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PLACEMENT POLICY

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The signatories hereof, confirm acceptance of the contents, recommendation, and adoption hereof.

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1. DEFINITIONS AND ACRONYMS

1.1 Statutory and Regulatory

This Procedure applies to the following meanings and interpretations:

#	TERM	DESCRIPTION
1.1.1	Accounting Officer	means a Municipal Manager
1.1.2	Affected Municipalities	means municipalities that were affected by the re-determination of boundaries by the Municipal Demarcation Board (MBD)
1.1.3	Bargaining council	means the South African Local Government Bargaining Council, Limpopo Division
1.1.4	LIM 345	means a new municipality in Limpopo, Vhembe District, established in terms of the Demarcation Act
1.1.5	Placement	means the process of placement in a post within the new organisational structure on the basis of the staff following function.
1.1.6	Receiving Municipalities	means municipalities that are receiving employees from the disestablished municipality (Mutale

1.2 ACRONYMS

#	TERM	DESCRIPTION
1.2.1	EEA	Employment Equity Act
1.2.2	JE	Job Evaluation
1.2.3	LIFO	Last in First Out
1.2.4	LRA	Labour Relations Act

2. PREAMBLE

Whereas the municipal demarcation board has re-determined the boundaries of various local municipalities in Limpopo in terms of section 21 of the Local Government Municipal Demarcation Act (1998) Act 27 of 1998, as set out in the provincial gazette dated 02 July 2015, and:

- 2.1 Whereas Mutate Local Municipality is disestablished and is to transfer staff to the affected municipalities that it has been incorporated into, that is, Musina & Thulamela Local Municipalities.
- 2.2 Whereas LIM345 is a newly established municipal entity which will incorporate parts of Thulamela & Makhado Local Municipalities, which will be transferring staff to the new entity.
- 2.3 Therefore, a placement policy to regulate the transfer of employees from the disestablished municipalities to receiving municipalities is pertinent.

3. PURPOSE

- 3.1 The purpose of the policy is to plan and manage the process of transfer and placement of employees in posts within the new organisational structure on the basis of 'staff follows function'.
- 3.2 This procedure seeks to ensure, as far as possible, the efficacious placement of employees.

4. OBJECTIVES

The parties to the process accept that:

- 4.1 After having been confronted by the need to disestablish Mutale Municipality on the one hand and establish a new municipality on the other within Vhembe District Municipality, the reorganisation of existing staffing structures may be necessary to meet operational objectives for service delivery.
- 4.2 All placement processes shall take place in accordance with the principles contained herein.
- 4.3 The contracts of employment of all affected non-sections 54 & 56 (SALGBC bargaining unit) employees of the former Mutale Local Municipality to be transferred

to either Musina or Thulamela Local Municipalities in terms of Section 197 of the Labour Relations Act, 66 of 1995.

- 4.4 All affected non-sections 54 & 56 (SALGBC bargaining unit) employees at Thulamela and Makhado municipalities be transferred to the newly established municipality in terms of Section 197 of the Labour Relations Act, 66 of 1995.

5. SCOPE

- 5.1 This policy applies to all employees covered by the SALGBC bargaining unit employed by the municipalities.
- 5.2 This policy specifically excludes managers appointed in terms of the Local Government Municipal Systems Act Sections 54A and 56 as amended and any other non-permanent employee, including conditional grant-based employees.

6. ADMINISTRATION OF POLICY

- 6.1 The Accounting Officer or his/her designee shall coordinate and monitor the implementation of the placement policy.

7. PLACEMENT

BASIC REQUIREMENTS FOR FAIR AND EQUITABLE PLACEMENT

The basic requirements to ensure fair and equitable placement of employees are:

7.1.1 Placement policy

7.1.2 An approved organogram

7.1.3 Employee job descriptions

7.1.4 A specification of the person required, including required qualifications and experience.

7.1.5 The placement of employees must be consistent with any applicable Legislation.

7.1.6 During the placement process, no additional remuneration must be paid in any form to an employee.

7.1.7 The issue of parity must not be addressed during this process.

7.1.8 All posts on the establishment of the municipality shall be equal opportunity positions.

7.1 ORGANOGRAMS

7.2.1 Thulamela District Municipality, in consultation with the affected local municipalities, shall coordinate the development of the Organogram of the newly established municipality and submit the draft to the Political Change Management Committee for approval, subject to consultation with the organised labour at the District Technical Change Management Committee level.

7.2.2 Thulamela District Municipality must coordinate the reviewal of organograms of Thulamela, Musina and Makhado municipalities in line with the redetermined boundaries, powers, functions and DP priorities.

7.2.3 The principle of structures follows the strategy (IDP) shall apply.

7.2.4 After consultation with the applicable Local Labour Forum, the Organograms will be submitted to councils for approval.

7.2 PLACEMENT PRINCIPLES

The placement process shall be guided by, among others, the following principles as outlined hereunder:

7.3.1 People-follow functions principle.

7.3.1.1 This principle operates on the premise that employees are not moved from one geographical location to another without the function which the employee is performing necessitating such movement.

7.3.2 Empty the Pool first principle.

7.3.2.1 Every attempt shall be made to place existing permanent employees first into posts on the new structure. If no placement can be made from internal employees, in terms of the agreed criteria, the employer will advertise the post and fill the position with the most suitable external candidate.

7.3.2.2 Employees are to be placed in the structure on a permanent basis.

7.3.2.3 The parties are committed to ensuring the continuity of employment and every attempt will therefore be made to ensure that no retrenchment/redundancy will occur of permanent employees, provided that the affected employees are willing to accept alternative positions that are offered.

7.3.2.4 In this regard, every effort will be made to ensure that such alternative offers are reasonable.

7.3.2.5 Employees from Thulamela and Makhado Local Municipalities whose functions are affected by the re-determination of boundaries will constitute a pool that must be emptied through placement into the applicable employer(s) in accordance with the applicable function.

7.3.2.6 All employees from Mutale Local Municipality will constitute a pool that must be emptied through placement into the applicable employer(s), taking into account a function in relation to the re-determined boundaries.

7.3.3 Close match placement principle.

7.3.3.1 Employees are to be placed in the new structure on a close-match basis.

7.3.3.2 In dose matching a post, the job content of the new post is compared to the existing job content of the employee.

7.3.3.3 The employee having the closest match in respect of the job content is then the successful candidate to be placed.

7.3.3.4 Where the dose match cannot be done one hundred percent (100%), the match must be done on the most matched job content. The focus should be on the crux of the job, e.g. accountant job content will be matched against a post that contains the most stipulations reflecting accounting duties.

7.3.3.5 The close match is done on job content and not job designation.

7.3.3.6 Salary of an employee plays no role in placement.

7.3.4 Additional factors' principle.

Where more than one (l) employee can be dose matched to a post and there are more employees than there are posts, the following factors will be used to facilitate the placement decision:

7.3.4.1 Where an employee cannot be placed in any of the applicable affected municipalities, consideration should be given for placement in other available municipalities.

7.3.4.2 Consideration must be given to the powers and functions of the municipal entity, including devolved powers and functions.

7.3.5 Administrative procedures for a fair and Equitable Placement

After placement, the following administrative procedures must be followed:

7.3.5.1 Letter of appointment/placement (A letter of appointment/placement should be written and signed by the Accounting Officer or his / her designee and handed to the successful person, indicating:

7.3.5.1.1 A Congratulations on the appointment/placement

7.3.5.1.2 Effective date of the appointment/placement

7.3.5.1.3 The correct job title

7.3.5.1.4 The department, division and section where placed

7.3.5.1.5 The applicable salary notch and scale

7.3.5.1.6 Documentation required that needs to be handed in on the commencement date of the new appointment/placement.

7.3.5.1.7 Who should be contacted in case of further enquiries

7.3.5.1.8 A copy of the letter of appointment/placement to be signed as acceptable by the appointed/ placed person.

8. OBJECTION AND APPEAL PROCESS

- 8.1 Every individual employee and or trade union on behalf of their members shall have the right to lodge an appeal or submit an objection regarding a placement or non-placement to the Appeal Authority.
- 8.2 Such an objection or an appeal must be submitted to the Appeal Authority within 14 working days of the date of receipt of a decision by an individual employee.
- 8.3 Appeal Authority must consider an objection or appeal within working days of submission thereof.

9 JOB DESCRIPTIONS

- 9.1 After the placement process has been completed, all the incumbents will receive Job Description for the posts that they have been placed in.
- 9.2 Upon appointment or conclusion of the Job Description, the incumbent, his or her supervisor must sign the job description.

10 LEGISLATIVE AND REGULATORY FRAMEWORK

- 10.1 The Constitution of the Republic of South Africa Act 108 of 1996.
- 10.2 The Municipal Demarcation Act 27 of 1998.
- 10.3 The White Paper on Local Government, 1998 Basic Conditions of Employment Act 75 of 1997.
- 10.4 Labour Relations Act, No. 66 of 1995.
- 10.5 The Local Government Municipal Structures Act 117 of 1998.
- 10.6 The Local Government Municipal Systems Act 32 of 2000.
- 10.7 The Municipal Finance Management Act 56 of 2003.
- 10.8 The Skills Development Amendment Act 31 of 2003.
- 10.9 Employment Equity Act 55 of 1998.
- 10.10 National Archives and Record Service of South Africa Act 43 of 1996.
- 10.11 Promotion of Access to Information Act 2 of 2000.
- 10.12 Promotion of Administrative Justice Act, 3 of 2000.

10.13 Promotion of Equality and Prevention of Unfair Discrimination Act, 4 of 2000.

10.14 SALGA Placement Guidelines.

10.15 SALGBC Collective Agreements as amended.

11 STAKEHOLDER ENGAGEMENT

11.1 All the relevant stakeholders, internal and external, will be consulted through the development and implementation of this policy.

12 IMPLEMENTATION: ROLES AND RESPONSIBILITIES

12.1 Union Representatives

12.1.1 Monitor the placement processes and procedures are fair and adhered to.

12.2 HR Unit

12.2.1 Ensure that the placement processes are fair, adhered to and finalised.

12.2.2 Provide technical advice during the development and finalisation of the Job Descriptions.

13 MONITORING AND EVALUATION

13.1 On a continuous basis, this policy will be assessed to determine its relevance and effectiveness and to assess whether it has achieved the intended objectives.

14 CONCLUSION

14.1 It is important to note that any failure to comply with the rules and the standards set out in this policy will be regarded as misconduct. All misconduct or breach will be dealt with within the municipal's appropriate disciplinary procedures.

15 EFFECTIVE AND REVISED DATE

15.1 This policy shall be reviewed every 3 years and as on when the needs arise.

16 ANNEXURES

16.1 Business Process Map

16.2 Standard Operating procedures