

# BERGRIVIER MUNICIPALITY



## PLACEMENT POLICY

### Document history

Version	Date created / reviewed / approved	Status	Writer	Resolution
1.0	22 October 2009	Approved Policy		BK2934
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## **DEFINITIONS**

**Organogram** (organisational structure) is a diagram that shows the structure of an organisation and the relationships between the different people, departments, and jobs at different levels within that organisation.

**Consultation** is the process by which management and employees or their representatives jointly examine and discuss issues of mutual concern. It involves seeking acceptable solutions to problems through a genuine exchange of views and information. If after consultation no agreement can be reached the employer can implement its decision.

### **1. BACKGROUND**

The policy on the placement of staff is intended to provide guidelines.

The placement of staff must be consistent with applicable labour legislation and national agreements.

The placement of staff must not –

- i) Disrupt the effective and efficient delivery of service;
- ii) Be used as punitive measure against employees;
- iii) Be used to promote or demote employees.

During the placement process no additional remuneration shall be paid in any form to any employee. The issue of parity shall not be addressed during this process.

It is noteworthy that Section 57 of the Municipal Systems Act, 2000 (Act 32 of 2000) makes provision for those persons to be appointed and not placed in those designated posts. Those persons therefore fall outside the ambit of the placement policy.

### **2. STATEMENT OF INTENT**

- 2.1** In terms of the regulations promulgated in terms of the Municipal Systems Act, 2000 (32/2000): Regulations on appointment and conditions of senior managers (Gazette No. 37245, 17 January 2014), Section 4.3 prescribes the following:

The municipal manager must review the municipality's staff establishment within 12 months of any of the following instances:

- a) The election of new municipal council;

- 2.2** The placement of staff shall 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, 1998 (Act 55 of 1998) and the Skills Development Act, 1998 (Act 97 of 1998), as well as the relevant pension or retirement funds' rules and SALGBC's stipulations regarding retrenchment/redundancy/restructuring, with specific reference to financial obligations/compensation, in accordance also with the provisions of the

**Labour Relations Act, 1995 (Act 66 of 1995) and other legislation or agreements in this regard.**

- 2.3** Thirty (30) days shall be allowed for consultation before any changes or review will be made to this policy.

### **3. ORGANOGRAMS**

- 3.1** The municipality shall prepare the envisaged final organograms of all departments and submit this proposal to the Local Labour Forum for consultation.
- 3.2** The IDP for the municipality shall inform the organogram and the principle of "structure follow strategy" shall apply.
- 3.3** *The Organogram (both macro and micro) will be referred to the Local Labour Forum for consultation prior to finalization and approval by the Council.*

### **4. PLACEMENTS**

#### **4.1 People follow function**

The application of this principle entails that employees are not moved from one geographical location to another location without the function which the employee is performing necessitating such movement. *Transport will be provided for six months if such a movement is necessary.*

#### **4.2 Empty the pool first**

Every attempt shall be made to place the existing employees that were transferred first into the post that will be created in the new structure. If no placement in terms of the agreed to criteria can be made, the employer shall advertise the post and fill the post with the most suitable candidate.

Employees are to be placed in the structure on a permanent/contractual basis as applicable.

The parties are committed to ensure continuity of employment and every attempt therefore must be made to ensure that no retrenchment/redundancy will occur, provided that the affected employees are willing to accept alternative positions that are offered. In this regard every effort shall be made to ensure that such alternative offers are reasonable.

#### **4.3 Additional factors**

Where more than one employee can be close matched to a post and there are more employees than there are posts, the following factors will be used to facilitate the placement decision.

The provision of the Employment Equity Act, 1998 (Act 55 of 1998) and Affirmative Action must be the overriding factor that will decide placement and preference to the placement of designated persons must strictly, **with**

the recognition of prior learning, be adhered to according to the *Employment Equity Plan of Bergrivier Municipality*.

#### **4.4 Placement Committee**

The Municipal Manager must create a Placement Committee consisting of equal numbers e.g. Trade Union and Employer representatives.

The Committee shall comprise of at least four (4) but not more than eight (8) members e.g. two (2) per side or four (4) per side. Representatives in terms of gender and race should be considered when the Placement Committee is constituted.

The Placement Committee will have the following terms of reference:  
"To consider and reach consensus regarding the placement of existing employees into posts within the new structure".

The Placement Committee shall strive to reach consensus on the staff placement. Where consensus cannot be reached the *Employer's* proposal shall be published. **Effective appeal procedure shall follow, see paragraph below.**

#### **4.5 Publication of Decisions**

All decisions will be communicated to the Local Labour Forum and the employees concerned.

The individual employee to be placed will be notified in writing by way of a personalised letter.

#### **4.6 Placement Procedure**

The placement shall take place as follows:

##### **4.6.1 Classification of posts**

The Placement Committee shall classify the posts in the structure in four (4) categories and placement in terms of these categories takes place in the following manner:

##### **4.6.1.1 Unchanged posts**

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

The municipality shall be required to merely list these posts with the names, and staff numbers, of the present incumbents and submit it to the Placement Committee for confirmation.

##### **4.6.1.2 Minor changed posts**

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

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

#### **4.6.1.3 Major changed posts**

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

#### **4.6.1.4 New posts**

These are posts which carry duties and responsibilities that do not exist in any form in the present structures.

These posts with the detailed duty schedules shall be submitted for evaluation/benchmarking and others.

New major changed posts and identified strategic important posts will be advertised in accordance with the Recruitment and Selection Policy.

### **5. DISPUTE/OBJECTION PROCESS**

Any objection must be lodged within ten (10) working days after acknowledgement of receipt by the employee of the Placement Committee's publication/notification or date of receipt of the decision by the individual employee. The relevant Director and Manager must submit written comments on the objection to the Municipal Manager.

Should any employee not be satisfied with the outcomes of the objection, they must follow the dispute resolution process as prescribed by the SALGBC.

### **6. JOB EVALUATION**

The employer will only submit new job description for evaluation of new and major change posts, as determined by Council on 30 May 2017. All job descriptions will be finalized before any placement of employees will commence.

Implementation and payment of the new T-scale will only be implemented from the date when the Final Outcomes Report was signed by the Municipal Manager.

### **7. GEOGRAPHICAL RELOCATION**

- 7.1** All recommendations on placement are to indicate whether geographical relocation of staff will be required.
- 7.2** Geographical re-deployment of staff will only take place for the following sound **operational** and/or economic reasons:

- 7.2.1 The functions of the post/s are to be delivered in another geographical area.
  - 7.2.2 The functions of the post/s may be reduced and/or combined resulting in a necessity to rationalize resources.
  - 7.2.3 The functions of the post(s) may be abolished in that particular geographical area.
- 7.3 Where it is necessary to geographically re-deploy only part of a 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:
- 7.3.1 Call for volunteers from employees within each job category.
  - 7.3.2 Should too few affected, employee volunteers to be re-deployed, then selection shall be done on the basis of "last in, first out" (LIFO), i.e. the employees with the shortest service in the job category concerned shall be selected for re-deployment: **(seniority in organization or service lengths)**
  - 7.3.3 Should too many affected employee volunteers be re-deployed, then selection will be done on the basis of "first in, first out" (FIFO)
- 7.4 In the event of equivalent vacancies subsequently being advertised at the previous geographic location within a period of twelve (12) months from re-deployment, any re-deployment employee(s) shall receive preference should they apply for transfer thereto.
- 7.5 In the case of an employee accepting geographical relocation, and such employee moves his place of residence in order to reside closer to his place of work, the council shall pay the cost of removal of his household goods to his new place of residence.
- 7.6 In the case where the employee does not move his place of residence, additional travelling arrangements will be reimbursed for a period of six (6) months.

## 8. REDUNDANCY/RETRENCHMENT

The following will not constitute grounds for retrenchment/redundancy:

- 8.1 Reasonable geographical re-deployment, *i.e. between Velddrif and Piketberg and the related small towns, and Piketberg and Porterville and the related small towns and vice versa.*
- 8.2 The transfer from one directorate/department/section to another without any changes to functions and/or conditions of employment in terms of sections 197 of the Labour Relations Act, 1995 (Act 66 of 1995).
- 8.3 **Minor changes excluded. (Only for major changed posts)**

## 9. IMPLEMENTATION

**9.1** Implementation shall be facilitated through the approved Implementation plan.