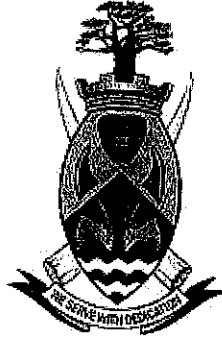


THULAMELA LOCAL MUNICIPALITY

RECRUITMENT POLICY

2022/2025



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1. PREAMBLE

Thulamela Local Municipality declared vision to be the employer of choice and this can be achieved by attracting, retaining personnel with scarce skills, good attitudes and competencies. This attraction and retention of personnel will enable the organization to be adequately staffed to deal with turnover, expansion, changes in technology, market demands and customer needs. Such recruitment of personnel should be effected through practices, which are free from any form of unfair discrimination and comply with the best trends. In order to ensure that the recruitment activity is properly coordinated, it has become necessary to adopt this policy.

2. PURPOSE

The purpose of this policy is to direct and regulate employment practices within Thulamela Municipality.

3. SCOPE OF APPLICATION

The policy will apply to all employees and job applicants in the municipality

4. LEGISLATIVE FRAMEWORK

It should be applied in conjunction with the Labour Relations Act, Employment Equity Act, Municipal System Act no 32 of 2000, staff Regulation gazette number 45181 and any other related legislation.

5. OBJECTIVE

The objective of this policy is to provide a regulatory framework for the effective and efficient recruitment of employees who possess the relevant competencies i.e qualifications, knowledge, skills, attributes or potential to ensure Thulamela Municipality operate efficiently. Furthermore, it is to ensure that the recruitment process is performed

in an orderly manner that complies with best human resource practices and legislative provisions. This will be achieved by providing:

- 5.1 A fair and non-discriminatory process for the selection of the employees.
- 5.2 Proper, fair and unbiased selection and interview processes.
- 5.3 Conducting of orientation or induction to enable new recruits to easily adapt to the environment.

6. PRINCIPLES

This policy is underpinned by the following principles:

- 6.1. The Municipality recognizes the disparity in the South African Labour Market and has a moral and legal obligation to remedy such imbalances through fair and equitable recruitment practices that are in line with the Employment Equity Act.
- 6.2 All practices performed in the application of this policy shall be fair, nondiscriminatory, and transparent.
- 6.3 The confidentiality and privacy of individuals shall not be compromised
- 6.4 The recruitment, selection, and appointment of a staff member to a post on the staff establishment must
- 6.5 comply with the recruitments of the municipality's employment equity policy and plan: Provided that if a municipality is unable to adhere to the employment equity plan due to specialized scarce skills required for a specific post, the municipality must record reasons for deviation from the policy.
- 6.6 be integrated with other human resource management system and procedures.
- 6.7 use objective competencies specified in the Regulations; and
- 6.8 be filled through advertising in accordance with regulation 14.

7. DETERMINATION OF A RECRUITMENT NEEDS

The Municipality shall

- 7.1 Develop the strategy to
 - 7.1.1 Fill funded vacancies; and

7.1.2 Reduce turn round times for filling of approved vacant funded posts.

7.2 Fill all funded vacant posts on the staff establishment within six months of a funded post becoming vacant.

7.3 At all times have the capacity and capability to perform its functions.

7.4 The strategy contemplated in sub-regulation (1) (a) must include timeframe for the various activities included in the recruitment and selection processes.

7.5 A vacant post on the staff establishment may not be filled unless-

7.5.1 The Municipal Manager or a staff member to whom this function is delegated has approved the filling of the post; and

7.5.2 The post is budgeted for.

7.6. Deviation from sub-regulation (1) may be granted on the following grounds

7.6.1 Budget cut requiring prioritisation of personnel expenditure

7.6.2 Impending re-structuring exercise; and

7.6.3 alternative staffing solutions are adopted

8. GENERAL REQUIREMENT FOR APPOINTMENT OF STAFF

- (1) No person may be appointed as a staff member on a fixed-term contract, permanent basis, or probation, to any post on the approved staff establishment of a municipality, unless he or she-
- (2) Is a South African citizen, permanent resident of foreign national with a valid work permit; and
- (3) Possesses the relevant competencies, qualifications and experience as set out in Annexure

9. COMPETENCY REQUIREMENT FOR STAFF

- (1) A person appointed as a staff member in terms of these Regulation must, where applicable-
 - (a) Have necessary competencies; and
 - (b) Comply with the minimum requirements for education qualifications, work experience and knowledge as set out in Annexure A of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890
- (2) A staff member who was appointed before these Regulation came into effect and who does not meet competency requirements of the relevant post as prescribed, shall be deemed to be meeting the requirements of the post. Despite the provision of this

regulation, a municipality may place staff member on a programme to acquire the competency requirements as prescribed in order for the staff member to be eligible for career opportunities in the municipality.

- (3) If a staff member has not attained the competencies as prescribed in these Regulations, the municipality must utilise the workplace skills plan identity and address the staff member's competency gaps and development needs.
- (4) The Minister may issue a notice in the gazette determining uniform competency-based assessment for specific occupational streams.
- (5) The Municipality must subject a staff member to a competency assessment for specific occupational streams as determined by a Minister in terms of sub-regulation 13(4) above.

10. REQUISITION FOR APPROVAL TO FILL VACANCIES

Senior Manager or Nominee person who needs to fill an existing or new vacancy will be required to:

- 10.1. Complete personnel requisition form with full motivation for the filling of the funded vacant position approved by the Municipal Manager and submit the application to the Corporate Service Department.
- 10.2. The motivation must justify why the said position should be prioritized and whether or not funds exist to fill such a position.
- 10.3. On receipt of the requisition memo the Corporate Services Department will advertise the position through Human Resource division. It should be noted that there's no guarantee that a vacated budgeted position would be replaced. The Municipal Manager may instead decide to replace another position within the organization as guided by the strategic priorities of the organization.

11. PROCEDURE FOR RECRUITING

Once the Corporate Services Department has obtained approval to fill the vacancy, the process as described below should be followed:

11.1 Advertisement of position

The employment equity plan and inherent job requirements as stated in the job profile should form the basis for the advertisement. Care should be taken for the proper wording of the advertisement so as not to prejudice the targeted candidates.

The advertisement must at least specify the

- 1) Job title

- 2) Terms of appointment
- 3) Place of work
- 4) Applicable salary scale or pay range
- 5) Competency requirements of the post and where applicable the minimum qualification and experience as set out in ANNEXURE A
- 6) Inherent requirements of the job
- 7) Summary of the core functions
- 8) Need for signing an employment contract and, where applicable a performance agreement and disclosure of benefits and interest
- 9) Address where application must be sent
- 10) Place where applicants can obtain the application form.
- 11) Contact person Where necessary, the need to undergo screening and vetting; and
- 12) Closing date for submission of application

11.2 If a municipality does not have capacity to manage recruitment processes, the municipality may appoint a recruitment agency to undertake the recruitment process as provided by the LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890

11.3 The recruitment agency contemplated in sub-regulation (3) of LOCAL GOVERNMENT : MUNICIPAL STAFF REGULATION NO. 890 shall not undertake the selection process.

11.4. An advertisement contemplated in sub-regulation (2) of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 may be utilised to create a pool of potential candidates valid for a period not exceeding six months from the date of advertisement to fill any other vacancy in the relevant Municipality

11.5 the job title, core functions, inherent requirements of the job and the salary level of other vacancy is the same as the post advertised; and

11.6 the recruitment process contemplated in these Regulation has been complies with

11.7 A municipality may advertise any funded vacant post, as minimum, within the municipality, but may also advertise such post-

11.7.1 Locally; or

11.7.2 Nationwide

12. INTERNAL ADVERTISEMENT

12.1 It is Thulamela Municipality policy to offer opportunities for employment and advancement to its permanent internal employees, interns (excluding EPWP employees) who are funded by grants and employees who are on a fixed term contract and suitably qualified and are in the municipality payroll e.g., National Treasury Grant.

- 12.2 The vacancies will be advertised internally for a period of one week to identify suitable candidates among the existing employees except level 1,2,3, 4 and 15 which shall be advertised externally only.
- 12.3 In cases where two (2) or less suitable internal candidates have applied for a job that has been advertised internally, the vacancy will be advertised externally.
- 12.4 If there are no suitable internal candidates, the job will be advertised externally.

13. EXTERNAL ADVERTISEMENT

- 13.1 The external advertising of vacancies will be affected through advertisements in the local and national circulated print media.
- 13.2 Should an external application be received from a family member of one of the employees who has a decision-making power on the vacancy concerned, such application should be handled with great caution. The family member must declare interest and abstain from participating in the whole process of recruitment.
- 13.3 Care should also be taken in avoiding claims of unfair discrimination by not rejecting potential employees solely on the basis that they have relatives in the Municipality even though they may not be working together in the same section or department.

14. APPLICATION FOR VACANT POST

- 14.1 An application for vacant post must be made on the form that is attached as Annexure B of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890
- 14.2 Despite sub-regulation (1) a municipality may use an online application form that contains the information in Annexure B of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 and is consistent with these Regulation
- 14.3 An applicant for a post must disclose
 - 14.3.1 His or her qualification and experience
 - 14.3.2 His or her contactable reference
 - 14.3.3 His or her registration with a relevant professional body, if applicable
 - 14.3.4 Full details of any dismissal for misconduct or substandard performance and
 - 14.3.5 Any dismissal actions, whether pending or finalised, instituted against the applicant in his or her current or previous employment.
 - 14.3.6 Any interpretation or failure to disclose material information contemplated in sub-regulation (3) and the application form, is a breach of Code of Conduct for Municipal staff as provided for in schedule 2 of the act.

14.3.7 Application not made on the prescribed application form will render any appointment on contract entered into between the municipality and the successful candidate invalid.

14.3.8 The municipality must maintain a record of all application received and information contained in the applications must be kept confidential and stored

in a secure place on the municipality premises. A record of application shall be disposed of in terms of the National Archives and Record Services of South Africa Act, 1996.

14.3.9 The record must contain –

(14.3.9.1) The applicant's biographical details and contact information.

(14.3.9.2) the details of the post for which the applicants were applying

(14.3.9.3) the applicants' qualifications

(14.3.9.4) Any other requirements outlined in the application form.

15. SELECTION PANEL FOR POST LEVEL 3 AND BELOW

(15.1) A Municipal Manager or his or her delegate must appoint a selection panel for each of the advertised post to recommend the appointment of a suitable person to the vacant post except the position of section 56 and 57 managers.

(15.2) The selection panel must comprise of at least 3 but not more than 5 members.

(15.3) The chairperson on the panel must be supervisor or staff member employed at least one job grade higher than that of the advertised post

(15.4) In deciding on the composition of the selection panel, the Municipal Manager must have regard to the following consideration:

(15.4.1) The nature of the post.

(15.4.2) the gender and race balance of the panel; and

(15.4.3) the skills, expertise, experience, and availability of the persons to be involved.

(15.5) A member of a selection panel must-

(15.5.1) disclose any interest or relationship with shortlisted candidates during the shorter listing process.

(15.5.2) recuse himself or herself from the selection panel if-

(1) his or her spouse, partner, close family member or close friend has been shortlisted for the post.

(2) the panel member has a de facto relationship or some form of indebtedness to a shortlisted candidate or vice versa; or

(3) any other conflict of interest and

(4) sign a declaration of confidentiality as a set out in Annexure C to avert the disclosure of information to unauthorized persons.

(15.6) If a union representative is allowed to attend interviews as an observer, he or she must sign the declaration as a set out in Annexure C of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 to prevent the disclosure of information to unauthorized persons.

15.7 The head of human resource or his or her delegate must facilitate and provide advisory services during the selection process to ensure compliance with the Regulations in the recruitment and selection process.

15.7.1 Selection and interview of the Position of Managers (Post level 3) will be conducted by the Municipal Manager as a chairperson or his delegate person and other two or three officials appointed by him or any other officials from other Public Institutions who has expertise or experience in the area of the advertised post.

(15.8) A staff member delegated to provide secretarial services during the selection process may not form part of the selection panel.

(15.9) Each panel member must disclose potential conflict to be considered by the full selection panel at the initial meeting of the panel.

(15.10) If a conflict of interest becomes apparent after the appointment, the Municipal Manager or his or her delegate may take the appropriate steps to remedy the situation, which may include declaring the selection process invalid and commencing a new process.

(15.11) IF a conflict of interest becomes apparent after the appointment, the Municipal Manager or his or her delegate must report the matter to the relevant delegated authority which must take remedial action and, where necessary, disciplinary action.

16. EMPLOYMENT OF FORMER EMPLOYEES

16.1 Employees who leave the organization voluntarily or through no fault of their own, and who apply for re-employment will have to apply as and when the positions are advertised. However, no preferential treatment will be given to those employees. The Municipality will not re-employ employees discharged for poor performance or disciplinary reasons. A re-employed person would normally waive all rights accruing from prior service as this is not reinstatement.

17. SHORTLISTING PROCESS FOR POST LEVEL 3 AND BELOW

The shortlisting process will be conducted as follows:

17.1. Thulamela Municipality will endeavor to include suitably qualified internal applicants in the shortlist of candidates for advertised vacancies. The screening of applications or short-listing will be coordinated by the Corporate Services Department.

- 17.2 The screening process will be done when the applications are more than 100. The Department of Corporate Services will determine the screening criteria beforehand. Corporate Services will do the screening based on the criteria. Department of Corporate services will table a report to the panel on the day of the shortlisting.

18. PRINCIPLES GOVERNING SELECTION

- 18.1. Position of Municipal Manager will be shortlisted by the following stakeholders: Mayor or his delegate (Chairperson), One (1) Councilor designated by Council. SALGA, COGHSTA and Trade Unions as an observer.
- 18.2. The position of Section 57 managers will be shortlisted by the following:
- 18.2.1 Stakeholders: Municipal Manger or his delegate (chairperson), one
 - 18.2.2 Representative from COGHSTA, SALGA, Portfolio Head councilor of the
 - 18.2.3 Relevant department and Trade Union representative.
- 18.3. Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.
- 18.4. The central guiding principle for selection shall be competence in relation to the inherent requirements of the job provided that selection shall favor, as determined by the targets, suitably qualified applicants as defined in section 20(3) of the Employment Equity Act.
- 18.5. 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.
- 18.6. The purpose of selection is to identify the most suitable candidates from all persons who applied and to eliminate unsuitable candidates in the fairest way possible.
- 18.7 The number of candidates to be shortlisted should not be more than five (5) candidates where 1 (one) incumbent is required and not more than ten (10) where 2 (two) or more candidates are required. The incumbents to be shortlisted and interview should not be less than 3 (three) candidates for all position. In the incidents whereby ten 10 or more incumbents is needed the shortlisting panel would take the decision.

19. SHORTLISTING FOR SECTION 56 AND 57 MANAGERS

19.1. The selection panel for section 56 and 57 manager's must be as per the Local Government Regulations on appointment and conditions of employment (clause 12 (30 and (4).

19.1.1 The selection panel for the appointment of a Municipal Manager must consist of at least three and not more than five members, constituted as follows:

- 1) The mayor who will be the Chairperson or his/her delegate.
- 2) A Councilor designated by municipal council.
- 3) At least one other person, who is not a councilor or a staff member of the municipality, and who has expertise or experience in the area of advertised post.
- 4) Trade Unions representatives as observers.

19.2 The selection panel for the appointment of a manager directly accountable to the Municipal Manager must consist of at least three and not more than five members, constituted as follows:

- 1) The Municipal Manager, who will be the Chairperson'
- 2) A member of the Mayoral Committee or Councilor who is the portfolio head of the relevant portfolio; and
- 3) At least one other person, who is not a Councilor or staff member of the municipality, and who has expertise or experience in the area of advertised post.
- 4) Trade Unions representatives as observers.

20. INTERVIEW FOR POST LEVEL 3 AND BELOW

20.1 During the process of the interview when two or three candidates get same scores the discretion of appointment will be with the Municipal Manager.

20.2 The list of shortlisted candidates and copies of their applications must be submitted to the selection panel prior to the interviews taking place.

20.3 The selection panel for a post, once constituted, must remain the same at all times. If a member of the selection panel is unable to process with the interviews due to circumstances beyond that member's control, such panel member may be replaced or withdrawn. If the selection panel does not quorate, the panel must be reconstituted.

20.4 Despite the provisions of sub-regulation 2, a Municipality must grant observer status to each of the recognized trade union representative during the interviews: Provided that failure by the trade union to attend the interviews from proceedings will not invalidated the decision of the panel.

- 20.5 The selection panel must interview the shortlisted candidates.
- 20.6 Before the interview for a specific post commences, the selection panel must confirm the selection criteria for the advertised post, based on the relevant competencies required for the advertised post.
- 20.7 The selection panel must keep a written record of the interviewed candidates.
- 20.8 After considering all the relevant information, the selection panel must recommend candidates in order of preference. If the recommended candidate declines an offer of employment, the next suitable candidate, where applicable, may be considered for appointment.
- 20.9 If it is determined that the recruitment process has not attracted suitable candidate, the post may be re-advertised.
- 20.10 If the post categorized as a critical and scarce skill post, alternative recruitment methods such as executive search, head-hunting, refferrals and re-advertising may be considered only if the recruitment process has not attracted suitable candidates.
- 20.11 The recommendations of the selection panel must be determined by
1. consensus; or
 2. where the panel fails to reach consensus, the matter shall be referred to Municipal Manager or his or her delegate for medication or resolution.
- 3) If the selection panel recommends an appointment to the post, it must submit its recommendation to the Municipal Manager or his or her delegate for approval.

21 INTERVIEW PROCEEDINGS

- 21.1 The chairperson of the panel should explain the purpose of the interview and should strive to use where possible, a structured set of questions during the interviews. These questions should be prepared immediately before interviews commences and relate to the basic requirements of the job. Notes of the interview should be kept safely. Managers must at all times take cognizance of the labour laws and the interviewee should not at any stage be given an indication that he/ she has the job.
- 21.2. The final selection decision shall be guided by the assessment results of the majority members of the interview panel as they are expected to have made an objective assessment of the performance of each of the interviewed candidates.

21.3. In instances where there is an impasse of (50/50) views about two of the candidates, the Municipal Manager will have discretion as to who should be appointed.

21.4. On completion of the interview and selection process the report of the outcome and recommendations shall be submitted to the Municipal Manager through the office of the Senior Manager Corporate Services for approval.

21.5. A staff member of a Municipality may not without permission disclose any privileged or confidential information obtained as a staff member of the municipality to an unauthorized person.

21.6. The interview process could be conducted through the virtual process if challenges required that process and being approved by the Municipal Manager

22. REFERENCE AND PERSONAL CREDENTIAL VERIFICATION, INTEGRITY CHECK

It is strictly required that the following integrity check is conducted before an employee of post level 3 is offered of employment at Thulamela Municipality and other positions deemed critical will also be considered for integrity checks:

22.1 At least one employment reference checks to be obtained from previous employers if the prospective candidate was previously employed.

22.2. Criminal record verification.

22.3. Credit verifications, where necessary

22.4. Verification of qualification in all positions below level 3 (include interns) will be done in all shortlisted candidates. After verification whereby we have negative outcome from the vetting company. HR will submit report to the Municipal Manager to take the decision.

23. OFFER OF EMPLOYMENT

The Corporate Services Department will prepare the appointment letter of incumbent appointed and contract of employment which will include amongst others, the salary package, incentives, benefits, conditions of employment etc. When signed, these would constitute a contractual agreement between Thulamela Municipality and the employee.

24. APPOINTMENT

24.1 A person may be appointed as a staff member only if he or she-

24.1.1 Possesses the relevant competencies as prescribed in Annexure A of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 ; and

24.1.2 Is not disqualified in terms of regulation 22.

24.2 The municipal manager or the staff member to whom this function is delegated must-

24.2.1 consider the recommendation of the selection panel; and

24.2.2 decide-

(1) Whom to appoint and

(2) The terms and conditions of employment

24.3 Before making decision to appoint, the municipal manager or delegate must satisfy himself or herself that the candidate meets the relevant requirements of the post as provided in Annexure A of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890

24.4 If the decision of the Municipal, manager or the delegate does not accord with the recommendations of the selection panel, the reasons such a decision must be recorded in writing.

24.5 An appointment may only take effect after the municipal manager or his or her delegate has approved the appointment in writing.

24.6 The municipal manager or his or her delegate must ensure that all the interviewed candidates are informed whether or not they were successful.

24.7 Unsuccessful candidates must, on request be provided with reasons in writing as why they were not successful.

25. APPOINTMENT OF SUPPORT STAFF TO OFFICE OF PUBLIC OFFICE BEARERS

25.1 A person appointed to a post on the approved staff established in order to support the office of a public office bearer must either be-

25.1.1 Seconded from a post on that municipality's approved staff establishment or another municipality's staff establishment or

25.1.2 Appointed on a fixed-term contract of employment linked to the term of office of the public office bearer

25.2 The duration of the secondment of fixed-term employment contract contemplated in sub-regulation (1), may not be longer than 30 days after the public office bearer vacates office

26. RE-EMPLOYMENT OF DISMISSED STAFF

26.1 A person who was dismissed from municipality for any reason stated in column B of the table in Annexure E of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890, may not be employed in any municipality before the period set out in column C of the table has expired

26.2 Despite sub-regulation (1) a person who has lodged a dispute in terms of any applicable legislation, may be appointed subject to the outcome of the dispute.

26.3 The period set out in column C of the table in Annexure E of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890, run concurrently in respect of a person who was dismissed for more than one category of misconduct

set out in Column B of the table in Annexure E of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890

26.4 A municipality must maintain a record of staff dismissed for misconduct and staff who resigned prior to the finalisation of any disciplinary proceedings as per the provision of the LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NUMBER 890

27. PROBATIONARY PERIOD

27.1. Upon appointment, all employees shall be required to serve a probationary period of six months. The purpose of the probation is to give Thulamela Municipality an opportunity to evaluate the employee's performance before confirming the permanent appointment. The intention of probation is not to deprive employees of the status of permanent employment. During this period, the newly appointed employee will be provided with the necessary support, training, guidance or counseling to ensure compliance with the requirements of the job.

27.2 The probationary period must be determined on the basis of the job requirements and the minimum period required to establish whether performance is satisfactory

27.3 The period of probation excludes the number of days for which leave has been taken by the staff member during the period of probation or any extension thereof

27.4 A staff member must be informed within the first two weeks of employment of that member's performance requirements.

27.5 A Municipal must

1. Assess the staff member's performance; and
2. provide the staff member with feedback on a quarterly basis on that member's performance

27.6 If a staff member is not satisfactory, must be advised of any aspects that the staff member is considered to be failing to meet.

27.7 If the staff member's performance does not meet the required standard, the probationary period may be extended or dismissal may be considered, provided that-

27.8 The staff member shall first be given a reasonable period of time for assessment, training, guidance or counselling.

27.9. During and at the expiry of this period, the employee's manager will assess the performance of the employee to ensure compliance with performance standards and determine whether the employee is suitable for the position.

The employee's conduct shall also be taken into account in the consideration for the confirmation of his / her probation.

27.10. During each appraisal session the employee's superior should advise the employee of the aspects of the performance which are acceptable and those which are substandard or transfer to another section or Department can also be considered to remedy the underperformance of an employee.

27.11. If the results of this assessment indicate that the employee is not suitable for the job or incompetent, the employee's manager should initiate a performance hearing to be chaired by a neutral chairperson of the same or higher level than that of the manager. The purpose of the hearing will be to afford the employee to make representations regarding the failure to meet the performance standards and job requirements. After listening to representations by the employee, The Chairperson will take appropriate action, which could include the termination of the employee's services with the organization, put the employee through a performance improvement plan based on the merits of the case, transfer an employee to another section or Department where performance can be achieved with ease. It should be noted that the Chairperson of the hearing may accept less compelling reasons for unsuitability of employment than in cases of employees whose employment is beyond the probationary period.

28. PROMOTION

28.1 A staff member who is appointed in accordance with this chapter to a post in a municipality that is higher in salary level or job grade than the one that he or she previously occupied in that municipality is deemed to be promoted to that post.

28.2 A staff member who is promoted does not forfeit his or her years of services and the benefit which accrued from those years of services.

29. TRANSFER OF STAFF

29.1 A municipality may transfer any staff member in the service of that municipality to any equivalent post in the municipality or subject to section 197 of the Labour Relations Act, to an equivalent post in another municipality.

29.2 A staff member may only be transferred-

29.2.1 If the staff member request or consents, in writing to the transfer

29.2.2 In the absence of consent if the transfer is fair taking into consideration-

- 1) The operation requirements of the affected institution, including whether the transfer of the staff member would address such requirements.
- 2) Written representation from the staff member prior to the proposed transfer, and
- 3) The extent to which the interests and circumstances of the staff member may be fairly accommodated

- 29.3 The salary and other conditions of services of a staff member may not be adversely affected by a transfer under this regulation without the written consent of the staff member
- 29.4 A staff member contemplated in this regulation may not be demoted, promoted or transferred to a position at a level which is lower or higher than the staff member's current post level

30. SECONDMENT OF STAFF TO ANOTHER MUNICIPALITY

- 30.1 A municipality may second a staff member with the relevant competencies to act in a post that is vacant in another municipality
- 30.2 The municipalities contemplated in sub-regulation (1) of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 must conclude a written agreement regarding the secondment that specifies-
- 30.2.1 The municipality responsible for the cost of secondment
- 30.2.2 The duration of the secondment, which may not each exceed a period of twelve months
- 30.2.3 The person to whom the seconded staff member must report
- 30.2.4 The place at which the seconded staff member must work; and
- 30.2.5 The new job description of the seconded staff member.

31. SECONDMENT OF OTHER GOVERNMENT EMPLOYEE TO MUNICIPALITY

- 31.1 A municipality may request national or provincial government, other competencies to act in a vacant post for a specified period or until such time that a suitable candidate has been appointed; Provided that the relevant legislation, term and conditions of services of that person apply.
- 31.2 The parties contemplated in sub-regulation (1) of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 must conclude a written agreement regarding the secondment that specifies the issues set out in regulation 26 (2 of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890)
- 31.3 The municipality must inform the MEC of any such secondment and the terms and condition associated with that secondment.

32. ACTING APPOINTMENT

- 32.1 An acting appointment may be made to a funded post in order to ensure that the disruption of services is minimised
- 32.2 Unless indicated otherwise in the appointment to the acting post, a staff member of a municipality who is acting in a higher post in the same municipality must continue to perform the duties of the post that the staff member ordinarily occupies during the acting period.
- 32.3 A person acting in a higher post has no right or expectation to be appointed to that post, except as otherwise provided in these Regulation
- 32.4 A staff member may only act in a post that is equivalent to or one grade higher than the post that the staff member ordinarily occupies
- 32.5 The appointment to act in a post must be-
- 1) With the consent of the staff member

2) In writing and

3) Authorised by municipal manager or a person to whom this function

32.6 The staff member appointed to act in a post must have the requisite competencies to be able to perform duties associated with the post 32.7 In selecting a person to act in a post, the following must be considered.

1) The relevant requirements of the post and that person's performance.

2) The municipality's developmental need and

3) The municipality's employment equity policy and plan

32.8 A person may only be appointed in an acting position for a period not exceeding three months.

32.9 Despite sub-regulation (8), the municipal manager or his or her delegate may extend the period in sub-regulation (8) for a further period of three months, if there is a justifiable reason to do so.

32.10 Any further extensions made under sub-regulation (9) shall not exceed a period of nine consecutive, whereafter the post must be advertised and filled on a competitive basis

32.11 The performance of a staff member appointment to act in a post must be assessed in terms of these regulation

33. APPOINTMENT OF PERMANENT STAFF

33.1 Except as provided in regulation 21 and 30 of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890, appointments of staff members made in terms of section 66 of the Act shall be on a permanent basis.

34. APPOINTMENT OF STAFF ON FIXED TERM CONTRACT

34.1 Despite regulation 29 a municipality may in exceptional circumstances and within its administrative and financial capacity appoint a person or persons on fixed term contract without adhering to the procedures and processes as contained in this chapter.

34.2 The application of sub-regulation (1) of LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATION NO. 890 is subject to the provisions of section 198B of the Labour Relation Act.

35. EMPLOYMENT OF FOREIGN NATIONALS

35.1. Thulamela Municipality is committed at ensuring that opportunities are afforded to the South African citizens as far as possible and in order to addresses the unemployment that affects South African citizens.

35.2. Thulamela Municipality will ensure that full" security considerations and checks" are fully satisfied as required by the Immigration Amendment Act of 2004.

35.3. Should a foreign national be identified for any of the vacancies, the final selection decision in this regard, which must be approved by the Municipal Manager, shall be preceded by the confirmation from the Department of Home Affairs that the employee concerned is legally resident in the country and also that the skill he/ she possesses is considered a scarce skill.

36. COUNTER-OFFER

36.1 This practice is utilized when the prospective candidate's remuneration package is more than the remunerative package offered by Thulamela Municipality. A Counteroffer is calculated within the salary range applicable to the advertised post. Therefore, a justifiable Counteroffer may be made on the following conditions:

36.1.1 The all-inclusive salary package. This includes inter alia:

- 1) The basic monthly salary
- 2) Non pensionable allowances
- 3) Service Bonus
- 4) Homeowner's allowance
- 5) Pension contribution
- 6) Medical allowance

36.1.2 Other serving officials may not be adversely affected by such an appointment.

36.1.3 Municipality must ensure that adequate proof of the candidate's remuneration package is obtained.

36.1.4 The labour Market must be tested and no other persons who comply with the prescribed requirements must be available to fill the vacancy.

36.2. Before a Counteroffer can be considered or is made to the prospective candidate, the HR manager should ensure that funds are available and the counter offer should not be above 10%.

36.3. Once the prospective candidate accepts the offer in writing, the HR manager is not obliged to review the package after the assumption of duty.

36.4. The Municipal Manager will approve with the recommendation of the Senior Manager: Corporate Services in consultation with the senior manager of that specific depart

37. RECRUITMENT TIME FRAME

37.1 The following table will serve as a guideline for turnaround on time on recruitment.

ACTIVITY	RESPONSIBILITY	TIME FRAME
1. Occurrence of vacant position	Relevant department	2 week
2. Line Manager motivation	Line Manager in the relevant department.	2 week
3. Approval	Municipal Manager Chief Recruitment Officer	2 week
4. Advertisement: Internal : External	Human Resource Manager/ Chief Recruitment Officer	5 days 14 days
5. Selection and Reference check	Human Resource Manager/ Chief Recruitment Officer	2 Months
6. Interview	Human Resource Manager/ Chief Recruitment Officer	1 Month
7. Appointment	Municipal Manager/ Chief Recruitment Officer	2 weeks
8. Maximum number of shortlisted personnel in one post = 5	Human Resource Manager/ Chief Recruitment Officer	
9. Minimum number of shortlisted post in one post =3	Human Resource Manager/ Chief Recruitment Officer	

37.2 All advertised vacancies below level will lapse after six months during the process of recruitment including selection and appointment.

38. ORIENTATION

38.1 All newly appointed employees must undergo orientation whereby they are informed about the job, the organization and introduced to colleagues within five (5) days of their assumption of duty.

39. DRESSING CODE

39.1. General standards employees wearing civilian clothes must dress tastefully and neatly. Employees that regularly liaise with the public and senior officials must specifically wear clothes in a dignified manner.

39.2 wearing of sports-gear, shorts and any political regalia during office hours is prohibited to all employees.

39.3. Dressing code during office hours will be as follows:

Monday- Thursday: Formal

Friday : Casual

40. WORKING HOURS AND ATTENDANCE REGISTER

40.1 All employees must work a 40-hour week, in terms of SALGA main collective agreement.

40.2 The working hours of the Municipality employees are as follows:

Monday to Friday will be 7h45 to 16h30 and lunch will be from 13hrs to 13h45.

40.3 All Departments must keep the attendance registers with names of all employees working in the particular Department.

40.4 The individual employees are not present on a particular day.

40.5 It is the duty of the Head of the Department to check the attendance registers on a weekly basis for corrections.

41. IMPLEMENTATION AND MONITORING


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

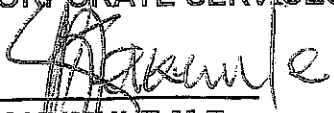
42. COMMUNICATION

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

43. ADOPTION AND REVIEW

43.1 The policy shall be reviewed after 3 years and revised as necessary.



SIKHWIVHILU N.M
ACTING SENIOR MANAGER:
CORPORATE SERVICES


MAKUMULE M.T
MUNICIPAL MANAGER

31/05/2024
DATE

31/05/2024
DATE