

**MSUKALIGWA LOCAL MUNICIPALITY
RECRUITMENT, SELECTION, PROMOTION AND
RETENTION POLICY
2023-2024**



Approved Date: 03 / 07 / 2023
Review Date: as when necessary

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1. PREAMBLE

The policy and its implementation is fundamentally aimed at matching the human resources to the strategic and operational needs of the Municipality and ensuring the full utilization and continued development of its employees.

All aspects of the staffing, restructuring, recruitment, selection, interviewing and appointment of employees will be non-discriminatory and will afford applicants an equal opportunity in the recruitment process of the filling of vacant positions, except as provided in this policy with reference to affirmative action, employment equity, promotion, placement and other pieces of legislation to that effect.

2. GLOSSARY OF TERMS AND DEFINITIONS

- **“Black People”** means a generic term which refer to Africans, Coloureds and Indians
- **“Candidate”** means an applicant for a post.
- **“Employee”** means any person other than an independent contractor who has contractual relationship with 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, including any person employed in terms of the Job creation program such as Expanded Public Works Program and other associated programs.
- **“Induction”** initiation: a formal entry into an organization or position office.
- **“Inherent job requirement”** means the true job requirements that are genuine necessary for the competent performance of the job including competencies in terms of any legal requirement.
- **“Internal candidate”** shall mean any person who is presently employed by the municipality in a permanent capacity, and a limited contract worker or a fixed term contract.
- **“Job description”** document detailing the expected duties and responsibilities of the job, indicating minimum experience, expertise and skills required of the incumbent use to grade the job.
- **“Internal applicants”** means employees who are in the current employ of Council either, temporal, contract, permanent or learnership.

- **“Labour Union”** means the trade union in local government recognised by the bargaining council and commanding membership meeting the threshold for recognition at the local municipality level.
- **“Local applicants”** means applications received from people residing within the boundaries of Msukaligwa Local Municipality.
- **“Merits”** the capacity to do the job, judged on, experience, knowledge, potential and/or demonstrated ability or qualifications. Emphasis should be on meeting the inherent requirement of the job and not necessary appointing, promoting the highest qualified candidate.
- **“Nepotism”** means favouritism on the basis of family relationship or friendship.
- **“Potential”** the measure to which an applicant complies with the inherent requirement of the post by means of assessed or demonstrated ability.
- **“Recruitment”** means an activity undertaken in the human resources management in order to attract sufficient job candidates who have the necessary potential, compliances and traits to fill job requirements and to assist the municipality in achieving its objectives.
- **“Reference check”** means the gathering of information about candidate’s past history from people with whom such candidate has been associated.
- **“Selection”** means the process of making decisions about the matching of candidates taking into account individual differences and the requirements of the job.
- All terminology not defined under clause 2 of this policy shall bear the same meaning as in the applicable legislation.
- **“Suitably qualified applicants”** means all applicants meeting the minimum qualifications and experience.
- **“Selection and interviewing panel”** mean officials appointed by the municipal manager to serve in the shortlisting and interview meeting for each post.
- **“Staff establishment”** means post provisioning as per the organisational structure.
- **“Temporal employees”** means employees employed on a short period not exceeding six months
- **“Fixed term contract employees”** means employees employed on a fixed term contract.

- **“Permanent employees”** means employees employed permanently after the completion of the probation period.
- **“Video conference interviews”** means interview exactly like any usual face-to-face interview, just to the positive point, that the candidate can be given the interview, from the vicinity of his/her home.
- **“Placement”** means
- **“Retention”** means
- **“Promotion”** means

3. LEGAL FRAMEWORK

- The responsibility for the appointment of personnel rests with the Municipal Manager subject to this policy direction of the Employer in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).
- Employment Equity Act (Act 55 of 1998)
- Basic Conditions of Employment Act 1997 (Act No 75 of 1997)
- Labour Relations Act, (Act 66 of 1995)
- Skills Development Act 97 of 1998

4. SCOPE AND APPLICATION

To ensure a fair and equitable employment practices, this policy shall apply to all appointments made in accordance to recruitment, selection, promotion and placement within the Municipality. This policy will not apply to appointments arising out of a procurement process, acting appointments.

5. OBJECTIVES OF POLICY

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

The objectives of this policy is to ensure that suitably qualified individuals are recruited, promoted, placed and retained in correct positions and where possible redress the imbalances of the past.

This policy is further based on the principle set out below. Human Resource Management in the Municipality must-

- a) be characterised by a high standard of professional ethics;
- b) promote the efficient, economic and effective utilisation of employees;
- c) be conducted in an accountable manner;
- d) be transparent;
- e) promote good human resource management and career development practices, to maximise human potential; and
- f) ensure that the Municipality's administration is broadly representative of the South African people, with human resources management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.
- g) To redress the imbalances of the past by promoting the process of women advancement development and empowerment by positively affirming women in the recruitment process of the municipality in order to achieve parity in the number of women employed by the municipality

6. IMPLEMENTATION AND MONITORING

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

7. COMMUNICATION

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

8. POLICY REVIEW

This policy shall be reviewed annually and revised as necessary.

9. BUDGET AND RESOURCES

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

10. ROLES AND RESPONSIBILITIES

Role	Responsibility
Municipal Manager (subject to its delegations if any)	Ensure compliance and effective implementation of this policy. He/She shall remain accountable.
Council	Approve and monitor implementation of this policy direction.
Line Director	Identify internal available skills which may be utilised in various positions within the staff establishment. Ensure mentorship programs, coaching with the view to produce skilled and capable workforce.
Selection Panels	Short-lists, conducts interviews and make recommendations on suitability of candidates.
Human Resources	Custodian of policy
Labour Representatives	Ensures transparency and openness in the implementation of this policy

11. RECORD KEEPING

Adequate records of the recruitment, selection, appointment, promotion, placement retention; process need to be maintained, including criteria used: 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

DISPOSAL OF UNSUCCESSFUL APPLICATIONS/ WITHDRAWN POSITIONS

Application forms and curriculum vitae of unsuccessful and or withdrawn positions will be disposed off by the municipality after the position has been filled or withdrawn subject to the prior approval of the Provincial Archivist.

12. PENALTIES

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

13. DISPUTE RESOLUTION

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.

Dispute must be lodged within the prescribed period listed below

THE POLICY

SECTION 1: RECRUITMENT, SELECTION AND APPOINTMENT PROCEDURE

1. POLICY CONTENT

The responsibility for the appointment of personnel rests with the Municipal Manager subject to policy direction of the employer in terms of Section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

1.1 Post Establishment

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

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

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

1.2 Recruitment –

1.2.1 Determining recruitment needs

Prior to fill a post, the necessity for filling shall be assessed and motivated in writing by the Head of Department to the Municipal Manager or his delegate. Section 8(b) (3) of the Local Government Municipal Amendment Act, 2011 states that: "No person may be employed in a Municipality unless the post to which he is appointed is provided for in the staff establishment of that Municipality."

1.2.2 Validation of inherent requirements

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

Prior to the commencement of the recruitment process, the outputs, skills, knowledge, expertise and competencies and stated educational requirements as contained in the competency/ job profile or job description are scrutinized as to relevance and applicability.

1.2.3 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, logo, motto and location of the Municipality.
- A statement that the Municipality subscribes to the principles of Employment Equity or is an affirmative action employer
- 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 is permanent or for a fixed term, and the term (if applicable).
- In the case of the Municipal Manager and a manager directly accountable to the Municipal Manager, a statement that the continued employment of the successful candidate will be subject to the annual conclusion of a performance agreement with the Municipality.
- 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 format and content of applications.
- 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 30 days after the closing date his/her application was unsuccessful.
- A statement that email and faxed applications will not be considered.
- A statement encouraging people leaving with disability to apply on designated posts as per the Employment Equity Plan.
- The candidates must be prepared to undergo practical tests and or competency tests where applicable.
- The statutory requirements must be indicated where applicable,

Vacancies must be advertised internally first and if no suitable candidate is found then it must be advertised external in a newspaper in terms of section 21(1) of the Municipal systems Act,

Position should be advertised as follows:

Nature of post	Advertising medium
Post level 17-14	Firstly, should be done internal if no suitable candidates have been found they be advertised externally, External in a local newspaper, website and Msukaligwa Facebook page
Post Level 13-5	Firstly, should be done internal if no suitable candidates have been found the be advertised externally External advert through local newspaper, website, intranet and Msukaligwa Facebook page
Level 4-1 Senior Management	Firstly, should be done internal if no suitable candidates have been found they be advertised externally, National Newspaper, website, intranet and Msukaligwa Facebook page.

1.2.4 Unsolicited applications

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

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

1.2.5 Head hunting

Head hunting will be applied with caution at all times, and it may be employed at any stage of the selection process, when the selection panel is of the opinion that the assessed candidates are not suitable and / or do not meet the requirements of the employment equity plan. Headhunting can only be considered after the extreme efforts to recruit and attract a suitable candidate it includes reasonable number of advertisement, application and approval of exemption from the policy procedure by relevant authorities such as Municipal Council, Council for the professionals, Cogta etc.

Normally targeted persons will be provided with the copy of the recruitment advertisement and allowing them to apply of their own accord, unless otherwise the selection panel so decide.

1.2.6 Application forms

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

The municipality will phase the electronic recruitment of employees through electronic submission of application forms to promote efficiency in the recruitment process through the municipality's. This mode of application to the municipality serves to give foster access to the recruitment process and prevent the problems associated with the physical handling of application forms

1.3 Selection

1.3.1 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 provided that selection shall favour, as determined by the targets, suitably qualified applicants as defined in section 20[3] of the employment equity Act.

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.

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

During Selection in case there is only one applicant a threshold should be set at
60 percent for internal candidates
85 percent for external candidates

1.3.2 Nepotism

The basic criteria for the appointment and/or promotion of employees in the Municipality shall be appropriate qualifications and appropriate performance as set forth in the policies of the Council.
Relationship by a family or marriage shall constitute neither an advantage nor a disadvantage.

Any poor performance or loss of productivity which is a direct result of conflict between two family members both employed in the organization can result in severe disciplinary action being (invoked) against both employees.

For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, uncles, aunts, extended families sisters, and any in-laws of any of the foregoing.

1.3.3 Declaration of interest

All panel members, union officials, observers and scribe must declare their interest in any position being shortlisted or interviewed by completing the prescribed forms and recuse themselves if there is or a potential or actual conflict of interest.

1.3.4 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 will be conducted by a Selection Panel consisting of (depending and with due cognisance of the post):

- The Municipal Manager or his delegated assignee(s)
- Manager of department/section

- HR Department

Labour unions – shall attend the proceedings as observers.

1.3.5 Compiling of master lists

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

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

The Director Corporate Services must submit the master list, together with the applications to the relevant departmental head or in the case of the appointment of a Municipal Manager or a manager directly accountable to the Municipal Manager, to the Mayoral Committee.

The Director Corporate Services must, during the compilation of the master list, take all reasonable steps and actions to establish the validity and accuracy of any certificates, diplomas and other information supplied by an applicant. If any candidate submitted or claimed that she/he had some or other certificate or Any higher education qualification or experience that is disproved, such information must be noted next to the name of the candidate in the master list.

1.3.6 Compiling short lists

The panel, as the case may be, must select from the master list, with due regard for the numerical goals set in the Municipality's employment equity plan not more than 5 applicants who in their opinion would be the most suitable candidates to be subjected to the selection process.

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

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

The panel, as the case may be, must submit the particulars of the short listed candidates and the minutes of the shortlisting meeting to the Director Corporate Services.

In the event a suitable candidate is not found in the internal applications pool during shortlisting or interviews, the pool of local applications must be considered for shortlisting and possible interviews. In the event the suitable candidate is not found, the same procedure stated in the same paragraph must be followed for the Provincial and National applications.

1.3.6 Notification of short listed candidates of selection proceedings

The Director Corporate Services must notify every candidate whose name has been short listed of the venue, date and time of the interviews.

1.3.7 Interviewing in respect of vacancies

Except for appointments that must be made by the Council, the Director Corporate Services or his/her designated representative, the departmental head concerned and not more than one other senior employee from the relevant department must conduct interviews for all positions.

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

- on the first level below the level of departmental head;
- as manager directly accountable to her/him; and
- in her/his department/office

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

1.3.8 Online interviews

The municipality may conduct interviews online where it deems it necessary. The interviews maybe through video conference or other online platforms that the municipality may decide upon.

The ICT Section of the municipality will prepare the link for the video conference interview or other online platform.

The HR section will contact candidates beforehand to enable the candidates to download the link to be used preferably 24 hours before the day of the interview.

HR and ICT section must ensure that at least 30 minutes before the interview commences that candidates are able to be interviewed through the video to make quality assurance with the candidates.

1.3.8 Conducting proficiency tests

One or more relevant proficiency tests (e.g. Assessment, typing tests, operating a grader etc.) may 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.

1.4 Appointment

The appointment of an applicant may take place only in accordance with the requirements of the post concerned and the merits of the applicant. The Executive Mayor after consultation with Council shall appoint the Municipal Manager and the Municipal Manager after consulting the Council shall appoint the directors reporting to him/her. The appointment of all officials subordinate to the directors shall be appointed by the Municipal Manager.

All appointments shall be subject to vetting in which shall be the final process of performing quality assurance on the background check on someone before offering them employment, conferring an award, etc. A prospective person shall be vetted before a hiring decision made.

1.4.1 Appointment for a fixed term

A person appointed as-

- Municipal Manager,
- Manager directly accountable to the Municipal Manager.
- Managerial position in the political office bearers' offices

The employment contract of a person appointed for a fixed term must include, subject to applicable labour legislation, details of –

- the duties, remuneration, benefits and other terms and conditions of employment of the employer and employee;
- the term of employment, which terms may not exceed a period ending two years after the election of the next council of the Municipality, provided that the term of any person appointed to work directly under the supervision and command of a political office-bearer or other Councillor must expire if that office-bearer ceases to hold that office;
- include a provision for cancellation of the contract, in the case of non-compliance with the employment contract or the performance agreement;
- stipulate the terms of the renewal of the employment contract, but only by agreement between the parties; and
- reflect the values and principles referred to in section 50, the Code of

Conduct set out in Schedule 2, and the management standards and practices contained in section 51 of the Municipal Systems Act.

1.4.2. Performance Agreement

The annual performance agreement must be concluded within a reasonable time after a person has been appointed and, thereafter, on or before 31 July each year and must include-

- The performance objectives and targets that the incumbent must meet during the next financial year. Such performance objectives and targets must be practical, measurable and based on the key performance indicators set out in the Municipality's integrated development plan.
- The time frames within which those performance objectives and targets must be met;
- Standards and procedures for evaluating performance;
- The intervals for monitoring and evaluation and;
- The consequences of substandard performance.
- The annual performance agreements of the municipal manager, senior managers and any other categories of officials as may be prescribed in terms of the local Government:
- Municipal Finance Management Act, Act No 56 of 2003 must be made public no later than 14 days after the approval of the municipality's service delivery and budget implementation plan as required by the abovementioned Act.
- Copies of such performance agreements must be submitted to the council and the MEC for local government in the province within thirty days after signing of the performance agreements.

1.4.3. Appointment of employees to posts in the temporary establishment

A person appointed to a temporary position –

- is appointed at the salary applicable to a comparable position on the permanent establishment;
- may not receive any housing and travelling benefits;
- may not become a member of a retirement fund or medical aid scheme to which the Municipality must contribute;

- earns leave in terms of the relevant collective agreement; and is subject to the attendance requirements, rules of conduct and grievance procedures in terms of the Municipality's conditions of service;
- May not be appointed for a period exceeding six (6) months and may not be appointed for a consecutive period of six (6) months.

1.4.4. Appointment of personnel in the office of any councillor

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

Any person employed in a post assigned to any Councillor must be appointed in terms of a written fixed term contract entered into with the Municipal Manager. The term of an appointment in terms of this paragraph expires automatically when the councillor to whom the employee had been assigned, ceases to be a councillor, political office-bearer or a fulltime councillor of the Municipality, whichever event happens first. In the event the political office bearer is recalled/ reshuffled before the end of his/her term, the employees assigned to him/her shall be redeployed to other sections/departments for the remainder of their contract period.

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

The Municipal Manager may, after consultation with the relevant departmental heads and the Director Finance Services, employ replacement labour during a strike in terms of, and consistent with, Section 76 of the Labour Relations Act 1995.

Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the Basic Conditions of employment Act 1997 and the letter of appointment must clearly stipulate the following:

- The appointment is only for the duration of the strike and that the services of the employee will terminate immediately when the regular employees of the Municipality return to work; and
- Termination of any replacement labour employment shall not constitute a dismissal of the person concerned and that she/he shall not be entitled to any additional remuneration or compensation in respect of the completion of such period.
- 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.

- 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.

1.4.6. Appointment to a permanent position

The Director Corporate Services must present every newly appointed employee with a letter of appointment not later than the day on which she/he starts working in terms of section 29 of the Basic Conditions of employment Act 1997.

Whenever any of the details contained in such a letter change with the consent of the employee, the Director Corporate Services must inform the employee in writing of such changes.

In the event of an employee that cannot read the relevant departmental head must explain the content of such letter and any amendment thereof to every such employee in a language that she/he understands.

1.4.6.1 Probation

Any permanent employee who is newly appointed must be appointed on probation. The appointing authority must determine the period of probation at the time of making the appointment having regard for the inherent requirements of the position concerned. Any appointment on probation must also comply with the relevant legal prescripts of the labour relations Act, Act 66 of 1995 and any Code of Good Practice published in terms of the aforementioned Act.

The departmental head concerned must evaluate the progress and performance of an employee appointed on probation on a monthly basis according to such factors, objectives and criteria as may be prescribed in terms of the Municipality's employee performance appraisal system.

1.4.6.2 Induction

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

- The new incumbent will be introduced to his / her immediate supervisor, staff and colleagues by the HR Manager.
- The HR Manager shall ensure, in conjunction with the incumbent that all appointment documentation have been completed and processed.

- The responsible HR Manager will arrange a tour / explanation for the new incumbent of the range of services.
- The HR Manager will explain and provide a copy of the job description relating to the new employee's specific position / job function (line management is expected to conduct a full job orientation).
- The HR Manager will also explain and provide a copy of the Human Resources Policy and Procedure Manual.
- The Head of Department is responsible for the induction of each employee in his/her department in order to familiarise the employee with the department in which he/she has been appointed.

1.5 Relocation of Newly Appointed Employees

The Municipality shall pay 75% of an employee's cost (excluding VAT) of moving from another place to a place closer to her/his workplace on her/his appointment, including transit insurance, but excluding any packing and packaging cost, as indicated on the cheapest of the quotations, regardless of the quotation the employee accepts.

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

The employee must reimburse the full amount of the subsidy to the Municipality if her/his employment with the Municipality is terminated for whatever reason within one year after the subsidy had been paid. If her/his employment with the Municipality is terminated for whatever reason after completion of one year, but before two years have been completed, the employee must reimburse the Municipality for 75% of the subsidy.

1.6 Appointment to an Acting position

1.6.1. Employee appointed to an acting position shall be duly appointed by the Municipal Manager upon recommendation and motivation received from the Director concerned.

1.6.2. An employee who is recommended to act shall be from within the same directorate unless "No" suitable qualification, skills, experience is available within depending on the inherent requirement of the post.

1.6.3. An employee who is recommended to act shall be second in charge on the hierarchy or from the position to which he/she is required to act.

1.6.4. An employee who is to be appointed to act shall possess the necessary qualifications, expertise, skills and experience of the position to which he/she is intended to be appointed on.

1.6.5. Illness supported by the medical certificate, Family responsibility and attendance at court as witness, if subpoenaed may warrant appointment of any person to act if the interruption or absence of the incumbent is not less than three consecutive days.

1.6.6. Only on vacant and budgeted post an acting appointment is permissible.

1.6.7. Acting appointment to vacant post on a municipality's permanent staff establishment shall be valid for three (3) months subject to further extension which may not exceed a period of another three (3) months.

1.6.8. Employee may not be permitted to act in a vacant budgeted post beyond six consecutive months of acting unless there are compelling reasons for such acting.

1.6.9. Vacant post on a permanent staff establishment shall be filled within six (6) months.

1.7 Confidentiality

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

SECTION 2: PROMOTION PROCEDURE

2. Policy Statement

Msukaligwa Local Municipality shall make sufficient provision for satisfactory promotion of his personnel to higher positions. Promotion within the institution shall give personnel an opportunity to fully utilise their abilities and skills and therefore shall serve as a basis for motivation.

Promotion implies an upward change of position normally involving greater responsibility and different duties from those of the present position, however may not in any way be misconstrued to job reclassification.

It be stressed that promotion is not goal itself, but a means of placing competent and suitably qualified personnel in higher positions. Consideration when promoting personnel is whether the choice of candidates for promotion are restricted to "closed personnel system" or "an open personnel system"

The Municipality takes cognizance of the fact that promotions only promotes morale of the personnel but does not necessarily always ensure that the most effective services are rendered. Therefore the Municipality in its Human Resources strategy shall intensify organizational training and development programmes it its personnel so that they may prepare themselves for higher positions with the requisite skills.

2.1. Criteria for promotion

The criteria for promotion shall be objective and serve to assist in ensuring that the right person is promoted to the right position. Criteria may serve as a fair basis for deciding promotability of personnel includes:

- SENIORITY which refers to age and experience. This is a relative concept unless it is explicitly indicated how long an individual should hold certain position before he/she may qualify for promotion to a higher position.
- EDUCATIONAL QUALIFICATIONS which are generally a prerequisite for a particular job. In fact, particular qualifications are essential for certain municipal functions. Meritorious personnel should therefore be offered opportunity to acquire the necessary qualifications for the higher positions.
- CHARACTER which implies that personality and attitude of an employee or candidate should be assessed. This referred within the Public Service as responsibility and human relations.
- ABILITY TO DO THE WORK which is regarded as a significant criteria for promotion. This is nevertheless a difficult matter to assess. Normally the achievement in the current position is assessed, although this only supplies an indication of possible achievement in a higher position. So Issues such as organisation and productivity and latent potential needs to be assessed which can used to assess whether an employee has ability and capacity to do the job.
- MERIT which is rather the end result of all preceding criteria than characteristic in itself. Merit refers to the candidate who will give the best performance in a higher position.

2.2. Duty of Managers

2.2.1. The duty of a manager is to identify, mentor and nature those employees who exhibit a potential to work, show efficiency and display sound ethic and productivity in the work place.

2.2.2. Provide in-service training and development program to expose an employee to variety of work stimuli including mentorship, workshops, work orientation, proficiency training and exposure to additional challenges and work experience.

2.2.3. Take note of the principle of Recognition of Prior Learning(RPL) and expose employees to some form of assessment and benchmark accreditation.

2.2.4. Encourage employees to further their studies through institutions of higher learning. TVET colleges and universities.

2.2.5. Recommend relevant training interventions and access bursaries and study loans for those employees

2.2.6. Inform everyone of the content of this policy and commit to oneself in its implementation in a fair, transparent and just manner, noting all the criteria listed afore

2.3. Duty of Employees

2.3.1 The duty of an employee shall be to understand that exceptional service is a cornerstone of exceptionally high compensation and reward for such services.

2.3.2. Be committed to training and personal development, accessing the requisite benchmark qualifications for upward mobility.

2.3.3. Be enthusiastic and determined to succeed, productive and loyal to municipal environment and display the willingness to go the extra mile in the execution of his/her duties.

2.4. Broad Principle

2.4.1. The promotions in the municipality shall be aligned to the principle of dealing with redress and the inequities of the past and further subscribe to the provisions of the Employment Equity Act, 1998

2.4.2. Promotion should be seen as a mechanism to elevate employee to a higher work level through negotiated process rather than recognition for favour, friendship or any other issue related to nepotism.

2.4.3. Both the managers and employees need to recognise and acknowledge that this policy can provide the necessary stimulation, motivation and morale to everyone in the municipality.

2.5. Guideline for Promotion

2.5.1. The central guiding principle underpinning promotion is to select candidates who best meet the inherent requirements of the job.

2.5.2. To fulfil the future human resources requirements through identifying training needs, agreeing to career progression paths and training in jobs related to the municipal environment. Therefore Msukaligwa Local Municipality acknowledged that the

development and promotion from within is a key focus of the approach of the municipality to effective recruitment of staff.

2.5.3. Persons involved in the promotion process must display high level of professionalism, integrity and confidentiality.

2.5.4. Promotions must comply with the legislative frameworks, in which conducts such as barring persons from being promoted on the bases of their race, ethnicity, gender, language, religious, sexual preference, unfair discrimination etc are prohibited.

2.5.5. Unrealistic job entry requirements, person profiles or qualification is prohibited. Therefore vacant positions will be analysed to determine realistic person and post requirement.

SECTION 3: PLACEMENT PROCEDURE

3. Policy Statement

Msukaligwa Local Municipality shall ensure that it has the correct number of employees, of the right kind in the right place to ensure that the developmental agenda and service delivery objectives are effectively, efficiently and economically achieved.

Attempts to avoid, with due regard of the principle of affordability and the operational requirements of the municipality, job losses due to the restructuring of the municipality shall be made.

Placement of staff shall be done in a manner that is consistent with any existing Employment Equity and human resources development plans and/or the objectives of

the Employment Equity Act and Skills Development Act, and must not disrupt nor be used to promote or demote employees.

3.1. Development of an Organizational Structure.

3.1.1. The Municipal Manager must in consultation with all internal stakeholders develop a staff establishment and submit it to Municipal Council for approval.

3.1.2. Provide job description for each post on the staff establishment

3.1.3. Establish a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and remuneration and Conditions of Service.

3.2. Job Evaluation

3.2.1. Major changed, minor changed, unchanged and new posts shall be evaluated in accordance to the applicable evaluation system approved by the South African Local Government Association.

3.2.2. Within 3 months after the adoption of a staff establishment, job evaluation unit shall commence evaluating all position provided in the restructured or new staff establishment.

3.3. Conditions of Service

All employees placed in the new staff establishment, shall from the commencement date be subject to the following:

3.3.1. No disruption in the Conditions of Services shall occur. All employees shall retain their benefits as if their services were not interrupted.

3.3.2. Notwithstanding the provision of clause 3.2.2, the salaries and benefits of staff shall be adjusted in accordance with any Collective Agreement concluded in the Bargaining Council.

3.4. Existing Employees

3.4.1. Every attempt shall be made to accommodate existing employees in the new staff establishment, taking into account the operational requirements of the Municipality.

3.5. Placement

3.5.1. Placement Criteria

3.5.1.1. Msukaligwa Local Municipality shall use its endeavours to place existing employees into posts created in a new staff establishment.

3.5.1.2. Msukaligwa Local Municipality commits itself to ensure that continuity of employment and every attempt will therefore be made to ensure that no Retrenchment or Redundancy will occur, provided that the affected employees are willing to accept alternative positions that are offered. In this regard every effort will be made to ensure that alternative offers are reasonable.

3.5.1.3. In placing employees in the new staff establishment, employees shall be placed on the close match basis. In close matching a post, the job content of the "new" post must be compared with the existing job content of the employees. The employees having the closest match in respect of the job content shall be successfully placed in the position where close match exists.

3.5.1.4. where a close match cannot be done one hundred percent, the match must be done on the most matched job content. The focus should be on the crux of the job e.g. an accountant's job content will be matched against a post that contains the most stipulations reflecting accounting duties.

3.5.1.5. The salary and qualifications of an employee shall play no significant role in the placement process.

3.5.1.6. The close match principle shall apply to unchanged, minor changed and major changed post.

3.5.1.7. Where more than one employee can be matched to a post and there are more employees than the available post, affirmative action shall have preference in particular differently able people.

3.5.1.8. Employees shall not be moved from one geographic location to another without the function which the employee is performing necessitates such movement.

3.5.1.9. when an employee is placed in a post such placement shall be final and constitute permanent position. Employees that cannot be placed in any of the category of posts shall remain in the pool where they will apply for new advertised positions.

3.6. Placement Committee

3.6.1. The municipality shall constitute a Placement Committee to be constituted by Heads of Departments.

3.6.2. Placement Committee shall consider the placement of employees and table their recommendations to the Local Labour Forum. Upon acceptance of the placement recommendations by the LLF, a report will then be table to Council for approval.

3.7. Notification and Publication of decision.

3.7.1. Employee shall be notified of his/her placement through a written correspondence.

3.7.2. Notification of employees' placement shall take place prior to recommendations of the placement committee submitted to the LLF.

3.7.3. Notification letters shall be duly signed by the Accounting Officer.

3.8. Classification of posts.

The Placement Committee shall classify the posts in the staff establishment into the following four categories.

3.8.1. Unchanged posts

3.8.1.1 These are the posts that have no change to their scheduled duties or Geographical Location.

3.8.1.2. Heads of Departments shall be required to list these positions with the names and other forms of identification used, of the present incumbents and submit it to the placement committee for confirmation

3.8.2. Minor changed posts

3.8.2.1. These are the posts involving minor changes to their duty scheduled, which has no material effect on the level of responsibility. It might also involve a mere change in the title without significant change in duties.

3.8.2.2. Heads of Departments need to submit the names and other forms of identification used, of the present incumbents to the placement committee for confirmation.

3.8.3. Major changed posts

3.8.3.1. These are posts which have undergone a major change to their duties and responsibilities. This will therefore necessitate that these posts be evaluated. Where ever possible, the Placement shall be on the close match basis.

3.8.3.2. These posts with the existing and proposed duties should be submitted to the Placement Committee together with the names and other form of identification used for employees to be place in the posts on a close match basis.

3.8.3.3. If a major changed post cannot be filled on a "Closed Match" basis, it shall therefore be advertised both internally and externally and shall be filled in accordance to the recruitment process, giving preference to:

- Internal candidate from the designated groups.
- Internal candidate from non-designated group.
- External candidate from designated groups.

3.8.4. New posts

3.8.4.1 These are posts which carry duties and responsibilities that do not exist in any form in the present staff establishment. These posts shall be advertised internally first

and should no suitably qualified candidate found, it shall be advertised externally giving preference to:

- External candidate from the designated groups.
- External candidate from differently able people.
- External candidate from designated groups (Women)
- External candidate from non-designated group.

3.9. Acting Positions

3.9.1. Incumbents who are in acting positions shall have no right to permanent placement in the positions they are acting on, however they may be considered on a preferential basis due to them having successfully acted on those positions.

3.10. Objection

3.10.1. The Objection Committee shall be constituted by the Accounting Officer and his/her nominees.

3.10.2. Members of the Placement Committee are exempted from participating in the Objection Committee.

3.10.3. A formal enquiry shall be held by the Objection Committee in which two sites of the story may be heard. Upon conclusion of an enquiry the Objection Committee shall make its decision within 10 working days and its decision must be communicated formally to an employee who lodged the objection.

3.10.4. Any employee who filled an objection shall have the right to be represented at the enquiry by his/her fellow employee or union representative.

3.11. Lodging of an objection

3.11.1. Objections shall be lodged within five (5) working days after publication of the Placement Committee's decision.

3.11.2. An objection must clearly set out the grounds for which an objection is lodged accompanied by documentary evidence in support of an objection.

3.11.3. It must clearly state the desired outcome.

3.11.4. An employee and his/her representative shall be allowed reasonable time during working hours to consult in order to prepare for an objection.

3.12. Declaration of dispute

3.12.1. All disputes which may arise as the result of the decision made by the Objection Committee, such disputes shall be treated in terms of the dispute resolution procedure.

SECTION 4: STAFF RETENTION

4. Policy Statement

It is imperative for Msukaligwa Local Municipality to have staff retention procedure. It grading and categorization may influence staff leaving the municipality and move to other bigger municipalities. This policy procedure is not only applicable to retain staff but also to be able to attract requisite skills required to advance service delivery in this municipality.

With this policy direction the Msukaligwa Local Municipality shall be able to attract employee through open recruitment process and further retain those who are already employed including the available skills.

The primary objectives of Msukaligwa Local Municipality are among others:

- To position the Msukaligwa as competitive employer and employer of choice.
- To create conducive working environment for all staff members.
- To contribute to the health, safety and wellness of all staff.
- To reduce significantly the staff turn-over.
- To retain competent, experienced, qualified and scarce staff.
- To provide training and development.

The aforesaid objectives shall achieved guided by pieces of legislations and frameworks such as, Employees Benefit policy, human resources training and development policy, Labour Relations Act, Basic Conditions of Employment Act, Employment Equity Act, Skills Development Act, Collective Agreement on wages and other conditions of services and not limited to other existing policy directions approved by the Msukaligwa.

4.1. Principles underpinning the Staff Retention

4.1.1. This procedure is developmentally oriented rather than focusing on individual interests.

4.1.2. Classification of posts on scarce skills, valued skills and high risk skills is based on the strategic objectives of the municipality.

4.1.3. Job Evaluation Outcome shall serve as the basis to determine the salary levels of the posts.

4.1.4. The culture of continuous staff training shall be maintained in line with the appropriate legislations including Performance Management System of the municipality.

4.1.5. The potential reasons for leaving the institution shall be determined by exit interviews and staff morale surveys to be conducted from time-to-time.

4.1.6. Staff retention should by no means be misconstrued and became a vehicle to promotion on any monetary reward, and

4.1.7. Honesty, transparency, equity and fairness shall be maintained.

4.2. Cost of losing staff

Prior to the municipality considering giving any retention drive to an employee who intends to leave, consideration shall be made to the cost involved in losing that particular employee. The following shall cost shall be considered before any decision is made:

4.2.1. Separation costs

These are statutory costs which may be incurred during an exit such as administrative expenses, accumulated leave days etc.

4.2.2. Vacant costs

These are costs relating to the appointment of acting employees while at the same time engaging on recruitment, selection and appointment on a new incumbent.

4.2.3. Replacement costs

These are recruitment procedural related costs which may be incurred during advertisement, interviews, S&T claims by candidates etc.

4.2.4. Training costs

It is common course that when new employee is appointed there is a need for him/her to undergo induction and training. These are costs which may be incurred during the training process.

4.3. Broad Retention Challenges

There are a number of reasons why employees leave their employment in general and Msukaligwa in particular. These can be categorized as unavoidable and avoidable reasons or factors.

4.3.1. Unavoidable factors

These are factors beyond the municipality's control such as death, retirement, ill health, family relocation on any other unforeseen natural attrition.

4.3.2. Avoidable factors

These are avoidable factors such financial considerations, work environment, career development, resistance to change, internal mobility and career progression, Leadership and Management style.

4.3.2.1 Financial considerations

May employees decide to resign from their organizations because they are offered better salaries or service benefits elsewhere. Our municipality's remuneration system is inflexible or less competitive enough to attract and keep talented employees. There must be a mechanism to reward those who excel and to counter any attempt to poach staff. The provision should be made to counter offer for the purposes of retention.

4.3.2.2. Work Environment

A poor work environment can lead to employees being unhappy and decide to resign. A conducive work environment motivates employees to perform their work much better. Conducive environment shall include amongst others adequate office space, adequate resources and equipment's e.g. computers, stationery, machinery etc.

4.3.2.3 Career Development

Employees have interest to grow in their work and if the municipality does not provide this opportunity employees will begin to look for alternatives. The municipality with its budget can make provision for career development in the form of bursaries and training.

4.3.2.4 Resistance to change

Organisations undergo minor or major changes. When these happen, some employees may feel uncomfortable and decide to leave. The most common reasons for these are:

- Fear of the future,
- Reluctance to change old habits,
- Self – interest,
- Financial insecurity, and
- General mistrust.

Msukaligwa Local Municipality should find a better way of managing change. Consultation should be consistently made when effecting changes. People are not the same. Some can understand changes in a quicker way while others need guidance through the process.

4.3.2.5 Internal career progression

Modern employees tend to job hop from one job to another especially those who are still young and whose skills are in high demand in the labour market. As a result, young employees often prefer to move from one job to another unlike sticking to one job for a long time. The municipality must develop a multi-skilling program which promotes job rotation.

4.3.2.6 Leadership and management style

Leadership style plays a very significant role in employee retention. Talented employees will leave an organisation if they believe that the management style is stifling growth and not empowering. Where Managers are not people centered, the results will be low employee morale, little motivation, poor performance, and lack of guidance. There must be a leadership training program focusing on people management.

4.4. Why employees stay in the organisation

4.4.1. The reasons why employees stay with an employer are closely linked to their motivation and preferences. There are many initiatives the Msukaligwa Local Municipality can take to encourage its staff to stay. This include amongst others the following:

4.4.1.1 Provision of resources

The municipality must make sure that there are sufficient resources available to meet the demands of the job. This will motivate employees to perform their duties. Essential resources such as stationary, computers, cartridges, must always be available.

4.4.1.2. Employment of Employees

Training and skills development are amongst the factors that motivate employees to stay in the organisation. This should be a continuous process rather than a once off event. Msukaligwa Local Municipality can empower its employees through financial assistance to those who are pursuing further studies and also through the Work places Skills plan. In this regard the municipality must utilise its mandatory grant for the purpose of training of staff only. Another element of staff empowerment is through PMS. Regular assessment should be conducted on quarterly basis to assist staff to identify gaps and apply corrective measures where necessary. The reward for excellent performance must be done. The municipality must introduce other means of rewarding satisfactory performance other than monetary terms such as awarding certificates of recognition.

4.4.1.3. Optimal utilization of Human Resources

The municipality must delegate employees to take higher responsibilities and perform challenging work other than their normal routine duties. This must be done in a written way. Managers must in consultation with the human resources section initiate the delegation of employees to higher responsibilities.

4.4.1.4. Communication

Employees feel being important if they are informed. The municipality must have a vibrant communication strategy which allows feedback from employees.

4.4.1.5. Compensation and benefits

In order to become an employer of choice the municipality should develop an integrated compensation and benefits policy. This policy should be able to match our rewarding system with that the competitors which include other municipalities and the private sector.

A. Introduction and maintenance of notches

The rank insignia system is generally applicable to law enforcement officers. The main aim of rank insignia system is to allow for proper chain of command and delegation of authority. The municipality must retain the notch system to allow for upward mobility. The following must be introduced.

- 5.6.1. Grade 1 which is an entry notch level;
- 5.6.2. Grade 2 which is for those employees who have two years of service with the Municipality;

- 5.6.3. Grade 3 those with three years and above of service. There should be two salary notches between the grades.

4.5. Classification of skills

The municipality shall establish a committee to be known "Remuneration Committee" (REMCO) to conduct an investigation and/or to recommend classification of skills. The classification shall categorize skills as following:

- **Scarce Skills** which are skills regarded as scarce, taking into consideration the difficulty in obtaining them, the rate of turn over as well as the demand for these skills in the labour market. These skills includes but not limited to engineering, technical services etc.
- **Valued Skills** which shall refer to skills which contribute significantly and if lost would have a negative effect in good governance, the day to day running of the municipality and ability to achieve its service delivery objectives. These skills includes but not limited to accountancy, planning, auditing, HR management, legal professions etc.
- **High Risk Skills** refers to skills which are highly demanded in the labour market in which if lost would have a very negative impact to the community in particular. These skills includes but not limited to law enforcement, IT specialist etc.

4.6. Interventions to retain staff

Interventions to retain staff can be most effective if aimed at specific circumstances and/or skills groups and therefore retention is part of the recruitment strategy of the Municipality.

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06/7/23

DATE