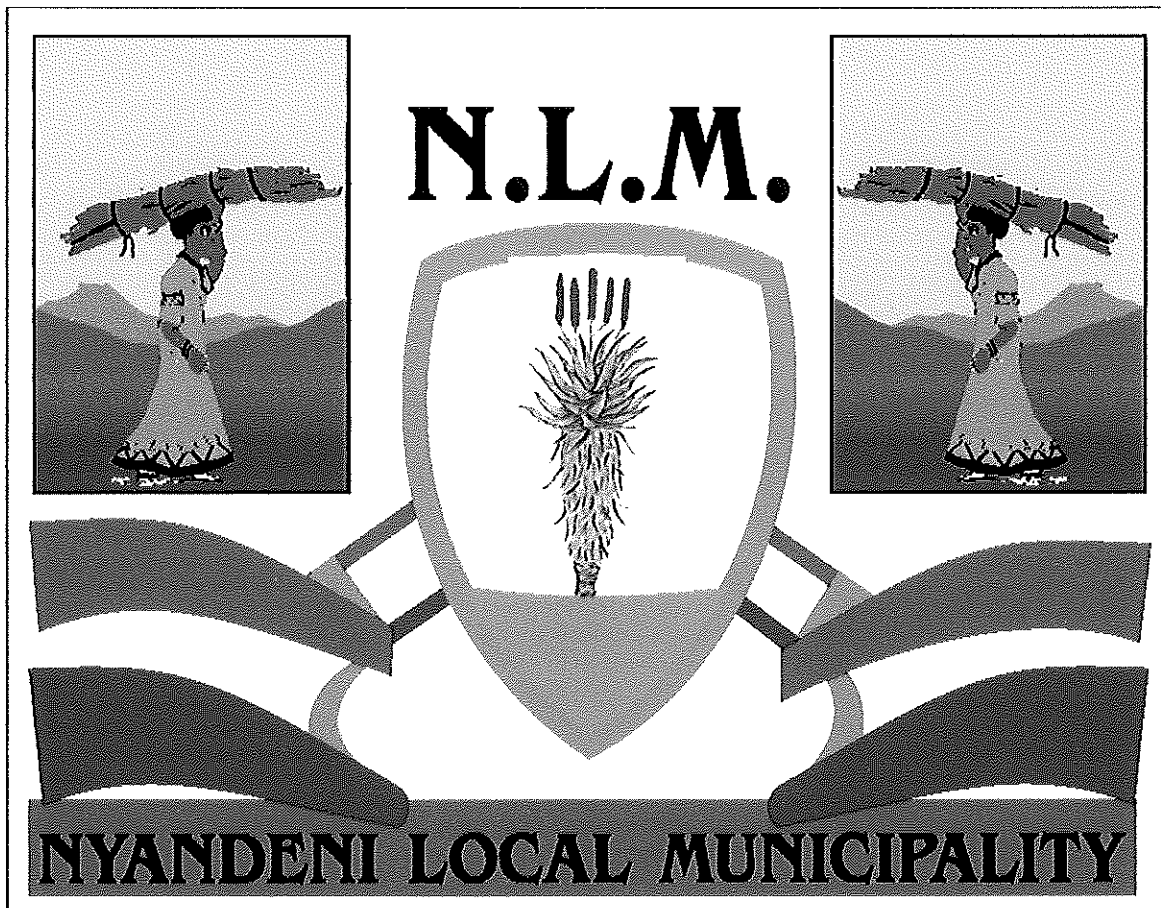



PLACEMENT POLICY



APPROVED BY:


MRS. N. NOMANDELA
MUNICIPAL MANAGER

DATE: 29 July 2013

APPROVED BY:


CLLR T SOKHANYILE
MAYOR

DATE: 29 July 2013

1. PREAMBLE

- 1.1. Arising from the need to restructure local government and functions within the applicable demarcated areas, the re-organisation of the existing structures (including geographic re-deployment) may be necessary to meet operational objectives to service delivery. All placements shall take place in accordance with the principles contained in this policy.
- 1.2. Employees appointed on fixed term, performance contract in terms of Section 57 of the Municipal Systems Act 32 of 2000 are excluded from this policy.

2. OBJECTIVES

- 2.1. To ensure the structured deployment of current staff in the new organizational structure

3. LEGISLATIVE FRAMEWORK

- 3.1. The Constitution of South Africa
- 3.2. Employment Equity Act
- 3.3. Municipal Finance Management Act
- 3.4. Municipal Structures Act
- 3.5. Municipal System Act
- 3.6. Labour Relations Act
- 3.7. Basic Conditions of Employment Act

4. ORGANOGRAMS

- 4.1. The municipality shall prepare the envisaged final organograms of all departments and submit this proposal to a working group of the Local Labour Forum for consultation. Such working group shall consist of equal numbers from labour and employer
- 4.2. Where it is not possible at this stage to prepare final organograms, the temporary deployment of staff shall take place on a secondment basis. Such secondment will give effect to the principle that the staff member must not be financially worse off due to such secondment.
- 4.3. The Integrated Development Plan for the municipality shall inform the organogram and the principle of "structure follow strategy" shall apply.
- 4.4. New organograms shall be finalized as soon as practically possible.

5. PLACEMENTS

5.1. PLACEMENT CRITERIA

- 5.1.1. Municipalities shall use their best endeavours to place existing employees that were transferred in terms of Section 197 of Labour Relations Act into posts created in new structures.
- 5.1.2. The municipality is committed to ensure continuity of employment and every attempt will therefore be made to ensure that no retrenchment or redundancy will occur, provided that the affected employees are willing to accept alternative positions that are offered. In this regard every effort will be made to ensure that such alternative offers are reasonable.
- 5.1.3. In placing employees in the new structure employees shall be placed on a close-match basis. In close matching a post the following factors are taken into account:

- 5.1.3.1. The job content of the "new" post must be compared with the existing job content of the employee.
- 5.1.3.2. The qualifications required for the new post must be compared with qualifications of the employee.
- 5.1.3.3. The salary of the employee must be compared with the salary of the vacant post.
- 5.1.4. The employee having the closest match in respect of the job content/qualifications is then the successful employee to be placed e.g. a typist will be close matched to a typist, a labourer to a labourer. When more than one employee is close matched in terms of job content/qualifications, employment equity principles will be applied.
- 5.1.5. Where the post cannot be matched perfectly, the match must be made on the closest matched job content. The focus should be on the main function of the job e.g. an accountant's job content will be matched against a post that contains the most tasks reflecting accounting duties. The close match is made on job content and not job designation. Post designation may only be used as an indicator.
- 5.1.6. This close match principle shall apply to all existing posts whether unchanged, minor changed or major changed.
- 5.1.7. An employee shall not be moved from one geographic location to another location without the function which the employee is performing necessitating such movement.
- 5.1.8. When placed in a post such placement shall be final and constitute a permanent appointment.
- 5.1.9. Employees who cannot be placed in any of the categories of posts or are not offered an alternative post that is reasonable will remain in the pool of the transferred employees for a period of at least six months, where after the employee shall be dealt with in terms of existing redundancy policies or Section 189 of the Labour Relations Act.
- 5.1.10. If a major change post cannot be filled on a close match basis, it shall be advertised internally first and shall be filled giving preference to:
 - 5.1.10.1. Internal candidates from designated group
 - 5.1.10.2. Internal candidates from non-designated group
 - 5.1.10.3. Thereafter such post shall be advertised externally, should a suitable internal candidate not be found.
- 5.1.11. New Posts
 - 5.1.11.1. These are posts, which carry duties and responsibilities that do not exist in any form in the present structures. These posts shall be filled on a close match basis where possible. Should this not be possible then these posts be advertised internally first and shall be filled giving preference to:
 - 5.1.11.2. Internal candidates from designated group
 - 5.1.11.3. Internal candidates from non-designated group
 - 5.1.11.4. Thereafter such post shall be advertised externally, should a suitable internal candidate not be found

5.2. PLACEMENT COMMITTEE

- 5.2.1. Placement of employees shall be considered by the Local Labour Forum or a Sub-Committee of that Forum, provided that the Committee is composed of representatives equally divided between labour and employer.
- 5.2.2. The Committee shall seek to reach consensus regarding the placement of existing employees into posts in the new structure.
- 5.2.3. Where consensus cannot be reached the Council proposal will be published.

5.3. NOTIFICATION AND PUBLICATION OF DECISIONS

- 5.3.1. The individual employee to be placed must be notified in writing of the proposed placement. The notification must state whether the placement is by consensus of the Local Labour Forum or not.
- 5.3.2. The same decision shall be communicated to all employees in the form of a circular by the Municipal Manager.

5.4. DISPUTE PROCESS

- 5.4.1. Every individual employee and/or trade union on behalf of their members shall have the right to refer a dispute about a placement or non placement to arbitration, Such dispute shall be referred to arbitration within 5 working days of the date of receipt of a decision by an individual employee.
- 5.4.2. An independent arbitrator agreed upon the parties will be appointed to resolve the case.
- 5.4.3. The cost of the arbitration shall be shared by the employer and the union.
- 5.4.4. The arbitration must commence within 10 working days after the appeal has been received unless the parties agreed to a longer period.
- 5.4.5. The arbitration award must be made within 5 working days after conclusion of the arbitration.
- 5.4.6. Section 138 of the Labour Relations Act shall apply to the arbitration proceedings.
- 5.4.7. The arbitration shall be a final and binding award on the parties.

5.5. PLACEMENT PROCEDURE

The placement will be taken as follows:

5.5.1 Classification of post.

The placement committee will classify the posts in the structure into the following four categories.

Placement in terms of these categories takes place in the following manner:

5.5.1.1 Unchanged posts.

These are posts that have no change to their scheduled duties or geographical locations.

The municipality will be required to merely list these posts with the names and other forms of identification used, of the present incumbents and submit the list to the Placement Committee for confirmation.

5.5.1.2 Minor Changed Posts

These are posts involving minor changes to the duty schedule, which has no material effects on the level of responsibility. It might also involve a mere change in title without a change in duties.

The municipality need to submit the names and other form of identification used of the present incumbents to the Placement Committee for confirmation.

5.5.1.3 Major Changed Posts

These are posts which have undergone a major change to their duties and responsibilities. This will necessitate that the post be evaluated.

Wherever possible, the placement shall be on the close match basis.

These posts with the existing and proposed duties should be submitted to the placement Committee together with the names and other form of identification, used of the employees to be placed in the posts on a close match basis.

6. JOB EVALUATION

All posts will be re-evaluated of the agreed national job evaluation system.

7. CONDITIONS OF SERVICE

7.1 All staff of the newly formed municipality shall retain all their current conditions of employment following placement in the new structures. Equalisation of benefits, salaries and condition of service will be dealt with at bargaining council level.

7.2 Notwithstanding the provisions of 5.1, the salaries & benefits of staff shall be adjusted in accordance with any collective agreements concluded in the bargaining council.

8. GEOGRAPHICAL RELOCATION

8.1 All recommendations on placements are to indicate whether geographical relocation of staff will be required.

8.2 Geographical re-deployment of staff will only take place for the following sound operation and /or economic reasons.

8.2.1 The functions of the post/s are to be delivered in another geographical areas.

- 8.2.2 The function of the post/s may be reduced and/or combined in a necessity to rationalize resources.
- 8.2.3 The functions of the post may be abolished in that particular geographical area.
- 8.3 Where it is necessary to geographically re-deploy only part of the section /department, the selection of employees for re-deployment in each of the affected job categories will be done in terms of the following criteria:
- 8.3.1 Call for volunteers from within each job category.
- 8.3.2 Should too many affected employees volunteer to be re-deployed, then selection will be done on the basis of first in, first opportunity (FIFO).
- 8.3.3 Should too few affected employees volunteer to be re-deployed, then selection will be done on the basis of last in first out (LIFO) i.e. The employees with the shortest service in the job category concerned will be selected for re-deployment.
- 8.4 In the event of equivalent vacancies subsequently being advertised at the previous geographic location within a period of 12 months from re-deployment, any re-deployment employee will receive preference should he apply for transfer thereof.
- 8.5 In the case of an employee accepting geographical relocation, and such employee moving his/her place of residence in order to reside closer to his/her place of work, the council concerned will pay the costs of the removal of his/her household goods to his/her new place of residence as per relevant conditions of service.