



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF
SPORT, ARTS AND CULTURE**

TRANSFER OF EMPLOYEES

Policy Name	TRANSFER OF EMPLOYEES
Domain	Human Resource Management
Approval date	15/09/2015
Review date	09/2018

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1. ACRONYMS AND ABBREVIATION

MEC	Member of Executive Council
HOD	Head of Department
HRM	Human Resource Management
SMS	Senior Management Services

2. INTRODUCTION

Every employee may be transferred from the post occupied by him or her to any other post or position in the same department or any other department.

3. PURPOSE OF THE POLICY

To create an appropriate procedure framework that will guide implementation of transfers.

4. AUTHORITY OF THE POLICY

This policy is authorized and issued by the MEC for Limpopo Provincial Department of Sport, Arts and Culture. The policy resides with the HRM sub-branch, which is responsible for its implementation and monitoring.

5. LEGAL FRAMEWORK

- a) Constitution of the Republic of South Africa, 1996, (Act No. 108 of 1996).
- b) The Public Service Regulation, 2001
- c) The Public Service Act, 1994.
- d) Senior Management Service handbook, January 2003.
- e) Employment Equity Act, No. 55 of 1998
- f) White Paper on Affirmative Action in the Public Service-1998.
- g) Basic Conditions of Employment Act, No.75 of 1997.

6. SCOPE OF APPLICATION

This policy shall be applicable to all employees of the Department of Sport, Arts and Culture appointed or recruited in terms of the Public Service Act, 1994.

7. DEFINITION OF TERMS

- a) Department shall mean the Limpopo Department of Sport, Arts and Culture.
- b) HRM shall mean Human Resource Management
- c) HR shall mean Human Resource

8. POLICY PRONOUNCEMENTS\PRINCIPLES

- a) Requests shall be done through Human Resource Components.
- b) The vacant post must be identified before any transfer can be effected.
- c) The salary level of the applicant must be equivalent to that of a post.
- d) Approval of the transfer should be obtained before a transfer can take place.
- e) One-month notice should be given before an applicant can be transferred.
- f) It is the responsibility of every line manager to ensure that the transferred employee is appearing in the directorate's payroll

8.1 Circumstances under which a transfer is effected

- a) On request of the employees
- b) On request of the employer
- c) Proper placement
- d) On transfer of functions between departments
- e) On account of promotion/demotion
- f) On account of changes in organizational structure
- g) On affirmative action
- h) On account of collective agreements
- i) The receiving department should pay the transfer costs (where necessary).
- j) The releasing department should inform the receiving department about any
- k) Outstanding matters such as promotion allowances due, disputes.
- l) The receiving department should confirm the date of assumption of duty of the employee.
- m) Any transfer should take place in consultation with the affected employee.
- n) The relinquishing department should attend to phase one of the transfers processes namely, the transfer of files and payment of salaries.

8.2 Employee initiated transfer

- a) Transfer is done at employee's cost.
- b) The employer reserves the right to approve or disapprove the transfer.
- c) Transfer to take place in consultation with the department concerned.

8.3 Transfer is done at employers cost.

- a) Transfer is done at employers cost.
- b) There should be a written consent of the employee before a transfer can be effected
- c) Transfer is done at employers cost.
- d) There should be a written consent of the employee before a transfer can be effected

8.4. Transfer of functions between departments

8.4.1 The transfer of functions between departments may occur as a result of further allocation of powers and functions from national government to the provincial administration, change in policy, and re-organisation of provincial departments.

8.4.2 Section 3A of the Public Service Act, 1994 read with Public Service Laws Amendment Act, 1998 (Act No. 86 of 1998) and Public Service Regulations, 2001 provide for the transfer of functions between departments. The authority to transfer functions between departments rests with the Honourable Premier.

8.4.3 The transfer of functions between departments will be guided amongst others by the following:

- a) The need to eliminate duplication of functions and enhance co-ordination;
- b) The need to exercise proper control over the resources and utilize them economically and effectively;
- c) The need to maximise service delivery.

9. DEFAULT

Failure to comply with the provisions of this policy shall be dealt with in terms of the Public Service Disciplinary Code and Procedures, as amended.

10. INCEPTION DATE

The policy shall come into effect on the first date of the month following the month which the Executing Authority approved it.

11. TERMINATION AND REVIEW CONDITIONS

This policy shall be amended, after three years (3) or when there are major policy changes in government and will follow the initial policy development processes

12. ENQUIRIES

Enquiries with regard to any issues regarding this policy should be directed to Senior Manager HRM.

Recommended/~~Not Recommended~~



HEAD OF DEPARTMENT

2015/09/15

DATE

Approved /Not Approved:

N. Ndalahwe

MEMBER OF EXECUTIVE COUNCIL

2015/01/27

DATE