

LIMPOPO PROVINCIAL GOVERNMENT

*DEPARTMENT OF SAFETY, SECURITY
AND LIAISON*

POLICY ON EMPLOYMENT PRACTICES

HUMAN RESOURCES MANAGEMENT

EMPLOYMENT PRACTISES POLICY

1. PREAMBLE

- 1.1. The Department is committed to the achievement of the workforce that will broadly be representative of South African people and to utilize employment and personnel management practices that are based on ability, objectivity, fairness and need to redress the imbalance of the past and to achieve broad representation.
- 1.2. To this end, every manager will be responsible for ensuring the following:-
 - 1.2.1. Effectively meeting the human resources needs of their components to deliver on the goal of the Department.
 - 1.2.2. Ensure that employees are managed in an enabling and supportive environment which promote their further development policy or practice.
 - 1.2.3. Taking steps to promote their further development policy or practice.
 - 1.2.4. That no person is unfairly discriminated directly or indirectly, on one or more ground, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth.
 - 1.2.5. Implementing Affirmative Action measures to ensure that qualified people and especially those who have been most disadvantaged (blacks, women and people with disability) by the implementation of the discriminatory practice have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce.

2. PURPOSE

The purpose of this policy is to augment the regulations with regard to employment procedure and practices and to create an appropriate framework to Human Resources Practitioners, Human Resources Managers and Recruitment Managers in ensuring that recruitment, selection and placements comply with national norms and standards.

3. MANADATORY REQUIREMENT

The Public Service Regulations 2001 as amended.
Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)
Labour Relations Act, 1995 as amended
Public Service Act, 1994
Basic Conditions of Employment Act, 1997
The Employment Equity Act, 1998
PSCBC Resolutions
GPSSBC Resolutions

4. RECRUITMENT POLICY PROVISION AND ROLES

4.1. Key Policy Principles

- 4.1.1. Recruitment should be targeted for maximum accessibility. It should be aimed at reaching, in most cost effective manner, the widest possible number within all target group.
- 4.1.2. The image of the Department and of the Public Service in general must be promoted in order to encourage applicant's interest in the Public Service.
- 4.1.3. Advertisements must account for and contribute to a just and fair process with regard to the filling of posts. All recruitment actions should be undertaken with a view to seek from the relevant target groups, the ideal applicant with the necessary training, skills, competence, potential and knowledge relevant to the requirement of the post concerned.
- 4.1.4. The recruitment must acknowledge and adhere to the principle of equal employment opportunities and ensure that, to the greatest extent, any person who may rightfully qualify will be in a position to present his / her candidature for appointment in the Public Service.
- 4.1.5. Recruitment should contribute to achieving a representative Public Service. It is an important tools by means of which past imbalances can be redressed.

4.2. Norms for Compilation of Advertisement

- 4.2.1. Advertisements should be compiled in accordance with section 186 (2) of the Labour Relations Act, 1995 which equates a job applicant with an employee for the purpose of protecting individuals against arbitrary discrimination.
- 4.2.2. Advertisements should not favour or prejudice any prospective candidate who possesses the knowledge, skill, competence and or potential required for the relevant post.
- 4.2.3. Advertisements should encourage competition between internal and external applicants in order to promote labour mobility and cross fertilization of energy, skills and experience.
- 4.2.4. The concise description of the duties to be undertaken and requirements which will be used in selections, should be indicated in the advertisement.
- 4.2.5. Any requirement that is not directly related to the applicant's ability to perform that specific job and to organizational objectives should not be put into an advertisement.
- 4.2.6. Where educational qualifications are statutorily required, they should be clearly stated in the advertisement.
- 4.2.7. The requirement for health and security clearances, where these are justified by the inherent nature of the work, should be clearly stated in the advertisement.
- 4.2.8. The language and style of the advertisement should be clear and simple and designed to attract candidates from all sections of the target groups.
- 4.2.9. The appropriate salary level and applicable notched should be of the prevailing salary dispensations. The vacant post should be advertised on the level that is dictated by the evaluation work that should be performed.

4.3. ADVERTISING

- 4.3.1. In accordance with PSR V11 2.5. all posts of senior management and those for scarce skills must be advertised nationally both inside and outside the Public Service. (month for advertisement)
- 4.3.2. All other posts below the level of the senior management may be advertised within the Province. Optionally advertising could be done with the rest of the Public Service, outside Public Service either nationally or locally by other means of recruitment.

4.4. MEDIUM OF ADVERTISEMENT

4.4.1. Within the Provincial Department

An internal vacancy circular has to be compiled and distributed by the Human Resources SBU to all SBU's and Provincial Department's.

4.4.2. Within the Public Service Wide

Advertising nationally within the Public Service could be effected by means of the vacancy circular minutes of the Department of Public Service and Administration.

4.4.3. Outside the Public Service

- (a) Advertisement could be made in the national media within a circulation adequate to reach prospective candidates nationally.
- (b) Employment agencies may be used if advertising fails to yield suitable candidates, to act as intermediaries between the employer and prospective employees as long as the advertising is in line with item V11 (c) of the new Public Service Regulations.

(c) Posting

- (i) Posting methods can be used to reach communities which cannot normally be reached through the more conventional recruitment methods.

5. Selection

- 5.1. Selection involves the assessment of candidates for vacant posts and the choice for the most suitable people. It involves interviewing and examination of data. Sifting should be done by the Head: Human Resources or his / her delegate.\
- 5.2. The Head: Human Resources or his / her delegate shall be responsible for the receipt of applications for advertised posts, acknowledging receipt thereof, and ensure that all persons who qualify for the posts by virtue of their applications are duly considered for appointment.
- 5.3. The relevant Head of the SBU shall, with the assistance of Directorate: Human Resource draw up a shortlist of applicants who appear suitable by comparing available information.
- 5.4. The Head: Human Resource or his/her delegate shall facilitate the appointment of Selection Committee which shall consist of representative (observers) from Transformation Unit and employee organizations, if practically possible.
- 5.5. The Head: Human Resources or his/her delegate must provide secretariat and advisory service to the Selection Committee,
- 5.6. Reference checks on short listed candidates will necessary be done before scheduled interviews, only to confirm the training, qualification skills, competence or knowledge
- 5.7. Structured interview which is well planned in advance should be used as evaluation method and should be aimed at comparing the attributes of the applicant with the requirement of the position so that a decision about the best fit can be made.
- 5.8. Panel members should sign oath of secrecy before commencing with short listing and interview process.
- 5.9. The selection criteria for both short listing and interviews have to be developed by the panel before commencing with the process.

- (ii) The Human Resources SBU could liaise at local level with both officials and private entities for the display of posting at places which are accessible, known to and frequented by the community, e.g. MPCC, hospitals etc.

(d) Radio Advertising

- (i) Advertising through radio could be utilized typically to reach local communities.
- (ii) This method can be used in conjunction with posting for the purpose of announcing the localities where advertisements are posted.

(e) Skills Search (Head Hunting)

- (i) This method of recruitment may be used to seek suitable candidates for position where difficulty is experienced to recruit suitably qualified candidates from historically disadvantaged groups. Recruitment Agencies may be utilized in the head hunting process.
- (ii) These methods will be used only in conjunction with normal advertising of vacancies.

(f) Evaluation of Recruitment

- (a) The Human Resources directorate should evaluate recruitment process in order to ensure :-
 - (i) Whether the recruiters succeeded in meeting their goals.
 - (ii) The total % of applicants who qualify for the job.
 - (iii) The number of qualified applicants V/S the number of available jobs.
 - (iv) The quality of performance by the subsequent appointments.
 - (v) The cost of recruitment.

- 5.10. Scoring method should not be encouraged as the panel has to discuss the candidates in terms of the criteria set and determine the suitable candidate.
- 5.11. The Secretary for the panel has to take minutes of the proceeding which must form part of the panel's recommendations.
- 5.12. The recommendation of the Selection Committee shall, together with all supporting documents be submitted to the Head: Human Resource who shall be responsible for obtaining the approval of the Executing Authority or his/her delegates (refer to delegations)

6. Probation

- 6.1. All probationary appointments shall be in accordance with the provisions of Section 13 of the Public Service Act, 1994 and PSR/1/VII/E as well as PSCBC agreements.
- 6.2. All newly appointed employees shall undergo a period of orientation and induction in the Department. Job related orientation shall be the responsibility of individual managers/ supervisors, while the Head: Human Resources or his / her delegates shall be responsible for presenting / facilitating induction programmes on at least quarterly basis.
- 6.3. The Head: Human Resources shall be responsible for providing administrative support to managers / supervisors in applying the relevant provisions of the Public Service Regulations concerning probations and for keeping appropriate records.

7. Pay Progression

- 7.1. All employees on salary levels 1 to 12 shall be eligible for pay progression to the maximum notch of salary level attached to their posts.
- 7.2. Progression to the next higher notch within the employee's salary level as from 01 July 2003 shall be based on seniority (Period of continuous service) and performance and shall therefore not be automatic. The progression shall be effected by the Head: Human Resource or his/ her delegate.

- 7.3. An employee must complete a continuous period of 12 months on his /her notch on the 31st March of a year and must be performing at least satisfactorily as assessed in terms of the Departmental policy on Performance Management System.
- 7.4. The pay progression cycle will run over a continuous period of 12 months, commencing on 1 April of a particular year (In practice, this may have the effect that an employee appointed in or promoted to a post with effect from 1 May of a year on salary level 1 to 12 shall only qualify 23 months later for possible pay progression)
- 7.5. Progression will take place annually during 1 July of each year, subject to the Departmental Policy on Performance Management.
- 7.6. Only valid notches on the salary bands must be used in the pay progression process.
- 7.7. Employee on personal notch on the salary scale (therefore on notch above the maximum of the salary level attached to his/her post), shall not qualify for pay progression, but shall receive any annual salary adjustments on the salary scale. Notches in this instance will be ring-fenced on the pay system (PERSAL) and identified as such to ensure that they do not benefit from this system.
- 7.8. An employee who had been awarded a higher salary level by the Executing Authority in terms of the PSR (Chapter 1 Part V/C2, and such a level does not correlate to the job weight attached to his/her job, shall qualify for pay progression provided compliance with the set criteria is realized.
- 7.9. Employees who benefit from the pay progression system during a financial year will receive the benefit in addition to possible annual cost of living adjustments.
- 7.10. An employee may receive pay progression and other performance related incentives (e.g. performance bonus) as provided in the Departmental Performance Management Policy.

8. Transfers

- 8.1. It is in the interest of good management both in terms of Department operational effectiveness and the employee's development that employees be rotated between different jobs within their SBU or across SBU's.

- 8.2. Transfers of employees at the same level may be instigated either by the employer or the employee himself/herself.
- 8.3. The principle should be to adhere to operational requirements of the Department.
- 8.4. While transfers may be used positively for performance management, they should not be used to avoid dealing with staff whose performance or conduct is unsatisfactory or to move staff on the basis of personal prejudice.
- 8.5. Transfers should not be used as a mechanism to prevent the use of competition as a basis of filling a vacant post.
- 8.6. Employees to be transferred should be consulted and their personal circumstances taken into account.
- 8.7. When transfers are made between two departments, the receiving department should bear the costs (where necessary).
- 8.8. The department should inform the receiving department of any outstanding matters such as promotions, allowances due and disputes that might be existing.
- 8.9. The department should confirm the date of assumption of duty of the employee.
- 8.10. The relinquishing department should attend to phase one of the transfer process, namely; the transfer of files and payments of salaries upon such confirmation.
- 8.11. The costs for employee initiated transfer is borne by the applicant while employee initiated costs are borne by the employer in terms of Resettlement Policy.
- 8.12. The Executing Authority or his/her delegate has the right to approve or disapprove the transfer, however, on disapproval, he need to furnish reasons.
- 8.13. Transfer between two departments should take place in consultation with the concerned department.
- 8.14. Same procedures have to be followed when transfers are made between the Province and National Departments.

9. Contract of Employment

- 9.1. The Head: Human Resources shall prepare a written employment contract to be signed by the employee, when sending him/her a letter offering him / her the position successfully interviewed for. The contract shall stipulate the terms and conditions of service while employed by the Department. A signed copy of the contract must be placed in the employee's personal file.
- 9.2. Appointments shall be approved by the Member of Executive Council or his / her delegate (refer to delegation) by way of a submission to be prepared by the Head : Human Resources his /her delegate after receiving a request to that effect from the relevant manager together with the necessary documentation.

10. Re-Appointment of Former Employees

- 10.1. The Executive Authority may not re-appointment a former employee where;-
 - (a) the former employee left the Public Service earlier on the condition that he / she would not accept or seek re-appointment,
 - (b) the original grounds for termination of service militate against re-appointment, or
 - (c) the former employee left the Public Service due ill health and cannot provide recent and conclusive evidence of recovery.
- 10.2. In a specific case, a former employee may only be re-appointed if it has been recommended by the Head of Department for salary levels 12 and lower and for salary level 13 and higher, the Executing Authority, if they are successful in obtaining a post through competition.

11. Acting in Higher Posts

- 11.1. An employee can only be appointed to act in higher post(s) if no other arrangements can be done. After the twelve months appointment on acting capacity has to be terminated.
- 11.2. Any employee that is appointed to act in higher post(s), shall be appointed in accordance with the provisions as contained in Chapter 1, Part VII / B.5 of the Public Service Regulation; Paragraph 5.1. of the PSCBC Resolution 9 of 2001 as well as Resolution number 1 of 2002 of the GPSSBC.
- 11.3. An employee shall be informed of his /her acting capacity in writing by the Head: Human Resources or his /her delegates after approval by the Executing Authority or his/ her delegate.
- 11.4. An employee who does not meet the requirements of the posts into which he/she should act, should not be appointed to act in such post. Unless in exceptional circumstances with the sanction of the Executing Authority or his / her delegate.
- 11.5. An employee appointed to act in higher post should accept the acting appointment in writing.
- 11.6. An acting allowance shall be paid to an employee who has been appointed and accepted such an appointment in writing on per resolution 1 of 2002 and such an officer should be acting in the post that is vacant and funded and the period of acting appointment is uninterrupted and is longer than six weeks.
- 11.7. The acting allowance will be calculated on the basis of difference between the current salary notch of the employee and the commencing notch of the higher post.
- 11.8. An employee who is not part of the Senior Management Service appointed to act in a post in the Senior Management Service will receive the difference between his /her current salary notch and 60% of the commencing total cost to the employer package applicable to the post level.
- 11.9. Acting allowance is a non pensionable allowance.
- 11.10. The Department will pay the acting allowance on monthly basis, provided that the first payment takes place in the month following the completion of six weeks back dated to the date that the employee officially began acting.

- 11.11. An employee may not act in a higher post for an interrupted period exceeding twelve months after the expiry the twelve months appointment on acting capacity has to be terminated.
- 11.12. The fact that an employee has been appointed in an acting capacity to be appointed when the vacant post is advertised.

12. Termination of Services

- 12.1. Termination of service of employee may be initiated by the employee or by the department or through mutual agreement.

12.1.1. Age retirement agreement (compulsory & voluntary)

- (a). In accordance with section 16 (1)(9) of the Public Service Act, 1994, the compulsory retirement age of the Public Service is 65 years. Any employee who reaches this age, has to be retired on the date that he /she reaches this age (the only permissible exceptions to this rule are those specified in Section 16 of the Act).
- (b). Employees may exercise an option to retire earlier than the compulsory retirement age as provided in Section 16(A)(a) of the Act after attaining the age of 55 years. Employees who wish to exercise this option, must notify the Head: Human Resources through their managers / supervisors of their intention to exercise this option, three calendar months prior to the date that they wish to retire. Employees can contact the Head: Human Resources for advice and assistance on the benefits which are payable before exercising this option.
- ©. In terms of Section 16(6)(9) of the Public Service Act, 1994, employees may retire before reaching the age of 55 years, if in the opinion of the Executive Authority or his /her delegate, a sufficient reason exist therefore and the retirement will be in the advantage of the State. Employees wishing to retire in terms of this provision must submit their application(s) through their managers / supervisors to the Head: Human Resources. It will be the latter's responsibilities to submit it to the relevant authority for consideration. In this case, employees can also contact the Head: Human Resources in advance to establish the benefits which are payable should they wish to apply for early retirement in terms of this provision.

12.1.2. Resignation

- (a). An employee may resign from the Department at any time, subject to the giving of notice as provided for in PSRI / VII/ G3, and on such condition as may be applicable in terms of any contractual agreement which may apply at the date of resignation (e.g. bursary obligations).
- (b). An employee must use form to be issued by the Head: Human Resource in submitting her/ his resignation and shall indicate the reasons for the resignation on the form. The form shall be submitted via the employee's supervisor / manager to the Head: Human Resources.
- ©. An employee shall be deemed to have resigned under the conditions indicated in PSR1/VII/G3.3 (candidate for election to National / Provincial Legislature or nomination to NCOP).
- (d). Once an employee has given notice of her / his resignation and she / he wishes to withdraw her / his resignation may only be granted by the Executing Authority or his /her delegate.

12.1.3. ILL-HEALTH

- (a). An employee may be discharged on account of continued ill health (on her / his initiative the Department initiative) Subject to the provisions referred to in PSR1 /VII /G4.
- (b). All health discharges will only be considered if recommended by a registered physician, on the applicable form obtainable within the Public Service.
- © All possible investigations have to be done to determine the employee's ill health or injury of permanent nature in terms of the PSCBC resolution number 12 of 1999.
- (d). Ill health discharge applications must be submitted to the Head: Human Resources who will be responsible for obtaining the approval of the Executive Authority or his /her delegate. The Senior Manager: Human Resources will also be responsible for ensuring that such discharges are procedurally and substantively fair.

12.1.4. Operational Requirements

- (a). Any discharge for operational requirements must comply with the requirements referred to in PSR 1 / VII / G4.
- (b). The Executing Authority or his / her delegate must approve such a discharge (refer to delegations). The Head: Human Resources will be responsible for ensuring that such discharges are procedurally and substantially fair.
- ©. A transfer to an entity outside the Public Service must comply with Section 197 of the Labour Relations Act, 1995.

12.1.5. Incapacity

The Executing Authority or his / her delegate may approve discharge based on unfitness or incapacity. The Head; Human Resources will be responsible for ensuring that such discharges are procedurally and substantially fair in accordance with the provision of the Labour Relations Act, 1995.

12.1.6. Termination of Probation

- (a). Any termination of probation shall comply with requirements referred to in PSR1 /VII /G5.
- (b). The Executing Authority or his / her delegate must approve an employee's termination of probation. The Head: Human Resources will be responsible for ensuring that such discharges are procedurally and substantively fair.

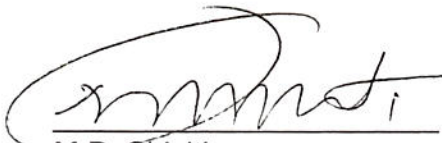
13. Employee Records

- (a). The Records Manager shall be responsible for keeping the personal records referred to in PSR1 / VII / H.
- (b). The Records Manager shall be responsible for ensuring that only authorized persons gain access to the records of those employees under their control.
- ©. Employees may gain access to their personal records if authorized by the Records Manager provided such records may not be taken out of

the registry area and a representative of the responsible directorate is present.

14. Monitoring, Evaluation and Reporting

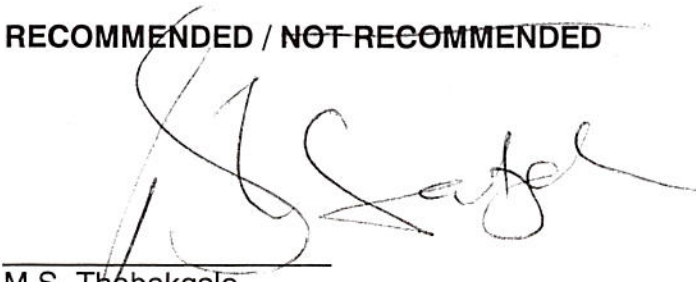
The Employment Equity Manager will be responsible for publishing a quarterly report on trends with regard to the composition of the Department in terms of race, gender and disability.



M.P. Shiviti

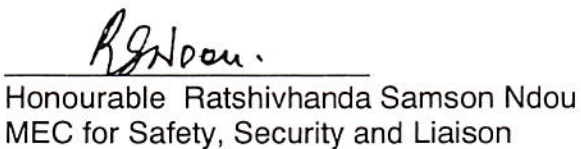
Senior Manager: Human Resources Management

RECOMMENDED / NOT RECOMMENDED



M.S. Thobakgale
Head of Department

APPROVED / NOT APPROVED



Honourable Ratshivhanda Samson Ndou
MEC for Safety, Security and Liaison

21 FEBRUARY 2007