrelated supervisor, co-supervisor, promotor or co-promotor must be appointed for the staff member, in addition to him/her. A written recommendation in this regard by the HOD concerned must be submitted to the municipal manager, who will be responsible for the final decision.

7 OTHER SITUATIONS

- 7.1 Inevitably, not all specific situations where nepotism may play a role can be listed in this policy. Where such situations arise, **the principles** arising from the previous paragraphs ought to form the basis of the policy and be applied likewise.

PART C: POLICY FOR THE INDUCTION OF NEW EMPLOYEES

1 PURPOSE

- 1.1 The municipality would like to ensure that all newly appointed staff to receive appropriate induction, initial training and the necessary support to meet early job demands. The induction process is necessary to facilitate the transition of new employees into the working environment and enable them to respond effectively to new responsibilities. Induction is a briefing, orientation and socialisation process.

2 INDUCTION PROCESS

2.1 RESPONSIBILITIES

- 2.1.1 It will be the responsibility of the HOD of the department concerned to ensure that new staff members to the department receive induction and complete the induction programme. This involves ensuring that adequate time is set aside for the appropriate briefing and orientation of the staff member and encouraging the individual to acquire the necessary training.
- 2.1.2 In turn, the new staff members must take responsibility for his/her induction in order to obtain the maximum benefit from the process. Together with his/her HOD, the staff member will be held accountable for completing the induction programme.
- 2.1.3 The Human Resources will be responsible for compiling, in conjunction with the relevant Head of Department/Division/Section (hereafter referred to as HOD), the individual induction programme and the issuing of induction programmes to new employees. The Induction will cover the area of personnel documentation, employment benefits, industrial relations (grievance and disciplinary procedures), training and specific job descriptions.
- 2.1.4 The Human Resource will also provide the necessary mentorship training and will give information and guidance to HOD's on the induction process.

2.2 MENTORING

- 2.2.1 Some form of mentorship by colleagues will assist in orienting new staff members into the organisation culture. In certain circumstances it is advisable to supply a formal system of guidance and support to staff entering new careers. The HOD should in such cases delegate the mentoring role to the relevant supervisor or to a suitable staff member within the department.

2.3 PROCESS

- 2.3.1 On commencement of their duties, all new staff will be advised after appointment to report to the Human Resource.
- 2.3.2 The Human Resource will liaise with the relevant HOD regarding the content of the induction programme for staff in the affected department.
- 2.3.3 On arrival of the new staff member Human Resources will issue the induction programme and complete the relevant section.
- 2.3.4 The assigned person from Human Resource will escort the staff member to his/her new department.
- 2.3.5 The relevant HOD will ensure the provision of specifics on the job training and ensure that all sections of the induction programme are completed. Should further training be urgently required, the HOD must contact the Head of Administration and the Skills Development Facilitator who will make the necessary arrangements.
- 2.3.6 After a period of three months, a follow-up interview with the individual will be conducted by Human Resources to assess any problem areas and to follow up on training requirements. Thereafter Human Resources will liaise with the manager on the successful integration of the staff member.

PART D: POLICY ON THE PROBATION OF STAFF MEMBERS

1 INTRODUCTION

- 1.1 The permanent appointment of a new staff member will be subject to a 6 (six) months probationary service. This period may be extended by any period of absence. The purpose of this period is to allow for a familiarization process and to provide the necessary guidance and information to perform his/her duties. It also affords an opportunity for the line manager to monitor and guide the new staff member and to ensure that he/she has obtained the necessary skills to do the job competently.
- 1.2 To ensure that the final recommendation is made on a demonstrably sound and fair basis, a deliberate process of assessment of the staff member's performance is undertaken in line with Council's performance management system, when applicable. The immediate supervisor is required to submit goals and objectives, a first and a final probationary report on the employee's performance.

2 GOALS AND OBJECTIVES ON ASSUMPTION OF DUTY

- 2.1 On assumption of duty, the immediate supervisor (reporting officer) who will:
 - 2.1.1 Introduce the new employee to colleagues within the work environment and other sections of the municipality;
 - 2.1.2 Discuss his/her job description and jointly identify his/her goals and objectives relative to this appointment;
 - 2.1.3 Identify any areas where assistance may be beneficial to him/her, for example, identification of training needs;
 - 2.1.4 Report route and time frames;

- 2.2 The immediate supervisor and employee need to indicate acceptance of report by signing the job description. The immediate supervisor will submit a report to HOD by the end of the employee's first 3 months of duty.
- 2.3 The immediate supervisor will forward a report of the employee's performance evaluation to the HOD within two weeks of the assessment.
- 2.4 The HOD may make comments and forward the report to Human Resources, with a copy to the Reporting Officer for future reference, within one month of each assessment being completed.

3 FIRST PROBATION REPORT

- 3.1 This report will form the basis of the probationary report that will be requested during the end of the 3rd month of service. The staff member's immediate supervisor should conduct the assessment. All aspects of the assessment must be discussed openly with the staff member, thereby giving him/her honest/constructive feedback on his/her performance and the opportunity to identify areas for improvement, if applicable.
- 3.2 Any training needs, if applicable, to be included in this form, which must be returned to Human Resources within 3 months.

4 FINAL PROBATIONARY REPORT

- 4.1 This report will form the basis of the probationary report that will be requested during the employee's 10th month of service. This form will be forwarded to the line manager who will indicate, with reference to this and previous reports, whether confirmation of appointment, extension of probationary service or termination of service is recommended. Failure to adhere to these specified time frames may result in confirmation of appointment by default.
- 4.2 Should the appointment not be confirmed, the HOD, together with the line manager and HR Practitioner, must meet the staff member, who is entitled to be assisted or represented by a fellow colleague or union representative to discuss his/her performance standards. The employer must consider representations made by the employee. This meeting must be timed per minute and a copy of the minutes, together with the final probationary report, must be submitted to Human Resources for the purpose of making a recommendation for permanent employment, the extension of probation or the termination of the contract of employment.

5 EXTENSION OF PROBATION

- 5.1 Only one extension can be recommended and such an extension cannot exceed six months. When an extension is recommended, the Human Resources Officer will write to the staff member.

6 NON-CONFIRMATION OF APPOINTMENT

- 6.1 If the appointment is not going to be confirmed; the Head of the Section concerned, together with the line manager, must meet with the staff member, who is entitled to be assisted or represented by a fellow colleague or union representative to make final recommendations for dismissal.

PART E: POLICY FOR THE SECONDMENT OF “FRANCES BAARD DISTRICT MUNICIPALITY” STAFF (INTERNAL)

1 BACKGROUND

- 1.1 As Developmental institution, the business of “**Frances Baard District Municipality**” often requires specific skills to be made available from one functional area to another on a short or medium-term basis for the purposes of specific once-off business deliverables or projects. This requirement is not of a permanent nature and the normal recruitment and staff processes are therefore not applicable.

2 PURPOSE

- 2.1 The purpose of this document is to provide standards and principles for the secondment of staff from one functional area to another within the Frances Baard District Municipality, subject to the provisions of paragraphs 7.1 and 7.2 of this document.

3 SCOPE

- 3.1 This document covers all seconded staff within Frances Baard Municipality.

4 DEFINITIONS

The following definitions apply:

- 4.1 **Secondment:** A process whereby the incumbent is temporarily deployed from the functional area where he/she is normally employed to another functional area for a specific once-off deliverable or project.
- 4.2 **Short-term secondments:** Refers to deployments that have a duration of three to six months.
- 4.3 **Long-term secondments:** Refers to deployments that have a duration exceeding 6 months.

5 PRINCIPLES

- 5.1 The needs, integrity and success of the project must be balanced against the needs and circumstances of the seconded employee resulting in a mutually beneficial arrangement, which will not necessarily result in a financial gain.

6 APPLICATION

- 6.1 All relevant Frances Baard District Municipality Conditions of Service, policies and procedures continue to apply.
- 6.2 This matter does not apply to acting positions.

7 SECONDMENT

7.1 SHORT-TERM SECONDMENT (3-6 MONTHS)

- 7.1.1 **Organisational Structure Reporting:** Organisational Structure reporting for short-term secondees will remain unchanged
- 7.1.2 **Personal Files, Administration and Payroll:** The personal files, administration, payroll processing and leave will remain unchanged. Input will be requested from the temporary line manager or project leader until such time that secondment expires.
- 7.1.3 **Administration of Conditions of Service:** The permanent line manager, with input from the project leader/temporary line manager (where necessary), will approve all matters regulated by the Conditions of Service.
- 7.1.4 **Performance Management:** The Performance Management process will remain unaltered for short-term secondments. However, the performance appraisal will include input from the temporary line manager or project leader
- 7.1.5 **Budgets:** Manpower budgeted for staff who are seconded on a short-term basis will not be transferred to the new project. Operational costs relating to the secondment e.g. flights, car hire, travel and subsistence allowances, accommodation etc. will be the responsibility of the relevant new temporary line manager or project leader.
- 7.1.6 **Accommodation:** The project leader or temporary line manager will approve any interim accommodation arrangement. Normal Conditions of Service will apply for traveling (T & S) allowances where applicable.
- 7.1.7 **Transport:** The following transport arrangements with regard to home-work-home travel will apply:
 - 7.1.7.1 Where applicable, seconded employees will be compensated for the extra distance travelled from their original workplace to the new temporary place of work in terms of the standard applicable rates as per Frances Baard District Municipality Conditions of Service and related policies.
 - 7.1.7.2 Where applicable, short-term secondees will be allowed to travel to their new workplace by making use of Council pool vehicles. Frances Baard District Municipality will not provide transport to and from the work place.
 - 7.1.7.3 Employees participating in the Frances Baard District Municipality Business Vehicle Scheme will retain the monthly capital allowance. Monthly trip sheets to be signed by the temporary line manager.
- 7.1.8 **Hours of work:** Working hours will be in line with standard applicable local agreements. Short-term secondees may be required to split their working week/month between the project and their home divisions or departments.
- 7.1.9 **Placement after Secondment:** At the end of the secondment period, short-term secondees will return to the position that they occupied at their home division/departments prior to the secondment.
- 7.1.10 **Contract/Letter of Appointment**

- 7.1.10.1 Each seconded employee will be appointed in writing. The appointment letter will constitute a contract between the secondi, the relevant line manager and project leader/ temporary line manager.
- 7.1.10.2 The appointment letter will detail the period of secondment as well as any special conditions pertaining to that specific seconded employee. Any subsequent amendment to any of the special conditions will be in writing and signed by all the parties to the contracts.
- 7.1.11 **Termination of Secondment:** Termination of Secondment will be in accordance with the transfer and/or resignation clauses as per the Conditions of Service.

7.2 LONG-TERM SECONDMENT (EXCEEDING 6 MONTHS)

- 7.2.1 **Organisational Structure Reporting:** Secondees will not appear on the Organisational Structure of their respective Home Division /Departments. Their posts will be reflected as vacant. The secondi will be transferred to the new Organisational Structure as per the arrangements applicable in terms of the project.
- 7.2.2 **Personal Files, Administration and Payroll:** The personal files, administration and payroll processing will be the accountability of the HR administration function for the project and or new working environment. The relevant project leaders/temporary line manager will be responsible for the administration and control of time and attendance and/or daily report.
- 7.2.3 **Administration of Conditions of Service:** The responsible project leader/ temporary line manager will approve all matters regulated by the Conditions of Service.
- 7.2.4 **Performance Management:** The responsible project leader/temporary line manager will ensure that municipality's standard performance management principles are applied for the duration of the project.
- 7.2.5 **Budgets:**
 - 7.2.5.1 Manpower costs applicable to seconded staff will not be transferred from the home Division/departments to the project or new temporary line manager.
 - 7.2.5.2 The project owner and or temporary line manager will be accountable for the payment of salaries for long-term secondments.
 - 7.2.5.3 All other operating costs to the secondments, e.g. flights, car hire, travelling and subsistence allowance and accommodation etc. will be the responsibility of the relevant project leader or new temporary line manager
- 7.2.6 **Accommodation;** Frances Baard District Municipality accepts that long term secondments may require employees to relocate. Normal conditions of service applicable to transfers will apply.
- 7.2.7 **Transport:**
 - 7.2.7.1 Seconded employees are expected to make their own transport arrangements with regard to normal home-work-home transport.
 - 7.2.7.2 Employees participating in the Frances Baard District Municipality Business Vehicle Scheme will retain the monthly capital allowance until the initial 60 months expires and must be assessed in accordance with anticipated travel while on the projects.
- 7.2.8 **Hours of work:** Working hours will be in line with standard applicable local agreements.

- 7.2.9 **Placement after Secondment:** The secondi may be transferred to a different functional area of the business after their secondment, the municipality undertakes to place seconded employees in a job and level equitable to that which they occupied prior to the secondment.
- 7.2.10 **Contract/Letter of Appointment:**
- 7.2.10.1 Each seconded employee will be appointed in writing. The appointment letter will constitute a contract between the secondi, the relevant line manager and project leader/ temporary line manager.
- 7.2.10.2 The appointment letter will detail the period of secondment as well as any special conditions pertaining to that specific seconded employee. Any subsequent amendment to any of the special conditions will be in writing and signed by all the parties to the contracts.
- 7.2.10.3 **Termination of Secondment:** Termination of Secondment will be in accordance with the transfer and/or resignation clauses as per the Conditions of Service.

PART F: POLICY ON THE TERMINATION OF SERVICE

1 APPLICATION

- 1.1 This policy does not apply to an employee who works less than 24 hours in a month for the municipality.

2 NOTICE OF TERMINATION OF EMPLOYMENT

- 2.1 Subject to section 3, a contract of employment terminable at the instance of a party to the contract may be terminated only on notice of not less than –
- 2.1.1 One week, if the employee has been employed for four weeks or less;
- 2.1.2 Two weeks, if the employee has been employed for more than four weeks but not more than one year;
- 2.1.3 Four weeks, if the employee has been employed for one year or more, or
- 2.2 A collective agreement may permit a notice period shorter than that required by subsection 2.1.
- 2.3 No agreement concluded by the employer and employee may require or permit an employee to give a period of notice longer than that required of the municipality.
- 2.4 Notice of termination of a contract of employment must be given in writing:-
- 2.4.1 except when it is given by an illiterate employee;
- 2.4.2 if an employee who receives notice of termination is not able to understand the notice, it must be explained orally by, or on behalf of, the Council to the employee in an official language that the employee reasonably understands;
- 2.5 Notice of termination of a contract of employment given by an employer must:-
- 2.5.1 not be given during any period of leave to which the employee is entitled in terms of Chapter Three of The Basic Conditions of Service; and
- 2.5.2 not run concurrently with any period of leave to which the employee is entitled in terms of Chapter Three, except sick leave.
- 2.6 Nothing in this section affects the right
- 2.6.1 of a dismissed employee to dispute the lawfulness or fairness of the dismissal in terms of Chapter VIII of the Labour Relations Act, 1995, or any other law; and

- 2.6.2 of an employer or an employee to terminate a contract of employment without notice for any cause recognised by law.

3. PAYMENT INSTEAD OF NOTICE

- 3.1 Instead of giving an employee notice in terms of section 2, an employer may pay the employee the remuneration the employee would have received, calculated in accordance with section 35 Basic Conditions of Employment, if the employee had worked during the notice period.
- 3.2 If an employer gives notice of termination of employment, and the employer waives any part of notice, the employer must pay the remuneration referred to in subsection (3.1), unless the employer and employee agree otherwise.

4. EMPLOYEES IN ACCOMMODATION PROVIDED BY EMPLOYERS

- 4.1. If the employer of an employee who resides in accommodation that is situated on the premises of the employer or that is supplied by the employer terminates the contract of employment of that employee:
- 4.1.1. before the date on which the employer was entitled to do so in terms of section 2:
- 4.1.2. in terms of section 3 the employer is required to provide the employee with accommodation for a period of one month, or if it is a longer period, until the contract of employment could lawfully have been terminated.
- 4.2. If an employee elects to remain in accommodation in terms of subsection (4.1) after the employer has terminated the employee's contract of employment in terms of section 3, the remuneration that the employer is required to pay in terms of section 3 is reduced by that portion of the remuneration that represents the agreed value of the accommodation for that period that the employee remains in the accommodation.

5 PAYMENTS ON TERMINATION

- 5.1 On termination of employment, an employer must pay an employee –
- 5.1.1 All outstanding monies that the employee is entitled to in terms of section 10 (3) and/or 16(3) that the employee has not taken in terms of Basic Conditions of Employment Act (Act 75 of 1997)(The Act).
- 5.1.2 Remuneration calculated in accordance with section 21(1) for any period of annual leave due in terms of section 20(2) that the employee has not taken in terms of The Act, and
- 5.1.3 If the employee has been in employment longer than four months, in respect of the employee's annual leave entitlement during an incomplete annual leave cycle as defined in section 20(1) in terms of The Act.
- 5.1.3.1 One day's remuneration in respect of every 17 days on which the employee worked or was entitled to be paid; or
- 5.1.3.2 Remuneration calculated on any basis that is at least as favourable to the employee as that calculated in terms of The Act.

6 SEVERANCE PAY

- 6.1 For the purposes of this section, “operational requirements” means requirements based on the economic, technological, structural or similar needs of an employer.
- 6.2 An employer must pay an employee, who is dismissed for reasons based on the employer’s operational requirements severance pay, equal to at least one week’s remuneration for each completed year of continuous service with that employer, calculated in accordance with section 35 of the Act.
- 6.3 The Minister may vary the amount of severance pay in terms of subsection (2) by notice in the Gazette. This variation may only be done after consulting the Labour Relations Act, 1995.
- 6.4 An employee, who unreasonably refuses to accept the employer’s offer of alternative employment with that employer or any other employer, is not entitled to severance pay in terms of subsection (6.2).
- 6.5 The payment of severance pay in compliance with this section does not affect an employee’s right to any other amount payable according to law
- 6.6 If there is a dispute only about the entitlement to severance pay in terms of this section, the employee may refer the dispute in writing to a council, if the parties to the dispute fall within the registered scope of that council; or to
- 6.6.1 the CCMA, if no council has jurisdiction.
- 6.6.1.1 The employee who refers the dispute to the council or the CCMA must satisfy it that a copy of the referral has been served on all the other parties to the dispute.
- 6.6.1.2 The council or the CCMA must attempt to resolve the dispute through conciliation.
- 6.6.1.3 If the dispute remains unresolved, the employee may refer it to arbitration.
- 6.6.2 If the Labour Court is adjudicating a dispute about a dismissal based on the employer’s operational requirements, the Court may inquire into and determine the amount of any severance pay to which the dismissed employee may be entitled and the Court may make an order directing the employer to pay that amount.

7 CERTIFICATE OF SERVICE

- 7.1 On termination of employment; an employee is entitled to a certificate of service stating:
- 7.1.1 The employee’s full name.
- 7.1.2 The name and address of the employer.
- 7.1.3 The date of commencement and date of termination of employment.
- 7.1.4 The title of the job or a brief description of the work for which the employee was employed at date of termination.
- 7.1.5 The remuneration at date of termination, and
- 7.1.6 If the employee so requests, the reason for termination of employment.