

# LIMPOPO

PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

Department of  
**Public Works, Roads and  
Infrastructure**

<b>Policy Name</b>	<b>Management of Probation Policy</b>
<b>The revision/ version of the Policy</b>	<b>03</b>
<b>Domain</b>	<b>Human Resource Development and PMDS</b>

## TABLE OF CONTENTS

<i>HEADING</i>	<i>PAGE</i>
<b>Acronyms and Abbreviations</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
<b>Purpose and objectives</b>	<b>4</b>
<b>Authority of policy</b>	<b>4</b>
<b>Legal Framework</b>	<b>5</b>
<b>Scope of application</b>	<b>6-7</b>
<b>Definitions</b>	<b>7</b>
<b>Policy Pronouncements</b>	<b>7</b>
<b>Penalty</b>	<b>7</b>
<b>Dispute Resolution</b>	<b>8</b>
<b>Inception date</b>	<b>8</b>
<b>Policy Review</b>	<b>8</b>
<b>Enquiries</b>	<b>8</b>
<b>Attachment/s</b>	<b>8</b>

## ACRONYMS AND ABBREVIATIONS

MEC	-	Member of the Executive Council
LPDPWRI	-	Limpopo Province Department of Public Works, Roads and Infrastructure
PSCBC	-	Public Service Coordinating Bargaining Council
GEPF	-	Government Employees Pension Fund
HRM	-	Human Resource Management

## 1. INTRODUCTION

The Public Service Act 1994, as amended, at Chapter IV, section 13 makes provision for appointment on probation in respect of public officials/employees. Regulation 68 of the Public Service Regulations, 2016 and clause 8 of Schedule 8 of the Labour Relations Act 66 of 1995 (as amended) also cover probationary appointments. Section 13(1) of the Public Service Act provides for the appointment of an employee on probation for such period as may be prescribed for the relevant category of employees. Section 13(2) provides for the confirmation of the probationary appointment after the completion of the probationary period contemplated in subsection (1) provided the employee concerned has: a) performed at least satisfactorily during the period; and b) Complied with all the conditions to which his or her appointment was subject. Subsection (3) provides for the extension of the period of probation or dismissal of the employee, in accordance with the Labour Relations Act, if the probationary appointment is not confirmed in terms of subsection (2). Regulation 68 (1) of the Public Service Regulations, 2016 provides that persons or employees who are appointed to the public service for a period exceeding one year shall serve a probationary period of 12 calendar months, excluding the number of days for which leave has been taken by him or her during the period of probation or any extension thereof. For instance, if an employee has taken leave during his or her probationary period, the period of probation shall be extended by the number of days of leave taken by the employee concerned to ensure that he or she has served the 12 months prescribed probationary period.

The probation period is crucial as a trial period of employment which is intended to ensure that the right person is appointed to the job. The probationary period should in essence address issues of performance based on agreed performance standards, acceptable conduct, performance reviews, provision of feedback, appropriate roles and how matters will be handled during the probationary period. Therefore, the existence of mutual trust between the supervisor and the employee during the probationary period is crucial. It will enable the employee to inform the supervisor of the areas on which the employee is experiencing challenges. Likewise, it will provide the supervisor with an opportunity to determine and implement the appropriate interventions for mutual benefit of the employee and the employer, and to give feedback to an employee.

This policy document focuses on the management of probation within the Department. It is an extension of the department's procedures for recruitment and selection, and sets out the term of the probation period and procedures to be used in determining whether permanent appointment is to be confirmed. Probation is a "period of adjustment", which is the first twelve months in which an officer is appointed, transferred or promoted to a new position in the Public Service.

The probationary period does not only provide an employer with an opportunity to assess an employee's knowledge, skills and aptitude and other abilities by observing his or her actual work performance for purposes of permanent or replacement, but also provides an employee with the opportunity of:

- I. deciding whether he or she has made the correct choice, namely, either the employer or probationer may opt out of an employment contract at short notice; and
- II. Obtaining orientation training on his or her new work environment and job content in order to meet performance requirements and standards.

## **2. PURPOSE AND OBJECTIVES**

### **2.1 PURPOSE OF THE POLICY**

- 2.1.1 To manage the appointment, transfer and promotion of employees on probation.
- 2.1.2 To provide the Department with an opportunity to assess the performance and future potential of the new appointees before deciding whether or not to confirm the appointment.
- 2.1.3 To help identify the employee's training and development needs and provide appropriate development activities to assist in achieving his or her full potential.
- 2.1.4 To assist new appointees to adapt to the culture of the organisation.

### **3.1 OBJECTIVES OF THE POLICY**

- 3.1.1 The objective of this policy is to establish guidelines for employees to serve an introductory period of employment to determine if the employee will be granted permanent employment in the Department.

## **4 AUTHORITY OF THE POLICY**

This policy is issued and authorised by the Executive Authority of Department of Public Works, Roads and Infrastructure.

## **5 LEGAL FRAMEWORK**

- 5.1. Public Service Regulations, 2016
- 5.2. Public Service Act, 1994
- 5.3. Labour Relations Act, 1995
- 5.4. Resolution no.15 of 2002, amendments to PSCBC resolution 7 of 2000
- 5.5. PSCBC resolution 5 of 2001.
- 5.5. Other Collective agreement and amendments to the existing legislation and any other subsequent relevant legislation that may be promulgated.

## **6. SCOPE OF APPLICATION**

This policy applies to newly-employed, transferred and promoted employees in the Department.

## 7. DEFINITIONS

<b>Definition</b>	<b>Meaning</b>
1. New employee	means any employee in the Department who is mentioned in the Scope of application
2. Probation	Means a period of twelve (12) months that a new employee is supposed to serve before confirmation of appointment. This period can be extended should the new employee not satisfy the Employer in terms of conduct and performance
3. Employer	means any individual representing the Department and delegated with the function of supervising and or overseeing the performance and conduct of the new employee
The Department	Public Works, Roads and Infrastructure

## **8. POLICY PRONOUNCEMENTS**

### **8.1. PROBATION PROCESS**

**A formal probation procedure helps to ensure that:**

- 8.1.1 The performance, conduct, timekeeping and attendance of the probationer are assessed throughout the probationary period;
- 8.1.2 Managers provide new employees with encouragement, guidance and timely training; and
- 8.1.3 Both manager and new employee know where they stand throughout the probationary period and give proper consideration to the issue of continued employment.

### **8.2. COMMENCEMENT**

Within the first month of duty, the new employee will meet with his or her manager to:

- 8.2.1 Discuss and agree on the job description, duties and responsibilities, standard of performance, conduct and results expected during the probation period; and
- 8.2.2. Sign performance agreement and set dates for quarterly reviews.

### **8.3. DURING PROBATION**

Throughout the probation period, the probationer's performance should be reviewed on a quarterly basis, and receive feedback from his or her supervisor. If necessary, the probationer must receive training, counselling or other assistance from the supervisor to meet the requirements for confirmation. All aspects of the performance review must be discussed openly and agreed upon with the probationer.

### **8.4. FINAL ASSESSMENT**

On the day of the final assessment, the manager and probationer will sit down and discuss the employee's performance throughout the year based on the Performance Instruments. The supervisor will then complete a probation report where he or she will be expected to recommend permanent appointment, extension of the probation period or termination of employment. If the probationer has been found suitable for the relevant post, he or she will receive written confirmation of appointment at the end of the probationary period.

### **8.5 TERMINATION AND EXTENSION OF PROBATIONARY PERIOD**

Only one extension of probation is normally allowed, and the extended probation period will have a total duration not longer than the initial probation period of twelve (12) months. The manager or supervisor will therefore notify the employee concerned in writing:

- 8.5.1 Noting unsatisfactory points still requiring attention;
- 8.5.2 Encouraging discussion of the problem with the manager; and

8.5.3 Emphasising that should performance not be completely satisfactory at the conclusion of the extension period, the appointment will be terminated.

When dismissal as a result of poor performance is considered, the probationer will be afforded the opportunity to state his or her case, during which process a colleague or trade union representative may assist him or her. The employee should be advised of his or her rights to follow dispute resolution mechanisms available to him or her.

## **8.6 TRANSFER DURING PROBATION**

An employee who is serving probation may not request to be transferred to another post in the Department, unless special permission is obtained from the Head of Department through submission from Policy and HRM directorate.

## **8.7 PROBATION AND ENTITLEMENTS**

### **8.7.1 Pension**

Pension for probationers shall be treated according to the rules and regulations of the GEPF.

### **8.7.2 State guarantee**

An official should have worked for twelve (12) pensionable months in the Public Service in order to qualify for a state guarantee to secure a housing loan.

### **8.7.3 Annual Leave**

The probation period of an employee shall be extended by the number of leave days (vacation, sick, and special leave) taken during the probation.

### **8.7.4 Medical Aid**

Officials on probation do qualify for medical aid benefit.

### **8.7.5 Motor vehicle scheme**

Officials serving probation are not prevented from applying for a subsidized vehicle.

## **9. DISPUTE RESOLUTIONS**

Any dispute that may arise out of the interpretation or application of this policy will be resolved through grievance resolution procedure for the public service.

## **10. INCEPTION DATE**

The inception date of this policy is a day after the approval.

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## 11. DEFAULT

Any person contravene or fail to comply with this policy there shall be progressive intervention.


## 12. TERMINATION AND REVIEW CONDITIONS

The policy shall be reviewed every three (3) years in line with MTSF and when there are new developments or amended in terms of legal mandates.

## 13. ENQUIRIES

Enquiries with regard to any matter relating to this policy will be directed to the Human Resource Development and PMDS Unit.

APPROVED BY

  
MR. MASEBOLA N.D  
EXECUTIVE AUTHORITY OF DPWRI

06/10/2020  
DATE

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