



public works

Department:
Public Works
REPUBLIC OF SOUTH AFRICA

Policy Framework and Implementation Guidelines

Food for Waste Programme

Foreword

The initiative and the interventions undertaken by the Environment and Culture Sector of the Expanded Public Works Programme clearly indicate our commitments to the Millennium Development Goals and targets which we had set ourselves as a country. The Millennium Development Goals require from us to make meaningful contribution as a developing nation to a sustainable environment. The sector has shown and proven commitment towards fighting poverty, creating jobs and contributing to clean environment.

The Food for Waste Programme as a Sub- Programme has directly made a huge impact in championing our commitment to service delivery. It has created jobs, builds families and continues to assist us to maintain and care for our environment. All these initiatives have shaped and assisted the champions and drivers of the programme whom I call "Social Activists" to develop this policy guideline for the programme.

The document serves as a guiding tool for all those who embraces and appreciate the interventions that we as the Department of Public Works are making in services delivery. It contributes to our developmental agenda as a developing nation. It assists our planning processes and further provokes our thinking on how best we can improve our service delivery techniques.

Appreciation should go to all the role players who steered the ship up thus far and weathered the storms. This document says to all of us *"The Food for Waste Programme is a credible intervention mechanism that falls within specific legal framework"*



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Acronyms

BCEA	Basic Conditions of Employment Act
COIDA	Compensation for Occupational Injuries and Diseases Act 130 of 1993
DPW	Department of Public Works (national)
EPWP	Expanded Public Works Programme
FFW	Food for Waste
IDP	Integrated Development Plan
LM	Local Municipality
NEMA	National Environmental Management Act 21 of 1998
PIA	Programme Implementation Agent
PIP	Project Implementation Plan
PM	Project Manager
PPE	Personal Protective Equipment
PSC	Project Steering Committee
EPWP	Expanded Public Works Programme

Glossary of Terms

Beneficiary	a worker contracted in a Food for Waste project
Beneficiary municipality	a municipality receiving support from the National Department of Public Works to collect household waste through the Food for Waste programme
Domestic waste	waste as defined by the Waste Act (non-hazardous waste which emanates from premises that are used wholly or mainly for residential, educational, health care, sport or recreation purposes)
Programme	the Food for Waste programme which includes various projects implemented in various municipalities
Programme Implementation Agent	an agent contracted to implement the Food for Waste programme on behalf of the National Department of Public Works
Project	a short-term intervention related to the Food for Waste programme implemented within a specific municipality and conceptually defined in terms of this document
Public area	an area outside of households used for a public purpose – e.g. streets, public facilities but excluding cemeteries

SECTION I

I POLICY FRAMEWORK

I.1 Policy Context

I.1.1 Background

The Department of Public Works is implementing a new concept of waste management in support of local government that is aimed at reducing household waste collection backlogs while at the same time contributing to the creation of work opportunities in order to reduce poverty using Expanded Public Works Programme (EPWP) principles. This concept has been adapted from a similar initiative that originated in Curitiba, Brazil. Curitiba is the capital city of the Brazilian state of Paraná. The City has a population of approximately 1.8 million and is also the largest economy in Southern Brazil. Curitiba is the 7th largest City in Brazil. The project was initiated and piloted in Curitiba and the South African government adopted the Food for Waste initiative following a visit by a delegation from KwaZulu Natal Provincial Department of Transport to Curitiba in September 2006. The model was further customised to suit the South African context.

The South African Constitution¹ accords the responsibility for household solid waste collection to the local sphere of government. The Department of Environmental Affairs estimates that about 40% of the population currently receive inadequate or no domestic waste collection services². Capacity to effectively collect household solid waste differs from one municipality to the next. The larger, comparatively well-resourced metropolitan municipalities are experiencing fiscal pressures in maintaining existing levels of waste management services and landfill capacity, while many smaller municipalities face more severe capacity and financial problems to deal with waste collection and management. Amongst other factors, rapid urban growth, slow assumption of waste collection functions, poor planning, poor billing and limited household revenue throughout the country mean that most municipalities are unable to provide adequate waste collection services for their citizens and therefore access to waste collection services remains highly skewed in favour of more affluent and urban communities³. Municipalities, especially smaller ones, are also confronted with competing priorities and this leads to domestic waste management receiving less attention.

It is a well known fact that well-considered, effective solid waste management systems can make critical contributions to public health, environmental sustainability, economic development and poverty alleviation by:

¹ Constitution of the Republic of South Africa, Act 108 of 1996, Schedule 5 Part B

² Department of Environmental Affairs, Draft National Waste Management Strategy, 2009

³ Department of Environmental Affairs, Draft National Waste Management Strategy, 2009

- Improving public health outcomes (through removal of hazardous substances from the environment and reduced vectors for transmission of disease)
- Enhancing environmental quality (through protecting watercourses and preventing degradation of public open spaces)
- Reducing waste quantity that can clog up public storm water and sanitation networks (thereby reducing flooding, service failures and the need for maintenance)
- Supporting higher levels of economic activity (through stimulating growth in waste sector, at the same time as avoiding over-regulation of the sector)
- Contributing directly to poverty alleviation (through offering opportunities for employment, SMME development, and empowerment)

Following successful pilot projects in the municipalities of Hibiscus Coast, Msunduzi and Ladysmith under the banner of “Siyasenzela Project”, the Food for Waste initiative has now been officially incorporated into the Expanded Public Works Programme (EPWP). The programme falls under the Environmental and Culture Sector of the EPWP. The project concept involves identification of unskilled labour from poor households who work a maximum of three days per week and in return they receive their remuneration in a form of food parcels at a value of a wage. The immediate intent of the programme is to gradually reduce the backlog of un-serviced households, in regards to waste collection especially in un-serviced rural areas. It is however expected that by targeting poor households, unemployment will be reduced and food security in poorer households will also be improved. This objective directly responds to Millennium Development Goal of reducing poverty and unemployment by 2015.

Other positive spin-offs from the projects include the following:

- Directly supporting local municipalities to develop or increase capacity for waste collection
- Protecting vulnerable members of poor households through assurance of food supply
- Indirectly reducing the level of loitering often leading to other social problems

This unique concept has now been extended to more local municipalities, and through field experiences over the past four years, policy guidelines have become necessary to address inconsistencies in application of the concept and in resolving observed project level issues. This assists in streamlining operations.

1.1.2 Expanded Public Works Programme

The Expanded Public Works Programme is one of government arrays of programmes aimed at providing poverty and income relief through temporary work for the unemployed to carry out socially useful activities. The Expanded Public Work Programme was launched in April 2004 to promote economic growth and create sustainable development. This is a five-year programme – the second phase of the EPWP was launched on the 1st April 2009 and will run until 30 March 2014.

Public bodies from all spheres of government (in terms of their normal mandates and budgets) and the Non State sector (supported by government incentives), are expected to deliberately

optimise the creation of work opportunities for unemployed and poor people in South Africa through the delivery of public and community services. Training and enterprise development are implemented in sector specific programmes to enhance service delivery and beneficiary well-being.

The programme is categorised into four sectors: Infrastructure, Social, Environment and Culture and the Non-State sector. The Food for Waste programme is a sub-programme within the Environment and Culture sector of the EPWP; its focus is on waste management. It is further classified as an Expanded Public Works Programme, and therefore exempted from certain provisions of the Basic Conditions of Employment Act under a Ministerial Determination (Minister of Labour)⁴.

1.1.3 New Growth Path

The New Growth Path adopted in 2011 aims to create an environment for creation of five million jobs in the next ten years. The green economy is listed amongst the key job drivers of the New Growth Path. Domestic waste management is a key contributor to the green economy sector.

1.2 Purpose of the Policy

The primary purpose of these policy guidelines is to ensure that the intentions of the Food for Waste Programme are achieved effectively and efficiently by ensuring that there is clarity, consistency and uniformity in the implementation of the programme. In addition the policy also seeks to:

- a) Guide implementing agents and municipalities on principles, objectives and conditions governing the funding and implementation of the Food for Waste Programme
- b) Ensure adherence to set policies, guidelines and laws governing Expanded Public Works Programme
- c) Ensure adherence to all other laws related to environmental management (including waste collection)

1.3 Scope of Application

These policy guidelines apply to all projects that are defined as Food for Waste projects, and are directly co-funded by the National Department of Public Works and municipalities through the Expanded Public Works Programmes. The policy framework does not affect normal waste collection projects undertaken by municipalities or non-governmental organisation, including any adapted initiatives based on the Food for Waste concept or continuation of waste collection after the completion of a Food for Waste project whether implemented by municipalities or non –governmental organisations.

⁴ Government Gazette No. 23045, published on 25 January 2002, Department of Labour

1.4 Effective Date

The effective date for this policy is **01 January 2012**

1.5 Guiding Principles

The following principles guide these policy guidelines and the implementation of the Food for Waste projects:

- a) **Alignment** – the Food for Waste projects will adhere strictly to conditions set for implementation of the EPWP and align with current waste collection functions of a beneficiary municipality
- b) **Cooperative governance and partnership** – the programme supports collection of domestic waste by a local authority and does not take over the Constitutional responsibilities of local government as the authorised entity. The design of projects aims to promote cooperative governance and partnerships amongst the three spheres of government, support to local government and mutually beneficial partnerships in the implementation of these projects.
- c) **Orientation towards responsive actions and achieving impact** – the programme promotes job creation and poverty alleviation through targeting un-serviced areas within the local authorities
- d) **Sustainable environmental protection** – the programme subscribes to principles of effective waste management to protect the natural environment
- e) **Poverty alleviation and pro-poor focus** – the short-term intention of the programme is to contribute towards alleviating hunger and poverty through deliberate focus on the vulnerable and poor households both in terms of direct participation as workers and as direct beneficiaries by receiving waste collection services

1.6 Overarching Policy and Legislative Framework

1.6.1 Legislation regulating Waste Management

The National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) fundamentally reforms the law regulating waste management, and for the first time provides a coherent and integrated legislative framework addressing all the steps in the waste hierarchy. In doing so it builds on the considerable body of environmental legislation which has developed since 1994. The Constitution of South Africa, 1996 (Act 108 of 1996) provides the foundation for environmental regulation and policy in South Africa.

The right to environmental protection and to live in an environment that is not harmful to health or well-being is set out in the Bill of Rights⁵.

NEMA introduced a number of additional guiding principles into South African environmental legislation, including the life-cycle approach to waste management, producer responsibility, the precautionary principle and the polluter pays principle. NEMA also places a duty of care on

⁵Section 24 of Chapter 2

any person who causes significant pollution or degradation of the environment, requiring them to institute measures to prevent pollution from occurring, or to minimise and rectify the pollution or degradation where it cannot reasonably be avoided.

The Waste Act forms an integral part of this overarching legal and policy framework, providing specifically for the management of the waste sector and regulation of waste management activities. The Waste Act is based on the Constitutional assignment of legislative and executive powers between the three spheres of government. The Constitution assigns concurrent legislative competence to national and provincial government in respect of the *environment and pollution control* (section 146 of the Constitution) and exclusive provincial legislative competence to the local government matters of *cleansing and refuse removal, refuse dumps and solid waste disposal*.

The Constitution allows national legislation to provide for national norms and standards relating to these matters where national uniformity is required to deal effectively with an issue.

Accordingly, the development of norms and standards is the foundation of the regulatory system established in terms of the Waste Act. National government is obliged by the Waste Act to develop norms and standards on key regulatory matters, while it may develop additional norms and standards on certain ancillary matters. Provinces and municipalities are also permitted to develop standards provided they are not in conflict with national standards. Norms and standards developed in terms of the Waste Act also need to take cognisance of some important sectoral legislation, including the National Environmental Management: Air Quality Act (No. 39 of 2004) and the Health Act, 2004 (No. 61 of 2003).

The Waste Act establishes cooperative governance mechanisms for dealing with matters such as waste planning, appointment of waste management officers and performance reporting. National and provincial government departments are also constitutionally obliged to support municipalities in the execution of their functions.

Due to the significance of municipal waste services, the Waste Act needs to be read in conjunction with the body of legislation regulating local government, including the Municipal Finance Management Act, 2003, and the Municipal Systems Act, 2000, which create the overall framework for planning, budgeting, service delivery and reporting at local government level. There are some important overlapping provisions regarding waste services. For example, section 94(e)(ii) of the Municipal Systems Act allows the Minister to make regulations or issue guidelines for incentives and penalties to encourage the recycling of waste. In terms of section 74(1)(h) of the Municipal Systems Act, a municipal council must adopt and implement a policy on the levying of fees for municipal services provided by the municipality itself or by way of service delivery agreements.

The policy encourages the economical, efficient and effective use of resources, the recycling of waste and other appropriate environmental objectives. Municipalities may also develop their own by-laws to provide for a municipal waste removal system in the municipal area.

1.6.2 Expanded Public Works Programme Framework

The key characteristics of EPWP projects are listed below:

- i. **Reducing unemployment:** They employ large numbers of local, low skilled, unemployed persons who are willing to work, defined as the EPWP target group
- ii. **Labour intensity:** Refers to the size of the labour component of a project and is calculated as the percentage of wages against the project cost.
- iii. **Service oriented:** They provide a service to or develop an asset for the community
- iv. **Payment:** The EPWP target group is paid wages between R63,18c and R150 per day (to be adjusted annually in line with inflation)
- v. **Beneficiaries:** The beneficiaries of the programmes should preferably be unemployed individuals from the most vulnerable sections of disadvantaged communities. In order to spread the benefits as broadly as possible in the community, a maximum of one person per household should be employed, taking local circumstances into account. Programmes should set participation targets for employment with respect to single and female-headed households, women, youth, people with disabilities, households coping with HIV/AIDS, people who have never worked, and those in long-term unemployment.
- vi. **Targets:** The proposed targets are: 55% women; 40% youth from 16 to 35 years of age; and 2% disabled.
- vii. **Exclusions:** Recommended exclusions are persons below sixteen years of age should not be employed on EPWP.
- viii. **Unemployment Insurance:** Work on an EPWP is classified as employment and hence a contributor in terms of the Unemployment Insurance Act 30 of 1966.
- ix. **Compensation for Injuries:** All workers must be registered with the Compensation Fund to allow payment for injuries incurred while on duty.
- x. **Training:** Beneficiaries must receive training to enhance their opportunities in the labour market post-project.

1.7 Approach of the Food for Waste Programme

The Food for Waste programme is a Expanded Public Works Programme of the Department of Public Works through which three objectives are pursued: (1) *Increasing the waste collection capacity of municipalities thereby reducing the amount of un-serviced areas;* (2) *creating job localised opportunities for unemployed people from poor households;* and (3) *reducing poverty and hunger through provision of food parcels to compensate (at a value of a wage) for labour.*

The Department of Public Works facilitates project selection (through engagement with provincial governments and municipalities) and is a co-funder for the project.

Beneficiary municipalities should work with the DPW's implementing agent(s) to implement the projects and are *de facto* employers of the workers contracted through a Food for Waste programme.

All projects should be implemented in municipalities that have a proven record of un-serviced areas. Support is provided to a municipality on a sliding scale for a period of three years. The projects are based on a combination of time-based and task based labour contribution as follows:

- a) Workers are expected to *each* collect domestic waste from a specified number of households (minimum eighty) and jointly collect domestic waste in designated public areas;
- b) A maximum number of hundred (100) workers are employed per project;
- c) Workers are expected to work a maximum of three days a week. The rest of the days may be used for other household activities or income-generating activities;
- d) The work is divided into two days collecting household waste and one day collecting waste in public areas (streets, public facilities, etc) except for waste inside cemeteries, storm water drains and sewage networks;
- e) Workers are compensated by food parcels valued on the basis of the minimum daily labour wage rate for Expanded Public Works Programme. The total value of the food parcel equals the total number of labour days multiplied by four weeks (3 days x 4 weeks: 12 working days);
- f) Workers collect domestic solid waste (non-hazardous dry waste as defined in the Waste Act).
- g) Waste recycling is excluded as a primary work area for workers, however workers are encouraged to use their spare time to recycle and sell recyclable waste material
- h) Workers are only allowed to collect and deliver refuse bags filled with domestic solid waste to a specified loading point. Loading and disposal of waste onto trucks is a responsibility of the municipality. However, consideration should be made to allow project beneficiaries (workers) to load waste into municipal trucks in instances where there is not enough human capacity for such purpose. Such arrangements must be done in writing with beneficiaries concerned and must be treated as normal work by project beneficiaries.

1.8 Eligibility Criteria

1.8.1 Municipalities

Not any municipality qualifies for a Food for Waste project. The following criteria apply:

- a) A municipality must have a proven record of huge domestic waste collection backlog especially in rural areas due to capacity constraints;
- b) Only municipalities with un-serviced areas qualify for consideration;
- c) Only municipalities with more than 8 000 un-serviced households qualify;
- d) Each qualifying municipality may only receive support for one project, a project which may involve a number of un-serviced settlements limited to a total minimum of 8000 households;
- e) Only municipalities with facilities and labour for bulk waste collection and transportation qualify;
- f) Only municipalities with waste disposal sites in the un-serviced areas qualify;
- g) Municipalities with unlicensed waste disposal sites will be considered on condition that the municipality undertakes in writing (as part of the Project Implementation Plan) to register the land fill sites (waste disposal sites) within the period of the project;
- h) Only municipalities willing to contribute financially (wage bill) and other resources (e.g. human resources) throughout the duration of the implementation phase will be considered taking into account implementation model.

1.8.2 Project Beneficiaries

One of the main intentions of the Food for Waste Programme is to reduce unemployment, poverty and hunger in communities. In selecting workers, it is recommended that the most vulnerable and poor households are targeted. The primary targets for employment are women, young people and the people living with disabilities.⁶

Each project must employ a maximum of 100 workers who are regarded as beneficiaries of the project.

1.9 Employment Policy

1.9.1 Recruitment

- a) Recruitment of workers is done by the benefitting municipality based on its indigent register with guidance from the Programme Implementing Agent on recruitment criteria and preferences;
- b) Only South African citizens with valid identity documents can be employed in a project;
- c) Only persons residing in the designated service areas qualify to work in a project. No transportation or travel allowance is provided hence only local labour residing full-time in the service area should be employed;
- d) Only unemployed people from indigent households between the ages 18 and 55 years qualify to be employed in a project;
- e) Recruitment of workers must comply with EPWP equity targets;
- f) People with disabilities qualify with the exception of disabilities that do not permit effective completion of the physical tasks (safe collection of domestic waste)
- g) Only one person per *eligible* household qualifies to be contracted as a worker in a Food for Waste project.

1.9.2 Training

- a) All prospective workers must undergo and complete a two-day compulsory training on Occupational Health and Safety (OHS) and Waste Collection and Handling before they start with the actual work;
- b) All prospective workers who complete the two-day training will be issued with certificates of attendance
- c) Attendance of training is taken as paid work and therefore workers earn two days of remuneration after completion of training only after signing the employment contract and completing work as scheduled.

1.9.3 Employment Contract

- a) Only workers who complete the two day compulsory training qualify for employment in the project;

⁶ Only disabilities that permit a worker to physically complete a task within an agreed period are considered.

- b) Contracted workers are not allowed to replace themselves with other persons nor ask for temporary stand-ins – only workers recruited by the municipality, trained and having signed employment qualify to work in projects;
- c) Each worker must enter into an employment contract with the benefiting municipality clearly stating nature of work for which they are employed, number of days they are expected to work per week/month, defined physical area where work is undertaken, remuneration, duration of employment contract, conditions of employment, and health and safety responsibilities of the worker
- d) A certified copy of the SA identity document must be attached to each employment contract.

1.9.4 Remuneration

- a) Workers are compensated by food parcels to the value of the minimum daily wage rate of the area multiplied by the total number of days worked;
- b) Uncollected food parcels will be distributed to poor households as determined by the municipality (a register of receiving households must be presented to DPW or its Implementing Agent for audit and record keeping purposes).
- c) Remuneration will be paid after completion of the required total accumulated number of days and completed tasks

1.9.5 Working time

- a) Workers work a maximum of eight hours per day;
- b) Each worker works for a maximum of three days a week
- c) No worker is allowed to work overtime or night shifts.

1.9.6 Unemployment Insurance

- a) Workers in the Food for Waste projects are entitled to Unemployment Insurance Fund (UIF) in line with the Ministerial Determinations on Expanded Public Works Programme and therefore contributions will be paid on behalf of or by workers in projects.
- b) A beneficiary municipality is the default employer, however recognising that the Department of Public Works pays 100% of the funding in the first year, DPW will take responsibility for paying the UIF contributions directly in the first year of the project. Beneficiary municipalities and the Department of Public Works will jointly pay for UIF in the second and third years of the projects in line with the funding model.

1.9.7 Health and Safety

- a) All workers must receive vaccination to prevent or reduce possibilities of infections from collected waste. This is a primary responsibility of a beneficiary municipality and the Department of Public Works.
- b) All workers must receive protective clothing prior to starting work.
- c) It is the responsibility of the municipality and Department of Public Works (through its agents) to ensure that:
 - i. All workers receive basic Occupational Health and Safety training;

- ii. All workers are informed of any risks and dangers associated with their tasks;
 - iii. All possible precautions and safety measures are in place to avoid risk and minimise dangers;
 - iv. Workers are not permitted to perform tasks for which they have not been trained;
 - v. Workers are provided with the necessary protective clothing such as goggles, oxygen/dust masks, protective gloves, boots and outer clothing required, as applicable, to complete their tasks in safety. These must be supplied free of charge and must be maintained, by the worker, in a clean state and in working order for use;
 - vi. Workers are provided with First Aid kits on site;
 - vii. At least one person per site must be trained to act as a First Aid Officer and that they are capable of providing First Aid to injured or ill workers
 - viii. Ensure all safety standards set are adhered to.
- d) It is the responsibility of each worker to:
- i. Perform their duties in a safe manner;
 - ii. Wear all protective clothing issued;
 - iii. Obey all safety rules and instructions
 - iv. Comply with all safety obligations in accordance with the employment contract.

1.9.8 Compensation of Occupational Accident and Diseases

The Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA) applies to all Food for Waste projects. In line with this Act, beneficiary municipality must, with the assistance of the DPW, do the following:

- a) Register with the Compensation Commissioner and cover all workers in the project;
- b) Notify the Commissioner of any changes in particulars;
- c) Keep a register of time worked and remuneration;
- d) Pay assessments (contributions) as required by the Commissioner.

The project budget must incorporate costs for completing registration and paying assessments.

1.9.9 Withdrawal of labour

The following shall apply in the case where labour is withdrawn temporarily or permanently:

- a) A worker who withdraws from the project before completion of at least 50% (six days of work) will not be entitled to receive the monthly food parcel;
- b) A worker who withdraws from the project after completing more than 50% of the work will be provided with the monthly food parcel but will not be allowed to rejoin the project at a later stage;
- c) All cases of permanent labour withdrawal should be reported to the beneficiary municipality for purposes of record keeping and immediate replacement;

- d) A worker who does not complete 100% (12 days) of the work program due to practical reasons (illness, family responsibility, etc) will be allowed to complete work beyond a calendar month or work for more days per week before receiving monthly food parcel;
- e) No worker is allowed to have another person to replace him/her either temporarily or permanently – only registered and trained workers are allowed to work in the project.

1.10 Supplier Procurement Policy

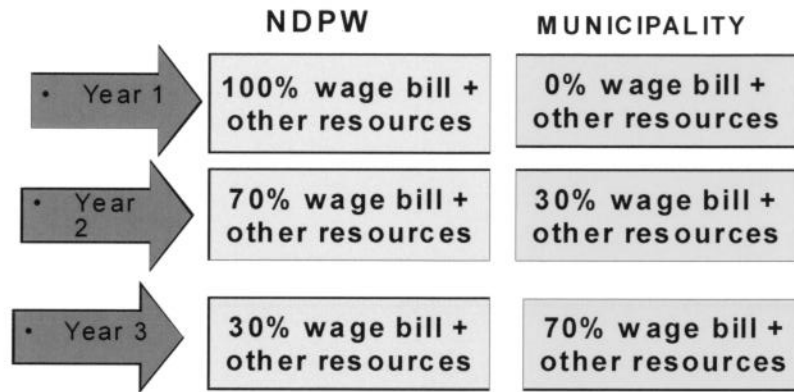
- a) The DPW's implementing agent takes final responsibility for procurement of suppliers for protective clothing and food parcels;
- b) Beneficiary municipalities will assist DPW's implementing agent to identify prospective suppliers within the immediate locality of the service area;
- c) Criteria for determining potential and qualifying suppliers will include locality, pricing, proven capacity to deliver and financial capacity;
- d) If no qualifying/capable suppliers are found within the immediate locality of a beneficiary municipality, suppliers will be procured from within the immediate region or province;
- e) All supplier arrangements must be reduced to a Service Level Agreement clearly stipulating conditions such as delivery places, delivery dates, packaging and determinations for price fluctuation during period of contract;
- f) Qualifying suppliers must be registered on the supplier database of both the DPW Programme Implementing Agent and the beneficiary municipality;
- g) Supplier contracts will be subject to annual review and amendments.

1.11 Co-funding criteria and allocations

The funding policy for each project is as follows:

- a) In the first year, the National Department of Public Works provides 100% funding for beneficiary compensation;
- b) In the second year, the DPW provides 70% of the funding for beneficiary compensation and a beneficiary municipality provides 30% for beneficiary compensation;
- c) In the third/final year, DPW provides 30% of the funding for beneficiary compensation and a beneficiary municipality provides 70% of the beneficiary compensation;
- d) 60% of the project budget must go to beneficiaries wages;
- e) 10% of the project budget must be put aside as contingent budget (guard against price escalations especially food parcels);
- f) 10% of the project budget must go to training;
- g) 12% of the project budget must go to PPE's and tools;
- h) 8% of the project budget must go to Implementers fees including project facilitation and set up costs.

FUNDING MODEL



1.12 Branding Policy

- All material (e.g. work suits) purchased through EPWP funds must comply with DPW EPWP corporate identity manual;
- Colours and logos should reflect the following: EPWP logo, Department of Public Works, and beneficiary municipality.

1.13 Conditions for Implementation

- A Programme Implementing Agent must be appointed for programme management of the Food for Waste programme – a contractual agreement must be entered into with clear roles, responsibilities, funding and reporting arrangements;
- All Food for Waste projects must be registered in a beneficiary municipality's Integrated Development Plan and Strategic Budget Implementation Plan and dedicated funds must be provided for the second and third phases;
- Agreement to the conditions for implementing a Food for Waste project in a municipality must be supported by a Council Resolution;
- Each beneficiary municipality must provide a dedicated official for coordinating project implementation within the municipality and ensuring that all administrative tasks are undertaken including EPWP reporting. This person will also serve as the municipality's contact person.

Section Two

2 IMPLEMENTATION GUIDELINES

2.1 Preamble

The Food for Waste programme is both a job creation programme (under EPWP) and a municipal technical support programme. The primary intention is to create a suitable and sustainable environment for improved domestic waste collection through direct support to municipalities to undertake what is primarily their responsibility and use such an opportunity with a short term objective of creating employment and ensuring household food security, and a long-term view of creating capacity within beneficiary municipalities to extend their waste collection services to currently un-serviced areas. During the implementation of the project, both the Department of Public Works and any beneficiary municipality should at all times be aware that this initiative is aimed at supporting effective assumption of a municipal function and does not in any way absolve the municipality of its responsibilities or give the Department of Public Works and its agents any powers related to the municipal function of waste collection. In the spirit of providing short-term (three-year) support, it is expected that the Department of Public Works and beneficiary municipalities honour the obligations set out in the project compacts and do not, by implication of non-compliance, create an environment where perceptions of “delegated” functions or sub-contracted arrangements arise. By agreeing to the implementation of a project, the Department of Public Works and its agents do not function as service providers or contractors of a beneficiary municipality and should not be treated as such. These projects are partnership projects and they should be conceptualised, funded, managed and implemented as such.

2.2 Roles and Responsibilities

2.2.1 Department of Public Works

The Department of Public Works is a custodian of the Expanded Public Works Programme. On behalf of national government, the DPW is the facilitator, coordinator and catalyst of the EPWP and secures funding for EPWP projects implemented directly by DPW. The department also works directly with provincial government to identify and oversee implementation of the various EPWP projects. The DPW also develops guidelines, policies and support tools to govern and guide implementation of EPWP projects.

In regards to the Food for Waste Programme, the role of the Department includes the following:

- a) To liaise with provincial governments to identify qualifying municipalities for Food for Waste projects;
- b) To work with identified municipalities to ascertain whether all criteria for feasible projects have been met;
- c) To appoint a suitable National Programme Implementation Agent for the programme and manage the programme on behalf of the DPW;

- d) To manage, oversee and direct the work of the appointed Programme Implementing Agent;
- e) To approve scope of work for the programme as a whole;
- f) To monitor and report in terms of DPW's internal requirements;
- g) To independently monitor and report quality aspects and
- h) To provide technical assistance on EPWP related component of the Project.

2.2.2 Beneficiary Municipalities

The legislative mandate for domestic waste collection rests with the local municipalities. Municipalities must therefore effectively plan to ensure that domestic waste collection is undertaken in accordance with the Waste Act and other legislation regulating such a function. To implement plans, municipalities must accordingly ensure that there is capacity to undertake the function (people, systems, equipment, bylaws, etc) and that costs for the services are recovered.

In terms of the specific requirements of a Food for Waste project, a beneficiary municipality is responsible for the following:

- a) Identification of the un-serviced areas;
- b) Identification of the households/clustering;
- c) Development of a selection criteria for the beneficiaries;
- d) Facilitation of contractual conditions for the beneficiaries;
- e) Planning with PIA for the training programme;
- f) Alignment of the Food For Waste Project with the current waste collection schedule and Integrated Waste Management Plan;
- g) Linking the programme with other activities dealing with waste and poverty eradication;
- h) Allocation of tools and agreement thereof;
- i) Actual daily supervision of the project;
- j) Participation in the Project Committees;
- k) Consultation with organized labour;
- l) Coordination of the actual distribution of food parcels;
- m) Alignment to Indigent Register;
- n) Identification of business opportunities (Local Economic Development aspect) in relation to recycling;
- o) Obtain sizes of the PPEs for the beneficiaries;
- p) Inclusion of the project in the IDP;
- q) Obtain council resolution prior implementation;
- r) Provision of primary and secondary truck for collection;
- s) Development of the collection routes and schedules;
- t) Identification of a central area for receiving compensation (collection of food parcels) and
- u) Recruitment of labour using municipal indigent register and or unemployment labour data base of the municipality.

2.2.3 Programme Implementation Agent

The PIA is appointed by the Department of Public Works, and is directly reporting to the DPW. The PIA also serves as a representative of the DPW in its engagement with beneficiary municipalities. No impression should be created that Food for Waste projects are initiated or funded by a PIA, or that a PIA is contracted to a beneficiary municipality. The contracted PIA must:

- a) Submit a Project Implementation Plan for approval by DPW;
- b) Assume responsibilities for the appointment and management of Service Providers;
- c) Facilitate the development of the Memorandum of Understanding between PIA and beneficiary municipalities;
- d) Set up adequate monitoring tools;
- e) Receive and analyse expenditure reports from the service providers;
- f) Monitor performance of service providers;
- g) Prepare and submit monthly reports and quarterly EPWP reports to DPW in the prescribed format;
- h) Co-ordinate all Project meetings;
- i) Monitor progress on project schedule;
- j) Establish a Project Steering Committee for each approved Food for Waste project;
- k) Attend all Project Committee meetings as scheduled;
- l) Ensure timely payment of service providers;
- m) Ensure adherence to the development outcomes via KPIs as identified;
- n) Ensure adherence to the development and update of the Project Plans;
- o) Ensure compliance with EPWP requirements;
- p) Manage the implementation of the Project according to plan;
- q) Manage quality standards;
- r) Manage scope change;
- s) Annual review of the grocery list in consultation with project beneficiaries;
- t) Facilitation of the training
- u) To comply with the branding requirements of EPWP.

2.3 Programme Management Arrangements

The National Department of Public Works takes full responsibility for programme management of all EPWP projects except for those that are implemented by other national organs of state. In the case of the Food for Waste Programme, DPW contracts a Programme Implementing Agent to implement the programme on its behalf.

The basic structure for the programme management is illustrated as per Figure 1.

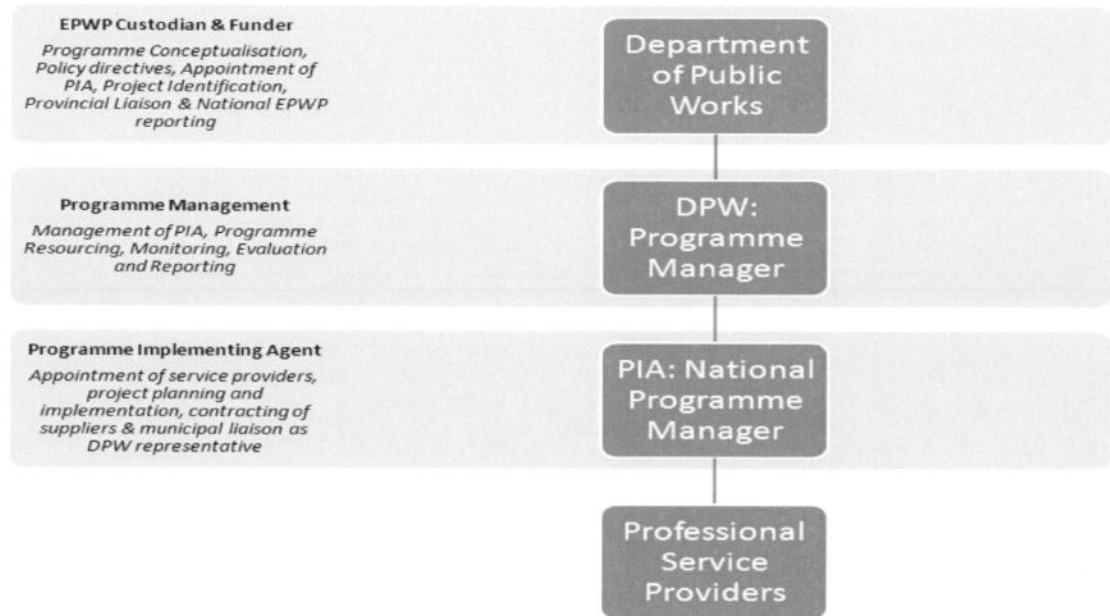


Figure 1: Overall programme management structure

2.4 Pre-project activities

2.4.1 Application for Programme Funding

Municipalities identified for participation in the Food for Waste programme should fill in an application form which should amongst others respond to the following:

- i. Un-serviced areas and total number of un-serviced households;
- ii. Current organogram and staff capacity of the municipality's waste collection unit;
- iii. Number and location of waste disposal sites;
- iv. Status of registration/licensing of the waste disposal sites;
- v. Location and number of waste disposal trucks;
- vi. Schedule of waste collection;
- vii. Copy of the latest IDP
- viii. Other information that may be found useful.

2.5 Project Implementation Guidelines

2.5.1 Stage 1: Project Conceptualisation and Planning

2.5.1.1 Project Agreements

Each project must be preceded by signing of a compact or Memorandum of Understanding between the DPW (or its agent) and the beneficiary municipality. The MOU must detail the following:

- a) Effective starting date of the project
- b) Funding arrangements over the three-year period
- c) Recruitment, employment and remuneration of workers
- d) Roles and responsibilities
- e) Project management arrangements

2.5.1.2 Project Coordination and Management Structures

- 1) National Programme Management Team should be established as an over-sight structure for the programme. The PMT is composed of the following:
 - a. DPW National Sector Manager;
 - b. IDT National Programme Manager;
 - c. Training and National Coordinators Service provider and
 - d. Other stakeholders (Optional)

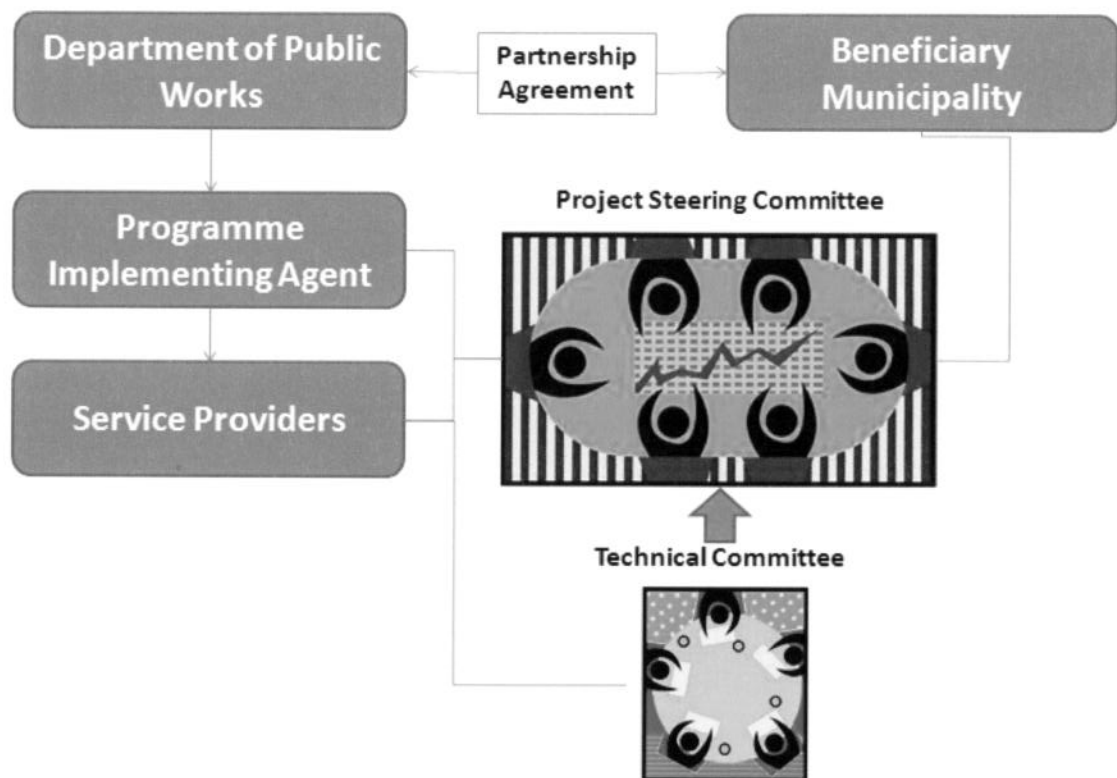
This forum meet on a monthly basis and on quarterly bases is extended to include the PSC's of every province in exception of municipal official and chaired by DPW.

- 2) A **Project Steering Committee** should be established for each project. The PSC is composed of the following:
 - a. DPW Programme Sector Manager
 - b. Provincial DPW EPWP coordinator
 - c. PIA Project Manager
 - d. Municipality official(s)
 - e. Service Provide (Optional)

The PSC meets once every month and is chaired by the DPW Programme Sector Manager.

- 3) A **site meeting** must be held on a biweekly basis between the PIA and the beneficiary municipality to monitor and oversee physical progress in each project. This meeting is chaired by the PIA project manager.

Figure 2: Proposed project coordination structure



2.5.1.3 Project Planning

- a. A Project Implementation Plan (PIP) must be developed for each project
- b. The PIP must address agreed project milestones, reporting arrangements, procurement arrangements, roles and responsibilities and funding.
- c. The approved PIP establishes a baseline for monitoring progress and is discussed at PSC level monthly.

2.5.2 Stage 2: Identifying Beneficiaries

In addition the policy on qualifying persons, the following considerations are suggested to help target the poorest of the poor:

- a) People who come from households where the head of the household is unemployed and without senior education qualifications
- b) People who come from households that have less than one full time person earning an income
- c) People who come from households where subsistence agriculture is the source of income

- d) Expanded Public Works Programmes seek to provide as many people as possible with the opportunity to participate in the programme

2.5.3 Stage 3: Training of Beneficiaries

No one is allowed to work in a Food for Waste project if they have not completed the compulsory pre-work training programme. It is however expected that some workers will drop out of the project due to illness, pregnancy, injury, death or new work opportunities. To assist municipalities to have sufficient reserve of qualifying labour, it is recommended that at least 110-120 people be trained, out of which 100 will be employed and 10-20 will be reserve labour.

Further recommendations are:

- a) Training should be in the language(s) used in the area because it is expected that some workers may not have a good command of other languages
- b) Training material should be produced in local languages and with illustrations to assist workers who may be semi-illiterate
- c) Training should cover the following:
 - ✓ Brief description of EPWP as a government programme
 - ✓ The Food for Waste Programme: What it is, objectives, remuneration, etc
 - ✓ Health and Safety
 - ✓ Labour relations

2.5.4 Stage 4: Employment of Workers

a) Employment contract

All beneficiaries in the programme will sign a contract of employment. The contract will be in accordance with the EPWP Special Conditions of employment and the Code of Good Practice which governs the programme. The contract will stipulate the duration beneficiaries are to be employed in the programme and the legal compliance issues. The contract will be between the municipality and the beneficiary.

b) Resignation forms

Food for Waste beneficiaries' contract of employment will have resignation forms as a means of tracking attrition in the programme. Each beneficiary will be required to sign the resignation forms when exiting the programme.

c) Monitoring Tool

The programme Monitoring Tool which guide the implementation of the programme forms part of the implementation guideline. Implementing municipalities are required to use the tool to assess performance and also compliance to the programme objectives.

d) Incident Reporting Forms

The COIDA Act requires that employers report all incidents that occur whilst employees are on duty to the Compensation Commissioner. The implementing Municipalities are required to use these forms in order to report any incident that may occur during the implementation

of the programme. Such incidents will also be reported with the relevant authorities within seven days after they have happened.

2.6 Disbursement of the Programme Funding

The Department of Public Works does not transfer funding directly to municipalities to implement a project. Instead, the DPW transfers quantified project budgets to the appointed national PIA, who becomes responsible for direct purchasing of services and supplies required for the projects. Given that the intention is to support the municipalities, funding for the second and third phases (years) of the projects will be managed as follows:

- a) A beneficiary municipality will utilise and exhaust its 30% (second year) and 70% (third year) funding first before DPW funds are used.
- b) The PIP will indicate how a municipality's funds will be spent (items) using a municipality's own procurement system (compliant with transparent and competitive bidding practices).

2.7 Monitoring and Reporting on the Programme

The Department of Public Works reports to relevant national and provincial cabinet clusters on progress in the EPWP projects.

The contractual arrangement between the Department of Public Works and its Programme Implementing Agent requires that the following reports are produced for each project:

- a) Monthly Progress Report
- b) Bi-Weekly Progress Report
- c) Quarterly Progress Report including the EPWP Quarterly Report
- d) Closure Report after the three-year period

3 INDEX OF APPENDICES

Health and Safety Manual

Waste Handling and Collection Manual

Ministerial Determination: Expanded Public Works Programmes

Code of Good Practice: Expanded Public Works Programme

Template 1: Memorandum of Agreement

Template 2: Project Implementation Plan

Template 3: Beneficiary Contract of Employment

Template 4: Service Level Agreement for Suppliers

Template 5: Monitoring Tool

Template 6: Resignation Form

Template 7: Incident Reporting Forms

Template 8: Municipal Council Resolution

All these documents could be accessed on the National Department of Public Works website.
Domain address www.epw.gov.za