

DEPARTMENT OF SPORT, ARTS AND CULTURE
LIMPOPO PROVINCIAL GOVERNMENT
POLICY ON TRANSFER OF EMPLOYEES

1. Preamble

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

2. Purpose

To create an appropriate policy that will guide implementation of transfers.

3. Legal Framework

- Public Service Act (Act 103 of 1994)
- Public Service Regulations, 2001 as amended
- Public Service Laws Amendments Act (Act 86 of 1998)
- Labour Relations Act (Act 66 of 1995)
- Senior Management Service handbook, January 2003

4. Scope of Application

This policy is applicable to all employees appointed in terms of the Public Service Act, 1994 as amended.

5. Policy Provision and Roles and responsibilities

5.1 General Conditions

- 5.1.1 Requests for transfer shall be done through the Human Resource Management & Development (HRM & D) sub-branch.
- 5.1.2 A vacant funded post must be identified before any transfer can be effected.
- 5.1.3 The salary level of the applicant must be equivalent to that of the posts.
- 5.1.4 Approval of the transfer should be obtained before a transfer can take place.
- 5.1.5 One month notice should be given before an applicant can be transferred.
- 5.1.6 It is the responsibility of every line manager to ensure that the transferred employee is not appearing on the payroll.
- 5.1.7 It is the responsibility of human resource management to ensure that employees received through transfer are properly placed and for senior managers to ensure that employees received through transfers are on the payroll.

5.2 Major Policy Principles

- 5.1.1 Employees may be transferred and translated under the conditions stipulated in section 14 of the Public Service Act, 1994 as amended and PSR 1/V11/B.5 and with the approval of the appropriate authority as indicated in the delegations.
- 5.1.2 Employees who apply for a transfer (with or without financial gain) must do so through their supervisors/managers.
- 5.1.3 A transfer can be effected under the following circumstances:
 - (a) On request by the employee
 - (b) On request by 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 account of affirmative action
 - (h) On account of collective agreements
- 5.1.4 The receiving Department should pay the transfer costs (where necessary).
- 5.1.5 The releasing Department should inform the receiving Department about any outstanding matters such as promotion allowances due, disputes, debts, etc.
- 5.1.6 The receiving department should confirm the date of assumption of duty of the employee.
- 5.1.7 Any transfer should take place in consultation with the affected employee.
- 5.1.8 The relinquishing department should attend to phase one of the transfer process, namely the transfer of files and payment of salaries upon such, confirmation should be done immediately.

6. Employee initiated transfer

- 6.1 The transfer is done at employee's cost.
- 6.2 There should be an offer letter from the receiving Department

7. Employer Initiated Transfer

- 7.1 Transfer is done at employer's cost.
- 7.2 Before a transfer can be effected there should be a written consent of the employee.

8. Inter-Provincial Transfers

The same procedure is followed between provinces and national departments.

9. Transfer of Functions between Departments

- 9.1 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-organization of the provincial department.
- 9.2 Section 3 A of the Public Service Act, 1994 read with Public Service Laws Amendments Act, 1998 (Act No, 86 of 1998) and the Public Service Regulations, 2001 provide for the transfer of functions between departments.
- 9.3 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 as well as the need to maximize service delivery.

10. Monitoring, evaluation and reporting

The manager Human Resource Management will be responsible for compiling reports and keeping statistics.

11. Policy implementation

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

12. Amendment of policy

This policy shall be reviewed annually and amended as and when necessary and it shall follow the initial process of policy development.

Recommended/Not Recommended



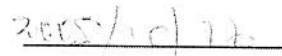
HEAD OF DEPARTMENT
Approved /Not Approved/Amended:



DATE



MEMBER OF EXECUTIVE COUNCIL



DATE: