

EMPLOYMENT OF SECTION 56/57 MANAGERS

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1. PREAMBLE

Driven by empirical and conceptual challenges of recruitment for an establishment of the Municipality's profile and size, this recruitment policy seeks to create a balanced and transcendent culture of fine and sound employment patterns and practices in the Municipality. It is designed to foster and promote sound and fair recruitment procedures and practices which underpin the principles of equal employment opportunity and affirmative action.

2. LEGAL FRAMEWORK AND REQUIREMENTS

- 2.1. This policy is premised from the relevant provisions of the Labour Relations Act (66 of 1995);
- 2.2. It also derives its legitimacy from the Municipal Structures Act (117 of 1998), Municipal Systems Act (32 of 2000), Employment Equity Act (55 of 1998), Municipal systems Act No: 32 of 2000 as amended in 2011;

3. OBJECTIVES

- 3.1. To give effect to the principles of equal employment opportunity and affirmative action.
- 3.2. To inject uniform, transparent, fair and sound recruitment procedures and practices.
- 3.3. To give effect to the objects of relevant labour laws.
- 3.4. To provide a mechanism for application of a zero-based approach in the filling of a vacant post.
- 3.6. To attract competent and suitably qualified applicants for a vacant post.
- 3.7. To provide measures for a fair and just selection process for candidates to be interviewed.
- 3.8. To provide a procedure for actioning appointment of a successful candidate.
- 3.9. To set out procedures for handling unsuccessful applications.

4. SCOPE OF APPLICATION

This policy shall apply to:

The employment of Senior Managers in line with the Local Government Regulations on the appointment and conditions of employment of Senior Managers.

5. DETERMINING RECRUITMENT NEEDS

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

Should a post, after having undergone scrutiny, be authorised for filling by the relevant authority, employees requiring re-deployment in terms of the Re-Deployment Strategy as well as employees in a supernumerary capacity are considered in the first instance.

Approval for filling the senior manager positions must be according to the regulations by CoGTA.

Role	Responsibility
Mayor in consultation with the selection panel	Obtain approval from municipal council for filling of the Municipal Manager post

Municipal Manager	Obtain approval from municipal council for filling of the Senior Manager post
Speaker	Convene special meeting if required

6. HUMAN RESOURCE PLANNING

The municipal council must assess the human resources necessary to perform the functions, assess the existing human resources by race, gender and disability and plan within the available budgeted funds for the recruitment retention and development of the municipal human resource requirements.

7. GENERAL REQUIREMENTS FOR APPOINTMENT

A person can only be appointed in senior manager posts if he or she meets the requirements stipulated in the regulation.

- 7.1. A person can only be appointed on a fixed term contract, permanent basis or probation if he or she is a SA citizen, or permanent resident, and possesses the relevant competencies, qualifications, experiences and knowledge as reflected in the Annexure A & B of the regulations.

8. COMPETENCY REQUIREMENTS

Persons may only be appointed as Senior Managers if they meet the competency requirements stipulated in the regulations and the minimum requirements for higher education's qualification.

9. ADVERTISING OF THE SENIOR MANAGER POSITIONS

Senior manager vacancy must be advertised as stipulated in the regulations.

- 9.1. Within 14 days of receipt of approval.
- 9.2. Must specify job title, term of appointment, annual remuneration, competency requirements, core functions, need for signing employment contract, need to undergo security vetting, contact person, address of applications, closing date of a minimum of 14 days.

10. DRAFTING OF ADVERTISEMENT (DONE BY THE HR DEPARTMENT)

The validated information as referred to above shall form the basis for the advertisement/brief and all advertisements shall clearly state the relevant job requirements, application procedures together with closing dates for the receipt of application.

11. ADVERTISEMENTS TO BE IN APPROVED FORMAT

Internal: Advertisements shall be placed on designated notice boards and other appropriate

places.

External: Advertisements shall be placed in a National and Provincial newspapers to ensure maximum access by the designated groups for 14 consecutive days.

The Municipality's targets, *inter alia*, shall be taken into consideration when determining whether recruitment activities are internal or external or both.

12. HEAD HUNTING

Head hunting will be applied with caution at all times, and it may be applied 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 as per the advert or the employment equity plan.

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

13. ROLES AND RESPONSIBILITY

Role	Responsibility
Mayor	Provide monthly report to the Executive Committee on progress made with filling the vacant Municipal Manager post
Municipal Manager	Provide monthly report to the Executive Committee on progress made with filling the vacant Senior Manager post

14. SELECTION PANEL

- 14.1. The selection panel must be appointed according to the requirements stipulated in the regulations after considering the nature of the post, gender balance and the skills, expertise and the availability of the persons to be involved. Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.
- 14.2. 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
- 14.3. 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 important criteria.
- 14.4. 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.

- 14.5. The selection panel for appointing the municipal manager must consist of at least three and not more than five members constituted as follows:
 - 14.5.1 The mayor (will be the chairperson or his/her delegate).
 - 14.5.2. A Councillor designated by the council.
 - 14.5.3. At least one other person that is not a councillor or staff member who has the required expertise.
- 14.6. The selection panel for the appointment of a manager directly accountable to a municipal manager must consist of at least three and not more than five members constituted as follows:

The municipal manager who will be the chairperson.

- 14.6.1 Member of the mayoral committee or a councillor who is portfolio head of the relevant portfolio and.
- 14.6.2. At least one other person that is not a councillor or staff member who has the required expertise.
- 14.6.3. A minimum of three (3) and maximum of five (5) members are required
- 14.6.4. Selection panel members must disclose interest or relationship, and sign a declaration of confidentiality as stipulated in the regulations.

15. APPLICATIONS REQUIREMENTS

Applications submitted for Senior Manager Positions must meet the requirements stipulated in the regulations.

- 15.1. Must only be submitted on official application form
- 15.2. Applicants must disclose academic qualifications, contactable references, registration of professional bodies, details of dismissal for misconduct, and any disciplinary actions pending.
- 15.3. Any misrepresentation or failure to disclose will be regarded as a breach of the Code of conduct for Municipal Managers.

16. SELECTION OF APPLICANTS

The selection process of applications must meet the requirements stipulated in the regulations

- 16.1. Compile list of all applications who applied for the position.
- 16.2. Compile a shortlist of all applicants evaluated against relevant competency requirements.
- 16.3. List must be finalised within 21 days.
- 16.4. Records must be kept of all applicants.
- 16.5. Municipal manager must ensure confidentiality of all applications.
- 16.6. The list and short list must be submitted to the selections panel.

17. ROLES & RESPONSIBILITY

Role	Responsibility
Mayor in consultation with the selection panel	Selection Municipal Manager Applications
Municipal Manager	Selection Senior Manger Applications
Municipal Manager	Safekeeping of confidential information

18. SCREENING OF CANDIDATES

Screening of shortlisted candidates must meet the requirements stipulated in the regulations

- 18.1. Screening must take place within 21 days of finalising shortlist.
- 18.2. Conduct necessary reference checks.
- 18.3. Contact candidate's current employer.
- 18.4. Determine validity of candidate qualifications.
- 18.5. Verify if candidate has been dismissed and/or if there are any outstanding disciplinary matters against candidate.

19. INTERVIEWS OF CANDIDATES

Interviews of selected candidates must be conducted in a manner that meets the requirements stipulated in the regulations

- 19.1. Conduct interviews within 21 days of screening.
- 19.2. Selection panel must remain the same.
- 19.3. Selection panel must keep records of individual panel members' assessment of a candidate.
- 19.4. Candidates selected for interview must be based on consensus.
- 19.5. Dissenting member may record concern in the minutes.
- 19.6. Selection panel must recommend second and third suitable candidate.

20. SELECTION OF RECOMMENDED CANDIDATES

The selection and recommendation process must meet the requirements stipulated in the regulations

- 20.1. Recommended candidates must undergo competency assessments.
- 20.2. Competency tools must be applied fairly.
- 20.3. Competency tools may not be biased.
- 20.4. Municipal must provide budget for competency assessments.
- 20.5. Selection panel must submit recommendation and reports to council.

21. MUNICIPAL COUNCIL RESOLUTION

The municipal council resolutions regarding the appointment of senior managers and the related

municipal actions must meet the requirements stipulated in the regulation

Before making decision council must ensure:

- 21.1. Candidate meets relevant competency requirements.
- 21.2. Screening has been conducted according to the regulations.
- 21.3. Candidate does not appear in record of staff members dismissed. Council must make decision on suitable candidate.
- 21.4. Municipality must:
 - 21.4.1 Inform all applicants (successful and unsuccessful) of outcome.
 - 21.4.2. Submit written report submission to MEC within 14 days.
- 21.5 Report must contain:
 - 21.5.1. Details of advertisements date of issue and name of newspaper.
 - 21.5.2. List of all applicants
 - 21.5.3. Report on the screening process.
 - 21.5.4. Council resolution approving selection panel and shortlisted candidates.
 - 21.5.5. Recommendation of the Executive committee or Mayor of the municipality.
 - 21.5.6. The application form, CV, proof of qualifications of successful candidate.
 - 21.5.7. A written confirmation from successful candidate that the candidate does not hold a political office.
 - 21.5.8. Letter of appointment outlining the terms of contract.
 - 21.5.9. Other relevant information.

22. RE-EMPLOYMENT/DISMISSED PERSONS

The dismissal and/or Re-employment of Senior Managers must meet the requirements stipulated in the regulations

- 22.1. Persons dismissed for misconduct may not be reappointed as senior manager.
Senior Manager who lodges complaint is excluded.
- 22.2. Municipality must maintain records of staff dismissed.
Records of dismissed staff must contain the following:
 - i) Name and Surname of staff member.
 - ii) Name of municipality.
 - iii) Post and title.
 - iv) Nature of misconduct.
 - v) Date of suspension.
 - vi) Conditions of suspension.
 - vii) Date of commencement of disciplinary hearing.
 - viii) Finding and category of misconduct.
 - ix) Cost incurred by municipality.
 - x) Date of resignation or dismissal of senior manager.
 - xi) Whether dismissal has been appealed.
 - xii) Status of the appeal.

23. RE-ADVERTISING VACANCY

The re-advertising of a vacancy because no suitable applicants applied must meet the requirements of the regulations

- 23.1. Inform all shortlisted candidates that application was not successful.
- 23.2. That post may be re-advertised.

24. SECONDMENT AS MUNICIPAL MANAGER

The secondment of a person to act as municipal manager must meet the requirements stipulated in the regulation

- 24.1. An agreement must be entered into between seconding authority and the municipality.
- 24.2. Agreement must specify duration of secondment.
- 24.3. Party responsible for the cost of the secondment.
- 24.5. Job description of seconded individual.

Cost must be borne by receiving municipality.

Seconded person must report monthly to MEC on the following:

- 24.5.1. Steps taken to fill vacant post.
- 24.5.2. Development and implementation of institutional recovery plan.
- 24.5.3. Monitor and assess adherence to municipal policy principals and frameworks.
- 25.4.4. Development of turnaround strategy to promote good governance of the municipality.
- 25.4.5. Implementation of council resolutions.
- 24.5.6. Implementation of a system of internal control.
- 24.5.7. Implement all governance systems and processes.
- 24.5.8. Ensure implementation of financial systems, policies and procedures.
Person seconded must be paid the following:
 - 24.5.9. Allowance equal to the difference between the seconder's current salary and the minimum budgeted salary of the post
 - 24.5.10. Compensation for subsistence and traveling incurred during the course and scope of secondment.

25. ELIMINATION OF UNFAIR DISCRIMINATION

The Municipality shall take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.

- 25.1. It is affirmed that it will not constitute unfair discrimination to take affirmative action measures consistent with the purposes of the Employment Equity Act of 1998 as set out in this policy or to distinguish, exclude or prefer any person on the basis of an inherent requirement of any job.
- 25.2. Harassment of an employee, including sexual harassment of any form, constitutes unfair discrimination and such harassment will attract disciplinary action against any employee

found to have committed harassment.

26. APPLICATION OF THE EMPLOYMENT EQUITY ACT OF 1998

As a defined designated employer in terms of section 1 of the Employment Equity Act of 1998, the relevant provisions of the Act is directly applicable to the Employer.

27. AFFIRMATIVE ACTION

As a designated employer the uMgungundlovu District Municipality must, in order to achieve employment equity, implement affirmative action measures for people from designated groups as defined in section 1 of the Employment Equity Act of 1998. Designated Groups means black people, women and people with disabilities and black people is defined in the Employment Equity Act as a generic term meaning Africans, Coloureds and Indians.

Affirmative Action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of the Employer. Affirmative Action measures include, but are not limited to, the following:

- 27.1. Measures to identify and eliminate employment barriers, including unfair discrimination, which adversely affect people from designated groups.
- 27.2. Making reasonable accommodation for people from designated groups in order to ensure that they enjoy equal opportunities and are equitably represented in the workplace of the Employer.
- 27.3. Measures to ensure the equitable representation of suitably qualified people from designated groups in all occupational levels in the workplace of the Employer.
- 27.4. Measures to retain and develop people from designated groups and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.
- 27.5. No provision in this policy should be construed as requiring the Municipality to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups.
- 26.6. This includes, but is not limited to, any decision relating to the termination of employment of any employee of the Municipality for reasons not relating to the conduct or capacity of the employee or the operational requirements of the employer in terms of the provisions of Chapter VIII of the Labour Relations Act of 1995 as amended.

28. TEMPORARY ACCOMMODATION FOR NEWLY APPOINTED MANAGERS (Section 56 and 57)

The Municipality shall make a provision for temporary accommodation for a maximum of four (4) weeks for in the event that a Geographical location is a radius of more than 60km.

EMPLOYMENT POLICY FOR EMPLOYEES BELOW SECTION 56&57

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1. PREAMBLE

Driven by empirical and conceptual challenges of recruitment for an establishment of the Municipality's profile and size, this recruitment policy seeks to create a balanced and transcendent culture of fine and sound employment patterns and practices in the Municipality. It is designed to foster and promote sound and fair recruitment procedures and practices which underpin the principles of equal employment opportunity and affirmative action.

2. LEGAL FRAMEWORK AND REQUIREMENTS

- 2.1. This policy is premised from the relevant provisions of the Labour Relations Act (66 of 1995);
- 2.2. It also derives its legitimacy from the Municipal Structures Act (117 of 1998), Municipal Systems Act (32 of 2000), Employment Equity Act (55 of 1998), Municipal systems Act No: 32 of 2000 as amended in 2011;
- 2.3. This policy will be implemented in terms of the objects of other relevant sister policies within the Municipality.
- 2.4. This policy is implemented in furtherance of the spirit of the Basic Conditions of Employment Act (75 of 1997).

3. OBJECTIVES

- 3.1. To give effect to the principles of equal employment opportunity and affirmative action.
- 3.2. To inject uniform, transparent, fair and sound recruitment procedures and practices.
- 3.3. To give effect to the objects of relevant labour laws.
- 3.4. To provide a mechanism for application of a zero-based approach in the filling of a vacant post.
- 3.5. To usher in a regulatory mechanism for filling an approved vacant post in the Municipality.
- 3.6. To attract competent and suitably qualified applicants for a vacant post.
- 3.7. To provide measures for a fair and just selection process for candidates to be interviewed.
- 3.8. To provide a procedure for actioning appointment of a successful candidate.
- 3.9. To set out procedures for handling unsuccessful applications.
- 3.10. To provide a framework for managing probation of a newly appointed employee.
- 3.11. To serve as a catalyst for the employment of local people to reduce unemployment.

4. SCOPE OF APPLICATION

This policy shall apply:

- 4.1. To individuals who are defined by Chapter One of Basic Conditions of Employment Act 75 of 1997 as employees of the Municipality;
- 4.2. To Municipal Interns who have acquired the necessary experience for a specific job.
- 4.3. To EPWP beneficiaries specifically for post levels 16 – 18.
- 4.4. To any member of the public who, by virtue of his or her application for employment in the Municipality, who happens to be classified as an applicant or candidate;
- 4.5. To all formally established and non-established posts of the Municipality;
- 4.6. To all formal posts of non-Municipal programs, functions or Municipality's associates in respect of which the Municipality is defined by law as the employer.

This policy shall not apply to:

- 4.7. Employment of casual laborers and skilled employees who are required to work for not longer than three (3) consecutive months;
- 4.8. The employment of a job learner or experiential trainee; unless the learnership stipulates otherwise.
- 4.9. Notwithstanding the above, an employment contract for employee mentioned in 4.5 may be extended or renewed beyond the three month -period depending on the prevailing circumstances.

5. UNDERPINNING PRINCIPLES OF EMPLOYMENT

- 5.1. The Municipality's Integrated Development Plan (IDP) shall inform Human Resources plan and strategy.
- 5.2. Human Resources needs analysis shall precede creation of any post within the Municipality.
- 5.3. Existence of each post shall be underpinned by the service delivery requirements embodied in the IDP and establishment plan of the Municipality.
- 5.4. An approved staff establishment or structure of posts shall form a basis for employment in respect of all established posts.
- 5.5. The zero-based approach shall apply in the filling of all vacant posts.
- 5.6. Descriptions of a job content and job specification shall constitute fundamental components of a job description for any post.
- 5.7. The job description and specification shall be used for determining the content of any advertisement of a vacancy, outsourcing request or any document for a similar purpose.
- 5.8. The nature/method of recruitment shall be decided in accordance with the recruitment procedure set out in this policy.
- 5.9. Canvassing by a candidate for support in respect of a particular recruitment exercise will lead to the disqualification of the candidate.
- 5.10. The Corporate Services Department shall, in implementing this policy, uphold the norms and values enshrined in this policy.
- 5.11. Each department shall bear its recruitment costs.
- 5.12. No person may be employed in a municipality unless the post to which he or she is provided for in the staff establishment of the Municipality.
- 5.13. A decision to employ a person in a municipality, and any contract concluded between the municipality and that person in consequence of the decision; is null and void if the appointment was made in contravention with 5.12 (above).
- 5.14. Any person who takes a decision contemplated in 5.13 (above) may be held personally liable for any irregular or fruitless and wasteful expenditure that the municipality may incur as a result of the invalid decision.

6. PREFERENTIAL EMPLOYMENT FRAMEWORK FOR LOCAL PEOPLE

- 6.1. Notwithstanding the equal employment opportunity principles entrenched in this policy; there shall be a concerted effort to use the municipality's employment programme to fight the highest levels of unemployment within the municipal area of jurisdiction but not compromising expertise.
- 6.2. In order to give effect to the above principles adverts for positions ranging from post level

18 to 10 or equivalent based on any applicable job grading system will give preference to employment of local people.

- 6.3. The Municipal Manager and the relevant Executive Manager (Executive Manager in which the vacancy exists) will be assigned, in terms of this policy, the ultimate responsibility to see to it that the targeted employment of local people is given preference to.

7. OCCURRENCE OF A VACANCY

- 7.1. A long term vacancy shall occur as a result of the following:

- 7.1.1. Dismissal/retrenchment/boarding;
- 7.1.2. Voluntary resignation;
- 7.1.3. Death;
- 7.1.4. Approval of a creation of a new post

- 7.2. A short term vacancy shall occur as a result of the following:

- 7.2.1. Sickness/injury;
- 7.2.2. Leave of absence;
- 7.2.3. Suspension;
- 7.2.4. Secondment;
- 7.2.5. Arising of special temporary work.
- 7.2.6. Any other causes

8. REQUISITION AND AUTHORISATION FOR FILLING OF A VACANT POST

- 8.1. The Senior Manager in respect of which a vacant post exists shall assess the need of filling the vacancy.
- 8.2. The Senior Manager shall, inter alia, evaluate the continued need of the vacant post.
- 8.3. The Senior Manager shall also apply his/her mind to whether the vacant post cannot be merged with another post or abolished.
- 8.4. Upon establishing the facts about the need for filling a vacant post as is, the Senior Manager shall solicit authorization for filling a vacant post from the Municipal Manager or Designee.
- 8.5. An approval for filling a vacant post shall be forwarded to the Corporate Services Department for action
- 8.6. Prior to proceeding with the filling of a vacant post, the Corporate Services Department shall verify the following about a vacant post:
 - 8.6.1. Staff establishment;
 - 8.6.2. Funding for the post;
 - 8.6.3. Job description;
 - 8.6.4. Applicable terms of employment;
 - 8.6.5. Corporate Services should make sure that a Requisition form is filled and signed by all relevant parties.

9. FILLING OF A VACANT POST

- 9.1. The following shall constitute modes of filling a vacant post:
 - 9.1.1. Recruitment;
 - 9.1.2. Secondment from another employer;
- 9.2. The Corporate Services Department shall exercise its due diligence and caution in checking whether modes other than recruitment may be used for filling a vacant post.
- 9.3. If a vacant post will be filled through any mode other than recruitment, the Corporate Services Department will facilitate filling of a vacant post through invoking the appropriate mode.
- 9.4. If a vacant post will be filled through recruitment, the following sub-procedures shall apply:
- 9.5. The job specifications for all post will be in line with the job evaluation system as prescribed by the South African Bargaining Council.

9.5.1. ADVERTISEMENT OF A VACANT POST

- 9.5.1.1. The Corporate Services Department shall draw up an advert for a vacant post which will, inter alia, manifest the following vital components of the advert:
 - i) Name of the Municipality;
 - ii) Job Title;
 - iii) Post level/grade;
 - iv) Key performance areas
 - v) Minimum requirements as per the signed and evaluated Job Descriptions
 - vi) Remuneration package;
 - vii) Term of employment, if the post will be filled on a fixed term basis.
 - viii) The following shall also be reflected in all adverts:
 - The municipality reserves the right not to make an appointment.
 - People with disabilities are encouraged to apply
 - Priorities shall be given to candidates in accordance with employment equity targets
 - Should you not hear from the Municipality in 30 days after the closing date, please consider your application as unsuccessful.
 - Communication shall be limited to shortlisted candidates.
- 9.5.1.2 Following the resolution to fill the vacancy, the post should be advertised in a Provincial; Local newspapers and the Municipality's Website for at least 14 consecutive days;
- 9.5.1.3 The finalized copy of an advert for all posts will be presented to the respective Senior Manager or designee for endorsement prior to advertising;
- 9.5.1.4 Positions below Senior Managers (grade level T15; T16; T17 and T19) Divisional Manager positions will be advertised both internally and externally at the same time for at least 14 consecutive days and will be advertised internally first for at least 7 working days; Should there be a need to re advertise the position I should be advertised on a Provincial newspaper a period not exceeding 7 working days.
- 9.5.1.5 Managerial positions below Divisional Managers position (T14; T16; T17 and T18) will be advertised Internally for 7 working days first, then externally if there are no sufficient candidates or applicants do not meet the required requirements as per

the advert, the post will then be re-advertised externally for 14 working days.

- 9.5.1.6 Notwithstanding the above, posts with critical and scarce skills will be advertised both externally and internally on a simultaneous basis without advertising internally first.
- 9.5.1.7 If there is no suitably qualified candidate found after a vacant post has been advertised externally, the post will either be re-advertised for not less than 12 consecutive working days or headhunting proceedings will be instituted;
- 9.5.1.8 All positions below Grade Level T14; T15; T16; T17 and T18 will be re-advertised on the Provincial media first.
- 9.5.1.9 Positions from Grade Level T7-T13 will be first advertised internally on notice boards, if no suitable candidate available then the position will be re-advertised externally on a local newspaper
- 9.5.1.10 Notice boards of various work stations will be used for placement of internal job adverts.
- 9.5.1.11 Positions from Grade Level T5-T6 will be advertised internally on notice boards and should there be no qualified applicant, the position will be re-advertised on a Local Newspaper for 7 working days.
- 9.5.1.12 General Workers and Office Attendants (Grade level T3) will be advertised on Municipalities notice boards.
- 9.5.1.13 Advertisement of a post on the National Newspapers may be done before head hunting.
- 9.5.1.14. The casual workers will only be engaged for emergencies only.
- 9.5.1.15. The request shall be initiated by the relevant department and be recommended by the relevant EXECUTIVE MANAGER for Municipal Managers' approval, the engagement of casual workers should be submitted by departments to Human Resources for implementation and shall be approved by Executive Manager: Corporate Services.
- 9.5.1.16 The duration of engagement is limited to two days only at a fixed rate not exceeding R250.00 per day (which will be paid in form of cash) from 7h45 to 16h30.
- 9.5.1.17. The extension for more days will be motivated by the user department or division and supported by the Chief Financial Officer for the approval by the Municipal Manager.
- 9.5.1.18. The user department must make sure that petty cash is available before the casual worker/s are engaged.
- 9.5.1.19. Casual worker/s must sign an attendance register and an indemnity form in case anything happens to them while performing casual work, should anything happen to a casual worker the Municipality will not be held responsible unless if it is the negligence on a part of an employer.
- 9.5.1.20. Database of general workers must be created and maintained by Human Resources. Engagement should be on a rotational basis.

9.5.2. PROCEDURE FOR APPLYING FOR AN ADVERTISED VACANT POST

- 9.5.2.1. All Employees of the Municipality and members of the public who meet both

quantitative and qualitative requirements of an advertised post will be encouraged to apply for the post;

- 9.5.2.2. All prospective applicants will apply strictly according to the procedures set out in the advert;
- 9.5.2.3. Enquiries about any advertised post will be directed to the Corporate Services Department;
- 9.5.2.4. No late applications will be considered;
- 9.5.2.5. No applicant shall canvass for a post;
- 9.5.2.6. Application for employment forms are available in the Municipality's website and can be picked up at the reception, a covering application letter, a copy of a CV and certified qualification certificates together with a certified ID Copy must be submitted by applicants;
- 9.5.2.7. All applications shall be received and registered by the Corporate Services Department;
- 9.5.2.8. Applications via e-mail will not be accepted, only posted through post office or physically dropped off at the reception will be accepted. In both instances certified copies of all academic documents must be available as attachments.
- 9.5.2.9. All received applications will be stamped with a date stamp and be captured in the master list of applicants by the Corporate Services Department (registry before they are handed over to Human Resources Unit);
- 9.5.2.10. The Municipality will not be held liable for the custody of application documents submitted by an applicant except as official Municipal records;
- 9.5.2.11. The master list of applicants will be used as a baseline for screening and selection of the suitable candidates by the selection committee.
- 9.5.2.12. No applications shall be accepted after 16h00 on closing date.
- 9.5.2.13. Posted applications will be recorded for two days after the closing of the advert subject to the compliance with the condition as stated on 9.5.2.8

9.5.3. SELECTION OF CANDIDATES

- 9.5.3.1. Selection of candidates below Senior managers shall be made by a Selection panel approved by the Municipal Manager.
- 9.5.3.2. The selection panel shall be established on a basis of a post and on an ad hoc basis;
- 9.5.3.3. The Senior Managers or the Municipal Manager shall be consulted with regard to the line departmental representatives in the selection panel
- 9.5.3.4. The selection panel for all positions below Senior Managers shall consist of:
 - i) 2x relevant Managers from relevant Departments or designated Managers approved by the Municipal Manager
 - ii) 1x representative per Union (Observer);
 - iii) 2x Corporate Services Department representatives and scribe (Human Resources Manager on an Advisory Status)

- 9.5.3.5. An outsider with relevant expertise will be invited to the selection and interviews with the approval of the Municipal Manager especially for scarce skills positions.
- 9.5.3.6. The master list of applicants and the copy of the advert shall be presented to the selection panel by the Corporate Services Department; and will be returned to the Corporate Services Department after use.
- 9.5.3.7. The selection panel shall select not less than three (3) and not more than six (6) applicants for selection per post;
- 9.5.3.8. The selection panel shall select primarily from those applicants who meet the qualitative and quantitative requirements of the post;
- 9.5.3.9. In the event of recruiting for more than one position for the same post, clause (i) shall be waived by the selection panel and this will be apportioned in terms of number of posts to filled;
- 9.5.3.10. Where there is only one applicant meeting the quantitative requirements of the post, the post should be advertised;
- 9.5.3.11. Due regard shall be given to the requirements of the employment equity plan when selection of candidates is conducted
- 9.5.3.12. The selection panel shall decide on which of the types of employment tests and checks to be conducted on the selected applicants.
- 9.5.3.13. An HIV test can only be conducted on the applicant with the permission of the Labour Court;
- 9.5.3.14. Typing speed, computer literacy and driving tests shall be conducted only if they are the main and inherent requirements of the job.
- 9.5.3.15. The selection panel shall decide on whether the job requirement is inherent or main in accordance within the definitions of a main or inherent requirement of a job.
- 9.5.3.16. Compulsory reference checks/screening will be conducted on all candidates with not less than two referees from the candidate's previous/current employment or former teachers, if his/her work referees are not available.
- 9.5.3.17. The Corporate Services Department shall facilitate conducting of the agreed-upon employment tests and checks in a given situation.
- 9.5.3.18. The results of the tests or checks conducted will be presented to the interviewing panel or consideration prior to making a recommendation.
- 9.5.3.19. No employee shall participate in a selection process for a post that is above or equivalent to his/her post level except in giving logistical support to the process.
- 6.5.3.20. A written recommendation with all the profiles of the selected candidates collated to the job specifications shall be submitted to the Executive Manager: Corporate Services for approval, prior to arrangement of interviews.
- 9.5.3.21. Scores or points may be awarded to candidates for other assessment methods like reference check, test, etc. in addition to the interview, at the discretion of the interviewing panel in respect of a particular post.

9.5.4. ARRANGING OF INTERVIEW

- 9.5.4.1 The Corporate Services Department shall, in consultation with the selection panel members, decide the date of the interviews; the date should be consulted with the Selection panel on the day of the selection process.

- 9.5.4.2 After deciding the date of the interviews, the Corporate Services Department shall proceed to advise candidates about the date and venue of the interviews;
- 9.5.4.3 A minimum of three candidates must confirm their attendance of the scheduled interviews in order for interviews to take place.
- 9.5.4.4. The Corporate Services Department shall prepare profiles of candidates and documentation and material presented at the interviews shall be returned to the Corporate Services Department.
- 9.5.4.5 The Corporate Services Department shall arrange venues for the interviews.
- 9.5.4.6 Trade Union representatives shall be invited in writing but not limited; as any mode of available approved communication for the interviews via the interviewing agenda to the Chairperson
- 9.5.4.7 Candidates shall be informed about the date, respective scheduled time and venue for the interviews prior to attending interviews;
- 9.5.4.8 The Corporate Services Department shall prepare all pertinent interview documentation and compile an interview agenda to be distributed to each member of the panel;
- 9.5.4.9 Selection panel members shall be as impartial as possible and conduct interviews with dignity and absolute professionalism;
- 9.5.4.10 The selection panel shall make a recommendation for employment of the best suitable candidate for the position, if there is no suitable candidate found; a recommendation for not employing shall be made to the Municipal Manager.
- 9.5.4.11 The selection panel shall also decide on candidate number 2 in the order of merit and preference, so that candidate number 2 may be offered the job in case the first candidate declines an offer respectively.
- 9.5.4.12 No employee shall participate in the interviewing process for a post that is above or equivalent to her/his post level unless approved by the Municipal Manager.

9.6. IMPLEMENTATION OF THE OUTCOME OF INTERVIEWS

- 9.6.1. The Executive Manager concerned shall support the recommendation of the Interviewing panel in writing subject to all minimum requirements of the vacant post being met in terms of the advertisement;
- 9.6.2. The Executive Manager: Corporate Services shall support the recommendation of the interviewing panel and the recommendation of the Executive Manager concerned in writing subject to all minimum requirements of the vacant post being met in terms of the advertisement;
- 9.6.3. The successful candidate will be contacted by the Corporate Services Department communicate about acceptance of the offer and pertinent conditions thereafter and if the appointment of successful candidate is not finalized within a period of three months, the recruitment process shall lapse.
- 9.6.4. A letter or contract of employment shall then be drawn up by the Corporate Services Department for signing by the Municipal Manager
- 9.6.5. If the recommendation for not employing has been approved by the Municipal Manager; the recruitment process shall be revisited.
- 9.6.6. Upon signing of the letter or contract of employment by the Municipal Manager, an

- employee must also sign indicating whether he/she accept or rejects the offer
- 9.6.7. Unsuccessful candidates shall be advised in writing (via email and letter signed by the Municipal Manager) about the fate of their applications.
- 9.6.8. The Senior Manager shall have a right to make a representation to the Municipal Manager if he/she is not happy with the outcome of interviews.

9.7. MANAGEMENT OF EMPLOYEE PROBATION

- 9.7.1. A newly employed person shall be put on a three month-probation which can be extended by a further three (3) months subject to the following conditions:
- 9.7.1.1. If the municipality is of the opinion that such employee has successfully completed his probationary period, the municipality shall confirm such employee's appointment in writing.
- 9.7.1.2. If the municipality on or before the date of completion of the probationary period of such employee, is of the opinion that he/she is not fit for the post occupied by him/her, the municipality may:
- i) In writing and stating the reasons therefore, extend the probationary period of such employee once only for fixed period not exceeding three (3) months
 - or;
 - ii) give such employee at least one (1) working month's written notice that his/her services will be terminated on a specific day subject to a fair procedure of incapacity on grounds of poor performance by the municipality.
- 9.7.1.3 After three (3) months if the municipality fails to inform the employee of confirmation of probationary period then the municipality should accept that post as automatically permanent
- 9.7.1.4. The Corporate Services Department shall issue probation management tools to the department concerned for kick-starting and managing a newly appointed staff member's probation within 7 working days after commencement of duty;
- 9.7.1.5. Probation shall be monitored by the Executive Manager or immediate superior of an employee through doing the following:
- i) On-the-job training;
 - ii) Performance monitoring;
 - iii) Mentoring;
 - iv) Coaching;
 - v) Guidance;
 - vi) Corrective action;
- 9.7.1.6. The probation based performance reviews shall be conducted by the Executive Manager or Assignee at the end of each month of the three month-period or the extended period.
- 9.7.1.7 The Executive Manager may invoke intervention of the Corporate

- Services Department for assistance during the period of probation.
- 9.7.1.8 The Corporate Services Department shall issue performance review forms to the Executive Manager or Assignee towards the end of each month of the probation period.
 - 9.7.1.9. The Corporate Services Department shall implement the negative outcome of probation with due regard to the requirements of fairness and reasonableness;
 - 9.7.1.10 Recommendations for continued employment for the Municipal Manager and managers reporting directly to the Municipal Manager shall be made to the Council for ratification and for information respectively;
 - 9.7.1.11 Approval of continued employment shall be made by the Municipal Manager for post levels T1 to T24;
 - 9.7.1.12. An employee will be informed by the Human Resources Department about the outcome of his/her probation once it has been finalized by the relevant department.

9.8 INDUCTION OF NEW EMPLOYEES

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

9.9 EMPLOYMENT OF FAMILY MEMBERS OF EMPLOYEES AND COUNCILLORS (NEPOTISM)

- 9.9.1. To establish a consistent set of guidelines by which recruitment decisions can be made in terms of employment of immediate family members of employees.
- 9.9.2. Where a family member or relative of a panel member is one of the applicants, the panel member shall recuse himself/ herself from the process.
- 9.9.3. To ensure that there is no nepotism and/or favoritism practiced in selection decisions.
- 9.9.4. Employment of immediate family members is not encouraged.
- 9.9.5. Only the interviewing panel can recommend the appointment of family members in

- positions where they cannot be directly influenced by the decision of a family member.
- 9.9.6. Any Municipal employee shall excuse himself/herself from a recruitment exercise where his/her family member is involved.

10. ELIMINATION OF UNFAIR DISCRIMINATION

The Municipality shall take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.

- 10.1 It is affirmed that it will not constitute unfair discrimination to take affirmative action measures consistent with the purposes of the Employment Equity Act of 1998 as set out in this policy or to distinguish, exclude or prefer any person on the basis of an inherent requirement of any job.
- 10.2. Harassment of an employee, including sexual harassment of any form, constitutes unfair discrimination and such harassment will attract disciplinary action against any employee found to have committed harassment.

11. APPLICATION OF THE EMPLOYMENT EQUITY ACT OF 1998

As a defined designated employer in terms of section 1 of the Employment Equity Act of 1998, the relevant provisions of the Act is directly applicable to the Employer.

12. AFFIRMATIVE ACTION

- 12.1. As a designated employer the uMgungundlovu District Municipality must, in order to achieve employment equity, implement affirmative action measures for people from designated groups as defined in section 1 of the Employment Equity Act of 1998. Designated Groups means black people, women and people with disabilities and black people is defined in the Employment Equity Act as a generic term meaning Africans, Coloureds and Indians
- 12.2. Affirmative Action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of the Employer.
- 12.3. Affirmative Action measures include, but are not limited to, the following:
- 12.3.1. Measures to identify and eliminate employment barriers, including unfair discrimination, which adversely affect people from designated groups.
- 12.3.2. Making reasonable accommodation for people from designated groups in order to ensure that they enjoy equal opportunities and are equitably represented in the workplace of the Employer
- 12.3.3. Measures to ensure the equitable representation of suitably qualified people from designated groups in all occupational levels in the workplace of the Employer
- 12.3.4. Measures to retain and develop people from designated groups and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.

- 12.3.5. No provision in this policy should be construed as requiring the Municipality to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups.
- 12.3.6. This includes, but is not limited to, any decision relating to the termination of employment of any employee of the Municipality for reasons not relating to the conduct or capacity of the employee or the operational requirements of the employer in terms of the provisions of Chapter VIII of the Labour Relations Act of 1995 as amended.