



**GREATER LETABA
MUNICIPALITY**

Human resources Policies

**Service Conditions Policy
Contract of Employment Policy
General Policies
Labour Relations Policy
Capacity Building Policy
Staff Provisioning Policy
Transport Control Policy
Sexual Harassment Policy
HIV / AIDS Policy
Smoking Policy**

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICIES & PROCEDURES

SERVICE CONDITIONS POLICY

The following conditions apply to all permanent professional, administrative and support staff appointments, Additional conditions will be prescribed for particular appointments and will be for specific functional areas.

1. OBJECTIVE

To provide conditions of employment, which are conducive or effective for performance of functions by employees, free from unfair labour practices.

2. KEY PERFORMANCE INDICATORS

- 2.1. A highly motivated personnel corps.
- 2.2. Low rate of labour turnover.
- 2.3. Less grievances arising from dissatisfaction on remuneration and other service conditions.
- 2.4. Satisfied clients.

3. LEGAL MANDATE

In determining the remuneration and conditions of employment, the municipality shall comply with the statutes below:

- 3.1. Constitution of the Republic of South Africa, Act 108 of 1993.
- 3.2. Basic conditions of Employment Act, No. 75 of 1997.
- 3.3. Labour Relations Act, No. 66 of 1995.
- 3.4. Employment Equity Act, No. 55 of 1998.
- 3.5. Unemployment Insurance Act.

4. REMUNERATION

4.1. Objective

The purpose of the municipality's compensation system is to:

- a) Attract suitable employees.
- b) Retain employees as long as possible.
- c) Motivate employees to use their full potential.
- d) Comply with legal requirements.

4.2. General Principles

- a) The municipality will adhere to the principle of equal pay for equal work or work of equal value should pertain. No discriminatory factors or principles should exist in the area of payment and remuneration.
- b) Methods of evaluating jobs should be in accordance with methodologies that are generally accepted or agreed upon at the bargaining council or as approved by SALGA.
- c) All jobs shall be graded and the remuneration package established before being advertised.
- d) Job grades for all jobs in the municipality and their related package established before being advertised.
- e) Where differentiation does exist in the remuneration of employees this deviation must be with the approval by the HR committee of council and clear reasons for the deviation must be advanced when asked to.
- f) Rates and types of remuneration may not be based on an employee's race or sex. The basis should be equal remuneration for work of equal value.
- g) Job classification, grading systems and pay structures will be based on objective skills – related criteria, irrespective of the race or sex of the employee doing the job.
- h) All employee's remuneration shall be reviewed annually in terms of the performance management policy. Only in exceptional cases, which are fully motivated, shall remuneration be reviewed at shorter or longer intervals.
- i) The remuneration package for each new employee shall be agreed upon before the employee assumes duty. No further negotiations outside this policy shall be entered into after the assumption of duty.
- j) Municipality must develop a service delivery charter

4.3. REMUNERATION PACKAGE

The Municipality shall operate on a remuneration package that has both a basic salary and benefits. The amounts payable shall be determined by the grade / level of the job and/or job requirements. The municipality shall adopt a grading system before determining job grades and remuneration packages.

The remuneration package shall be determined as follows:

(i) Basic Salary

Council shall adopt a grading system and salary structure in line with the South African Local Government Bargaining Council. The structure shall be reviewed annually and adjusted at the discretion of the Council. A market related salary structure should be determined annually in consultation with the Local Government Bargaining Council.

(ii) Retirement Fund

All existing permanent employees shall qualify for membership of a retirement fund at a percentage rate of the basic salary as always determined by the South African Local Government Bargaining Council as the employee contribution. Employer contributions shall be in accordance with the statutes of the relevant retirement fund.

(iii) Medical Benefit

The contribution towards medical benefit shall be calculated as a percentage of the basic salary for the employee contribution and a percentage rate as the employer contribution, which shall be determined by market surveys.

All employees qualify for the medical benefit.

(iv) Thirteenth Cheque (Annual Bonus)

A 13th Cheque based on the date of appointment (e.g. a person employed in January will get the 13th cheque included the salary of December) will be equal to one month's basic salary. A bonus may not include other service benefits.

(v) Housing Subsidy

- a) A housing subsidy shall be given to each employee as determined by the Minister of Local Government in conjunction with the South African Local Government Bargain Council from time to time based on Government Gazzette no. 26159.
- b) When transferring an employee from one station to another such employee must be offered accommodation for a period of three months or be paid for travelling costs.
- c) That the Municipality must pay out the R250 - 00 for renting allowances as guided by the Gazette.
- d) Municipal houses will be evaluated periodically and those renting them will have to pay rental fee as per market value.

10. LEAVE

- a) Leave shall be granted to employees within the provisions of the Basic Conditions of Employment Act and/or as agreed through the bargaining process.
- b) Leave of absence shall be classified as:
 - i) Vacation Leave
 - ii) Sick Leave
 - iii) Special Leave

Special leave shall include study Leave, Family Responsibility, Maternity, Parental Leave, Paternity leave and Child Adoption leave.

- c) Leave benefits shall be granted as indicated below based on Government gazette no. 16047 dated 28 October 1994 and the Conditions of Services agreement:

TYPE OF LEAVE	QUALIFICATIONS
VACATION LEAVE	24 DAYS FOR 5 DAY WORKER PER ANNUM. 27 DAYS FOR 6 DAY WORKER PER ANNUM. 1 DAY FOR EVERY 17 DAYS WORKED BY

	TEMPORARY WORKERS.
SICK LEAVE	
Ordinary Sick Leave	80 DAYS OF FULL PAY AND 80 DAYS ON HALF PAY OVER A 3YRS CYCLE FOR ALL POST LEVELS. NO PROVISION FOR TEMPORARY WORKERS.
Special Sick Leave	SHALL BE GRANTED FOR THE WHOLE PERIOD REQUIRED TO RECOVER FROM INJURY OR SICKNESSES CONTRACTED AS A RESULT OF THE EMPLOYEE DUTIES UNLESS THE EMPLOYEE IS DECLARED UNFIT TO RESUME HIS/HER NORMAL DUTIES
SPECIAL LEAVE	
Study Leave	2 DAYS PER EXAM PAPER NO PROVISION FOR TEMPORARY WORKERS
Family Responsibility	5 DAYS PER ANNUM NO PROVISION FOR TEMPORARY WORKERS
Maternity Leave	3 MONTHS AND 6 WEEKS FOR MISCARRIAGE NO PROVISION FOR TEMPORARY WORKERS
Parental Leave	10 DAYS PER ANNUM NO PROVISION FOR TEMPORARY WORKERS

- d) Each employee must take vacation leave of a least 16 and 19 consecutive working days respectively for 5 and 6 day worker in respect of every completed year of service. If these days are not taken, they shall be forfeited.
- e) Any leave taken shall be recommended by the Human Resources management Division and approved by the Municipal Manger.
- f) Applications for vacation leave shall be tendered on a prescribed form and approved at least ten (10) working days before the commencement of the leave.
- g) An employee shall submit a medical certificate for any sick leave.
- h) An employee shall qualify for a paid maternity leave after she has completed one year service with the municipality.

- i) Study leave shall be granted at a rate of 2 days per paper or examination sitting or for compulsory study schools. An examination/academic timetable and result shall be submitted to the Human Resources Division prior to any study leave being taken. Compulsory study leave shall first be debited against vacation leave upon proof that an employee qualifies to attend compulsory school.

- j) Leave days shall be commuted to cash upon termination of service after all moneys owed to the Greater Letaba Municipality has been deducted. Only in exceptional cases shall leave days be commuted to cash. Such commutation will only be granted after all compulsory vacation leave has been taken and provision have been made therefore. The cash value of each vacation leave day shall be calculated as follows:

A x B

250

Where: A = Annual salary plus pensionable allowances

B = Number of leave days being cashed

250 = Number of working days in a year.

- k) Employees may accumulate leave days to the maximum of forty- eight (48) days.

Tax is payable on leave days cashed.

- l) Any leave provision not covered by this policy shall be dealt with as provided by the Basic Conditions of employment Act or any agreement reached by way of a bargaining process.

11. OVERTIME

Overtime shall be payable in terms of the Basic Conditions of Employment Act. The Municipality shall pay overtime to employees below the Post Level 3. Anybody above the mentioned grades shall not be entitled to overtime.

Overtime shall be with prior recommendation by the Supervisor and approval by the relevant Director. Overtime will also be dealt with in terms of Government gazette No. 16047.

12. STANDBY AND NIGHT SHIFT ALLOWANCE

Standby shall be dealt with as always determined by the Industrial Council and night shift will be dealt with in terms of the Basic Conditions of Employment Act .

13. ACTING ALLOWANCE

13.1. The position will be designated and considered an acting position. This is a temporary arrangement until the incumbent return to the job, if the post was vacant, it has been filled.

13.2. Acting positions are justifiable only if the period exceeds or is equal to 10 consecutive working days. The acting period must not exceed three consecutive months. After a post has been vacant for three months a permanent appointment should be made, or justification to extend the acting period beyond this three months period, should be submitted to the Municipal manager for approval.

13.4. The acting allowance benefit should not be abused. The following criteria will be considered prior to an acting status being approved.

- a) The employee who fills the acting position must be competent and suitably qualified for the position.
- b) The employee who fills the acting position must be working towards the incumbent qualification as part of the structured mentorship programme and workplace skills plan.
- c) The acting period must be a minimum of 10 consecutive working days but should not exceed three months.
- d) Acting position are predominantly reserved for key position where the tasks and accountability do not allow for delegation to other jobs.

Where jobs are vacant and the tasks and responsibilities could be distributed to other jobs, then this action must take precedence before an application is made before an acting position.

- e) Acting allowance will only be paid where a formal appointment letter was issued to that effect and it will be the salary difference between the positions affected.

14. SCOPE OF APPLICATION

This policy applies to all employees of the municipality. An employee who feels dissatisfied with any matter in this policy may follow the grievance procedure.

THE END OF SERVICE CONDITIONS POLICY

GREATER LETABA MUNICIPALITY

HUMAN RESORCE POLICIES & PROCEDURES

CONTRACT OF EMPLOYMENT POLICY

1. OBJECTIVE

A contract of employment shall be entered into between the Greater Letaba Municipality and each employee, whereby an employee binds himself / herself to render services to the Municipality for remuneration in terms of these policies and procedures.

The employee shall through the contract of employment subject himself / herself to the authority of the municipality while the municipality binds itself as employer to offer an employee work to do and remuneration.

2. LEGAL MANDATE

In concluding a contract of employment the parties shall comply with the statutes below.

- 2.1. Constitution of the Republic of South Africa, Act 108 of 1993.
- 2.2. Basic conditions of Employment Act 75 of 1997.
- 2.3. Labour Relations Act 66 of 1995.
- 2.4. Employment Equity Act 55 of 1998.
- 2.5. Unemployment Insurance Act.

3. REQUIREMENTS FOR A VALID CONTRACT

A contract of employment must comply with the following requirement in order for it to be valid:

- 3.1. The contracting parties must have contractual capacity.
- 3.2. Performance of the work contracted for must be valid.
- 3.3. The contract entered into may not be against public moral values.
- 3.4. The contract must comply with any formalities required by any legislation or council policy.

3.5. The parties entering into a contract must have the intention to be bound by the terms of the contract.

4. CONTRACTUAL DUTIES OF THE MUNICIPALITY

A contract of employment binds the municipality as employer to the following duties:

- 4.1. To provide an employee with work.
- 4.2. To pay the remuneration agreed upon.
- 4.3. To provide safe working conditions.
- 4.4. To comply with statutory duties.
- 4.5. To comply with these policies and procedures.

5. CONTRACTUAL DUTIES OF THE EMPLOYEE

The following are contractual duties of an employee:

- 5.1. To make his/her services available to the employer.
- 5.2. To warrant his/her competence and efficiency.
- 5.3. To obey the employer.
- 5.4. To be subordinate to the employer.
- 5.6. To exercise care while performing in the employ of the Municipality.
- 5.7. To refrain from misconduct.

6. CONTENTS OF THE CONTRACT OF EMPLOYMENT

A contract of employment entered into between the Greater Letaba Municipality and its employee shall be specific to the work to be performed by the employee as contained in the Job Description of that particular post.

6.1. Post Description

A contract of employment shall give the post description of an employee which shall specify the work to be performed by the employee as contained in the Job Description of that particular post.

6.2. Reporting Level

This shall indicate the post description / level to which the employee shall report.

6.3. Remuneration

The contract shall indicate the remuneration payable to the employee and the condition under which it shall be payable.

6.4. Benefits

Benefits for which the employee may qualify shall be included. Such benefits may only be payable upon compliance with certain conditions, which are contained in these policies and procedures.

6.5. Working Hours

Working hours which indicate starting times, rest times and knock-off times shall be indicated. Otherwise expected hours to be worked per day or any ascertainable period shall be indicated. As a general rule employees will be expected to work 40 hours a week unless otherwise agreed. Working hours shall be indicated in the contract of appointment and may be changed from time to time as may be required. Work over holidays and weekends shall be with prior arrangement with the Municipal Manager or his delegate.

6.6. Termination Conditions

The contract shall indicate ways in which it may be terminated. Unless otherwise agreed either party shall give 30 days notice of termination.

Termination shall occur in the following ways:

- (a) By notice by either party – 30 days notice shall be given.
- (b) By effluxion of time.
- (c) By agreement in writing.
- (d) By the death of an employee – a copy of the death certificate shall be submitted.
- (e) By the insolvency of the employer.
- (f) By the illness of the employee that renders him/her unfit to carry out his/her duties – a medical certificate to this effect shall be obtained / submitted.
- (g) By the impossibility of performance by either party.
- (h) By redundancy of a post.
- (i) By completing the task for which the employee was contracted.

(j) By operational requirements and the provisions of the Labour Relations Act in this regard shall be compiled with.

6.7. Other Conditions

The contract may contain any other condition of employment which has been agreed upon between the parties.

7. AUTHORIZED PERSON

The contract of employment shall be signed on behalf of the Greater Letaba Municipality by a duly authorized person.

8. SCOPE OF APPLICATION

This policy applies to all employees of the municipality. An employee who feels dissatisfied with any matter pertaining to his / her contract of employment may follow the grievance procedure.

ANNEXURE**LETTER OF APPOINTMENT AS A**

This serves to confirm our offer of employment as a _____ with effect from _____ until _____.

1. Duties and responsibilities.

This will be given and explained to you and will be governed by all systems, procedures and policies in place at the time of signing this agreement.

2. Working hours

You will be required to work 40 hours from 07h30 to 16h30 from Monday to Thursday and 07h30 to 15h00 on Fridays.

You may be required to work such overtime as is reasonably expected by the employer, you will be required to perform Municipality duties over certain periods as is required from staff members.

3. Remuneration

Your total package will be R_____ per day / per month.

4. Annual leave

You will be entitled to _____ working days per completed year of service. This leave will be governed by the Bargaining Council Agreement and Municipality Staff Leave Policy and procedure.

5. Probation

You will be on a probation period of (6) six months

6. Indemnity

You, by signing the acknowledgment below, hereby authorized the Municipality to deduct any amounts owing by yourself to the Municipality from your remuneration.

7. Occupational Health and Safety Act

You will observe the Municipality's Occupational Health and Safety requirement. You will report any accidents without any delay, directly to your Head of Department.

Failure to adhere to the Municipality's Occupational Health and Safety requirements and the wearing of personal protective equipment may result in disciplinary action being taken against you.

8. Disciplinary and Grievance procedure.

You will observe the Municipality's Disciplinary and Grievance Procedure. This procedure is available at our Human Resource office for your perusal.

9. Indemnification

The employee hereby indemnifies the employer and its members against any claim for damage the employee suffers or may suffer as a result of his or any other employee's negligence or failure to comply with safety regulations or any other instructions while the employee is on duty or on the premises of the employer, or whilst being transported on behalf of the employer. This indemnification is also binding upon the heirs and dependents of the employee, should the above mentioned negligence or failure result in the death of the employee.

10. Searching

You hereby consent to yourself and your property being searched at the place of employment or during working hours, by any persons designated by the employer.

11. Accommodation

You will not be provided with Municipal accommodation.

12. Transport

You will be eligible for Municipality transport. Should it be required that you utilize your own transport for authorization purpose, you will be reimbursed at the applicable rate.

13. Duration of Agreement

This agreement will take effect from _____ (date / moth / year) and will, continue until you reach pensionable age/resign/dismissed/die on which date this agreement shall terminate automatically

We wish to thank you and look forward to mutually satisfying career,

3.

Regards,

MUNICIPAL MANAGER

I,....., hereby acknowledge receipt of a copy of this letter and accept the conditions of employment as specified therein.

Name

Date

THE END OF CONTRACT OF EMPLOYMENT POLICY

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICIES & PROCEDURES

GENERAL POLICIES

1.1 BACKGROUND

The Greater Letaba Municipality was established in terms of the South African Constitution and the section 12 notice by the Member of the Executive Council for Local Government, notice number 615 dated 8 October 2000.

The MUNICIPALITY must fulfill the following objectives in terms of section 151 of the Constitution of South Africa:”

- 1.1 Provide a democratic and accountable government for local communities.
- 1.2 Ensure the provision of service to communities in a sustainable manner.
- 1.3 Promote social and economic upliftment.
- 1.4 Promote a safe and healthy environment.
- 1.5 Encourage the involvement of communities and community organizations in the matters of Local Government.

1.2 VISION

The vision of the Greater Letaba Municipality is to provide effective sustainable and affordable services in an integrated manner to our communities.

1.3 MISSION

The Greater Letaba Municipality has the following mission:

By encouraging public participation, promote local economic development and build revenue base through encouragement of payment of rates and services.

1.4 OBJECTIVES

The objectives of the Municipality are as follows:

- 1.4.1 To provide affordable quality services.
- 1.4.2 Local Economic Development and Growth.
- 1.4.3 Good governance.

1.5 HUMAN RESOURCES POLICY

The governance of the human resources of the Greater Letaba Municipality shall be in terms of these regulations and shall not be construed as annulling or amending the provisions of any relevant legislation.

These regulations shall comply with the relevant statutes and principles of fair labour practice.

HUMAN RESOURCES POLICIES AND PROCEDURES

Should there be any material contradiction between the contents hereof and any relevant laws of the Country, the laws have an overruling effect.

1.6 GOVERNING STATUTES

The following statutes shall form the basis of these regulations:

- 1.6.1 Constitution of the Republic of South Africa, Act 108 of 1993.
- 1.6.2 Basic conditions of Employment Act 75 of 1997.
- 1.6.3 Labour Relations Act 66 of 1995
- 1.6.4 Employment Equity Act 55 of 1998.
- 1.6.5 Unemployment Insurance Act.
- 1.6.6 Compensation for Occupational Injuries and Disease Act 130 of 1993.
- 1.6.7 Occupational Health and Safety Act 85 of 1993.
- 1.6.8 Skills Development Act 97 of 1998.
- 1.6.9 Skills Development Levies Act 9 of 1999.

1.7 RIGHTS AND OBLIGATIONS OF THE GREATER LETABA MUNICIPALITY

1,7.1 RIGHTS

In order for the Greater Letaba Municipality to achieve its goals, its management will assume the following rights:

1.7.1.1. The right to manage the organization.

Management will have the right to determine objectives, policies and to provide financial and material resources.

1.7.1.2. The right to recruit and appoint capable staff.

Management has the right to recruit and appoint , place , assign staff jobs, remunerate them, promote and demote them, discipline staff, and establish general working conditions.

1.8. OBLIGATIONS

The Greater Letaba Municipality undertakes to take all reasonable steps to provide a working environment wherein both the employer and the employee can achieve their respective goals without each hampering the other unduly.

1.8.1. Strategic objectives

The Greater Letaba Municipality is obliged to conduct its personnel affairs in a manner that will ensure the accomplishment of Strategic objective.

1.8.2. Code of conduct

The Greater Letaba Municipality has developed a code of conduct that is applicable, equally to all its staff members. The code of conduct has no intention to restrict employees the rights afforded to them by any law. Employees shall have the fullest opportunity in any lawful manner, to raise matters of proper concern to them in any manner that may be appropriate.

Any breach of the code of conduct will be dealt with according to the disciplinary regulations and procedures.

1.8.3. Health and safety

The Greater Letaba Municipality recognizes its responsibilities and duties under the health and Safety legislation to provide and ensure a healthy and safe working environment for all employees, clients, visitors, contractors and members of the public.

The Greater Letaba Municipality is committed to a high standard of health and safety compliance and performance.

1.8.4. Equal opportunities

The Greater Letaba Municipality aims to foster an environment where individuals and groups treat one another equally with dignity and respect. The Municipality recognizes equal opportunities as central to its effectiveness.

The Greater Letaba Municipality is committed to promoting diversity and equal opportunities.

1.8.5. Discrimination

The Greater Letaba Municipality is committed to conduct its activities in a non-discriminatory manner whether directly or indirectly. This will ensure that no employee is disadvantaged through any deed of the Municipality as an employer, on

the basis of race, gender, sexual orientation, ethnic or national origin, marital status, disability, political or religious affiliation or any manner unless it is for affirmative action or inherent requirements of the particular job.

The Greater Letaba Municipality will endeavor to maintain structures, practices and policies that have the effect of treating people on the basis of their ability and potential in an environment free from prejudice.

1.8.6 Harassment

The Greater Letaba Municipality or those acting on its behalf have the responsibility to maintain a working environment free from harassment, victimization and/or intimidation. Prompt action will be taken by the Municipality on becoming aware of any incidents involving harassment or intimidation in the workplace. Any such incidents from the side of an employee will be grounds for a grievance procedure or disciplinary hearing.

1.8.7. Violence

The Greater Letaba Municipality and those acting on its behalf shall have the responsibility to prevent violence at work. Violence towards other employees, clients, visitors, and members of the public shall be grounds for disciplinary procedures against the perpetrator.

1.8.8. Complaint procedure

The Greater Letaba Municipality's Human Resources Policies and procedures have avenues whereby employees can express their dissatisfaction in oral or written forms, with any aspect relating to the workplace. The Municipality shall by all means attempt to resolve complaints informally before moving to the use of formal grievance procedures.

1.8.9. Resource allocation

The Greater Letaba Municipality shall allocate its human resources and other resources in a manner that ensures the effective performance of its functions.

1.8.10 Discipline

It is the duty of Management to maintain discipline in the workplace. The Greater Letaba Municipality's Human Resource policy prescribes disciplinary procedures to be followed in order to maintain discipline in the workplace. A disciplinary procedure shall never be grounds for a grievance procedure. An employee who is not satisfied with the disciplinary procedures shall have the right to appeal in terms of regulations or use all legal avenues available to him/her.

1.9. RIGHTS AND OBLIGATIONS OF EMPLOYEES

1.9.1 RIGHTS

In terms of generally accepted labour practices, the employer will recognize the following rights of employees.

1.9.1.1 The right to work

The employer recognizes this as a deteriorative right. The extent to which this right will be satisfied depends on the job market.

19.1.2 The right to Freedom of association

The Greater Letaba Municipality recognizes the constitutional right of employees to associate with whoever they wish to and to join any association or trade union of their choice.

1.9.3 The right to Collective bargains

The Greater Letaba Municipality recognizes the right of the workers to be part of the collective bargaining agreement processes as provided for in the Labour Relation Act.

1.9.4. The right to Strike

Employees will have the right to strike in terms of the provisions of the Labour Relations Act.

1.9.1.5. The right to Protection

The right to protections will include the right to fair remuneration and conditions of employment, the right to health, safety, security, and the right to protection from unfair labour practices.

1.9.1.6 The right to capacity building

The Skills Development Act, gives prominence to the right of employees to be capacitated. The Greater Letaba Municipality will for this purpose together with its employees develop Works place Skills Development Plans (WSDP).

1.9.2. DUTIES

Management is responsible for planning, organizing, leading and controlling the Greater Letaba Municipality's human resources. The following are duties of employees towards management.

1.9.2.1 Duty to work

The employee has a duty to work in terms of his/her job description and/or as directed and agreed with management.

19.2.2 Absence from work

The employee has a duty to present himself/herself for work unless arranged otherwise with management.

1.9.2.3 Intoxicating substances

Employees have a duty not to be under the influence of intoxicating substances while of duty.

1.9.2.4. Conduct

Employees are obliged to conduct themselves well. This duty includes obeying legitimate orders, being subordinate, not engaging in strikes without complying with statutory provisions, not insulting or harassing other workers, being honest and trustworthy, being loyal to the organization and not revealing any confidential information about the Greater Letaba Municipality.

THE END OF GENERAL POLICIES

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICES & PROCEDURES

LABOUR RELATIONS POLICY

7.1. OBJECTIVE

The purpose of this Labour Relations policy is to:

- 7.1.1 Create a spirit of industrial democracy, encourage labour peace and fair labour practices and to promote equity in the workplace.
- 7.1.2. Support conducive labour relations in the municipality.
- 7.1.3. Promote mutual respect between employees and between employees and employer.
- 7.1.4. Ensure that managers and employees share a common understanding of misconduct and discipline.
- 7.15. Promote acceptable conduct
- 7.16. Provide employees and the employer with a quick and easy reference for the application of discipline and resolution of conflict in the workplace.

7.2. KEY PERFORMANCE INDICATORS

- 7.2.1. Low rate of grievance and disciplinary hearings.
- 7.2.2. Early resolution of disputes.
- 7.2.3. Low absenteeism and labour turnover.
- 7.2.4. Low rate of strikes.
- 7.2.5. Disciplined workforce that abides by the rules.
- 7.2.6 High productivity.

7.3. LEGAL MANDATE

In all its dealings regarding labour relations matters the Greater Letaba Municipality shall be guided by the provisions of the:

- 7.3.1. Labour Relations Act,
- 7.3.2. Basic Conditions of Employment Act and
- 7.3.3 Employment Equity Act.
- 7.3.4. Collective agreement on conditions of service

7.4. PRINCIPLES

In order to create a workplace that is free from any form of discrimination and to promote labour peace in the workplace, the GREATER LETABA MUNICIPALITY adopts the following principles:

- 7.4.1. Collective bargaining is an acceptable means of resolving disputes of mutual interest and it is encouraged.
- 7.4.2. Strikes and lockouts are an integral part of the process of collective bargaining.

The GREATER LETABA MUNICIPALITY shall seek ways of resolving disputes in a more efficient and simpler ways that would avoid strikes and lockout. Where a strike or lockout is unavoidable, the GREATER LETABA MUNICIPALITY shall resort to legal remedies available in order to resolve the strike and/or continue its operations.

- 7.4.3. Absence from work as a result of strike and/or lockouts shall be treated on the basis of no-work no pay.
- 7.4.4. In a way of avoiding conflict in the workplace the GREATER LETABA MUNICIPALITY shall disclose any relevant information to employees or representative trade union. The GREATER LETABA MUNICIPALITY has however the right not to reveal any secrets the disclosure of which may be to the detriment of its objectives.
- 7.4.5. No employee may be victimized or unfairly discriminated against only because he/she is a member of a trade union.

7.4.6 Trade union representatives will be allowed to access the workplace and are entitled to request the employer to make membership deductions from members' salaries and also to have access to information that the union requires to bargain properly.

7.4.7. The GREATER LETABA MUNICIPALITY shall afford employees who are union representatives leave as may be agreed upon to attend to training courses relating to labour relations.

7.4.8. The GREATER LETABA MUNICIPALITY recognizes as its right to terminate any employee's contract of employment for reasons of misconduct, due to retrenchments and/or redundancy.

7.4.9. Discipline is a corrective measure and not a punitive act.

7.4.10. Discipline must be applied in a prompt, fair, consistent and progressive manner.

7.4.11 Discipline is a management function.

7.4.12. All employees are entitled to have a fair hearing in a formal setting.

7.4.13. Employees should be timeously informed of allegations of misconduct made against them.

7.4.14. Disciplinary procedures shall take place in the place of work and be understandable to all employees.

7.4.15. If an employee commits misconduct that is also a criminal offence, the criminal procedure and the disciplinary procedure will continue as separate and different procedures.

7.4.16. Disciplinary proceedings do not replace or seek to initiate court proceedings nor do they depend on the criminal or court procedures.

7.5. ACTS OF MISCONDUCT

An employee will be guilty of misconduct if she/he among other things:

- 7.5.1. Fails to comply or contravenes and Act or regulations or legal obligation.
- 7.5.2. Willfully or negligently mismanages affairs of the municipality.
- 7.5.3. Possesses or wrongfully uses the asset or property of the municipality, another employee or visitor without permission.
- 7.5.4. Damages and or misuses the asset or property of the municipality willfully, intentionally or negligently.
- 7.5.5. Prejudices the administration, discipline or efficiency of an office or institution of the Municipality.
- 7.5.6. Misuses his or her position in the municipality to promote or prejudice the interest of any political party.
- 7.5.7. Steals, bribes or commits fraud.
- 7.5.8. Accepts any compensation in cash or otherwise from a member of the public or another employee for performing her or his duties without written approval from the municipality.
- 7.5.9. Fails to carry out a lawful order or instruction without just or reasonable reason.

- 7.5.10. Absents or repeatedly absents himself/herself from work without reason or permission.
- 7.5.11. Commits an act of sexual harassment.
- 7.5.12. Discriminates against others on the basis of race, gender, disability, sexuality or other grounds outlawed by the Constitution.
- 7.5.13. Performs work for compensation in a private capacity for another person or organization either during or outside working hours without written approval from the municipalities.
- 7.5.14. Sleeps on duty without authorization.
- 7.5.15. Is under the influence of an intoxicating, illegal, unauthorized drug while on duty.
- 7.5.16. Conducts herself or himself in an improper or disgraceful; and unacceptable manner.
- 7.5.17. Contravenes any prescribed Code of Conduct of the Municipality.
- 7.5.18. Assaults, or attempts or threatens to assault other employees or person while on duty.
- 7.5.19. Incites other personnel to unprocedural and unlawful conduct.
- 7.5.20. Displays disrespect towards others in the workplace.
- 7.5.21. Demonstrates abusive or insolent behavior.
- 7.5.22. Intimidates or victimize fellow employees.

- 7.5.23. Prevents other employees from belonging to any trade union of their choice.
- 7.5.24. Operates any money lending scheme for employees for own benefit during working hours or from the premises of the municipality.
- 7.5.25. Carries or keeps firearms or other dangerous weapons on municipal premises, without the written authorization of the employer.
- 7.5.26. Refuses to obey security regulations.
- 7.5.27. Gives false municipal documents or evidence in the execution of his or her duties.
- 7.5.28. Falsifies records or any other documentation.
- 7.5.29. Participates in unprocedural, unprotected and/or unlawful industrial action.
- 7.5.30. Commits a common law or statutory offence while on municipal premises.
- 7.5.31. Operates business for personal benefit while on duty.

7.6. DISCIPLINARY PROCEDURE

In order to reach a decision from a disciplinary procedure, the various types of misconduct shall be classified according to their severity and seriousness.

7.6.1 Less Serious misconduct

Less serious misconduct may result in verbal warning, written warning, final written warning or dismissal with notice. Such misconduct may be:

- a) Absence from work without leave or authorization.
- b) Using abusive language.
- c) Negligence in the performance of duties.
- d) Late for work.
- e) Failure to meet deadlines.

7.6.2. Serious misconduct

Serious misconduct may result in written warning, final written warning, dismissal with or without notice. Any of the foregoing decisions may be arrived at, irrespective of whether the misconduct is repeated or not.

Example of Serious Misconduct are:

- a) Theft
- b) Dishonesty
- c) Willful damages to property
- d) Willful endangering of the safety of other people.
- e) Physical assault
- f) Insubordination and/or refusal to carry our lawful instructions
- g) Harassment
- h) Any conduct which makes the continued employment relationship intolerable.

7.7. SUSPENSION

The Municipality may suspend an employee on full pay or transfer the employee if:

7.7.1. The employee is alleged to have committed a serious offence; and the employer believes that the presence of an employee at the workplace might jeopardize any investigations into the alleged misconduct or endanger the well being or safety of any person or municipal property.

7.7.2. A suspension of this kind is a precautionary measure that does not constitute a judgment, and must be on full pay.

7.7.3. If an employee is suspended or transferred as a precautionary measure, the employer must hold a disciplinary hearing within a month. The chairperson of the hearing must then decide on any further postponement.

7.8 TERMINATION OF CONTRACT

7.8.1 When deciding whether or not to terminate an employee's contract, the GREATER LETABA MUNICIPALITY shall consider other mitigating circumstances such as length of service, previous disciplinary record and personal circumstances.

7.8.2. Termination of contract may occur if:

- a) The employee is unable to continue doing his/her work.

- b) The employees' work circumstances or duties cannot be adaptable.
- c) There is no alternative work available which would be more suitable to the employee.
- d) Participating in an unprotected strike may constitute a fair reason for termination of contract. In determining whether or not the termination of contract is fair, the code of good practice shall be taken into account.

7.9. RETRENCHMENT

7.9.1. Termination of contract for operational requirements or retrenchments may be embarked upon after consultation with the trade union or affected employees in order to:

- a) Find ways to avoid or reduce retrenchments.
- b) Find ways to reduce the number of employees who will be retrenched.
- c) Reduce the harsh effects of retrenchment.
- d) Agree on the method for selecting the employees to be retrenched.

7.9.2. An employee, whose contract is terminated as a result of the employer's operational requirements, shall be entitled to a severance pay of three (3) weeks remuneration for each completed year of service capped to equivalent of nine (9) months, after one week's remuneration for every completed year of services.

7.9.3. The GREATER LETABA MUNICIPALITY shall carry out the consultation in good faith and disclose the following information:

- a) Reasons for the retrenchment.
- b) Alternative to be considered by the GREATER LETABA MUNICIPALITY.
- c) The number of employees to be affected, and the job categories to be affected.
- d) The method of selection of employees to be retrenched.
- e) The filming of the proposed retrenchment.
- f) The proposed severance package.
- g) Any assistance which the GREATER LETABA MUNICIPALITY proposes to offer e.g. retraining.
- h) The possibility of a future re-employment of retrenched workers before offering opportunities to any new recruits.

7.10. GRIEVANCES

A grievance is an occurrence, situation or condition that justifies an individual to lodge a complaint.

- 7.10.1 Each employee that is aggrieved by a fellow worker or supervisor has the right to lodge a complaint.
- 7.10.2. A grievance may not be lodged in response to a disciplinary procedure.
- 7.10.3. Management must accept the responsibility for, and also take the initiatives to settle grievances.
- 7.10.4 Management must be timely, fair, just and practice equity in dealing with grievances.

7.11. APPEALS

- 7.11.1. An employee may appeal a finding or sanction if she/he is not satisfied with substantive or procedural fairness of a disciplinary or grievance hearing.
- 7.11.2. The employee who wished to appeal must within five working days of the receiving notice of the final outcome of a hearing or other disciplinary procedure, submit an appeal to her or his executing authority, or to her or his manager, who shall then forward it to the appeal authority.
- 7.11.3. The appeal authority shall be different and higher in status than the disciplinary authority.
- 7.11.4 The appeal authority may uphold the appeal, and/or reduce the sanction, or confirm the outcome of the disciplinary proceedings.
- 7.11.5. The employer shall immediately implement the decision of appeal authority
- 7.11.6 The employee retains the right to utilize any dispute settlement mechanisms provided under the Labour Relations Act and collective agreement.

7.12. SCOPE OF COVERAGE

This policy will apply equally to all employees of the Greater Letaba Municipality.

To: _____

NOTICE TO ATTEND A DISCIPLINARY ENQUIRY

You are hereby notified of a disciplinary enquiry which will be held against you.

1. Charge/s: _____

2. Venue: _____

Date: _____

Time: _____

3. You have the right to:

- 3.1. Be represented by a co-worker/union representative.
- 3.2. Have an interpreter.
- 3.3. Hear evidence against you and to cross examine witnesses
- 3.4. To state your case and call witnesses.
- 3.5. Lawyers can also be included.

Municipal Manager

To: _____

NOTICE TO ATTEND A GRIEVANCE HEARING

You are invited to attend a grievance hearing which will be held as follows:

1. Grievance: _____

Grievance Party:

2. Venue: _____

Date: _____

Time: _____

3. You have the right to:

3.1. Be represented by a co-worker/union representative.

3.2. Have an interpreter.

3.3. Hear evidence and cross examine witness.

3.4. To state your case and call witnesses.

Municipal Manager

**THE END OF LABOUR RELATIONS POLICY
GREATER LETABA MUNICIPALITY**

HUMAN RESOURCE POLICES & PROCEDURES

CAPACITY BUILDING POLICY

6.1 OBJECTIVE

To assist employees who wish to develop themselves as individuals and as employees academically and through attending short courses, seminars, conferences etc.

6.2 KEY PERFORMANCE INDICATIONS

Improved performance due to new skills and knowledge and improvement in attitude towards work and life in general.

6.3 PURPOSES OF CAPACITY BUILDING AND DEVELOPMENT

The municipality shall embark on the process of capacity building for the purpose of continuous life-long learning and to achieve the following:

- a) Improved performance
- b) Update employees' skills and knowledge to meet new challenges and demands of the work environment.
- c) Ensure upkeep with new methods, processes, technology, legal and social environment.
- d) Solve organizational problems.
- e) Orientate employees to the municipality and their new jobs.
- f) Prepare employees for promotion and succession planning.
- g) Satisfy individual personal growth of employees.
- h) To attain employment equity.
- i) The municipality must contribute the skills levy and submit a report to the Dept. of Labour monthly or quarterly.
- j) Skills audit should be done and later a Skills Development Plan for the capacity building needs be compiled.

6.4. LEGAL MANADATES

The following statutes shall form the basis of the municipality's capacity building and development policy:

6.4.1 Constitution of the Republic of South Africa, Act 108 of 1993.

6.4.2 Basic conditions of Employment Act 75 of 1997.

6.4.3 Labour Relations Act 66 of 1997.

6.4.4 Employment Equity Act 55 of 1998.

6.4.5 Occupational Health and Safety Act 85 of 1993.

6.4.6 Skills Development Act 97 of 1998.

6.4.7 Skills Development levies Act 9 of 1999.

6.5. GUIDING PRINCIPLES

The capacity building and development activities of the municipality shall be guided by the following principles:

6.5.1 All employees, irrespective of their race or sex, have the right to capacity building and development to their full potential.

6.5.2 All employees, irrespective of their race or sex, should be informed of the capacity building opportunities and encouraged to pursue a career path whenever such opportunities arise.

6.5.3 Capacity building programmes should be developed to facilitate employee's Adjustment to structural change and technological innovation in the workplace.

6.5.4 Capacity building programmes should be provided to allow members of the designated groups to compete equally for appointment advancement and promotion in the labour market.

6.5.5 Capacity building programmes should be designed, acquired or accessible to develop workers' existing skills to the required standard. Recognition of prior learning should be given wherever possible.

6.5.6 Where a worker lacks the necessary general education to enter a capacity building programme, general education should be provided through a special programme.

6.5.7 The successful completion of studies shall not automatically give grounds for promotion, increase in remuneration or any review of conditions of employment.

HUMAN RESOURCES POLICIES AND PROCEDURES

6.6 RESPONSIBILITY FOR CAPACITY BUILDING

6.6.1 CORPORATE SERVICES – SKILLS DEVELOPMENT SECTION.

Capacity building is the overall responsibility of the Skills development section within the Corporate Services Department. The skills development section is responsible for:

- a) Determining capacity building needs and objectives.
- b) Determining the type of capacity building required.
- c) Acquiring the type of capacity building required.
- d) Conducting capacity building programmes.
- e) Evaluating capacity building programmes.
- f) Co-ordinating capacity building activities within the municipality.
- g) Advising council and management on capacity building matters.
- h) Ensuring compliance with this policy and any legislation impacting on it.

6.6.2 Management

6.6.2.1. Managers are supposed to be appraised on the performance of their departments, divisions and sections. The appraisal should cover amongst others the development of subordinates, their performance, advancement and career progression.

6.6.2.2. Line managers and top management have the responsibility to:

- a) Supply the Corporate services department with performance data and capacity building needs.
- b) Discuss capacity building needs and objectives.
- c) Evaluate capacity building through performance analysis.
- d) Conduct on the job capacitation, coaching and mentoring.
- e) Discuss individual needs and carrier aspirations with their subordinates.
- f) Participate in the development of the workplace skills plan and its implementation.

6.6.3 The Employee

Each individual is responsible for his/her development and obtaining skills required to perform his/her duties effectively. A personal skills development plan shall be drawn for each employee with the assistance of the Supervisor and the Municipal manager, and in line with individual performance contract.

Each employee is responsible to:

- a) Determine own capacity building needs in line with job requirements and individual career needs.
- b) Attend training sessions that may be arranged.
- c) Register with training institutions to continue studies.
- d) Apply knowledge and skills obtained through training and development.
- e) Assist council and management ensuring continuous life-long learning within the municipality.

6.7. TRAINING COSTS

6.7.1 The municipality shall incur training costs for training that was approved before attendance of training programs which should be in line with the overall objective of the municipality.

6.8. STUDY LEAVE

Leave for study purposes shall be treated as provided in chapter 4 regarding leave policy.

6.9. SCOPE OF APPLICATION

The policy applies to all employees and prospective employees of Greater Letaba Municipality. Any body who feels aggrieved in the application hereof may follow the labour relations policy.

THE END OF TRAINING & DEVELOPMENT POLICY

HUMAN RESOURCES POLICIES AND PROCEDURES

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICIES & PROCEDURES

STAFF PROVISIONING POLICY

2.1 OBJECTIVE

2.1.1. To provide the right quality of employees to the Greater Letaba Municipality in order for the Municipality to achieve its intended purpose.

2.2 KEY PERFORMANCE INDICATORS

The key performance indicators of this function shall be:

- 2.2.1 Highly motivated personnel
- 2.2.2 Productive and effective employees
- 2.2.3 Low rate of labour turnover
- 2.2.4 Low rate of disciplinary and grievance procedures
- 2.2.5 Low rate of complaints from clients and general public
- 2.2.6 Increased employment and entrepreneurs in the Northern Province

2.3 LEGAL MANDATE

In all its dealings regarding staff provisioning matters Greater Letaba Municipality shall be guided by the provisions of the:

- 2.3.1 Basic conditions of employment act
- 2.3.2 Employment equity act
- 2.3.3 Labour Relation Act

2.4 GENERAL PRINCIPLES

2.4.1. The filling of vacancies by the Greater Letaba Municipality shall be in terms of relevant statutes viz. Basic Conditions of Employment Act, Labour Relations Act and the employment equity Act.

2.4.2 Recruitment shall be undertaken by employees duly authorized to perform that function.

2.4.3 Recruitment shall be done only after vacant post(s) with a duly approved job description; grade/level and remuneration package having been identified to be filled.

2.4.4 Vacancies shall be filled only if sufficient financial provision has been made on the budget

2.4.5 All vacancies to be filled shall be advertised

- 2.4.6 The recruitment of employees shall be done with due confidentiality and integrity.
- 2.4.7 No verbal applications for positions in the Greater Letaba Municipality shall be entertained.
- 2.4.8 A selection panel which may consist of council members, head of departments and external experts shall be composed to interview applicant for vacancies. Recommendations for the short listing is to be done in consultations with the employment equity and skills development committee.
- 2.4.9 No employee may be appointed without undergoing a selection interview unless a vacancy is filled through the promotions of the employee from within the Municipality.
- 2.4.10. No employee may be appointed with a remuneration package outside the range of the grade into which he/she is being appointed except with prior approval by Council upon recommendation by the relevant cluster committee after consideration of any special circumstances which might prevail.
- 2.4.11 The appointment of candidate(s) from outside shall be done after management is satisfied that there is no employee from within the organization who is available, able and willing to fill the vacancy.
- 2.4.12. The provisioning of staff shall be done in a fair and non-discriminatory manner, promoting the integrity of Greater Letaba Municipality.

2.5 RECRUITMENT

The municipality should apply the following general principles and guidelines in implementing this policy and to prevent discriminatory or unfair labour practices in recruitment.

- 2.5.1 All jobs should be open to all applicants irrespective of race, sex or other grounds of discrimination prohibited by law.
- 2.5.2 Recruitment of candidates for affirmative actions positions should be carried out according to the provisions of the labour relations act
- 2.5.3 An objective and fair recruiting procedure should be followed at all stages of recruitment.
- 2.5.4 In the case of the closed shop agreement the representative trade union is to be informed of all vacancies in good time.
- 2.5.5 Internal recruitment should take precedence over external recruitment.
- 2.5.6 Information regarding vacancies must clearly state the relevant selection criteria to be applied.
- 2.5.7 The selection criteria should be valid and appropriate to the needs of the job, the municipality and the society as a whole.

2.5.8 All vacancies will be advertised internally, by the following methods:

- a) Information regarding vacancies are to be posted on special vacancy notice board in all applicable languages, in all municipality offices.
- b) All workers are to be informed of details of vacancies and their wage packets.
- c) Procedures and time limits for application should be clearly stated.
- d) Where the municipality is to recruit internally, and where retrenchment has occurred, the municipality shall make all attempts to recruit workers from the ranks of workers retrenched by the municipality.

2.5.9 Press advertisements should be placed in newspapers that are accessible to all Population groups.

2.5.10 The necessary criteria for application, such as procedures and the time limits shall be clearly stated

2.5.11 Priority shall be given to local people and designated groups in terms of affirmative action and employment equity.

2.5.12 Foreign skilled labour may only be recruited after negotiation with the trade unions and after it has been established that there are no local or South Africans capable of occupying the position.

2.6 SELECTION OF EMPLOYEES

The municipality shall adopt a fair selection procedure to ensure that the best applicant is appointed to the job. The guidelines below should be followed to avoid unfair selection practices.

2.6.1 Selection criteria should be objective, related to the inherent requirements of the job and consistently applied to applicants, irrespective of race or sex.

2.6.2 Non-job-related qualifications and higher than necessary qualifications such as educational degrees, linguistic abilities or length of service should not be used to justify selection of a person from an advantaged group over a person from a disadvantaged group.

2.6.3 Any qualification or condition that has the effect of restricting a position to persons from an advantaged group must be clearly justified as job related and necessary before being applied.

2.6.4 Qualifications required for a position should be based on current job description or skill requirements that accurately identifies the nature, purposes and functions of the job, and not on traditional notions of who should be performing the job.

2.6.5 Qualifications for a position should not be adapted to meet the qualifications of any particular individual whose application is anticipated.

- 2.6.6. An objective and clearly specific procedure should be followed, so that a qualified score on an individual's suitability is available.
- 2.6.7. The mere existence of a prior detention, arrest or criminal record should not constitute sufficient grounds for refusal to select any applicant for employment.
- 2.6.8. Recognition of prior learning should be considered if requested by an applicant.

3. SELECTION INTERVIEWS

The Municipality shall adopt the guidelines below to prevent unfair advancement or discrimination during interviews:

- 1. Questions should be related to job requirements.
- 2. The interview should be pre planned and similar questions should be asked.
- 3. Questions should be consistent across interviews.
- 4. An interviewer should not ask for information that can be easily and more accurately assessed by application forms curriculum vitae, tests or reference checks.
- 5. The interview atmosphere should be free from condescension and intimidation.
- 6. Records of interviews, questions and applicants' answers should be retained for later justification of decisions.
- 7. The purpose of the interview should be explained – whether it is an initial screening device or the final step in selection.
- 8. An interview panel shall be constituted for each interview taking into consideration the following guidelines:

Position / Level	Size of Panel	Composition
Municipal Manager	7 – 9 Members	Mayor and Executive Committee Human Resource Committee Trade Union – Observers
Directors reporting directly to Municipal Manager	7 – 9 Members	Mayor and Executive Committee Municipal Manager Chair: Relevant Portfolio Committee Trade Union – Observers
Assistant Directors	5 – 7 Members	Municipal Manager Relevant Manager Direct Supervisor Human Resource Committee Relevant Portfolio Committee Trade Union – Observers
General Staff	7 – 9 Members	Relevant Manager Direct Supervisor Trade Union – Observers

4. REFERENCE CHECKING

1. Reference checks will only be carried out for applicants recommended by an interviewing panel above and only in respect of references as provided by the applicant.
2. Reference checks will be conducted by the Head of Human Resources or any or his / her nominee.
3. The person performing the reference check will obtain the following information during the course of the reference check:
 - (a) A confirmation of the applicant's employment history, including date of starting service with the previous employer.
 - (b) The applicant's position and remuneration details;
 - (c) The job requirements and key performance areas of the applicant's current position.
4. The person performing the reference check will not seek to obtain the following information during the course of the reference checks:
 - (a) Information relating to the ethnic background and personality of the applicant;
 - (b) Information based on the feelings, opinions or hunches of the referee;
 - (c) Information relating to the performance of the employee that has not been observed and or obtained from a written performance record;
 - (d) Information that is hostile or malicious;
 - (e) Information as to whether or not the referee regards the applicant as being suited for the position for which he or she has been recommended by the interviewing panel.

5. EMPLOYMENT INDUCTION

- 5.1. Induction is the process of introducing a new employee or a transferred employee to the municipality, its policies and procedures, values, co-workers and the tasks and activities to be performed. A new employee should go through some induction before settling down to perform his / her functions.
 - 5.1.1. Objective of Induction
 - 5.1.2. Responsibility for Induction
- 5.2. The human resource management division carries the final responsibility to ensure that the new employee go through an induction process. Induction will however occur at different levels as indicated below:
 - (a) The Supervisor
The Supervisor must ensure that a new employee is able to function effectively within his / her section. The supervisor must provide responsibilities, rules, regulations, procedures and also take the employee through a section's tour.

(b) Head of Department

The head of the department should meet the new employee and give a broad overview of the department, its functions and what it is expected to achieve.

(c) The Human Resource Department

The HRM department is responsible for the employment contract, remuneration, staff benefits, staff development, labour relations and personal and regulations in general.

(d) Staff Representative

The staff representative will explain staff representative, membership, benefits and disciplinary processes.

3. Both the employee and the person responsible for induction must sign the induction form and submit it to the HRM department for record keeping.

6. REIMBURSEMENT OF INTERVIEW RELATED COSTS

1. Any prospective applicant, who is invited to attend an interview, shall be paid the AA running costs tariff in accordance with the cylinder capacity of his or her vehicle or public transport rate if same applies.
2. In the event of an applicant making use of air travel, the applicant shall be paid the cost of an economy class return ticket. The municipality will also provide official transport from and back to the airport.

7. REMOVAL EXPENSES

- 7.1. A newly appointed employee shall receive once – off assistance with removal expenses incurred to relocate to an address within the area of jurisdiction of the Municipality or an acceptable address, on condition:
- 7.2. The employee submits to the Municipal Manager for his consideration, three written quotations which must include comprehensive insurance.
- 7.3. The municipality shall pay the approved removal contractor or any other transport to be applied with the relevant legislation and all the removal costs accepted prior to the removal of goods.

8. EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION

1. The municipality shall take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.
2. It is affirmed that it will not constitute unfair discrimination to take affirmative action measures consistent with the purposes of the Employment Equity Act of

1998 or to distinguish, exclude or prefer any person on the basis of an inherent requirement of any job.

3. Harassment of an employee, including sexual harassment of any form, constitutes unfair discrimination and such harassment will attract disciplinary action against any employee found to have committed it.
4. The municipality must, in order to achieve employment equity, implement affirmative action measures for people from designated groups as defined in Section 1 of the Employment Equity Act of 1998. Designated groups means black people, women and people with disabilities. Black people is defined in the Employment Equity Act as a genetic term meaning African, Coloureds and Indians.
5. Affirmative action measures are measures designated to ensure that suitably Qualified people from designated group have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce of the municipality.

2.1.3.6 Affirmative action measures include, but are not limited to, the following:

- (a) measures to identify and eliminate employment barriers, including unfair discrimination which adversely affects the people from designated groups
- (b) Measures designated to further diversity in the workplace based on equal dignity and in respect of all people.
- (c) Making reasonable accommodation for people from designated group in order to ensure that they enjoy equal opportunities and are equitably represented in the workforce of the municipality.
- (d) Measures to ensure the equitable representation of suitably qualified people from designated group in all occupation levels in the workforce of the municipality.
- (e) Measures to retain and develop people from designated group and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.

2.1.3.7 No provision in this policy should be construed as requiring the municipality to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from the designated groups.

2.1.4 SCOPE OF COVERAGE

This policy will apply equally to all employees of Greater Letaba Municipality

GREATER LETABA MUNICIPALITY

INTERVIEW S “RATING FORM

Applicant:..... Interviewer:.....

Position:..... Date:.....

Factors	WEIGHT (1-3)	POOR (1)	BELOW AVG (2)	AVERAG E (3)	ABOVE AVG (4)	EXCEL LENT (5)	SCOR E
Qualification (How relevant is current qualification to job applied for)							
Work experience (Is experience relevant to job and meeting specifications)							
Communication (Is applicant able to express him/herself adequately)							
Technical/subject knowledge							
Personality (Is the applicant s personality suitable for position applied for)							
Flexibility/ adaptability (Is the applicant flexibility and willing to adapt to new situation)							
Total Score							

Comment _____ by _____ Interviewer

Recommendation:

Signature: _____

THE INTERVIEW

1. **Welcome the applicant**
 - 1.1 Offer a seat
 - 1.2 Offer water

2. **Introduce The Panel**

3. Allow the applicant to introduce him/herself

4. Chairperson leads the interview by:

- 4.1 Restarting the job for which the applicant is being interviewed
- 4.2 Explaining how the interview will be run
- 4.3 How long it may take
- 4.4 Telling the applicant to understand question first
- 4.5 Giving the applicant the right to interact freely
- 4.6 Asking a general question about the applicant

5. ASKING QUESTIONS:

- 5.1 Ask question relevant to the job applied for without long explanations.
- 5.2 Make few follow-ups on answers given
- 5.3 Do not engage in an argument with the applicant
- 5.4 Do not pressurize the applicant to give an answer
- 5.5 Do not ridicule or tell/show the applicant he/she is wrong
- 5.6 Avoid sign /gestures that indicate high interest or that tell applicant you are no more interested.
- 5.7 Avoid making the applicant that the interview is a mere routine or compliance exercise.

6. ENDING THE INTERVIEW

- 6.1 Allow the applicant to ask questions
- 6.2 Tell the applicant when to expect the outcomes
- 6.3 Indicate if there are any claim form to be completed
- 6.4 Thank the applicant for his/hr time

At all times make the applicant feel you are genuine and fair in your questions and action. Any feel of unfairness may lead to appeals and litigation.

THE END OF STAFF PROVISIONING POLICY

GREATER LETABA MUNICIPALITY

TRANSPORT CONTROL POLICY

1. OBJECTIVES

1.1. The purpose of this policy is to ensure proper use, care and control of municipal motor vehicles and transport facilities. The policy further seeks to clarify responsibilities and duties of officers and employees charged with the duty to control, drive and maintain vehicles.

2. KEY PERFORMANCE INDICATORS

The proper implementation will be indicated by the following:

Vehicles will be used with prior approval from those authorised to approve trips.

Required log books will be completed and submitted as required.

Vehicles will strictly be utilised for official purposes except in exceptional up to the except in exceptional cases.

The cost of maintaining will be functional up to the end of their stipulated life-time.

3. TRANSPORT CONTROL OFFICER

The duty of the transport control officer shall be to:

Co-ordinate transport and ensure that the best and most economical use thereof is made at all times;

Exercise control over the maintenance of and expenditure involved in the use of motor and other transport;

Arrange for the proper completion and regular scrutiny of all records and returns concerning transport; ensure that the vehicles controlled are kept in good condition and that they are serviced regularly;

Ensure that all instructions relevant to the use operation and maintenance of vehicles are complied with; and

To act as liaison for the municipality in matters relating to transport;

In cases where a transport control officer has not been appointed, the driver or officer or employee in charge of the Municipal vehicle shall assume the duties of a transport control officer.

4. ITENERARIES

- 4.1. It is necessary that itineraries be prepared in advance in consultation with the transport control officer or other authorised officers. Where the preparations of itineraries is impracticable, and travelling is restricted to a fixed monthly distance, such limitation may not be exceeded except with the approval of the head of the head of the department concerned. Log-sheets shall be compiled and transport control officers and officers or employees who are entrusted with the entrusted with the control of motor transport shall compare itineraries with log-sheets with view exercise proper control over the improper use of vehicles and ensure that appropriate steps are taken where it has been established that improper use of municipal transport has been made. The Head of Department shall approve official trips to be undertaken on the relevant itineraries to ensure effective control upon the use of municipal vehicles.

5. LOG-BOOKS

Completion

- 5.1.1 Log-sheets in the form approved by the municipality shall be completed in every detail during or immediately upon completion of a trip, and disposed of by the officer or employee using the departmental vehicle in accordance with the instructions issued with it or any municipal policy pertaining thereto.

SUPPLY

- 5.2.1. Supply of log-books are obtained from the Traffic Control Officer or any person charged with the duty to issue them.

SAFE CUSTODY

- 5.3.1. The officer or employee in charge of the vehicle concerned or the transport control officer shall be responsible for the custody of the log-book.

6. USE OF MUNICIPAL MOTOR TRANSPORT

- 6.1. Municipal motor transport is provided for official services. A municipal vehicle may however be utilized for purposes other than official purposes in the following circumstances:

6.2. Where an officer or employee:

- 6.2.1 Whilst using a municipal motor vehicle in the execution of his duty, requires in the interest of the Council, the services, assistance or presence of a member of the public, a dignitary or prominent citizen, he may convey such person in such vehicle free of charge subject to the standard conditions contained in paragraph 6.1.3. Provided that the officer or employee concerned if time permits, obtains prior approval for the necessary transport arrangements from the head of his department. Cases of this nature include interalia those where a person is required to act as a guide, where officer desired that a prominent person makes an address at an official function ect.
- 6.2.2 Whilst using a municipal motor vehicle on official duties comes across an accident or breakdown he must not use the municipal motor vehicle to push or tow a privately owned vehicles involved in the accident or breakdown with

a view to starting it or getting it back on the road or removing it from the road. Unless the latter action is necessary from a road-safety point of view or unless he is satisfied that none of these actions will cause damage to the municipal motor vehicle. If necessary a municipal motor vehicle may be used to convey the injured who can be safely moved and their private property free of charge, to a hospital or Doctor and to convey the persons who are stranded and their property free of charge to a hotel or address on his authorised route subject to the standard conditions contained in paragraph 6.1.3. and the following further conditions:

6.2.2.1 The residential address of an injured conveyed (if obtainable) and of the stranded person(s) as well as the registration breakdown must be recorded in the log-book of the municipal motor vehicle or on the distance requisition and

6.2.2.2 If at all possible it must be explained to the injured and /or his/her relatives or to stranded persons at the scene of the accident or breakdown that he/they is/are being conveyed at his/their own risk

6.2.2.3 In the case of a serious emergency, catastrophe or revolt and where there are no instructions or arrangement issued under statutory authority or law or by the municipal policy or by-law to meet and control the situation, the officer considers it his duty to render assistance other officers, employees, members of their households and members of the public, he may use a municipal motor vehicle to remove such persons and their personal effects to a safe place or to bring assistance to them subject to standard conditions contained in paragraph 6.1.3. and provided that:

6.2.2.3.1 Time and circumstances prevent the officer or employee from approaching the head of his department in writing or by any other means for his authority for the rendering or assistance and;

6.2.2.3.2 The persons to whom assistance is to be rendered are not able to use public transport or are not in possession of suitable privately owned vehicles or are not in a position to arrange for such transport;

6.2.2.3.3 It should be explained to the persons to whom assistance is to be rendered that they and their personal effects are being conveyed at their own risks and that they may be called upon to pay for the transport and other expenditure incurred in their interests of each such person.

7 STANDARD CONDITIONS

7.1. The following standard conditions apply in respect of all cases where a municipal motor vehicle is being used:

7.2 Use must be made of the municipal motor vehicle already allocated to the officer or employee. Pool vehicles will be used by officers who have not been allocated vehicles. Only in exceptional cases with prior approval by the corporate services Manager may an employee with an allocated vehicle make use of a pool vehicle. The most economical vehicle suitable for the service must be used.

- 7.3 Sufficient space must be available in or the vehicle and the available space must be required for official purposes or for the special purposes of the particular transport service authorised.
- 7.4 The vehicle must not be overloaded.
- 7.5 The vehicle must be driven by an appropriately licensed and duly authorised officer or employee who is on official duty.
- 7.6 The vehicle must not deviate from the authorised route or be delayed unnecessarily in the private interest of the driver or the passengers or in connection with the loading or unloading of private property or goods.
- 7.7 Unofficial passengers who are to be conveyed must report timiously at a convenient central point or at convenient points on the authorised route of the vehicle and they must be off-loaded only at a central point or points on the route.
- 7.8 The names of the unofficial passengers or other persons must be recorded in the log-book of the vehicle or, if a log-book is not kept on the distance requisition. If it is impracticable to record the particulars in the log-books or on the distance requisition they must be recorded in a suitable office register.
- 7.9 The nature of any private property or goods which are to be conveyed, including small purchases and personal effects of unofficial passengers and other persons, must be such that the loading, unloading and conveyance thereof will under normal circumstances cause no damage to the vehicle or Council property or injury to official passengers.
- 7.10 Persons who load and unload private property or goods onto and from a vehicle do so at their own risk and in cases where officers or employees sustain injuries on duty are not applicable.
- 7.11 The unofficial passengers, officers, employees and other persons or the Manager or representative of an authorised mass, club or canteen, may be in as the case may be in whose private interest property or goods are conveyed, must accept liability for making good any expenditure which the Council may incur or losses which it may suffer as a result of damage (excluding damage resulting from an accident in which the vehicle may be involved) caused by the unofficial passengers or their private property or goods.

8 DRIVING OF MUNICIPAL MOTOR VEHICLES

8.1 Authority and license

No officer or employee may drive a municipal motor vehicle unless he had been authorised to do so by an officer of his department who has the necessary power to exercise such authority and furthermore unless he is capable in terms of the Road Traffic Act and is properly licensed to drive the particular class of vehicle in which the one under his control falls.

8.2 Physical disability

It is the duty of a driver of a municipal vehicle in terms of the Road Traffic Act to report any physical disabilities from which he may suffer or which he has sustained or which have developed after the issued of a driver's license. Cases where it is deemed necessary to modify the standard driving controls of a municipal vehicle before it is allocated or issued to a physically disabled person should be approved by the Municipal Manager before such modifications.

8.3 Competency of drivers

An officer who has the power to authorise another employee to drive shall satisfy himself that any in competency or doubtful ability on the part of the officer or employee is not of such a nature as to expose the Council to great risk. Where such officer or employee must of necessity drive municipal motor vehicle and it is considered necessary, he should be subjected to a retest by the authority concerned even if it has to be done at municipal expense.

8.4 Careful handling

Drivers must exercise proper care in the use and handling of municipal motor vehicles. Any evidence of neglect, rough handling or reckless driving must be reported and dealt with according to the disciplinary procedures.

9 INSURANCE

9.1 Cover

Municipal motor vehicles must be insured by insurance companies. The Insurer carries the accident risks and accepts liability for any expenditure arising from third-party claims, including claims by authorised against the official driver official passenger in respect of personal injuries or damage to municipal motor vehicles or loss of or damage to municipal property. Officers or employees driving municipal motor vehicles and their passengers are covered to the following extent:

- 9.1.1 An officer or employee who whilst driving a municipal motor vehicle is involved in an accident and thereafter is charged with a criminal offence or against whom civil claims by third parties are laid may be defended through the municipality's lawyers at Municipal expenses.
- 9.1.2 An officer or employee who is injured whilst using a Municipal motor vehicle on official duties either as a driver or as a passenger will be regarded, as having been injured on duty and the matter will be dealt with in accordance with the arrangements applicable to injury on duty.

9.2 Forfeiture of cover by driver

The cover and arrangements mentioned in paragraph 9.1. will not apply as far as the driver of a municipal motor vehicle is concerned in a case where:

- 9.2.1 He is found guilty by a criminal court of having occupied the driver's seat of a motor vehicle the engine of which was running while:
 - 9.2.1.1 He was under the influence of intoxicating liquor or a drug having a narcotic effect or
 - 9.2.1.2 The concentration of alcohol in his blood was not less than prescribed in the Road Traffic Act
- 9.2.2 He makes an admission of liability to third parties before the municipality's lawyers who are consulted in the matter provided that such admission by the driver shall not exclude him from the benefit of the arrangements applicable to injuries on duty.
- 9.2.3 The vehicle is or was used without authority for other purposes than strictly official purposes
- 9.2.4 The driver is not in possession of an appropriate driver's license
- 9.2.5 He drives or has driven a vehicle without having been properly authorised thereto; or
- 9.2.6 He allows or has allowed the vehicle to be driven by a person not authorised thereto provided further that if in case mentioned in sub-paragraphs 9.2.1., 9.2.2., 9.2.3., 9.2.4., 9.2.5., 9.2.6. the Municipality's lawyers by reason of the provisions of the Compulsory Motor Vehicle Insurance Act 1972 (Act No 57 of 1972), as amended or for any other reason of the Municipality's rights to recover from the officer or employee concerned all costs arising out of such defence and the amount of any third-party claim paid and in this connection the officer or employee will be required to give the following written undertaking which must accompany any documents relative to the matter when they are forwarded to the Municipality:

----- the undersigned, hereby apply for defence through the Municipality's lawyers of the action of ----- against myself. I hereby undertake to pay on demand to the Municipality's lawyers, the defence costs of the action should the Municipal Manager after the conclusion of case, decide that this is to be done and I further undertake to refund to the Municipality the amount of any third-party claim paid should I be called upon to do so, because it may be found that I am not covered by the indemnity given by the Municipality to officers and employees operating Municipal Motor vehicles.

DATE

SIGNATURE OF OFFICER OR EMPLOYEE

WITNESS

1. -----

2. -----

10 ACCIDENTS

10.1 Procedure

The following procedure shall be followed in the event of a Municipal motor vehicle being involved in an accident no matter how trivial and irrespective of whether or not any person or animal or property or other vehicle is involved:

- 10.1.1 Call a police or traffic officer if possible, or if such officer is not available report the accident to a police station or a traffic officer as soon as possible and furnish full details thereof.
- 10.1.2 If requested to do so supply the name and address of the driver of the Municipal motor vehicle and the number of the vehicle to any other person having reasonable grounds for requesting the information.
- 10.1.3 In no circumstances shall liability be admitted or unguarded statements made to any person at all or at any time or payment offered or made to any person at all or at any time or payment offered or made to a third-party.
- 10.1.4 Should any third party involved admit liability, endeavors should be made to obtain a statement in writing from him to this effect.
- 10.1.5 Should a driver of a vehicle be suspected of being under the influence of intoxicating substances; obtain as soon as possible preferably at the scene of the accident, at least the following particulars which are required for completing the accident report from:
 - a) Registration number make and type of the other vehicle(s).
 - b) Name and address of driver(s) and of owner(s) of the other vehicle(s).
 - c) License disc number and its expiry date of other vehicle(s)
 - d) Whether the other driver acted in his own interests or in the interests of the owner of the vehicle.
 - e) Nature and extent of damages sustained by the other vehicle(s) in the particular accident only.
 - f) Name, address, race and estimated age of any pedestrian(s) involved in the accident and of any person(s) killed or injured as well as the nature and extent of injuries.
 - g) Description of animals and fixed objects involved in the accident and the name and address of the owner and furthermore, in the case of animals the name and estimated age of any herdsman (men) who tended or drove the animals as well the nature and extent of injuries and damages.
 - h) Name and address of each witness, including the occupants of the other vehicle(s) involved.
 - i) Measurements for the preparation of a sketch of the scene of the accident.
 - j) Whether or not the road was fenced in both sides or one side only.

10.2 Reporting of the accident (other than to the police)

- 10.2.1 The driver of the Municipal vehicle shall make a suitable endorsement in the log-book of the vehicle and shall without delay complete the accident report form, and forward it together with statement by witnesses and other relevant

supporting documents all in triplicate to the transport officer or any other authorised officer.

- 10.2.2 Supplies of the report form, can be obtained from the transport control officer charged with that duty. Officer and employees are encouraged to keep a form available for immediate completion in the case of accident.

10.3 Disposal of accident report form

The transport officer will attend to the investigation and will liaise with the insurance company for the repair of the vehicle.

10.4 Legal proceedings

Should the driver of a municipal motor vehicle be required to appear at an inquest or inquiry, or should criminal or civil proceedings be instituted against him, he shall immediately submit the summons/subpoena or notice to appear served upon, or a copy thereof in the case of a municipality's lawyers may be consulted in the matter. Where applicable, the written undertaking referred to in paragraph 9.2. shall be submitted with the summons etc.

10.5 Third-party claims received

- 10.5.1 Third-party claims received shall immediately be submitted, in the case of a municipality vehicle having been involved in the accident to the relevant manager/officer.

- 10.5.2 If receipt of the claim is acknowledged, it shall be clearly stated in the letter of acknowledgement that it is being done without prejudice and that the claim is receiving attention. The letter must contain no statement or admission, which could possibly prejudice the municipality's case.

11 DAMAGE, LOSSES, DEFICIENCIES AND THEFTS

11.1 Checking

- 11.1.1 An Officer or employee who takes over a municipal motor vehicle must ensure that any damage or deficiency is immediately brought in writing to the notice of the Transport Control Officer or authorized person.

- 11.1.2 The officer or employee who takes over unless he complies with paragraph 11.1.1 above will be deemed to have received the vehicle in good order.

11.2 Reporting

- 11.2.1 When damage, losses, deficiencies or thefts occur the officer or employee operating the municipal motor vehicle shall immediately report the matter to the Director Corporate Services who shall in turn immediately report to the

police. When an officer or employee returns a Council vehicle to an official garage he shall also report to the Transport Control Officer any damage, loss, deficiency or theft which has not yet been brought to notice.

11.2.2 When damage, losses, deficiencies or thefts occur whilst a vehicle is on tour the officer or employee concerned shall immediately report the matter to the nearest police station and on his return to his headquarters to the Director Corporate Services who shall then inform the asset section.

11.2.3 In the case of a loss or thefts of any official order book for the procurement of supplies and services, the officer or employee concerned shall in the events of it not being possible to immediately deliver his written report to his transport control officer by hand immediately advise that officer through any written means of the loss or theft, at the same time quoting the vehicle number and serial numbers of the unused order forms. The transport control officer shall then immediately report to the Finance Director.

11.3 Restitution

If criminal proceedings are instituted against any person other than the official driver of the Municipal motor vehicle or any other officer or employee, in connection with the loss, theft, damage or misuse of the vehicle or its parts and accessories, the driver of the vehicle concerned or a responsible officer shall consult the Corporate Services department regarding the possibility of applying to the court for restitution to recover any loss that may have been suffered.

12 SERVICING OF MUNICIPAL MOTOR VEHICLES

All Municipal motor vehicles shall be served in accordance with the policy and specifications laid down by the relative manufacturers. Transport control officers and officers or employees in charge of these vehicles shall be responsible for ensuring that the arrangements set out below are strictly observed.

12.1 At official garages and departmental workshops

At a centre where there is an official garage or a suitably equipped municipal workshop the servicing of municipal motor vehicles shall be entrusted to the official garage or to such municipal workshop.

12.2 At other centres

In the case of a Municipal motor vehicle requiring servicing whilst on tour or stationed at a centre where there is no official garage or a suitably equipped Municipal workshop it shall be taken for attention to;

- a) The local agent for the make of vehicle concerned or
- b) In the absence of a local agent to a reliable commercial garage.

12.3 All servicing subject to payment

The Council is required to pay for all servicing of Municipal motor vehicles in terms of the creditors policy.

12.4 Adjustments and repairs

The officer or employee in charge of the vehicle shall, when handling the vehicle over for servicing, report to the official garage, municipal workshop, the agent for the particular vehicle or other reliable commercial garage, as the case may be, any adjustment or repairs which he considers necessary. Where use is made of the agent or other commercial garage, the officer or employee shall request that any defect(s) discovered during the servicing first be brought to his notice and where the repairs are estimated to cost not more than the amount stipulated by the municipality from time to time he shall request that the defect(s) be rectified. Particulars thereof shall be specified on the relative order form. Where the repairs are estimated to cost more than the amount referred to the officer or employee shall first approach the official garage or relevant officer for instructions.

12.5 Warranty

New motor vehicle in most cases carry a warranty for certain number of kilometres. Should any defect(s) occur before reaching the distance reading in question, the officer or employee in charge of the vehicle shall;

12.5.1 Report the matter without delay to the transport control officer or

12.5.2 Take the matter up without delay with the local agent for the make of vehicle concerned. In the event of any difficulty or where there is no local agent, the matter shall immediately be reported in writing to the transport control officer or authorised person.

12.6 Servicing intervals

Officers and employees in charge of Municipal motor vehicles are serviced as detailed in the relative servicing coupon booklet supplied with the vehicle. Under adverse conditions it may be necessary for some of the specified services to be undertaken more frequently than prescribed. In such cases the guidance of the official garage should be sought. In exceptional circumstances due to whether, road or other abnormal conditions servicing may at times also have to be undertaken at more frequent intervals than those normally required. The officer or employee should use his discretion and make a suitable endorsement on the relative order.

12.7 Timeous arrangements

When a vehicle requires to be serviced the officer or employee in charge of the vehicle shall always endeavour to arrange timeously with whoever is to take the vehicle to be delivered at a particular time and day, in order to avoid delays in having the work carried out.

12.8 Petrol and oil additives

Petrol and oil additives shall not be purchased without the prior authority of the responsible Manager/office or the department concerned, as the case may be. Unless officers or employees have such authority, they shall in cases where the servicing of vehicle at any other commercial garages, at the time of delivery for the vehicles request that no petrol or oil additives be used.

12.9 Complaints against local agents

Where an officer or employee in charge of a municipal motor vehicle or the transport control officer has any complaint in regards to services or quality of work against the local agent for the make of vehicle concerned, it does not give him the right to take or to send the vehicle at any time without authority to another commercial garage for attention, but he/she shall report the matter with full details without delay in writing to the transport control officer who will take it further.

12.10 Use of services of competent officials

Where the Municipality employs an officer or employee who possesses sufficient mechanical knowledge and the nature of his duties is such that it would not be unreasonable to call upon him to undertake the partial servicing of municipal motor vehicles, there will be no objection to such an arrangement provided the necessary tools and equipment are available and the vehicles are periodically checked at a commercial garage, municipal workshop, agent for the particular vehicles or other reliable commercial garage, as the case may be.

12.11 Washing and polishing

Washing and polishing of a vehicle considered desirable as regularly as possible. Under adverse operating conditions these may be undertake more frequently, but only when necessary. Where arrangements exist that vehicles used by the municipality may be cleaned, washed and polished by municipal employees and the municipality provides cleaning materials, use shall be made of such arrangements.

13 REPAIRS AND REPLACEMENT OF PARTS AND ACCESSORIES

13.1 Responsibility

The transport control officer or the officer or employee in charge of a municipal motor vehicle shall be responsible for seeing to it that repairs and replacements required are carried out timeously.

13.2 Repairs other than accident repairs

In the case of a Municipal vehicle, stationed at a centre where there is no official garage or suitably equipped municipal workshop:

13.2.1 The officer or employee in charge of the vehicle shall, with prior reference to his transport control officer entrust repairs arising out of fair wear and tear to the local agent for the particular make of vehicle, to a reliable local commercial garage. Repairs arising from cases other than fair wear and tear shall be similarly arranged but with the prior approval of the transport control officer.

13.2.2 The matter shall be reported to the responsible transport control officer who will instruct the officer or employee in charge of the vehicle as to the course to be adopted with regard to the repairs. In cases of urgency, the nature and costs of the repairs required shall be furnished through any official means of communication to the nearest commercial garage.

13.3 Spare parts and accessories

All spare parts and accessories essential for the road worthiness, operation and maintenance of a municipal motor vehicle, shall be obtained from the local agent for the particular make of vehicle, or in the absence of such agent from a reliable local commercial garage. Where the spare parts or accessories are not available at a local agent, they may be obtained any where without delay.

13.4 Accident repairs

Where repairs arising from accidents are involved, irrespective of the estimated cost of repairs, written quotations shall be invited in consultation with the Transport Control Officer who will instruct the officer or employee in charge of the vehicle as to the course to be adopted regarding the repairs.

13.5 Use of services of competent officials

Except for work which may be prejudicial to the warranty on a vehicle and accident repairs, the services of an officer or employee who is in possession of sufficient mechanical expertise may be employed to effect minor adjustments and repairs to municipal motor vehicles provided the necessary tools and equipment are available.

14 PURCHASE OF FUEL, OIL AND OTHER ITEMS

14.1 Authorisation to purchase for cars

An officer or employee driving a Municipal vehicle, may purchase fuel, oil and other minor items to a value not exceeding the limit as may be set from time to time from a commercial garage enroute if away from the municipality's facility and shall attach tax invoices for the purchase to his claim on return to his base office. The official or employee will then be reimbursed by the Municipality.

14.2 Purchase at suppliers where the Council holds an account

In the event of purchase of fuel, oil or other items to a value not exceeding an amount as set by the municipality from time to time, at suppliers where the municipality holds an account, the officer or employee shall complete the necessary order form and forward the relevant copy to the Finance Department for payment. In all cases the procurement policy of the municipality shall be observed.

15 DEFAULT

Failure to observe the rules contained in this policy document and also any instructions issued by the Municipal Manager or responsible officer, or which appear on forms or in books used in connection with official travelling and transport, will render the offending officer or employee liable to disciplinary action which may in certain cases lead to making good any loss which the municipality may suffer.

16 SCOPE

This policy applies to both Councillors and employees of the Municipality.

THE END OF TRANSPORT CONTROL POLICY

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICES & PROCEDURES

SEXUAL HARASSMENT POLICY

1. OBJECTIVE

The purpose of this policy is to encourage and promotes the development and implementation of policies and procedures that will lead to the creation of workplaces that are free of sexual harassment where the municipality and its employees respect one another's integrity, dignity, privacy and right to equity in the workplace.

2. LEGAL MANADATE

This policy is developed and implemented in terms of the following laws:

- a) Constitution of South Africa Act 108 of 1993
- b) Labour Relations Act 66 of 1995
- c) Municipal Systems Act 32 of 2000
- d) Municipal Structures Act 117 of 1998

3. WHAT IS SEXUAL HARASSMENT

Sexual harassment may be viewed as any of the following:

3.1. Unwanted conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behavior that is welcome and mutual.

3.2. Sexual attention becomes sexual harassment if-

- a) the behaviour is persisted in, although a single incident of harassment can constitute sexual harassment; and
- b) the receipt has made it clear that the behaviour is considered offensive; and/or the perpetrator should have known that the behaviour is regarded as unacceptable.

4. FORMS OF SEXUAL HARASSMENT

Sexual harassment may include unwelcome physical, verbal or non-verbal conduct.

- a) Physical conduct of a sexual nature includes all unwanted physical contact, ranging from touching, to sexual assault and rape, and includes a strip search by or in the presence of the opposite sex.
- b) Verbal forms of sexual harassment include unwelcome innuendoes, suggestions and hints, sexual advance, comments with sexual overtones, sex-related jokes or insults , unwelcome graphic comments about a person's body made in their presence or to them, unwelcome and inappropriate enquires about a person's sex life, and unwelcome whistling at a person or group of persons.
- c) Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects.
- d) Quid pro quo harassment occurs where member of management or co-employee undertakes or attempts to influence or influences the process of employment, promotion, training, discipline, dismissal, salary increments or other benefits of an employee or job applicant in exchanges for sexual favours.
- e) Sexual favouritism exists where a person who is in a position of authority rewards only those who respond to his or her sexual advances, while other deserving employees who do not submit to sexual advances are denied promotions, merit rating or salary increases.

5. GUIDING PRINCIPLES

5.1 All employees, job applicants and other persons who have dealing with the municipality have the right to be treated with dignity.

5.2 Sexual harassment in the workplace will not be permitted or condoned.

5.3 Persons who have been or are being subjected to sexual harassment in the workplace have the right to lodge a grievance about it and appropriate action will

be taken by the employer.

- 5.4 Council will create and maintain a working environment in which the dignity of employees is respected. A climate in the workplace should also be created and maintained in which victims of sexual harassment will not feel that their grievances are ignored or trivialized, or fear reprisals.
- 5.5 Councillors, management and employees are required to refrain from committing acts of sexual harassment.
- 5.6. All councillors, management and employees have a role to play in creating and maintaining a working environment in which sexual harassment is unacceptable. They should ensure that their conduct does not cause any offence and should discourage unacceptable behaviour on the part of others.
- 5.7 Council and management should attempt to ensure that persons such as customers, suppliers, job applicants and others who have dealings with the municipality are not subjected to sexual harassment by councillor or municipal employees.
- 5.8 Council and management are required to take appropriate action in accordance with this the labour relations policy instances of sexual harassment which occur within the workplace are brought to their attention.

6. DISCIPLINARY ACTION AND GRIEVANCES

- 6.1 Management have a duty to implement this policy and take disciplinary action against employees who do not comply with it.
- 6.2 Care should be taken during investigation of a sexual harassment grievance that the aggrieved person or the perpetrator is not disadvantaged, and that the position of other parties is not prejudiced if the grievance is found to be groundless.
- 6.3 An employee may be dismissed for serious misconduct or repeated offences. Serious incidents of sexual harassment or continued harassment after warnings are dismissible offences.

- 6.4 A victim of sexual assault has the right to press sweater criminal and/or civil charges against as alleged perpetrator, and legal rights of the victim are in no way limited by this code.
- 6.5 Should a complaint of alleged sexual harassment be not satisfactory resolved by the internal procedures set out above, either party may within 30 days of the dispute having arisen, refer the matter to the CCMA for conciliation in accordance with the provisions of section 135 of the Act, should the dispute remain unresolved, either party may refer the dispute to the Labour Court within 30 days of receipt of the certificate issued by the commissioner in terms of section 135 (5)
- 6.6 Councillors and employees must ensure that grievances about sexual harassment are investigated and handled in a manner that ensures that the identities of the persons involved are kept confidential.
- 6.7 In cases of sexual harassment, management, employees and the parties concerned must ensure confidentiality at the disciplinary inquiry. Only appropriate members of management, and the aggrieved person, his or her representative, the alleged perpetrator, witnesses and an interpreter, if required, should be present at the disciplinary inquiry.
- 6.8 Management are required to disclose to either party or to their representatives such information as may reasonably be necessary to enable the parties to prepare for any proceedings in terms of this code.

7. EMPLOYEE ASSISTANCE

- 7.1 Where an employee's existing sick leave entitlement has been exhausted, the council will give due consideration to the granting of additional sick leave in cases of serious sexual harassment where the employee, on medical advice, require trauma counselling.
- 7.2 The Human Resource division should ensure that copies of this policy are accessible and available to staff.

8. SCOPE OF APPLICATION

8.1 This policy applies to councillors, all employees of the municipality, service providers, contractors and all people who have dealings with the municipality.

A non-employee who is a victim of sexual harassment may lodge a grievance with council giving details of the harasser's employment.

THE END OF SEXUAL HARASSMENT POLICY

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICES & PROCEDURES

HIV/AIDS POLICY

1. BACKGROUND

Municipalities have a constitutional mandate to create and sustain humane, equitable and viable human settlements. Greater Letaba Municipality. Like the rest of the world is faced with and has to deal with the HIV/AIDS epidemic that threatens to wipe our society and thus make an issue of capacity more daunting.

This Municipality acknowledges the threat that this epidemic is to our human resources and therefore undertakes to provide a workplace environment that will strike towards supporting its human resources in the fight against HIV/AIDS. Not only will the management of this municipality maintain a work environment that responds to issues created by Aids and HIV infections but will responds to the concerns of employees that may request management assistance. The management of this municipality acknowledges that in order to prolong and maintain the quality of life of employees with HIV or AIDS. A caring and supportive environment is critical.

Recognizing and being involved in management of HIV/AIDS in this municipality will ensure that management can plan for future human resources to ensure continuous service provision to the people of this community. This will be done through workplace surveys that will be conducted with the consent of all concerned with due consideration to the rights of employees. Regular impact analyses in order to understand the epidemic and how it is impacting on the municipality, its structure, operations and functions are important. The municipality will thus endeavor to deal with HIV/AIDS issues in line with the National Policies and Guidelines pertaining to the issue.

2. OBJECTIVE

To ensure that there will be a collaborative effort by all in ensuing that a programme is put in place and implemented to support those living with HIV/AIDS, to prevent the

spread of the diseases and to provide clear guidelines as to how all these will take place considering all mandates legal and otherwise. The management of HIV/AIDS and STDs will take into account the fact that there is a strong link between them.

3. APPLICATION

The policy applies to all employees and prospective employees of Greater Letaba Municipality.

4. PRINCIPLES

Greater Letaba Municipality affirms that:

- 4.1. This policy shall be the product of consultation with all stakeholders of this municipality in order to ensure involvement of all during implementation.
- 4.2. Employees living with HIV/AIDS shall be protected against discrimination.
- 4.3. Employees living with HIV/AIDS have the same rights as all other employees.
- 4.4. HIV status shall not constitute a reason to preclude any person from employment.
- 4.5. No staff members shall be required to undergo HIV testing. Where testing is done at the insistence of an employee, this will be with his/her consent and accompanied by counselling.
- 4.6. Confidentiality regarding the HIV status of any member of staff shall be maintained at all times.
- 4.7. The municipality shall budget for the implementation of programmes that will support staff to prevent or live with HIV/AIDS.

5. LEGAL MANADATES

- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997.
- The Constitution of the Republic of South Africa, Act 108 of 1993 .
- National HIV/AIDS policy guidelines.
- Occupational Health and Safety Act 85 of 1993.
- Compensation for Occupational Injuries and Diseases Act.

6. HIV/AIDS PORGRAMMES

In order to ensure that programmes are implemented successfully the following will be the cornerstone:

- Collaboration.
- Transparency.
- Consultation.
- Integration into everyday activities of the municipality.
- A clear commitment by management.

6.1. CO-ORDINATION AND IMPLEMENTATION OF HIV/AIDS PROGAMME

The municipality shall appoint an HIV/AIDS programme Co-ordinator and Working Group that shall:

- a) Communicate the policy to all staff.
- b) Advise management regarding programme implementation and progress.
- c) Liaise with other HIV/AIDS service organizations and make use of other resources in the community.
- d) Liaise with other HIV/AIDS service organizations and make use of other resources in the community.
- e) Create a supportive and non discriminatory working environment.

6.2. MANAGEMENT OF INFECTED EMPLOYEES

6.2.1. HIV/AIDS shall be treated in the same way as other disabling or terminal conditions.

6.3. PROGRAMME COMPONENTS

The HIV/AIDS programme of this municipality shall ensure provision of access of all staff to:

- a) Information, education and communication activities, including media material and peer education.
- b) Barrier methods or prevention awareness.
- c) Health service for the appropriate management of STDs.
- d) Treatment of opportunistic infections for infected staff, along with testing and counselling services.
- e) Personal protective equipments for staff who may potentially be exposed to blood or blood products.
- f) Support for infected and affected staff.

7. PLANNING

Workplace surveys will be conducted with the consent of all concerned with due consideration of the rights of employees to determine the extent of the epidemic. Regular impact analyses will be conducted in order to understand the epidemic and those it is impacting on in the municipality, its structures, operations and functions. . The results of such surveys or analysis shall be utilized to plan the municipality's strategic interventions.

8. BENEFITS

HIV/AIDS infected employees are entitled to the same benefits as all other employees.

9. BUDGET

The municipality shall provide an adequate budget to implement the HIV/AIDS programme.

10. INTERACTION WITH STAKEHOLDERS

The municipality will endeavor to interact and utilize all resources available in the community and the country at large to ensure contribution to the National HIV/AIDS programme. In order to achieve this, the municipality will interact and serve on other committees with other government departments that contribute to the prevention of and support rendered towards HIV/AIDS.

11. CONFIDENTIALITY

An employee or prospective employee has a right to confidentiality regarding his/her HIV/AIDS status. A breach of confidentiality shall be dealt with according to the disciplinary policy of the Municipality.

12. RECRUITMENT AND EMPLOYMENT

- a) Prospective employees will be under no obligation to reveal their HIV/AIDS status.
- b) Pre-selection testing is prohibited and will not be conducted except where required by the type of work to be performed.
- c) HIV/AIDS shall not be used as a criterion for selection nor will employees with HIV/AIDS be discriminated against in relation to promotion, capacity building or involvement in any activities of the Municipality.

13. TERMINATION OF SERVICE

- a) No employees' service shall be terminated solely on the basis of his/her HIV/AIDS status nor shall it be used as a criterion for retrenchment.
- b) Should an employee be unable to continue with his/her duties, alternative suitable placement should take into consideration the need to revise remuneration.
- c) The Municipal policies and regulations on termination of service will also apply to employees with HIV/AIDS/
- d) HIV/AIDS status shall not be used to justify non-performance.

14. SICK LEAVE

Existing sick leave policies shall also apply to employees with HIV/aids

15. RESPONSIBILITY

All employees shall be responsible for the application of this policy.

- a) All employees shall be held accountable for application of this policy
- b) The Municipality Management shall be held responsible for informing all employees and for implementation of HIV/AIDS programmes including the provision of budget for the successful implementation of the programmes.

16. DISPUTE RESOLUTION

Any dispute between the Municipality and an employee in relation to or arising due to this policy shall be dealt with in accordance with the provisions of the dispute resolution mechanism of the Municipality.

THE END OF HIV / AIDS POLICY

GREATER LETABA MUNICIPALITY

HUMAN RESOURCE POLICES & PROCEDURES

SMOKING POLICY

1. BACKGROUND

Over the past few years, more and more South African organizations have expressed their concern about the dangers of passive smoking. In view of this, these organizations have begun to designate certain smoking areas as smoking zones to lessen the risk of passive smoking. Greater Letaba Municipality will be implementing a policy on smoking which will uphold the rights of non-smokers while still accommodating smokers.

2. OBJECTIVE

The purpose of Greater Letaba Municipality's policy on smoking is to create a healthy and safe working environment, and to protect the rights of Greater Letaba Municipality members of staff, visitors and members of the public. By accommodating the preferences of smokers and non-smokers, and their differences, Greater Letaba Municipality will ensure the cooperation of all.

3. LEGAL MANDATES

This policy is developed and implemented in order to comply with the laws mentioned below:

- 3.1 The Constitution of South Africa
- 3.2 Occupational Health and Safety Act.
- 3.3 Tobacco Control Act.
- 3.4 Labour Relations Act.

4. SMOKING AREAS

Greater Letaba Municipality will take into account the preferences of both smokers and nonsmokers. Staff and people visiting the municipality will be permitted to smoke in certain designated areas but not in others.

4.1 WHERE AND WHEN IS SMOKING ALLOWED?

Smoking is allowed:

- a) Only where there is a “SMOKING ZONE” sign.
- c) In those areas specifically designated for smokers, in restaurants and cafeterias.
- d) During smoke breaks at conferences, etc, and then only in designated areas.

4.2 WHERE AND WHEN IS SMOKING NOT ALLOWED?

Smoking is not allowed:

- a) At meetings, seminars, lectures, conferences and other gathering, as well as in places where there is a risk of fire (e.g., laboratories, the documentation section, computer centres, archives, switchboard).
- b) In lifts and passages.
- c) In public places (e.g, reception areas, tearooms, Council chambers, secretaries’ offices, civic halls and public toilets).
- d) At the clinics or any other health service centre.
- e) In the toilets and restrooms.
- f) In offices.
- g) In restaurants and cafeterias except in the designated smoking zones.
- h) In Greater Letaba Municipality’s official vehicles.
- i) In any public transport operating within the municipality.

5. EMPLOYEE ASSISTANCE

Greater Letaba Municipality would like to accommodate the rights of both smokers and non-smokers as far as possible. The municipality will offer assistance to people who would like to give up smoking. Such people will be referred to various organizations and people who can help. For assistance, people are welcome to contact the Human Resource division or the Municipal Manager’s office.

6. SCOPE OF COVERAGE

This policy will apply equally to all employees of the Greater Letaba Municipality

and people visiting and using municipal facilities. Those who fail to abide by this policy will be dealt with in terms of applicable laws and the municipal labour relations policy.

THE END OF SMOKING POLICY