

DR JS MOROKA LOCAL MUNICIPALITY



DANGER ALLOWANCE POLICY

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1. PURPOSE

- 1.1 The purpose of this policy is to ensure that the rights of the employees are respected with regards to their security and injury on duty.
- 1.2 To supplement the Dr JS Moroka Local Municipality Conditions of Service by providing additional guidelines for the administration and management of Danger Allowance for DR JS Moroka Local Municipality employees.
- 1.3 The Municipality shall pay as an additional allowance/benefit "A Danger Allowance" which is an allowance payable to employees, who according to their nature of work may be exposed to hazardous conditions by risking their lives whilst conducting the business interests of the Municipality.

2. SCOPE OF OPERATION

- 2.2 This policy shall be known as the DR JS Moroka Local Municipality Danger Allowances Policy and the Policy applies to all Employees of DR JS Moroka Local Municipality; however, the allowance shall be paid to the qualifying employees only.

3. COMMENCEMENT AND VALIDITY

- 3.1 This policy shall come into effect upon approval hereof by the Council of the DR JS Moroka Local Municipality by resolution.
- 3.2 The DR JS Moroka Local Municipality shall ensure that employees and managers are informed about
this policy and are trained to implement this policy effectively.
- 3.3 The terms and conditions of this policy shall apply to the Employer and all Employees falling within the registered scope of the South African Local Government Bargaining Council (SALGBC).

4. DANGER ALLOWANCE

- 4.1 Danger Allowance Is an allowance payable to employees, who according to their nature of work may be exposed to hazardous conditions by risking their lives whilst conducting the business interests of the Municipality.

- 4.2. The employer shall compensate an employee who risks his/her life in the course of carrying out specified duties or training.
- 4.3. The employer shall not pay a danger allowance to an employee who **does not** participate in the line activities of her or his department.
- 4.4. The employer shall pay the Standard Danger Allowance to an employee who undertakes or trains for one or more of the duties listed below, and in the course of her or his work or training, experiences a genuine risk to her or his life.

The following duties may qualify for the **Danger Allowance**:

- i. Certified electricians.
- ii. Wastewater personnel (Chief Plant Superintendent, Technicians, Process Controllers, Plant Operators, General Workers/Assistants, Admin officials)
- iii. Water Treatment personnel (Plant Superintendent, Technicians, Process Controllers, Plant Operator)
- iv. Handling and transportation of dangerous and hazardous goods Hazardous waste
- v. Traffic Officials
- vi. Fire and Disaster response personnel
- vii. Protection and driving services (Office of the Executive Mayor and Speaker)

5. LEGAL FRAMEWORK

The legislative framework governing the management of overtime work and standby are as follow:

- 5.1. The Constitution of the Republic of South Africa, Act No. 108 of 1996;
- 5.2. Basic Conditions of Employment Act and Regulations No. 75 of 1997, as amended;
- 5.3. Occupational Health and Safety Act;
- 5.4. Labour Relations Act and Regulations Act No. 66 of 1995, as amended;
- 5.5. Local Government Municipal Systems Act and Regulations Act No. 32 of 2000 as amended;
- 5.6. SALGBC Main Collective Agreement (as amended);
- 5.7. SALGBC Collective Agreement on Conditions of Service: Mpumalanga Division (as amended);

6. OBJECTIVES OF THE POLICY

The objectives this policy and procedure is:

- 6.1. To provide a fair and justifiable basis for management and compensation of danger allowance in the employ of DR JS Moroka Local Municipality.

- 6.2. Supplement the collective agreements by providing additional guidelines on the management of overtime, standby and danger allowances by the municipality;
- 6.3. To ensure that the rights of the Employees are respected with regards to their security and injury on duty.
- 6.4. To foster the principle of accountable and responsive services by the municipality;
- 6.5. To ensure that the municipality has the capacity to respond to situations, events and urgent issues outside of normal hours and that the municipality has appropriate staff to provide standby work when required.
- 6.6. This policy stipulates under what circumstances payments will be made and what method shall be used for such payments.

7. PRINCIPLES

- 7.1. This policy shall be implemented in a cost-effective manner such that the municipality has value for money.
- 7.2. Employees have a duty to take care of their own health and obey the health and safety rules and regulations adopted by the Employer. If an Employee becomes aware of a situation that is unsafe or unhealthy, he or she must report such a situation to her immediate supervisor as soon as practicable.
- 7.3. This Danger Allowance Policy shall be applied in the context of the following principles:
 - 7.3.1. That the payment of Danger Allowance is a policy matter, and it is a Divisional and Local collective bargaining issue; ,
 - 7.3.2. That the jurisdiction to determine policy applicability and quantum is neither the Division nor Central Council of the South African Local Government Bargaining Council (SALGBC) but that of the municipality;
 - 7.3.3. That the occupational categories and payment of the Danger Allowance to employees must as a condition precedent be subject to the outcomes of the Risk Assessment as approved by the Council;
 - 7.3.4. The nature of the Employee's duties and work environment as well as the nature and extent of the risk to which employees are exposed, considering the frequency of the risk, i.e. when do the employees experience a genuine risk to life during their work;
 - 7.3.5. The health and safety and/or precautionary measures the municipality has implemented to mitigate the risks;
 - 7.3.6. If mitigating measures are in place, the degree to which the risk could be mitigated. If not mitigated or partially mitigated the reasons that the risk persists and the degree to which it continues to present a genuine life-threatening risk to the employee/s; and
 - 7.3.7. Substantive motivation provided by the municipality where the risks cannot be mitigated through safety and/ or precautionary measures; and

- 7.3.8. The municipality will pay an amount of **R200.00** Danger allowance monthly from the date that the policy is approved;
- 7.4. That this policy framework shall be read in conjunction with the applicable Health and Safety Policy of the Municipality (failing which the applicable Occupational Health and Safety Act, as amended as and when.

8. RISK ASSESSMENTS

- 8.1. Employees qualifying to receive a Danger Allowance within the Municipality shall be those employees who meets the requirements as provided for in the Risk Assessment Matrix, hereunder.
- 8.2. The table below shows the four (04) risk magnitudes or classes each occupation/position may fall into based on the following:
- 8.1.1. Frequency of risk exposure;
- 8.1.2. Frequency of use of health and safety or/ precautionary measures the employer has implemented to mitigate the risk;
- 8.1.3. Whether duties require constant visit to areas or and/ close contact (i.e. Within 2 meters) with people who may be infected of communicable diseases known or suspected.
- 8.3.

RISK MAGNITUDE	THE FREQUENCY OF THE RISK EXPOSURE,	FREQUENCY OF USE OF HEALTH AND SAFETY AND PRECAUTIONARY MEASURES EMPLOYER IMPLEMENTED TO MITIGATE THE RISK	WHETHER DUTIES REQUIRES CONSTANT VISIT TO AREAS OR AND/ CLOSE CONTACT (I.E. WITHIN 2 METERS) WITH PEOPLE WHO MAY BE INFECTED OF COMMUNICABLE DISEASES KNOWN OR SUSPECTED
Maximum	Daily when performing their work	Daily when performing their work	Yes
High	Weekly when performing their work	Weekly	No
Medium	As and when required	As and when required	No
Low	Never	Never	No

9. DUTIES OF THE EMPLOYER IN PREVENTION OF DANGER AT WORKPLACE

- 9.1. The Employer shall compensate an employee who risks his/her life in the course of carrying out specified duties or participating in the training towards the betterment of his/her on job skills.
- 9.2. The Employer shall not pay a Danger Allowance to an Employee who does not participate in the line activities of his/her department and who is not mentioned in 9.1 above.
- 9.3. The Employer shall pay the Standard Danger Allowance to an Employee who undertakes or trains for one or more of the duties listed below, and in the course of her or his work or training, experiences a genuine risk to her or his life.
- 9.4. Employer shall make a copy of this Policy available to every Employee.
- 9.5. Employer must provide and maintain a working environment that is safe and without risk, to the health of the employees.

10. DUTIES OF THE EMPLOYEE IN PREVENTION OF DANGER AT WORKPLACE

Every Employee in the employ of DR JS Moroka Local Municipality shall -

- 10.1. Take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at the workplace.
- 10.2. Give his/her full co-operation and support to this policy.
- 10.3. Carry out any lawful order given to him/her and shall obey the rules and procedures laid down by the employer in the interest of health or safety.
- 10.4. Inform line management or the health & safety representative for his workplace of any situation, which is unsafe or unhealthy, that he is aware of.
- 10.5. Report any incident which may affect his/her health, or which has injured him/her, to line management or his/her health & safety representative. Such reporting must occur during the same shift as the incident.

11. PAYMENT OF DANGER ALLOWANCE POLICY

- 11.1. Executive Manager: Admin & Corporate Services shall submit a list of all qualifying employees to the Accounting Officer for approval.
- 11.2. The said list shall provide for the full names of the Employee, Persal Number, Title of his/her position, Term of his/her Employment Contract, Summary of the works performed by the said Employee.
- 11.3. The Employer shall pay a Danger Allowance on a monthly basis to each qualifying and approved Employee on the date an eligible employee receives his/her salary and shall be recorded and accredited as a Danger Allowance on separate line in the qualifying and approved Employees pay slip/salary advice.

- 11.4. The employer shall stop paying the Danger Allowance when the Employee is no longer eligible to receive the said Danger Allowance.
- 11.5. The Employees who receives the monthly Danger Allowance shall not be entitled to receive any other temporary and/or similar allowance, unless specifically provided for in the SALGBC Main Collective Agreement or in any other applicable Legislation.
- 11.6. The Danger Allowances shall be adjusted annually in line with the percentage agreed to by the parties in the South African Local Government Bargaining Council, in the absence of such in line with the applicable CPI inflation as at the 01st July of every year.

12. MONITORING, EVALUATION AND REPORTING

The Executive Manager: Admin & Corporate Services shall report to Council on quarterly basis on conditions of service including danger allowance, and on specific cases, when required to do so. When this policy or any provisions thereof are amended, the amended policy or provision thereof will supersede the previous one.

13. ACCESS

Upon approval by Council the policy shall be uploaded on the municipal website for ease of access by Employees and stakeholders.

14. POLICY REVIEW

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

15. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

16. IMPLEMENTATION

Management is to take reasonable steps to ensure that the policy is implemented and adhered to. The Policy shall come into effect on the date of approval by Council.

Council Resolution: **R216.03.2023 ND**

Date of Approval: **30th March 2023**

Accounting Officer Signature: _____

