

INGQUZA HILL LOCAL MUNICIPALITY

ACTING AND ADDITIONAL RESPONSIBILITY ALLOWANCE POLICY

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1. PREAMBLE

The municipality acknowledges that due to various circumstances experienced by employees results to their unavailability/ inability to fulfill their functions, duties and responsibilities and fulfill their employment contractual obligations. Additionally, they are posts within the municipality that remain vacant unfunded that are critical to service delivery and existing employees are requested from time to time to perform part of the functions and responsibilities of such post. In order for the municipality to continuously render effective and efficient service delivery, appropriate employees in the municipality may be appointed to temporarily perform acting duties and responsibilities of filled vacant funded post or perform part of the functions and responsibilities of a vacant unfunded post.

This policy provides the processes, requirements, principles and procedures that must be followed in the municipality where employees are temporarily appointed to act in post or perform additional responsibilities of post in the staff establishment.

2. DEFINITIONS

- 2.1 **Acting** – refers to the performing of functions and duties of a filled vacant funded post by an employee that act in another post on a temporary basis.
- 2.2 **Acting Allowance** – a non-pensionable remuneration payable to an employee that is appointed to act to perform all functions and duties of another filled/ vacant funded post.
- 2.3 **Additional Responsibility** – refers to the performing of some part or all functions and responsibilities of a vacant unfunded post on a temporary basis.
- 2.4 **Additional Responsibility Allowance** - a non-pensionable remuneration payable to an employee that is appointed to perform part or all functions and duties of a vacant unfunded post which may not exceed 10% of a basic salary of the employee performing additional responsibility.

2.5 Vertical Acting/ Additional Responsibility – refers to a circumstance wherein an employee is temporarily appointed to act in a senior/ higher post than they occupy or perform additional responsibility thereof.

2.6 Horizontal Acting/ Additional Responsibility - refers to a situation wherein an employee is temporarily appointed to act in a same/ equal/ higher commencing lower notch/ scale task grade/ level post or perform additional responsibility thereof.

3. LEGAL FRAMEWORK/ STATUTORY REQUIREMENTS

- 3.1 The Constitution of the Republic of South Africa of 1996;
- 3.2 Municipal Systems Act 32 of 2000;
- 3.3 Basic Conditions of Employment Act 75 of 1997;
- 3.4 Labour Relations Act 66 of 1995;
- 3.5 Municipal Finance Management Act 56 of 2003; and
- 3.6 Consolidated Collective Agreement on Conditions of Service for the Eastern Cape Division

4. SCOPE OF POLICY

- 4.1 This policy shall expressly apply to all employees in the employment of the municipality.

5. OBJECTIVES

- 5.1 To provide a standardized procedure, principles and requirements for staff to temporarily act in vertical/ horizontal post or perform additional responsibility in the municipality.
- 5.2 To provide a uniform standard and regulation of appointing staff to acting/ performing additional responsibility.
- 5.3 To provide a requirement wherein all departments in the municipality make a 2.5% budget from their respective annual personnel salary to remunerate acting employees and those performing additional responsibilities of vacant unfunded post.

- 5.5 To ensure uninterrupted provision of service delivery by the municipality.
- 5.6 To promote the opportunity of skills development to junior staff.
- 5.7 To provide a time-frame for utilization of employees in an acting capacity/ performing additional responsibility.
- 5.8 To ensure that vacant/filled funded or vacant unfunded post critical duties and functions are performed continuously.
- 5.9 To provide for a non-pensionable remuneration for acting incumbent or performing additional responsibility.

6. PRINCIPLES OF ACTING

6.1 APPOINTMENT OF SECTION 56 OR ANY OTHER CONTRACTUAL POST TO ACTING:

- 6.1.1 Any staff to perform acting duties in a higher post must be appointed in writing and this must be authorized by the Municipal Manager/ Assignee.
- 6.1.2 Staff appointed to act are to be paid a non-pensionable acting allowance provided that they have completed ten (10) consecutive working days in acting.
- 6.1.3 An interruption of less than three (3) working days by acting employee due to illness supported by a medical certificate; family bereavement; and attendance at Court as a witness, if subpoenaed shall be deemed to form part of the acting period.
- 6.1.4 Subject to existing operational requirements acting appointments shall be reviewed within three (3) months.
- 6.1.5 No staff may act in a post for a period exceeding six (6) consecutive months unless operational circumstances demand with the approval of the Municipal Manager/ assignee.

- 6.1.6 notwithstanding the above clause (6.1.5.) should they be more incumbents within the department eligible to act, rotation should be considered to promote other staff training and development opportunities.
- 6.1.7 Acting appointment should be confined to employees reporting directly to the applicable higher/ senior acting position.
- 6.1.8 The staff appointed to act in the senior/ higher acting post should at least meet the post essential minimum qualification or relevant experience of the post.
- 6.1.9 Acting in a senior/ higher post does not create a right or legitimate expectations to be appointed in the vacant post when advertised.
- 6.1.10 The calculation of the acting allowance paid to staff performing acting duties in either the Section 56 or any other contractual post shall be based on a 60% of total remuneration package of the Section 56 or any other contractual post.

7. APPOINTMENT OF PERMANENT STAFF TO ACTING POST

- 7.1 Acting principles referred under section (6.2) and subsections (6.1.1 to 6.1.9) above are also applicable at these levels.
- 7.2 The calculation of the acting allowance paid to staff performing acting duties in the higher/ senior post will be based on the difference between the current basic salary against the senior/ higher post basic salary first notch.
- 7.3 In the event that a post in the level of a post level 3, 4, 5 and 6 is appointed to act in the Manager post, the calculation of the acting allowance will be based on the difference between the post basic salary against the difference of the total remuneration package of the Manager excluding allowances such as car, cellphone and any other allowances applicable to Managers.

- 7.4 In the event that an employee salary appointed to act in a senior/ higher post is equal to or higher than the commencing salary notch of the acting post, an acting allowance fixed at 2.5% of the employee basic salary shall be paid.

8. PRINCIPLES OF PREFORMING ADDITIONAL RESPONSIBILITY

- 8.1 Staff that are requested to perform some part or all functions and duties of an existing vacant unfunded post in the staff establishment must be paid a non-pensionable additional responsibility allowance provided that the post is vacant unfunded.
- 8.2 The staff performing the additional responsibility may perform functions and duties of a post either in the vertical or horizontal post.
- 8.3 In order to ascertain that an employee does qualify for an additional responsibility, a comparison of the employee job descriptions with the job descriptions of the other post will be made to ascertain the eligibility for payment.
- 8.4 The calculation and payment of an additional responsibility allowance shall be fixed at 10% of the basic salary of the staff performing additional responsibilities.


9. PROCEDURE FOR ACTING AND ADDITIONAL RESPONSIBILITY

- 9.1 The corporate services department shall request from all departments to submit staff leave request on time in order to plan for possible staff to act or perform additional responsibility.

- 9.2 Should corporate services ascertain that the staff is likely to be on leave for a prolong period of time must request the department to appoint a staff to act/ perform additional responsibility in writing.
- 9.3 The memo must state the number of days the staff is appointed to act or perform additional responsibility.
- 9.4 The director of corporate service shall prepare an acting or additional responsibility letter for the staff and file records in the personnel file.
- 9.5 The department of corporate services shall process the acting or additional responsibility allowance in the payroll system.
- 9.6 After the acting or performing additional responsibility period has elapsed, the department of corporate services shall issue a letter of termination thereof.
- 9.7 In the event that the staff acting period is extended the relevant department must notify corporate services in writing.

10. REVIEW OR AMENDMENT OF THIS POLICY

- 10.1 All the municipality policies are required by legislation to be reviewed annually due to changes such as legislation, collective agreement and or an identified operation requirement of the municipality.



J.P Mdingi

The Mayor

01/08/2017
Date