



INGQUZA HILL LOCAL MUNICIPALITY

PLACEMENT POLICY

Review: 2019

1. PREAMBLE AND PURPOSE

The local government sector is changing relentlessly in its overall strategic and operational mandate in order to meet the community's service delivery expectations. In order for the municipality to effectively manage and facilitate the placement of staff into a new/ reviewed established municipality or changes in the overall staff establishment, this policy provide a procedure to implement staff placement and or transfer in compliance with relevant legislations inter alia, the Constitution, Labour Relations Act, Employment Equity Act, and the Basic Conditions of Employment Act etc.

2. SCOPE OF APPLICATION

The terms, criterion and objectives of this policy shall be applicable to all permanent employees falling within the scope of the South African Local Government Bargaining Council. The Municipal Manager, and Section 57 managers are excluded.

3. STATUTORY REQUIREMENTS

- 3.1. Constitution of the Republic of South Africa 108 of 1996;
- 3.2. Municipal Systems Act, Act 32 of 2000;
- 3.3. Municipal Structures Act, Act 117 of 1998;
- 3.4. Labour Relations Act, Act 66 of 1995;
- 3.5. National Main Collective Agreement;
- 3.6. Eastern Cape Division Collective Agreement and
- 3.7. Basic Conditions of Employment Act 55 of 1998.

4. DEFINITIONS

- 4.1. **Close match placement:** means placing existing employees in a post of which the job content, duties and responsibilities, compares favorably with the existing job content, duties and responsibilities in the new staff establishment.
- 4.2. **Designated groups:** refer to previously disadvantage group (African, Colored and Indian) women of all race and people with disabilities, in terms of Employment Equity Act.

6. CONDITIONS OF SERVICE

- 6.1. The municipality shall not interrupt any Conditions of Service and employees shall retain their benefits as if their services were not interrupted.
- 6.2. The salaries and benefits of staff shall only be adjusted in accordance with any collective agreement concluded in the bargaining council and or after the post/ have undergone the process of job evaluation.

7. STAFF ESTABLISHMENT

- 7.1. The Municipal Manager must develop a staff establishment for the municipality and submit the staff establishment to the Municipal Council for approval;
- 7.2. Provide a job description for each post on the staff establishment;
- 7.3. Attach to those posts the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation,
- 7.4. Establish a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service.”
- 7.5. No person may be employed in the municipality unless the post to which he/she is appointed is provided for in the staff establishment of the municipality.
- 7.6. A decision to employ a person in the municipality and any contract concluded between the municipality and that person as a consequence of a decision is null and void if the appointment was made in contravention of subsection “e”.
- 7.8. Any person who takes a decision contemplated in subsection “f” knowing that the decision is a contravention of subsection “e”, may be held personally liable for any irregular or fruitless and wasteful expenditure that the municipality may incur as a result of an invalid decision.

8. JOB EVALUATION

- 8.1. New, major and minor changed post/s shall undergo the process of job evaluation in accordance with the TASK job evaluation system.
- 8.2. Unchanged jobs may also be submitted for re-evaluation should request be submitted by affected staff/ management.

10.1. Unchanged post/s

- I. These are post/s that have not changed in terms of content, duties and responsibilities and or including geographic location.
- II. Directors shall be required to list all such posts with details and names of incumbents, post identification, employee's numbers and submit to the placement committee for verifications and confirmation.

10.2. Minor changed post/s

- I. These are post/s that involving minor changes to the duties, which has no effect on the level of responsibilities. Such as a change in job title with no changes in the duties.
- II. Directors shall be required to list all such posts with details and names of incumbents, post identification, employee's numbers and submit to the placement committee for verifications and confirmation.

10.3. Major changed post/s:

- I. These are post/s that have underwent a major change in their duties and responsibilities and wherever possible the placement shall be on the close match basis. These post/s shall undergo the process of job evaluation.
- II. Should a major changed post cannot be filled on a close match basis, it shall be advertised both internally and externally and shall be filled in line with the recruitment and selection policy. First preference shall be given to internal applicants taking into consideration of Employment Equity Plan.
- III. Directors shall be required to list all such posts with details, post identification and submit to the placement committee for verifications and confirmation.

10.4. New post/s

- I. These are posts which have new content, duties and responsibilities that do not exist in any form in the staff establishment. These posts shall be advertised both internally and externally and preference shall be given to internal applicants.
- II. All placement where possible shall be finalised within three months after approval of the staff establishment by Council.

relevant Department/Section in the staff establishment in which they will be placed.

14. LODGING OBJECTIONS

- 14.1. An employee must in writing lodge an objection against the placement or lack thereof within five (5) working days of the publication of the placement committees decision.
- 14.2. An employee must set out the grounds for the objection in full and accompanied by such documentary evidence in support thereof may be appropriate.
- 14.3. An employee shall be allow reasonable time during working hours to consult his representative in order to prepare for an objection.

15. PLACEMENT DISPUTES

- 15.1. An employee that is aggrieved by a decision of an objection committee has a right to declare a dispute to the SALGBC.
- 15.2. A dispute must be declared to the SALGBC within 10 working days of the date of receipt of the decision of an objective committee.
- 15.3. Disputes shall be referred to the SALGBC for arbitration and shall be conducted in terms of dispute procedure in line with the SALGBC constitution.
- 15.4. The decision/ ruling of the arbitrator shall be final and binding to both parties.
- 15.5. No placement shall be deemed final until all dispute mechanisms have been exhausted.

ADOPTION OF THE POLICY



B.B GOYA
MAYOR

02 | 09 | 2019

DATE