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1. PREAMBLE

- 1.1 Driven by empirical and conceptual challenges of the displacement of employees after the review or changing of the Municipality's profile, this placement policy seeks to create a

balanced and transcendent culture of fine and sound placement patterns and practices in the Municipality.

- 1.2 It is designed to foster and promote sound and fair placement procedures and practices which underpin the principles of equal employment opportunity and affirmative action.

2. OBJECTIVES

- 2.1 To provide a mechanism for application of a zero-based approach in the placement of employees in the adopted staff establishment.
- 2.2 To provide measures for a fair and just placement process for displaced employees.
- 2.3 To provide a procedure for conducting placement of displaced employees.

3. SCOPE OF APPLICATION

3.1 This policy shall apply:

- 3.1.1 to individuals who are defined by Chapter One of Basic Conditions of Employment Act 75 of 1997 as employees of the Municipality;
- 3.1.2 to all formally established posts of the Municipality;
- 3.1.3 to all functions or Municipality's associates in respect of which the Municipality is defined by law as the employer.

3.2 This policy shall not apply to:

- 3.2.1. Casual labourers and skilled employees who are required to work for not longer than three (3) consecutive months;
- 3.2.2 Job learners or experiential trainees; unless the learnership stipulates otherwise.
- 3.2.3 Municipality's bursary holders who are required to work for the Municipality as per their respective contracts with the Municipality;
- 3.2.4. The experiential trainees/ interns who receive a training stipend.

4. LEGAL FRAMEWORK AND REQUIREMENTS

- 4.1 This policy is premised on the relevant provisions of the Labour Relations Act (66 of 1995)
- 4.2 It also derives its legitimacy from the Municipal Structures Act (117 of 1998), Municipal Systems Act, 32 of 2000 as amended.
- 4.3 This policy is implemented in terms of the objects of other relevant sister policies within the Municipality.
- 4.4 This policy is implemented in furtherance of the spirit of the Basic Conditions of Employment Act 75 of 1997 as amended.

5. UNDERPINNING PRINCIPLES OF PLACEMENT

5.1 The parties accept that:

- 5.1.1. The need to restructure the existing adopted staff establishment may be necessary to meet operational objectives of service delivery.

- 5.1.2 All placements shall take place in accordance with the principles contained in this agreement.
- 5.1.3 The principle of staff follow functions be consistently adhered to.
- 5.1.4. Placement is not a promotion nor is it meant to replace but supplement the Employment Policy.
- 5.1.5 Every employee is placed in the staff establishment to avoid non - displacement of employees to maximize service delivery.
- 5.1.6 The contracts of employment of staff affected by the powers and functions or relinquishing functions shall be transferred, as part of a going concern, in terms of section 197 of the Labour Relations Act as from 06 December 2000.
- 5.1.7 The placement of staff should be done in a manner that is consistent with any existing Employment Equity and Skills Development Plan and or the objectives of the Employment Equity Act and the Skills Development Act.
- 5.1.8 Placement will be done on merit and in the best interests of the Municipality.
- 5.1.9 Placement will be done such that all persons are appointed to posts provided for in the staff establishment as approved by Council
- 5.1.10 Placement of employees will be transacted and apply to all qualifying employees who became displaced as a result of staff establishment renewal.

6. STAFF ESTABLISHMENT

- 6.1 Placement is about implementing the Council approved staff establishment.
- 6.2 The Human Resources Management Unit shall prepare the envisaged final organograms/staff establishment of all departments and submit those to the Placement Committee.
- 6.3 Such placement committee shall consist of members equal to number of Municipal Departments and each department shall be represented by one member.
- 6.4 Where it is not possible at a particular stage to prepare final organograms, the temporary deployment of staff shall take place on a secondment basis.
- 6.5 Such secondment will give effect to the principle that the staff member must not be financially worse off due to such secondment.
- 6.6 The Integrated Development Plan for the municipality shall inform the organogram/staff establishment and the principle of “structures follow strategy” shall apply.
- 6.7 New organograms shall be finalized as soon as practically possible and referred to council adoption before placement process.
- 6.8 Secondment does not mean entitlement to the post and shall be limited to not more than twelve (12) months.

7. PLACEMENTS

7.1 PLACEMENTS CRITERIA

- 7.1.1 The parties agree to the following criteria:

- 7.1.1.1** The Municipality shall use its best endeavours to place existing Employees that shall be transferred in terms of section 197 of the Labour Relations Act into posts created in the new adopted organogram.
- 7.1.1.2** The parties are committed to ensure continuity of employment and every attempt will therefore be made to ensure that no retrenchment or redundancy will occur, provided, that the affected employees are willing to accept alternative positions that are offered.
- 7.1.1.3** In this regard every effort will be made to ensure that such alternative offers are reasonable.
- 7.1.1.4** In placing employees in new structures; employees shall be placed on a close-match basis.
- 7.1.1.5** In close matching a post, the following factors are taken in account:
- 7.1.1.5.1** The job content of the “new” post must be compared with the existing job content of employee.
 - 7.1.1.5.2** The qualifications required for the new post must be compared with qualifications of the employee.
 - 7.1.1.5.3** The salary of the employee must be compared with the salary of the vacant post.
 - 7.1.1.5.4** The employee having the closest match in respect of the job content/qualifications is then the successful employee to be placed e.g. a typist will be a close matched to a typist, a labourer to a labourer.
- 7.1.1.6** When more than one employee is close matched in terms of job content/qualifications salary shall be considered.
- 7.1.1.7** Where the post cannot be matched perfectly, the match must be made the closest matched job content and the focus shall be on the main function of the job e.g. account’s job content will be matched against a post that contains the most tasks reflecting accounting duties.
- 7.1.1.8** The close match is made on a job content and not job designation and Post designation may only be used as an indicator.
- 7.1.1.9** This close match principle shall apply to all existing posts whether unchanged, minor or major changed.
- 7.1.1.10** If the employee to be placed fails to meet minimum requirements of the identified post then appropriate training shall be considered to appropriately up skill such an employee.
- 7.1.1.11** An employee shall be moved from geographical location to another location only if the function necessitates such movement.
- 7.1.1.12** When placed in a post such placement shall be final and constitute a permanent appointment.
- 7.1.1.13** Employees who are placed within the Municipality will not be subjected to probation.

- 7.1.1.14 Employees who cannot be placed in any of the categories of posts or are not offered an alternative post that is reasonable will remain in the pool of the displaced employees for a period of not more than nine (9) months from the expiry of the period to in paragraph 6.7.
- 7.1.1.15 Unless agreed otherwise the employee shall be dealt with in terms of Section 189 of the Labour Relations Act.
- 7.1.1.16 If A major changed post cannot be filled on a close match basis, it shall be advertised internally first suspect to meeting the requirements of the municipal employment policy and shall be filled giving preference to.
- 7.1.1.17 Internal candidates from designated group
- 7.1.1.18 Internal candidates from non-designated group.
- 7.1.1.19 Thereafter such post shall be advertised externally, should a suitable Internal candidate not be found.

8. PLACEMENT COMMITTEE

- 8.1 The placement committee shall be established in consultation with Local Labour Forum and report to back to Local Labour Forum.
- 8.2 Placement of employees shall be approved by the Municipal Manager.
- 8.3 The municipal departments shall be represented as when required and affected in the placement committee by not more than one person per affected department.
- 8.4 Each Union shall be allowed to send not more than one (1) observer to the meeting of the placement committee by imitation.
- 8.6 The Committee shall seek to reach consensus regarding the placement of existing employees into posts in the new adopted structure.
- 8.7 Where consensus cannot be reached the decision of the Municipal Manager shall be final and binding to all parties, report must be prepared for consumption of council.

9. NOTIFICATION AND PUBLICATION OF DECISIONS

- 9.1 The individual employee to be placed shall be notified in writing of the proposed placement.
- 9.2 The notification shall state that the placement is by consensus of the placement committee or not.
- 9.3 The same decision shall be communicated to all employees in the form of a circular by the Municipal Manager.

10. DISPUTES PROCESS

- 10.1 Every individual employee and or trade union on behalf of their members shall have the right to refer a dispute about a placement or non-placement to mediation or arbitration.
- 10.2 Such dispute shall be referred to mediation or arbitration within 5 working days of the date of receipt of a decision by an individual employee.
- 10.3 An independent mediator or arbitrator agreed upon by the parties will appointed to resolve the case

- 10.4 the cost of the mediation or arbitration shall be borne by the bargaining council.
- 10.5 The mediation or arbitration must commence within 10 working days after the appeal has been received unless the parties agree to a longer period.
- 10.6 The certificate of non – resolution or arbitration award must be made within 5 working days after conclusion of the mediation or arbitration process.
- 10.7 Section 138 of the Labour Relations Act shall apply to the arbitration proceedings.

11. PLACEMENT PROCEDURE

The placement will take place as follows:

11.1 Classification of posts

- A. The Placement Committee will classify the posts in the structure into the following three categories.

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

11.1.1 Unchanged posts

- A. These are posts that have had no change to their scheduled duties or geographical location.
- B. The Municipalities will be required to merely list these posts with the names and other
- C. Forms of identification used, of the present incumbents and submit list to the Placement Committee for confirmation.

11.1.2 Minor Changed posts

- A. These are posts involving minor changes to the duty schedule, which have no material effect on the level of responsibility.
- B. It might also involve a mere change in title without a change in duties.
- C. The Municipality need to submit the names and other form of identification used of the present incumbents to the Placement Committee for confirmation.

11.1.3 Major changed posts

- A. These are posts which have undergone a major change to their duties and responsibilities.
- B. This will necessitate that the post be evaluated.
- C. Wherever possible, the placement shall be on the “close match” basis.
- D. These posts with the existing and proposed duties should be submitted to the Placement Committee together with the names and other form of identification, used of the employees to be placed in the posts on a “close match” basis.

12. JOB EVALUATION

- 12.1 All posts will be subjected to job evaluation.

- 12.2 The results of job evaluation will prevail over the benchmarking results pertaining to any post.

13. CONDITIONS OF SERVICE

- 13.1 All staff on the newly formed staff establishment shall retain all their current conditions of employment following placement in the new structure.
- 13.2 Equalization of benefits, salaries and condition of service will be dealt with at bargaining council level.
- 13.3 Notwithstanding the provisions of, paragraph 13.1; the salaries and benefits of staff shall be adjusted in accordance with any collective agreements concluded in the Bargaining Council.

14. GEOGRAPHICAL RELOCATION

- 14.1 All recommendations on placements are to indicate whether geographical relocation of staff will be required.
- 14.2 Geographical re-deployment of staff will only take place for the following sound operating and/or economic reasons:
- 14.2.1 The functions of the post/s are to be delivered in another geographical area
- 14.2.2 The function of the post/s may be reduced and/or combined resulting in a necessity to rationalize resources.
- 14.2.3 The functions of the post may be abolished in that particular geographic area.
- 14.3 Where it is necessary to geographically re-deploy only part of the section/ department, the selection of employees for re-deployment in each of the affected job categories will be done in terms of the following criteria:
- 14.3.1 Call for volunteers from employees within each job category.
- 14.3.2 Should there be too many affected employees volunteer to be re-deployed, then selection will be done on basis of “first in, first opportunity” (FIFO) i.e. priority given to longest serving employee.
- 14.3.3 Should there be too few affected employees volunteer to be re-deployed, then selection will be done on the basis of “last in, first out” (LIFO), i.e. the employees with shortest service in the job category concerned will be selected for re-deployment.
- 14.4 In the event of equivalent vacancies subsequently being advertised at the previous geographic location within a period of 12 months from re-deployment, any re-deployed employee will receive preference should he/she apply for transfer thereto.
- 14.4.1 In the case of an employee accepting geographical relocation, and such employee, moving his/her place of residence in order to reside closer to his/her new place of work, the council concerned will pay the cost of removal of his/her household goods to his/her new place of residence as per relevant conditions of service.

15. COMMENCEMENT OF THIS POLICY

- 15.1 This policy will come into effect on the date of adoption by the Council.
- 15.2 This policy will constitute a basis for placing employees whenever a need

Arises within the municipality.

16. INTERPRETATION OF THIS POLICY

- 16.1. All words contained in this policy shall have an ordinary meaning attached thereto, unless the definition or context indicates otherwise.**
- 16.2. Any dispute on interpretation of this policy shall be declared in writing by any party concerned.**
- 16.3. The Office of the Municipal Manager shall give a final interpretation of this policy in case of a written dispute.**
- 16.4. If the party concerned is not satisfied with the interpretation, a dispute may then be pursued with the South African Local Government Bargaining Council/ or Arbitration.**

17. PERMANENT/TEMPORARY WAIVER OR SUSPENSION OF THIS POLICY

- 17.1. This policy may be partly or wholly waived or suspended by the Municipal Council on a temporary or permanent basis after consultation with Management and Trade Unions.**
- 17.2. Notwithstanding clause No. 17.1 the Municipal Manager may under circumstances of emergency temporarily waive or suspend this policy subject to reporting of such waiver or suspension to Council and Trade Unions.**

18. AMENDMENT AND/OR ABOLITION OF THIS POLICY

- 18.1. This policy may be amended or repealed by the Council after consultation with Management and Trade Unions.**

19. COMPLIANCE AND ENFORCEMENT

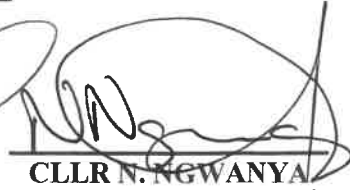
- 19.1. Violation of or non-compliance with this policy will give a just cause for disciplinary steps to be taken.**
- 19.2. It will be the responsibility of all Supervisors, Managers, Executive Managers; Executive Committee and Council to enforce compliance with this policy.**
- 19.3. Failure to implement or comply with this policy will constitute a just cause for institution of disciplinary proceedings.**



MR. L. MATIWANE
MUNICIPAL
MANAGER



CLLR M. STUURMAN
ACTING HON.
MAYOR



CLLR N. NGWANYA
HON. SPEAKER

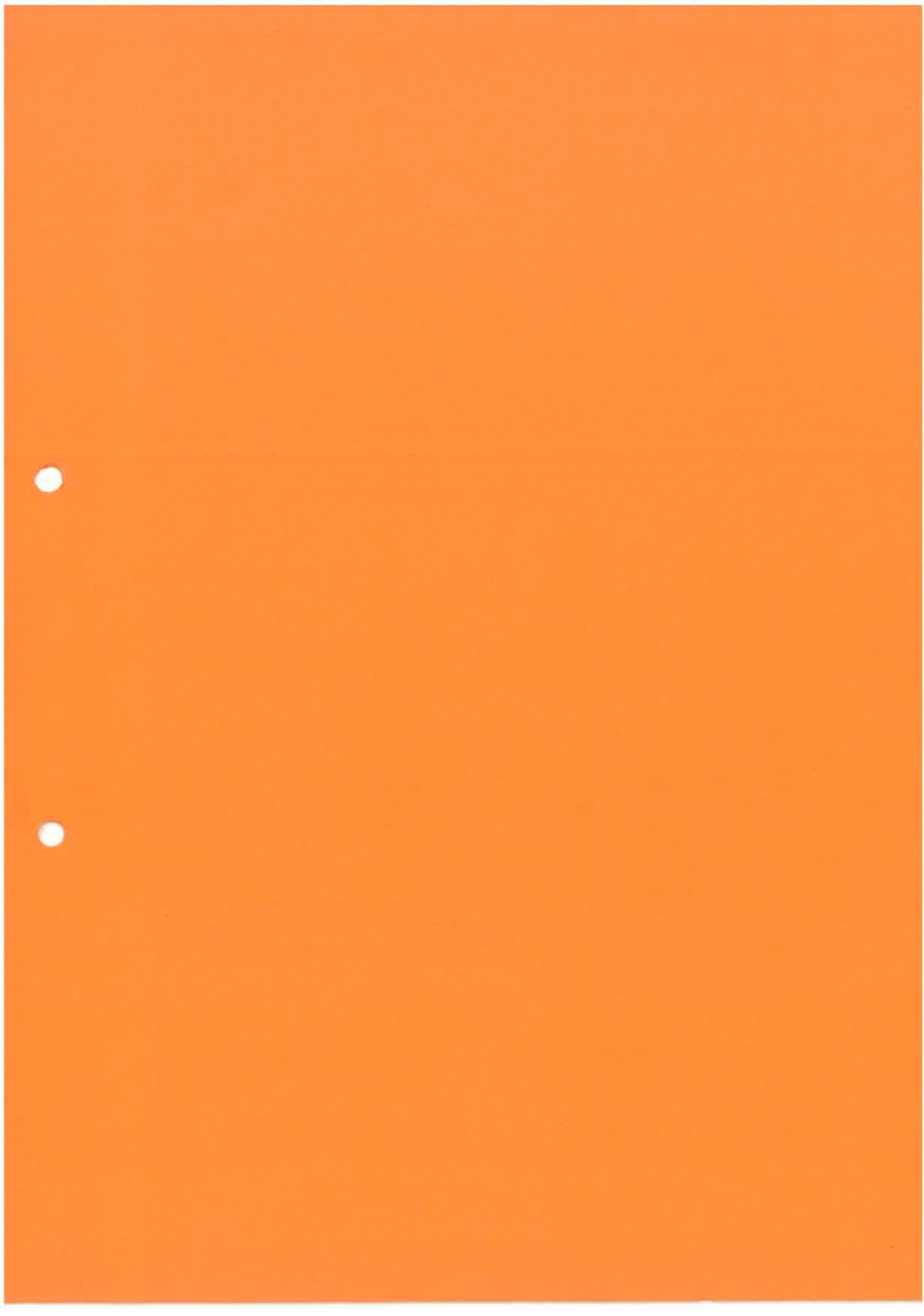


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- 1. PREAMBLE**
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balanced and transcendent culture of fine and sound placement patterns and practices in the Municipality.

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3. SCOPE OF APPLICATION

3.1 This policy shall apply:

- 3.1.1 to individuals who are defined by Chapter One of Basic Conditions of Employment Act 75 of 1997 as employees of the Municipality;**
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7. PLACEMENTS

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- 7.1.1.3 In this regard every effort will be made to ensure that such alternative offers are reasonable.**
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- 7.1.1.5 In close matching a post, the following factors area taken in account:**
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- 7.1.1.15 Unless agreed otherwise the employee shall be dealt with in terms of Section 189 of the Labour Relations Act.
- 7.1.1.16 If A major changed post cannot be filled on a close match basis, it shall be advertised internally first suspect to meeting the requirements of the municipal employment policy and shall be filled giving preference to.
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- 7.1.1.19 Thereafter such post shall be advertised externally, should a suitable Internal candidate not be found.

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- 8.2 Placement of employees shall be approved by the Municipal Manager.
- 8.3 The municipal departments shall be represented as when required and affected in the placement committee by not more than one person per affected department.
- 8.4 Each Union shall be allowed to send not more than one (1) observer to the meeting of the placement committee by imitation.
- 8.6 The Committee shall seek to reach consensus regarding the placement of existing employees into posts in the new adopted structure.
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9. NOTIFICATION AND PUBLICATION OF DECISIONS

- 9.1 The individual employee to be placed shall be notified in writing of the proposed placement.
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10. DISPUTES PROCESS

- 10.1 Every individual employee and or trade union on behalf of their members shall have the right to refer a dispute about a placement or non-placement to mediation or arbitration.
- 10.2 Such dispute shall be referred to mediation or arbitration within 5 working days of the date of receipt of a decision by an individual employee.
- 10.3 An independent mediator or arbitrator agreed upon by the parties will appointed to resolve the case

- 10.4** the cost of the mediation or arbitration shall be borne by the bargaining council.
- 10.5** The mediation or arbitration must commence within 10 working days after the appeal has been received unless the parties agree to a longer period.
- 10.6** The certificate of non – resolution or arbitration award must be made within 5 working days after conclusion of the mediation or arbitration process.
- 10.7** Section 138 of the Labour Relations Act shall apply to the arbitration proceedings.

11. PLACEMENT PROCEDURE

The placement will take place as follows:

11.1 Classification of posts

- A.** The Placement Committee will classify the posts in the structure into the following three categories.

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

11.1.1 Unchanged posts

- A.** These are posts that have had no change to their scheduled duties or geographical location.
- B.** The Municipalities will be required to merely list these posts with the names and other
- C.** Forms of identification used, of the present incumbents and submit list to the Placement Committee for confirmation.

11.1.2 Minor Changed posts

- A.** These are posts involving minor changes to the duty schedule, which have no material effect on the level of responsibility.
- B.** It might also involve a mere change in title without a change in duties.
- C.** The Municipality need to submit the names and other form of identification used of the present incumbents to the Placement Committee for confirmation.

11.1.3 Major changed posts

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- B.** This will necessitate that the post be evaluated.
- C.** Wherever possible, the placement shall be on the “close match” basis.
- D.** These posts with the existing and proposed duties should be submitted to the Placement Committee together with the names and other form of identification, used of the employees to be placed in the posts on a “close match” basis.

12. JOB EVALUATION

- 12.1** All posts will be subjected to job evaluation.

- 12.2 The results of job evaluation will prevail over the benchmarking results pertaining to any post.
13. **CONDITIONS OF SERVICE**
- 13.1 All staff on the newly formed staff establishment shall retain all their current conditions of employment following placement in the new structure.
- 13.2 Equalization of benefits, salaries and condition of service will be dealt with at bargaining council level.
- 13.3 Notwithstanding the provisions of, paragraph 13.1; the salaries and benefits of staff shall be adjusted in accordance with any collective agreements concluded in the Bargaining Council.
14. **GEOGRAPHICAL RELOCATION**
- 14.1 All recommendations on placements are to indicate whether geographical relocation of staff will be required.
- 14.2 Geographical re-deployment of staff will only take place for the following sound operating and/or economic reasons:
- 14.2.1 The functions of the post/s are to be delivered in another geographical area
- 14.2.2 The function of the post/s may be reduced and/or combined resulting in a necessity to rationalize resources.
- 14.2.3 The functions of the post may be abolished in that particular geographic area.
- 14.3 Where it is necessary to geographically re-deploy only part of the section/ department, the selection of employees for re-deployment in each of the affected job categories will be done in terms of the following criteria:
- 14.3.1 Call for volunteers from employees within each job category.
- 14.3.2 Should there be too many affected employees volunteer to be re-deployed, then selection will be done on basis of “first in, first opportunity” (FIFO) i.e. priority given to longest serving employee.
- 14.3.3 Should there be too few affected employees volunteer to be re-deployed, then selection will be done on the basis of “last in, first out” (LIFO), i.e. the employees with shortest service in the job category concerned will be selected for re-deployment.
- 14.4 In the event of equivalent vacancies subsequently being advertised at the previous geographic location within a period of 12 months from re-deployment, any re-deployed employee will receive preference should he/she apply for transfer thereto.
- 14.4.1 In the case of an employee accepting geographical relocation, and such employee, moving his/her place of residence in order to reside closer to his/her new place of work, the council concerned will pay the cost of removal of his/her household goods to his/her new place of residence as per relevant conditions of service.
15. **COMMENCEMENT OF THIS POLICY**
- 15.1 This policy will come into effect on the date of adoption by the Council.
- 15.2 This policy will constitute a basis for placing employees whenever a need

Arises within the municipality.

16. INTERPRETATION OF THIS POLICY

- 16.1. All words contained in this policy shall have an ordinary meaning attached thereto, unless the definition or context indicates otherwise.**
- 16.2. Any dispute on interpretation of this policy shall be declared in writing by any party concerned.**
- 16.3. The Office of the Municipal Manager shall give a final interpretation of this policy in case of a written dispute.**
- 16.4. If the party concerned is not satisfied with the interpretation, a dispute may then be pursued with the South African Local Government Bargaining Council/ or Arbitration.**

17. PERMANENT/TEMPORARY WAIVER OR SUSPENSION OF THIS POLICY

- 17.1. This policy may be partly or wholly waived or suspended by the Municipal Council on a temporary or permanent basis after consultation with Management and Trade Unions.**
- 17.2. Notwithstanding clause No. 17.1 the Municipal Manager may under circumstances of emergency temporarily waive or suspend this policy subject to reporting of such waiver or suspension to Council and Trade Unions.**

18. AMENDMENT AND/OR ABOLITION OF THIS POLICY

- 18.1. This policy may be amended or repealed by the Council after consultation with Management and Trade Unions.**

19. COMPLIANCE AND ENFORCEMENT

- 19.1. Violation of or non-compliance with this policy will give a just cause for disciplinary steps to be taken.**
- 19.2. It will be the responsibility of all Supervisors, Managers, Executive Managers; Executive Committee and Council to enforce compliance with this policy.**
- 19.3. Failure to implement or comply with this policy will constitute a just cause for institution of disciplinary proceedings.**

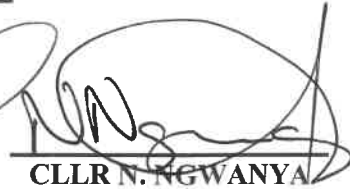
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| <p>CPS/P56 CR 884/28/05/2025</p> |
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MR. L. MATIWANE
MUNICIPAL
MANAGER



CLLR M. STUURMAN
ACTING HON.
MAYOR



CLLR N. NGWANYA
HON. SPEAKER