

DR J.S MOROKA LOCAL MUNICIPALITY



RECRUITMENT, SELECTION AND APPOINTMENT POLICY

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1. PURPOSE

1.1 The purpose of this policy is to:

1.1.1 Outline Dr J.S Moroka Local Municipality's (referred to as the Municipality) approach to recruit and select competent and suitably skilled people who will contribute to the achievement of the Municipality's strategic and operational requirements;

1.1.2 Ensure a common understanding of terminology and definitions relating to recruitment and selection;

1.1.3 Ensure that the Municipality 's recruitment and selection procedures comply with South African labour law best practice and employment equity legislation;

1.1.4 Ensure that the Municipality recruitment and selection is equitable, fair and transparent and

1.1.5 To establish norms, measures and guidelines for effective recruitment and selection.

2. LEGAL FRAMEWORK

2.1 The responsibility for the appointment of personnel rest with the Municipal Manager or his/her delegated assignee in terms of section 55 (e) of Local Government Municipal Systems Act 2000,(Act 32 of 2000)

2.2 Employment Equity Act(Act 55 of 1998)

2.3 Basic Conditions of Employment Act 1997 (Act no. 75 of 1997)

2.4 Labour Relations Act(Act 66 of 1995)

2.5 Municipal Systems Act (Act 32 of 2000)

2.6 Constitution of Republic of South Africa (Act 108 of 1996)

2.7. Municipal Staff Regulations, 2021

3. SCOPE OF APPLICATION

3.1 This policy applies to all employees of the Municipality who are appointed in accordance with the Municipal Systems Act, No. 32 of 2000 and the provisions of the Employment Equity Act, No. 55 of 1998, and who fall within the scope of the South African Local Government Bargaining Council (SALGBC), with the exclusion of the Municipal Manager and Managers directly accountable to the municipal manager. This includes fixed term, part-time/temporary employees and prospective employees or job applicants, and all individuals who are on the Municipality's Internship and Learnership programmes.

4. DEFINITIONS

4.1 "**Council**" means the Dr J.S Moroka Local Municipality Council and includes the Mayoral committee or any officer employed by the Council, acting by virtue or any power vested in the Council as prescribed in the Municipal Systems Act, no. 32 of 2000 or the Municipal Structures Act, no. 117 of 1998 and as defined in section 157 of the Constitution of South Africa.

4.2 "**Employee**" For the purposes of recruitment, both internal and external applicants, all individuals who are employed on short term contracts, and those on Internships and Learnerships are referred to as an employee. External job applicants are referred to as prospective employees in law.

4.3 "**Employer or Municipality**" means the Dr J.S Moroka Local Municipality.

4.4 "**Designated groups refers to**" Black people, all women and people with disabilities. Black people are Africans, Coloureds, Chinese and Indians disadvantaged under the previous apartheid system.

4.5 "**Affirmative action**" refers to:

4.5.1 Developing and implementing strategies to remove barriers to the advancement of people from the designated groups;

4.5.2 Enabling reasonable accommodation of designated groups;

- 4.5.3 Implementing steps to ensure a culture of respect for diversity;
 - 4.5.4 Setting numerical targets to achieve race, culture and gender diversity;
 - 4.5.5 Developing preferential measures to achieve demographic diversity;
 - 4.5.6 Investing in skills development of employees from designated groups;
 - 4.5.7 Implementing measures to ensure retention of employees from designated groups.
- 4.6 **“Competencies means”** the set of knowledge, skills and behavioural attributes required by a job incumbent in order to perform a job effectively.
- 4.7 **“Suitably qualified refers to”** someone who either has all the necessary competencies -determined by the Municipality as the minimum requirements for a position – or a person able to acquire these necessary competencies within a reasonable period of time.¹
- 4.8 **“Competency based assessments”** Assessment of an employee/prospective employee’s proficiency for a role against the job requirements.
- 4.9 **“Job Requirements”** These refer to both the inherent and essential requirements of the job. An essential job requirement is a skill, knowledge, experience or behaviour requirement that is necessary to perform the job. An inherent requirement refers to a requirement that constitutes an essential component of the job, is integral to the job and there is no way of getting the job done without it.
- 4.10 **“Unfair discrimination means”** the exclusion of an applicant for employment or promotion on grounds of race, gender, sex, sexual orientation, pregnancy, ethnic or social origin, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, birth, marital

status, and family responsibility, colour, none of which are required to do the job.

4.11 **“Selection”** is the evaluation of identified candidates against the agreed job requirements/criteria, in order to identify the candidate that best suits the position’s requirements.

4.12 **“Probation”** means a conditional appointment of a candidate in a position with the aim of testing, under actual working conditions, technical competency and attitudinal fit with the organisational culture.

4.13 **“Internal employees”** refers to employees employed by the Dr J.S Moroka Local Municipality only.

4.14 **“Target”** for this purpose refers to a numerical target which represents the demographics of South Africa, set in terms of the Employment Equity Act² and to achieve the objectives set out in the Act.

4.15 **“SALGBC”** means the South African Local Government Bargaining Council.

4.16 **“Transfer”** as “a lateral shift causing movement of individuals from one position to another usually without involving marked change in duties, responsibilities, skills needed or compensation”. Transfer may be initiated either by the company or the employee. It also can be temporary or permanent

4.17 **“Stakeholders”**, refers to employees and trade unions

5. PRINCIPLES

5.1 The Municipality commits to the principle of fair labour practices³, natural justice and seeks to create an organisation that reflects best practice.

5.2 The Municipality is committed to achieving a workforce that will be broadly representative of the South African People through the application of objective, fair and compliant labour practices.

6. POLICY PROVISIONS

6.1 The Municipality shall adhere to the following provisions in the implementation of this policy:

- i. Ensure that the filling of posts are in line with and support/promote the Municipality's strategic objectives;
- ii. Ensure the fair treatment of all potential applicants during the recruitment process;
- iii. Ensure that advertisements for vacancies are accessible to all employees, and are displayed on notice boards at all of the Municipality' premises;
- iv. Support the achievement of the short to medium term employment equity objectives of the Municipality at all levels;
- v. Apply the provisions of the Employment Equity Act, 1998 that requires that a person may be suitably qualified for a job as a result of any one of, or any combination of that person's:
 - a) Formal qualifications;
 - b) Prior learning;or
 - c) Relevant experience
- vi. Maintain a professional standard that inspires confidence, integrity and confidentiality in the recruitment process and enhances the Municipality's image as a preferred employer.
- vii. Strives to recruit and promote the best possible candidate, with due consideration for internal succession planning and development objectives.
- viii. Uphold the values of the Municipality in the recruitment and selection process.
- ix. Provide a recruitment process which is holistic and integrated with other human resources management processes, such as training and development, performance management etc.
- x. Ensure that in the event of competency based assessments being used as part of selection that they are valid, reliable, and free from

cultural bias and applied in accordance with the requirements of the job.

- xi. The recruitment and selection process shall be based on core competency requirements of the job.

7. POLICY REVIEW

7.1 This policy will be reviewed as per request by stakeholders, management and council.

8. PROCEDURES OF R & S

8.1. Roles and Responsibility for Recruitment

8.1.1 The roles and responsibility of the Heads of Departments.

- a) Determine the need to fill the vacancy;
- b) Ensure that the vacancy is funded;
- c) Ensure that sufficient budget is available to advertise the vacancy in the chosen media;
- d) Recommend whether the vacancy will be filled by a permanent, fixed term or temporary contract⁴;
- e) Ensure that a job description and specification is written up for the vacancy in the required format i.e. a job information summary, job purpose, main objectives/outputs e.t.c
- f) Ensure that a motivation/submission/staff requisition form is completed for the filling of the vacancy and submitted to the Executive Manager: Administration and Corporate Services or the Manager: Admin and Corporate Services and to the Municipal Manager for approval.
- g) Prepare for the first day of the newly appointed employee including to ensure that all relevant tools and preparation is conducted to facilitate the orientation of the employee into the business unit.

8.1.2 The role of the Human Resources Department:

- a) Obtain written approval from the Municipal Manager to advertise the vacancy;
- b) Determine whether the post will be advertised internally or externally.
- c) If required, arrange for jobs to be graded before the recruitment process starts;
- d) Determine the appropriate salary range for the vacancy based on the salary scales of the Municipality.
- e) Liaise with the relevant stakeholders (Media, Recruitment Agencies, etc.) if one is being used;
- f) Receive and administer all applications in line with the municipal recruitment procedure and relevant document management requirements;
- g) Sit with the relevant Department and conduct the shortlisting / screening of all the applications received.
- h) Advise the Heads of Departments to determine if any assessments will be required;
- i) Make all the necessary arrangements for any assessments to be conducted if necessary.
- h) Set up the shortlisting and the interview or selection panel;
- i) Lead the selection panel interviews;
- j) Take responsibility for conducting all reference checks;
- k) Prepare letter/s of appointment.
- l) Send out regret letters to unsuccessful applicants who attended the interview.
- m) Keep recruitment documentation for 12 months after the position has been filled, thereafter transfer documents to Record and Achieve unit for records keeping.
- n)
- o) Ensures that the relevant targets and employment equity considerations applicable to the post is considered, before the post

is advertised. Ensures that employment equity imperatives and targets were considered during the recruitment and selection process.

8.2 Determination of recruitment needs

- 8.2.1 Every municipality must-
- (a) develop the strategy to-
 - (i) fill funded vacancies; and
 - (ii) reduce turnaround times for filling of approved vacant funded posts;
 - (b) at all times have the capacity and capability to perform its functions.
- 8.2.2 The strategy contemplated in sub-regulation (8.2.1) (a) must include timeframes for the various activities included in the recruitment and selection processes.
- 8.2.3 A vacant post on the staff establishment may not be filled unless-
- (a) the municipal manager or a staff member to whom this function is delegated has approved the filling of the post; and
 - (b) the post is budgeted for
 - (c)
- 8.2.4 Deviation from sub-regulation (1) may be granted on the following grounds:
- (a) budget cut requiring prioritisation of personnel expenditure;
 - (b) impending restructuring exercise; and
 - (c) alternative staffing solutions are adopted

8.3 Establishing the Selection Criteria

- 8.2.1 A post should have the job description before recruitment can commence.
- 8.2.2 Selection criteria are the minimum requirements for the job, which are derived from the job description and should specify the competencies required for satisfactory performance in a position and the inherent requirements of the job aligned to the strategic requirements of the Municipality and the Municipal organisational values.

8.4 Advertisement of the post/s

- 8.4.1 Posts will be advertised either internally or externally for a period of 15 days.
- 8.4.2 Applications received after the closing date and time of the advertisement will not be considered.
- 8.4.3 There will be a 7 days grace period for applications which were sent by post before the closing date, considering the initial date of the post office stamp.

8.4.4 An internal recruitment strategy is characterized by promoting employees from within an organization to fill upcoming position/s.

8.4.5 Internal recruitment may be primarily horizontal or it may be for promotions in which the promoted employee's former position may not be filled.

8.4.6 Only posts below Task Grade 11 will be advertised internally, unless the municipality cannot find a suitable candidate.

Preference will be given to suitable or closely suitable/close match for the post advertised.

8.4.7 Advertisements shall be in as wide a range of media as possible, and so placed as to reach, as efficiently and effectively as possible, the entire pool of potential applicants, especially persons from designated groups, in terms of section 21(1) of the Municipal Systems Act, as follows:

Nature of Post	Advertising Medium
Temporary elementary positions	Local newspapers, internal or external
Elementary positions (General Assistants)	External on municipal website, municipal notice boards and local newspaper
Permanent elementary occupations - below task grade 11	Internal (or external if there are no internally qualifying candidates)
Supervisory and middle level occupations	Internally and newspapers
Senior management and professional Occupations	provincial and national newspapers

8.4.8 Should the municipality fail to get a pool of applicants internally for a particular post below task grade 11, the municipality will left with no option but to advertise it externally.

8.4.9 Individuals who are on Internships and Learnerships shall be eligible to apply for internal posts if they meet the requirements.

8.4.10 The following information must be contained in all advertisements, irrespective of the media in which the advertisements are placed:

8.4.10.1 The title of the job;

- 8.4.10.2 A brief description of the duties associated with the job;
- 8.4.10.3 The requirements (formal qualifications, skills and/or experience) for the job;
- 8.4.10.4 The Municipality Contact person;
- 8.4.10.5 The Municipality contact details;
- 8.4.10.6 Closing date and time for applications;
- 8.4.10.7 Physical address of the Municipality;
- 8.4.10.8 Indication of EE Act compliance

8.5 Keeping Track of Applicants

- 8.5.1 Human Resources will develop information tracking system to be used to follow the progress of applicants through the organisation. This system may be manual or electronic and should record the number of applications received,
- 8.5.2 Once an applicant is employed by the organisation, she/he will no longer be recorded on the system, but rather, their CV's, interview notes and other documentation will go into an individual personnel file.
- 8.5.3 CVs of all candidates must be stored safely for a period of 12 months after the position has been filled or the recruitment process has been stopped/suspended.

The Human Resources Department must keep copies of all application forms and documents relating to each stage of the recruitment process, including short-listing and interview notes, for a minimum period of 12 months after the position has been filled. These records may be required if a job applicant challenges a recruitment decision.

8.6 Short-Listing

- 8.6.1 Short-listing refers to the process of identifying candidates from the pool of applicants that best meet the requirement/s and criteria of a job advertisement and who will be moved forward in the recruitment process. The Head of Department Administration and Corporate Services will set the shortlisting panel (depending and with due cognisance to the level of the post) which is constituted by :

- Head of the Department/ Deputy manager/Divisional Manager/ Supervisor of the user Department,
- Head of Department Administration/ Manager Administration,.
- Trade union reps.

8.6.2 A shortlisting panel shall include a representative trade union recognised by the Municipality on observer's status.

8.6.3 Applicants should be short-listed according their competencies and requirements of the post.

8.6.4 The number of people on the short list should be restricted to those who, in their applications, show that they clearly meet the essential and inherent criteria; i.e. they meet the specified requirements for the job. In cases where a large number of applicants meet the selection criteria a further short -listing process may be required based on more refined and specific job related criteria. Shortlists should as far as possible not exceed 7 candidates nor contain less than 3 candidates.

8.7 Targeting and Selection of elementary positions (General Assistants)/ posts below task grade 6.

8.7.1 Should the Municipality receive more applications (500 to be specific) of General Assistants posts, the required candidates will be selected through a random selection process from all those who met minimum requirement/s, taking into account demographic target. The targeting and selection panel for the above process will be nominated by the Municipal Manager or a person delegated by the accounting officer.

8.8 Competency Assessments

8.8.1 Competency Assessments is compulsory for Senior Managers as per Government Gazette No 37245 appointments within the Municipality.

8.8.2 Assessments can be conducted for the filling of posts at other organisational levels if the requirements to be tested for are deemed to be an inherent requirement of the job in terms of legislation and if the

requirement cannot be assessed through another assessment measure. The Head of Department of the user department shall submit a written motivation to the Head of Department Administration and Corporate Services in instances where there is a need for a candidate to undergo a competency assessment.

8.8.3 Should assessment results be used in informing the recruitment and selection decision then the following guidelines must be adhered to:

8.8.3.1 The Municipality should ensure that assessments used are valid, reliable and fair, so that no group or individual is disadvantaged as a result of the assessment. Furthermore, bias in the application of the assessment should be eradicated. The test should ideally match the job in question and measure as closely as possible the level of the skills and the competencies required for the job which are included in the job specification. Tests should avoid arbitrary or irrelevant questions.

8.8.3.2 No single attribute, such as 'leadership' or 'fit', should dominate the assessment procedure.

8.8.3.3 Assessments must be relevant to the job.

8.8.3.4 Selection should not be based on assessment scores only but should consider the scores together with the outcome of the panel interviews.

8.8.3.5 All employees or job applicants assessed against the same criteria, without exception, should undertake the same set of tests.

8.8.3.6 Admin and Corporate Services department should keep assessment notes, records and forms for at least three years, which is the general period of validity for these assessments.

8.8.3.7 The results of tests may be used to consider possible skills development and training programmes for people from designated groups who are under-represented in certain occupational categories and levels in the enterprise and who consistently fail to meet the minimum requirements for jobs.

8.9 Interviews

8.9.1 Subsequent to the short-listing process, an interview with each of the short listed candidates takes place. The purpose of such an interview is to add value to the selection decision. It is crucial that interviewers are well

prepared. Interviewers should understand the position and its requirements and be familiar with the Municipality's recruitment objectives.

8.9.2 The 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 each of the advertised post to recommend the appointment of a suitable person to the vacant post.

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

8.9.4 The chairperson of the panel must be the supervisor or a staff member employed at least one job grade higher than that of the advertised post.

8.9.5 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 proceed 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.

8.9.6 In deciding on the composition of the selection panel, the municipal manager must have regard to the following considerations:

- The nature of the post;
- the gender and race balance of the panel; and
- the skills, expertise, experience and availability of the persons to be involved.

8.9.7 A member of a selection panel must-

- disclose any interest or relationship with shortlisted candidates during the short listing process;
- recuse himself or herself from the selection panel if-
 - (a) his or her spouse, partner, close family member or close friend has been shortlisted for the post;
 - (b) the panel member has a de facto relationship or some form of indebtedness to a shortlisted candidate or vice versa; or
 - (c) any other conflict of interest, and
 - (d) sign a declaration of confidentiality

8.9.8 The Municipal Manager or delegated official will constitute the interview panel (depending and with due cognisance to the level of the post) which is constituted by :

- Head of the Department and/or manager and/or Divisional Manager and/or Supervisor of the user Department, and
- Representative/ specialist from any other department

8.7.3. Head of Department: Administration & Corporate services and/or Divisional Manager: HRM & DA selection and interview panel shall include a representative trade union recognised by the Municipality on observer's status. An observer's role is to ensure a fair and objective recruitment and selection process that is aligned to the policy provisions.

8.7.4. Conditions for participation as observer:

8.7.4.1. Only one representative per organised labour/trade union in the Municipality shall attend the interview selection process as an observers.

8.7.4.2. The observers may not participate during discussions, as they do not form part of the panel but are required to observe and ensure substantive and procedural fairness.

8.7.4.3. The observers may not influence the decision of the panel.

8.7.4.4. Concerns by the observer must be directed to the chairperson of the panel immediately after the interview has been finalised and if necessary should be reduced to writing and addressed to the chairperson of the panel.

8.7.4.5. Administration and Corporate Services Department should ensure that the interview panel is properly briefed and that relevant preparation and administration for the interviews has been completed. This includes but is not limited to: Setting an agenda, creating an interview pack/file for the panel, ensuring effective logistical arrangements in terms of inviting and briefing

panel members, preparing the venue, and preparing the candidate by providing information about location name.

8.7.4.6. Invitations to candidates and panel members should be extended by fax, telephonically or in writing within a minimum of 3 working days or more before the date of the interview. The Human Resources unit must keep clear record of such communications.

8.7.4.7. Any travel claims for the selection panel members and applicants must be administered by Human Resource and be signed-off by the Head of Department Administration and Corporate Services. Every possible measure must be taken to limit costs to Council in this regard.

8.7.5. The interview panel should:

8.7.5.1. Sign the attendance register, declaration of secrecy and the declaration of interest forms

8.7.5.2. Ensure a quiet environment and privacy with no interruptions during the interview and the interview proceedings must be recorded electronically.

8.7.6. The Interview Format;

8.7.6.1. The interview consists of the following segments:

- Welcome and introduction and overview of the structure of the interview.
- Overview of the position and organisation.
- Questions directed at the applicant's work experience and qualifications for the position.
- Opportunity for the applicant to ask questions.
- Summary of interview including the way forward.

8.7.7. Functions and duties of the selection and interview panel:

8.7.7.1. Determine interview criteria in accordance with requirements as set out in the advertisement.

- 8.7.7.2. Ensure that short listed candidates are given an equal and fair opportunity to present their candidature.
- 8.7.7.3. Ensure that short listed candidates are assessed against the set criteria and requirements of the vacancy or position.
- 8.7.7.4. The selection and interview panel shall make a recommendation on the suitability of a candidate after considering only –
 - (I) Information based on valid methods, criteria or instruments for selection that are free from any bias or discrimination;
 - (II) The training, skills, competence and knowledge necessary to meet the essential and inherent requirements of the post;
- 8.7.7.5. Ensure that discussions and decisions are treated as highly confidential and not disclosed prior to a decision being made and each person interviewed by the panel being informed of the decision.
- 8.7.7.6. Should any selection and interview panel member make him/herself guilty of breaching confidentiality, the Municipality has the right to apply disciplinary measures.
- 8.7.7.7. The minutes/report and score sheets of all interviews for all positions should be signed by all the members of the interviewing panel and must be retained by the Human Resources Department in confidential files for a period of 12 months after the position has been filled. The Municipality may require these records if a candidate challenges a recruitment decision. Such a challenge must be brought within six months of the decision to appoint⁵.

8.8. Reference checking

- 8.8.3. No offer of employment may be made without relevant references checks being completed.
- 8.8.4. At least two work-related telephonic references should be conducted and appropriate validation of qualifications on all selected candidates should

be conducted before a hiring decision is made. Information derived from a reference check is to remain confidential. It is the responsibility of Admin and Corporate Services Department to ensure that reference checks are thoroughly conducted.

- 8.8.5. Integrity reference checks i.e. credit checks, criminal record checks etc. are required for all posts where high integrity and honesty is required as a competency. These would include professional and management positions and any other position where employees are required to work with money or required to authorise actions/transactions (e.g. employees in the Finance Department or Audit Department)
- 8.8.6. Candidates' consent must be obtained before reference checks may be conducted.
- 8.8.7. The person performing the reference check will obtain the following information during the course of the reference check:
 - 8.8.7.1. A confirmation of the applicant's employment history, including date of starting service and ending of service with the previous employer;
 - 8.8.7.2. Confirmation of the applicant's position and remuneration details;
 - 8.8.7.3. Confirmation of the requirements and key performance areas of the applicant's position;
 - 8.8.7.4. The applicant's reason for leaving his/her previous employment; and
 - 8.8.7.5. Validation of the applicants' qualifications and/or academic record/s.
- 8.8.8. The person performing the reference check will not seek to obtain the following information during the course of the reference check:
 - 8.8.8.1. Information relating to the personality of the applicant;
 - 8.8.8.2. Information relating to the performance of the employee that has not been observed and/or obtained from a written performance record;
 - 8.8.8.3. Information that is hostile or malicious.

8.9. Appointment process

- 8.9.3. Once a successful candidate has been selected and all required procedures have been completed including the reference check, an offer must be prepared by the Human Resources department and sent to the

Municipal Manager. The letter of appointment must be sent to the successful applicant as soon as possible. The applicant will be required to accept or reject the offer as set out in the letter of appointment within a period of seven days.

- 8.9.4. Letters of appointment must be communicated to a successful applicant by e-mail or post.
- 8.9.5. The letter of appointment shall contain information relating to the terms and conditions of employment and basic salary and benefits and must stipulate the following information based on section 29 of the Basic Conditions of Employment Act:
 - 8.9.5.1. The Municipality's details (the Municipality Full Name and address);
 - 8.9.5.2. The post being offered;
 - 8.9.5.3. A description of the job or main tasks of the incumbent of the job, together with an indication of the key performance areas of the job;
 - 8.9.5.4. Working hours and days of work;
 - 8.9.5.5. The remuneration, benefits, overtime provisions, allowances and other monetary and non-monetary benefits attached to the post (frequency of payment and where required deductions);
 - 8.9.5.6. Details of leave entitlement;
 - 8.9.5.7. A date by which the offer of employment must be accepted in writing by the applicant and the date on which the proposed employment is to commence;
 - 8.9.5.8. The person to whom the applicant would report if the applicant accepts the offer of employment;
 - 8.9.5.9. Starting date;
 - 8.9.5.10. Probationary period of six months and notice period requirements; and
 - 8.9.5.11. Any specific requirements that might be required in the course of the job, for example, travelling.
- 8.9.6. Before applicants who are not South African citizens, can be appointed to any position in the Municipality, such applicants should be in possession of either:

- 8.9.6.1. A permanent residence permit; or
- 8.9.6.2. A temporary work permit covering the contemplated period of employment.
- 8.9.6.3. Should the preferred successful candidate decline an offer of appointment, the Municipal Manager may appoint the second or the third candidate only if they scored moderate or average percentage during the interview.

8.10. Appointment of support staff to offices of public office

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

- (a) Seconded from a post on the municipality's approval staff establishment or another municipality's staff establishment; or
- (b) Appointment on a fixed term contract of employment linked to the term of office of the public office bearer.

8.10.2. The duration of the secondment or fixed-term employment contract contemplated in sub-regulation (8.10.1), may not be longer than 30 days after the public office bearers vacate office.

8.11. Probation

(Covered under Schedule 8-Code of Good Practice: Dismissal, Labour Relations Act, Act 66, 1995)

8.11.1 The probation period is for six (6) months, and is applicable for all job levels. The purpose of the probationary clause in the employment contract is to enable the Municipality to assess and evaluate and Employee's ability to perform and fit into the organisational culture of Dr J.S Moroka Local Municipality.

8.11.2 The probation period may be extended for a further three (3) months for reasons of performance, as per the recommendations of the Head of Department concerned and to be approved by the Municipal Manager ,thereafter, failure to

perform will allow the Municipality to terminate the services of such employee.

8.11.3 Employees shall be given an opportunity to make representations regarding this matter, before extension or termination of service, through the assistance of a union representative or a fellow employee of his/her choice.

8.12 Induction

8.11.1. All newly appointed employees shall be taken through an induction process within a period of two weeks.

8.12 Headhunting

Headhunting, as defined in this policy shall not be permitted except in exceptional circumstances. In this regard headhunting may only be permitted if:

8.12.1. The post has been advertised in terms of this policy and no appointable candidate has been identified and the matter with detailed report be exposed to the council

8.12.2. The proposed appointee must meet the minimum requirements for the post and he/she must be interviewed by a duly constituted selection panel prior to a formal offer of appointment.

8.12.3. The post is a senior post or a post in a scarce skills area.

8.12.4. Nepotism and tendencies of disregarding pieces of legislations governing labour should be avoided and transparency and accountability should be at the core of the process.

8.13. Reappointment of former employees of the Municipality

8.13.1. Candidates previously employed by Dr J.S Moroka Local Municipality may not be re-appointed where:

8.13.1.1. The grounds for termination of service were of such that the former employee was dismissed based on misconduct grounds in terms of the provisions of the Labour Relations Act, Act 66 of 1995.

8.14. Waiving of the policy and implementation provisions

8.14.1. This policy shall be superseded by a Bargaining Council resolution, legislation and enforceable legal order.

8.14.2. This policy takes precedence over all other recruitment provisions.

8.14.3. The policy shall not be implemented retrospectively.

9. TRANSFER

Refer to Clause 25 of the Municipal Staff Regulations (2021) and the municipal Transfer and Placement policy.

9.1. INTER-MUNICIPAL TRANSFER

Employee Responsibilities: Prior to initiating a transfer, it is recommended that the interested employee advise his/her immediate supervisor that he/she is interested in other opportunities outside of the department/unit.

Employer's responsibilities: the Municipal Manager, as the representative of the employer will after careful consideration approve or disapprove the request. Feedback should be provided to the applicants in any instance (either approved or not approved).

9.2. IMPORTANCE OF EMPLOYEE TRANSFERS

Transfer of employees must and essential within the municipality for the purpose of minimising conflict and maximizing productivity or services between employees, to ensure cordial relationship between employees, to increase transparency in work, to obviate syndicate of employees for unethical purpose and to obviate nepotism.

9.3. TYPES OF TRANSFERS

a) Production transfers: Such transfers are made to meet the company requirements. The surplus employees in one department/section who are efficient might be absorbed in other place where there is a requirement. Such transfers help to stabilise employment.

b) Replacement transfers: This takes place to replace a new employee who has been in the organization for a long time and thereby giving some relief to an old employee from the heavy pressure of work.

c) Versatility transfers: It is also known as rotation. It is made to develop all round employees by moving them from one job to another. It also helps to reduce boredom and monotony.

d) Personnel or remedial transfers: Such a transfer is made to rectify

mistakes in selection and placement. As a follow up, the wrongly placed employee is transferred to a more suitable job.

e) Shift transfers: This is pretty common where there is more than one shift and when there is regularised rotation.

f) Voluntary transfers – This happen wherein the employee make a request to the employer to horizontally transfer him/her

10 RECRUITMENT, SELECTION AND APPOINTMENT FOR SENIOR MANAGERS

10.1. The Senior Managers (as per Section 54 and 56) are regulated by Government Gazette 37245: Regulations on appointments and conditions of employment for senior managers (municipal managers and managers directly accountable to municipal managers) issued on the 17 January 2014.

10.2. **See the attached annexure (refer to Chapter 3).**

11. AUTHORITY

11.1. The authority is vested with the Council.

Council Resolution: **R216.03.2023 ND**

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

Accounting Officer Signature: 