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PLACEMENT POLICY


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1. DEFINITIONS

- **Designated groups** refers to previously disadvantaged groups (African, Coloured and Indian), women of all races and people with disabilities.
- **Job Content** refers to the detailed functions and responsibilities of a post.
- **Local Labour Forum (LLF)** refers to the forum established in the workplace with equal representation of the employer and trade unions.
- **Post** refers to a position in the municipality's staff establishment with specific duties.
- **Placement** refers to the system of assessment and selection by which vacancies are filled through internal or external recruitment.

2. OBJECTIVES

To provide a standard framework for the placement of employees in the municipality.

3. APPLICABILITY

- 3.1 This Policy is applicable to all employees excluding Section 56 and 57 managers.
- 3.2 This Policy excludes casual labour, interns and experiential trainees.

4. LEGAL FRAMEWORK

- Basic Condition of Employment Act 75 of 1997
- Labour Relation Act, 66 of 1995 as amended
- Municipal Systems Act 32 of 2000 as amended
- Employment Equity Act, No 55 of 1998 as amended
- All collective agreements as amended from time to time, concluded in the South African Local Government Bargaining Council (SALGBC)

5. POLICY PRINCIPLES

- 5.1 The placement of staff shall not:
 - a) Disrupt the effective and efficient delivery of services
 - b) Be used as a punitive measure against employees
 - c) Be used to promote or demote employee.
- 5.2 Employees will be placed on new staff establishments on a permanent or contract basis as determined by the placement committee.
- 5.3 Every endeavour shall be made to place existing employees into new posts created in a new staff establishment.
- 5.4 The municipality shall conduct a skills profiling of all employees before a placement can take place.
- 5.5 Every endeavour shall be made to ensure that retrenchment / redundancy does not occur during the process of placements, provided the affected employees are willing to accept offered alternative positions. Every endeavour will be made to ensure that alternative positions offers are reasonable.
- 5.6 A staff placement pool will be created for surplus and displaced employees whilst alternative placements are explored.
- 5.7 Employees shall not be moved from one geographical location to another unless necessitated by the job functions and/ or the municipality's service delivery mandate.
- 5.8 The process of developing job descriptions or workplans, where applicable, will be guided by the National Collective Agreement on T.A.S.K. job evaluation.
- 5.9 All employees placed in new staff establishments conditions of service shall not be interrupted, they shall retain their benefits.
- 5.10 The salaries and benefits of employees placed in new staff establishments shall be adjusted accordingly.

6. POLICY PROVISIONS

6.1 *Placement criteria*

- 6.1.1. Placement of employees in new staff establishment will be done on a close-match basis, where the employee having the closest match in respect of job content is placed.
- 6.1.2. The close-match principle shall apply to unchanged, minor changes and major changed posts.
- 6.1.3. The close-match will be done on job content and job purpose and not on job designation.
- 6.1.4. In cases where more than one employee can be close matched to a post and / or there are more employees than posts, affirmative action (designated groups) shall have preference.
- 6.1.5. In cases where existing posts are multi-functional, the core function of the post shall be taken into account when close-matching employees to a post in the new staff establishments.

6.2 *Placement Committee*

- 6.2.1. A placement committee shall be created consisting of an equal number of Labour and Employer representatives.
- 6.2.2. The placement committee shall be constituted subsequent to the adoption of new staff establishments by Council and shall conclude placements of all surplus and displaced staff within a period of three months.
- 6.2.3. The portfolios of Chairperson and Deputy Chairperson shall rotate annually between the employer and labour representatives.
- 6.2.4. The employer representatives shall exclude Councillors.
- 6.2.5. The human resources division will provide advisory and secretariat services to the placement committee.
- 6.2.6. The placement committee shall:
 - a) Consider and reach consensus on the placement of existing employees into posts in the new staff establishments.

- b) In cases where consensus cannot be reached on staff placement, the matter shall be referred to the Municipal Manager whose decision will be final and binding.
- c) Dispute resolution processes may be pursued in instances of aggrieved employees from the outcome of 6.1.6 (b).

6.3 Classification of posts

6.3.1 Unchanged Posts

- 6.3.1.1 These are posts that have no material change to their job content and job descriptions.
- 6.3.1.2 The municipality will list these posts with the names and employee numbers of the incumbents and submit them to the Placement Committee for confirmation.

6.3.2 Minor Changed Posts

- 6.3.2.1 These are posts with minor changes to the duty schedule which has no material effect on the level of responsibility. It may also involve a change in job title without changing the job content or duties.
- 6.3.2.2 The municipality will submit the names and employee numbers of the incumbents to the Placement Committee for confirmation.

6.3.3 Major Changed Posts

- 6.3.3.1 These are posts involving major changes to the job descriptions, workplans and job requirements.
- 6.3.3.2 These posts with details of the names and employee numbers of employees to be placed into them on close-match basis must be submitted to the Placement Committee.
- 6.3.3.3 Following the publication of the decision of the Placement Committee and the finalisation of any grievances and disputes arising therefrom, these posts will be submitted to the Job Evaluation Committee for evaluation.

6.3.4 New Posts

- 6.3.4.1 These are new posts which have duties and responsibilities that do not exist in any form in the existing staff establishments or where the core job content substantially differs from any post in the existing staff establishments.
- 6.3.4.2 These posts with detailed job descriptions and workplans will be considered for placement of suitable qualified displaced staff and placement shall be guided by the placement criteria.
- 6.3.4.3 Should a suitable qualified displaced employee not be identified, the posts will then be advertised both internally and externally and appointments made in terms of the appointment criteria.

6.4 Placement of Temporary Council Contract Employees

- 6.4.1 The placement of temporary contract employees will take place after the placement of all permanent and fixed term contract employees.
- 6.4.2 Temporary employees on contract for a continuous period of six (6) months or more shall be eligible for placement as at the date of adoption of this policy.
- 6.4.3 Placement will be done on existing permanent posts and on condition that the post is provided for in the staff establishment in an unchanged form and if that post is vacant.
- 6.4.4 In cases where a permanent employee and a temporary contract employee can be both close-matched to a post, the permanent employee will enjoy preference.

6.5 Publication of decisions

- 6.5.1 All employees will be notified in writing of the post into which the Placement Committee has confirmed their placement.
- 6.5.2 All decisions of the Placement Committee shall be communicated to employees by means of a circular by the Municipal Manager.

- 6.5.3 The publication of the decisions of the Placement Committee shall take place on conclusion and / or at the pronouncement of the final decision to any dispute or objection by the Municipal Manager.

6.6 *Disputes / Grievances*

- 6.6.1 Employees or trade unions acting on behalf of employees have the right to lodge grievances against their placement and must identify the post and specify the post number into which they believe they should have been placed in terms of this policy.
- 6.6.2 When an employee lodges a dispute / grievance against his / her placement, the affected placements will be suspended and subjected to the grievance process.
- 6.6.3 A grievance must be lodged within 10 working days after the publication of the Placement Committees decisions. Placements with no grievances filed against them will be deemed as final after 10 working days of publication of the Placement Committees decisions.
- 6.6.4 A grievance meeting shall be convened within 5 working days after the grievance is lodged. The meeting will include the Placement Committee, the employee, trade union representative and management.
- 6.6.5 Should the parties in the meeting reach an agreement the proposed placement will be implemented.
- 6.6.6 Should the parties in the meeting disagree and should the matter remain unresolved and the aggrieved employee wishes to pursue the matter further, the grievant shall refer the matter to the Municipal Manager within 7 working days from the date of the last dispute / grievance resolution meeting.
- 6.6.7 Should the aggrieved employee contest the decision of the Municipal Manager, the matter may be referred to arbitration in terms of the agreed procedures.
- 6.6.8 The terms of reference for the arbitrator will be to determine whether the aggrieved placement is reasonable or unreasonable.
- 6.6.9 Should the arbitrator rule that the placement is reasonable, the employee shall be obliged to accept the placement. Failure to perform duties in the

placed post shall result in disciplinary processes being initiated by the employer.

- 6.6.10 Should the arbitrator rule that the placement proposal is unreasonable, he / she will be entitled to make a determination of a reasonable placement for the aggrieved employee.

7 ROLES AND RESPONSIBILITIES

The Municipal Manager or his / her nominee accept overall responsibility for the implementation and monitoring of the policy.