

PLACEMENT POLICY

1. STATEMENT OF INTENT:

The parties accept that:

Arising from the need to restructure Local Government and functions within the applicable demarcated areas, the re-organization of existing staffing structures (including geographic re-deployment) may be necessary to meet operation objectives to service delivery. All restructuring shall take place in accordance with the principles contained in this policy.

The contracts of employment of all staff of the former Estcourt/Wembezi and Weenen/Kwanobamba Transitional Local Councils be transferred to the newly established Umtshezi Municipality in terms of Section 197 of the Labour Relations Act.

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 and Skills Development Acts.

2. ORGANOGRAMS:

- 2.1. The Umtshezi Municipality shall prepare the Organograms of all Departments and submit this proposal to the Local Labour Forum for consultation.
- 2.2. The IDP for the Municipality shall inform the Organogram and the principle of structures follow strategy shall apply.
- 2.3. After consultation with Local Labour Forum, the Organograms will be submitted to Council for approval.

3. PLACEMENTS:

3.1. People follow functions:

The application of this principle entails that employees are not moved from one geographical location to another without the function which the employee is performing necessitating such movement.

3.2. Empty the Pool first:

Every attempt shall be made to place existing permanent employees first into posts on the new structure. If no placement can be made from internal employees, in terms of the agreed criteria, the Employer will advertise the post and fill the position with the most suitable external candidate.

Employees are to be placed in the structure on a permanent basis.

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

3.3. Close match placement:

Employees are to be placed in the new structure on a close-match basis.

In close matching a post, the job content of the new post is compared to the existing job content of the employee.

The employee having the closest match in respect of the job content is then the successful candidate to be placed.

Where the close match can not be done one hundred percent (100%), the match must be done on the most matched job content. The focus should be on the crux of the job, eg. an accountant job content will be matched against a post that contains the most stipulations reflecting accounting duties.

The close match is done on job content and not job designation. Post designation may however be used as an indicator.

Salary of an employee PLAYS NO ROLE in placement.

3.4. Additional factors:

Where more than one (1) employee can be close matched to a post and there is more employees than there is posts, the following factors will be used to facilitate the placement decision:

- the provisions of the Employment Equity Act must be the overriding factor that will decide placement and reference to the placement of designated persons must strictly be adhered to

4. PLACEMENT PROCEDURE:

Placement will take place as follows:

4.1. Classification of Posts:

- 4.1.1. Unchanged Posts: posts that have had no change to their scheduled duties or geographical location
- 4.1.2. Minor Changed Posts: minor changes to the duty schedule, which has no material effect on the level of responsibility - it might only involve a mere change in title
- 4.1.3. Major Changed Posts: posts which have undergone a major change to their duties and responsibilities - this will

necessitate that the post have to be re-evaluated - will be advertized internally first and should no suitable candidate be identified, then externally and an appointment will be made in terms of the appointment criteria.

4.1.4.

New Posts: posts that carry duties and responsibilities that do not exist in any form in the present structures - posts with detailed duty schedules must be submitted for evaluation and pricing - be advertized both internally first and should no suitable candidate be identified, then externally and appointment will be made in terms of the appointment criteria

5. PLACEMENT COMMITTEE:

The Placement Committee will consist of members of the Umtshezi Local Labour Forum and with equal number of Trade Union and Employer representatives as follows:

Employer Representatives	4
IMATU / SAMWU	2 Each

The Placement Committee will have the following Terms of Reference:

~~The Placement Committee shall consider and reach outright consensus regarding the placement of existing employees into posts on the new structure.~~

5.1. Publication of decisions:

All decisions, whether by consensus or in the case of no consensus, the Council's decision shall be communicated to employees by means of publication in a Circular specifically for this purpose and shall be displayed on general notice boards located at places agreed upon by the Unions.

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

6. DISPUTE PROCESS:

Disputes must be lodged within ten (10) working days of the Placement Committee's publication/notification or date of receipt of the decision by the individual employee.

The/...

The Dispute Committee shall consider the objection, taking into account the points raised by the objector but shall apply the same criteria, process and procedures as the Placement Committee.

The Dispute Committee shall consist of an equal number of Employer's and Trade Union representatives appointed by the Provincial Divisions of the South African Local Government Bargaining Council.

The Dispute Committee shall pronounce on the objection within fifteen (15) working days from receipt of the objection.

7. **JOB EVALUATION:**

Within one (1) year of the completion of the placement exercise, the Job Evaluation Committee of the Bargaining Council shall evaluate all the posts of the new structure in accordance with the agreed National Job Evaluation System, the Task System.

8. **CONDITIONS OF SERVICE:**

All employees transferred to the newly established Municipality (Umtshezi) shall, from the commencement of the new Municipality, be subject to the following:

- 8.1. No interruption in Conditions of Service shall occur. All employees shall retain their benefits as if their services were not interrupted.
- 8.2. Employees who, prior to amalgamation, resigned from the service of their Municipality, shall be entitled to their normal benefits and the normal principles of that specific Municipality, with regard to the resignation of employees. These matters shall explicitly fall outside the jurisdiction of the newly formed Municipality.
- 8.3. All staff of the newly formed Municipality shall retain all their current Conditions of Service following placement in the new structure until rationalisation of such Conditions of Service has been completed within the Bargaining Council and the evaluation of all posts.
- 8.4. Notwithstanding the provisions elsewhere contained in this Policy document, the salaries and benefits of staff shall be adjusted in accordance with any Collective Agreement concluded in the Bargaining Council.

9. **GEOGRAPHICAL RE-LOCATION:**

- 9.1. All recommendations on placements are to indicate whether geographical re-location of staff will be required.
- 9.2. Geographical re-deployment of staff will only take place for the following sound operating and/or economical reasons:
 - the functions of the posts are to be delivered in another geographical

area

- the functions of the posts may be reduced and/or combined resulting in a necessity to rationalize resources
- the functions of the posts may be abolished in that particular geographical area

9.3. 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:

- call for volunteers from employees within each job category
- should too many affected employees volunteer, then selection will be done on the basis of LIFO (Last In First Out)

9.4. In the event of equivalent vacancies subsequently being advertized at the previous geographical location within a period of twelve (12) months from re-deployment, any re-deployed employee will receive preference should he/she apply for transfer thereto.

9.5. In the case of an employee accepting geographical relocation and the employee moves his/her place of residence in order to reside closer to his/her new place of work, the Council will pay the cost of removal of his/her household goods to his/her new place of residence.

9.6. In the case where the employee does not move his/her place of residence, additional travelling arrangements or costs may be negotiated with the Municipality, based on sound economic reasons.

10. REDUNDANCY / RETRENCHMENT:

The following will not constitute grounds for retrenchments / redundancy:

10.1. Reasonable geographical re-deployment

10.2. The transfer from one employer to another employer without any changes to functions and/or Conditions of Service in terms of Section 197 of the Labour Relations Act.