



Policy Governance

Policy Title	Policy Version	Role & Process	Corporate Services HOD	Policy Custodian	Policy Author	LLF Consultation Date	LLF Consultation Reference	Council Approval Date	Council Resolution No	Corporate Services HOD	Policy Approved	Policy Inception Date	Pre-implementation Checklist	Policy Maintenance	Review Cycle Period	Review Start Date	Review Completion Date	Legislative References	Policy Review "Triggers"	Periodic Review	Comments	
PLACEMENT POLICY		Responsible Individual Accepted	Signature					30 May 2023	C155/05/23			01 July 2023	Completed	Policy Maintenance	Annually							



POLICY GUIDELINES ON THE PLACEMENT OF STAFF

1. INTRODUCTION

- 1.1 The need for a staff placement policy arises from the restructuring of Local Government after the demarcation process has been completed
- 1.2 In the case of the Dipaleseng Local Municipality no amalgamation with other municipalities took place but the focus of the Dipaleseng Local Municipality changed from that of providing infrastructure to a development municipality resulting in restructuring of departments.
- 1.3 The placement of staff must be consistent with the agreement at Local Labour Forum and other progressive legislation and collective agreements. The placement of staff must not:
 - Disrupt the effective delivery of services
 - Be used to promote or demote employees
- 1.4 During the placement process, no additional remuneration must be paid in any form to any employee

2. OBJECTIVES OF THE POLICY

- 2.1 The objective of the policy is to provide a framework that will guide the placement of personnel and to establish a Placement Committee consisting of equal numbers of employer and employee representatives.
- 2.2 The parties agree and accept that:
 - Arising from the need to restructure local government and functions within the applicable demarcated areas, the re-organisation of existing staff structures (including geographic re-development) may be necessary to meet operational objectives to service delivery. All restructuring shall take place in accordance with the principles contained in this policy, including all progressive legislation and collective agreements.
 - The contracts of employment of all staff of the disestablished municipality have been transferred, as part of a going concern, to the new Dipaleseng Municipality in terms of Section 197 of the Labour Relations Act as from 6 December 2000.
 - The placement of staff shall be done in a manner that is consistent with any existing Employment Equity Plan and Skills Development Plan and/or the objectives of the Employment Equity Act and the Skills Development Act.

3. PLACEMENT FRAMEWORK

- 3.1 Dipaleseng Local Municipality shall prepare the envisaged final organograms of all departments and submit this Local Labour Forum for consultation and approval in line with the organizational rights agreement.
- 3.2 Any changes to the organizational structure must be referred to the local labour forum for consultation prior finalization by Council.
- 3.3 The IDP for the Council and the relevant legislature shall inform the organogram and the principle of 'structures follow Function' shall apply.

4. Placement Criteria

The parties agree to the following criteria:

- (a) The municipality shall use its best endeavour to place existing employees that were transferred in terms of section 197 of the LRA into post created in new structures.
 - (b) The parties are committed to ensure continuity of employment and every attempt will occur provided that the affected 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.
 - (c) In placing employees in the new structure, employees shall be placed on a close-match basis. In close-matching a post, the job content of the new post must be compared with the existing job content of the employees. New and major changed posts to be advertised in the press and advertisement being circulated to local municipalities for displaying on their notice boards. External appointments would only be considered after all internal candidates have been considered.
 - (d) Where close match cannot be done 100%, the match must be done on the most matched job content. The focus should be on the crux of the job e.g. accountant job content will be matched against the post that contains the most stipulations reflecting accounting duties. The close match is done on job content and not on designation.
 - (e) The salary of an employee shall play no role in the placement, only qualifications, experience and minimum requirements.
 - (f) This close match principle shall apply to unchanged and minor changed posts.
 - (g) Where more than one employee can be close matched to a post and there are more employees than there are posts, affirmative action and employment equity shall have preference over length of service. If only designated groups are competing, length of service will be applied.
 - (h) Employees shall not be moved from one geographical location to another location without the function which the employee performing necessitating such movement.
 - (i) When placed in a post such placement shall be final and constitute a permanent appointment.
 - (j) Employees that cannot be placed in any of the categories of posts or are not offered an alternative post that is not reasonable will remain in the pool of the transferred employees for a period of at least six months from the expiry period, taking into account point 3.2
 - (k) Vertical and horizontal placement will apply simultaneously or interchangeable to specifically to address discrepancies on post levels.
- 4.1 Every attempt shall be made to place the existing employees that were transferred into the new structure, the parties are committed to ensure continuity of employment and every attempt will therefore 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 will be made to ensure that such alternative offers are reasonable.

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

The provisions of the Employment Equity Act, Skills Development Act and Affirmative Action must be the overriding factor that will decide placement and preference to the placement of designated persons must strictly be adhere to.

5. Placement Committee

The committee will consist of the following people::

- Director: Corporate Services
- Human Resource Manager
- Labour Relations Officer
- Manager: Legal and administration
- Requesting HOD
- 2 Representatives from Organised labour (1SAMWU and 1 IMATU)

6. Terms of Reference of the Committee

- To consider, reach consensus and recommend the placement of existing employees into posts in the new structures"
- The placement Committee shall strive to reach consensus on the staff placement. Where consensus cannot be reached, it will be referred to the Local Labour Forum.
- Recommendations must be based on full mandate to negotiate and finalise.

7. Classification of posts

The Placement Committee will classify the posts in the structure in the following five categories and will take place in the following manner:

8. Unchanged posts

The municipality will be required to merely list these posts with the names and other forms of identification used, of the present incumbents and submit it to the Placement Committee for verification and recommendation to the local labour forum.

9. Minor changed posts

- These are posts involving minor changes to the duty schedule, which has no material effect on the level of responsibility. It might also involve a mere change in title without a change in duties.
- The municipality needs to submit the names and other forms of identification used of the present incumbents to the Placement Committee for verification and recommendation to the local labour forum.

10. Major changed Posts

These are posts which have undergone major changes to their duties and responsibilities and as such require submission for job evaluation. Preference should be

13.2 Appeal Committee

The written objection must be lodged within 10 working days of the Placement Committee's publication/notification or date of receipt of the decision by the individual employee. The Placement Committee shall by way of notification call for objections.

13.1 Objection Committee

The Objection 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 Objection Committee shall pronounce on the objection within 5 working days from receipt of the objection.

13. Dispute/Objection Process

The individual employee to be placed will be notified in writing.

12.2 Publications of Decisions

All decisions shall be communicated to employees by means of publications in a circular specifically for this purpose.

12.1 Time frame

The committee should strive to finalize the process on or before the. This period can be extended by mutual agreement after consultation and discussions at the local labour forum.

These posts will then be advertised both internally and externally and appointments will be made in terms of the appointment criteria. Internal candidates shall be given first preference and the second paragraph of 3.2 should be complied with fully.

These posts, with their detailed duty schedules, must be submitted for evaluation before appointments, should appointments be made before evaluation, the incumbents be held personal to holder of the salary and benefits if posts are degraded after evaluation.

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

12. New posts

These are posts involving no change or minor changes to the duty schedule, but where a change in geographical location will occur. These posts together with the names and employee numbers of present incumbents and details of current and proposed location of affected posts must be submitted for consideration and approval to the Municipal Manager.

11. Re-deployed Posts

given to placement of permanent staff in these posts on a "close match" basis. These posts with existing and proposed duty schedules should be submitted to the Municipal Manager together with the names and employee numbers of employees to be placed on a "close match" basis and after finalisation of any grievance arising from this placement submit the posts concerned for job evaluation to the Bargaining Council.

The appeal committee shall be chaired by an independent arbitrator whose appointment will be finalised by the Local Labour Forum through consensus and whose cost will be for the employer and his or her decision will be final and binding. The appeal committee shall pronounce its decision within five working days within receipt of the appeal. Composition shall be one representative from each party.

NO PLACEMENT OF THE AFFECTED POST OR POSTS WILL BE FINAL UNTIL THE APPEAL PROCESS HAS BEEN FINALISED

14. JOB EVALUATION

Within 1 year of the completion of the placement of staff the municipality shall apply for job evaluation, subject to evaluation of the Bargaining Council.

15. CONDITIONS OF SERVICE

All employees transferred to Dipaleseng Municipality shall, from the commencement date of the newly formed Council, be subject to the following:

- 15.1 No interruption in Conditions of Employment or service shall occur. All employees shall retain their benefits as if their services were not interrupted.
- 15.2 A process of harmonizing, the Condition of Service should be addressed at the local labour forum on the interim basis subject to section 12 notice requirements and section 197 of the LRA pending finalization of the new Conditions of Service at National Bargaining Council level, [e.g. hours of work, lunch breaks and leave days ect]
- 15.3 Notwithstanding the provisions of 6.1.2, the salaries and benefits of staff shall be adjusted in accordance with any collective agreements concluded in the Bargaining Council

16. GEOGRAPHICAL RELOCATION

- 16.1 All recommendations on placements are to indicate whether geographical relocation of staff will be required.
- 16.2 Geographical re-deployment of staff will only take place for the following sound operating and/or economic reasons:

- (a) The functions of the posts are to be delivered in another geographical area.
- (b) The functions of the posts may be reduced and/or combined resulting in a necessity to rationalise resources.
- (c) The functions of the post may be abolished in that particular geographical area.
- 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:
 - (d) Call for volunteers from employees within each job category: who are not key in their positions
 - i. Should there be no volunteers, then selection will be done on the basis of "first in, first opportunity" (FIFO)
 - ii. Should too few affected employees volunteer to be deployed, then selection will be done on the basis of "last in first out" (LIFO), i.e. the employees with the shortest service in the job category concerned will be selected for redeployment

Signature



DATE OF Council Approval

30 May 2023

This policy was signed by _____ in his capacity as the Municipal Manager of the Dipaleseng Local Municipality on the _____ and the policy takes effect as from 01 July 2023

18.1 If amendments are necessary it will be dealt with at the Local Labour Forum
18.2 If there is any problem with the interpretation of this policy it should also be referred to the Local Labour Forum for clarification purposes.

18. AMENDMENTS AND INTERPRETATIONS

- 17.1 Reasonable geographical re-deployment.
- 17.2 The transfer from one employer to another employer without any changes to functions and/or conditions of employment in terms of section 197 of the Labour Relations Act.
- 17.3 In case of point 8, negotiations and consultation with the trade unions, in terms of the National Framework Agreement shall be done prior to application of any process of implementing redundancy policies or provisions of section 189 of the LRA.

17. REDUNDANCY/RETRENCHMENT
The following will not constitute grounds for retrenchment/redundancy:

- (e) In the event of equivalent vacancies subsequently being advertised at the previous geographic location within a period of 2 months from re-deployment, any re-deployment employee will receive preference should he/she apply for transfer thereto.
- (f) In the case of an employee accepting geographical relocation, and such employee, moves 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 e.g. electricity and telephone connection, children's school fees and uniforms on submission of receipts.
- (g) In the case where the employee does not remove his place of residence, additional travelling arrangements or costs must be agreed upon with the municipality, based on sound economic reasons, for a period of six months
- (h) The employer shall in consultation with the unions develop the existing relocation policy for the purpose of geographical relocation.