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Important

REF: S1/P
ENQ: MABILA J
DATE: 04 FEBRUARY 2004

TO ALL BRANCHES, DIRECTORATES, HEALTH AND WELFARE DISTRICT OFFICES AND
VERTICAL PROGRAMMES

DEPARTMENTAL CIRCULAR NO 22 OF 2004

POLICY GUIDELINES ON RESETTLEMENT

1. Forwarded herewith for implementation is approved Policy Guidelines on Resettlement.
2. Kindly bring it to the attention of all employees.

 06/02/04
SENIOR MANAGER: HUMAN RESOURCE MANAGEMENT

☑ Typed by Ann-Mare: 04/02/2004

Memo

TO: HONOURABLE MEC FOR HEALTH AND WELFARE
ENQ: A.N. TSHIKOVHI (ACTING HEAD CORPORATE SERVICES)
DATE: 26 MARCH 2002
RE: POLICY GUIDELINES ON RESETTLEMENT

1. Purpose

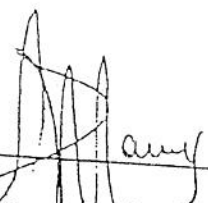
The purpose of the submission is to obtain MEC's approval for the policy on RESETTLEMENT.

2. Discussion

- ❑ The policy guidelines were developed to ensure uniformity and consistency in the application and implementation of RESETTLEMENT.
- ❑ The policy guidelines were circulated to managers for comments. The comments were duly received and amendments were effected accordingly before being tabled at Senior Management meeting.
- ❑ The policy guidelines were discussed and approved at the Senior Management meeting held on the 06th of August 2001, in Pietersburg, Department of Health and Welfare Head Quarters (Moolman Building).

2. Recommendation

It is recommended that the MEC grant approval for implementation.




Head of Department

22/04/2009
Date:

Approved /Not approved

Remarks: _____



MEC FOR HEALTH & WELFARE

DATE:



DEPARTMENT OF HEALTH AND WELFARE
POLICY ON RESETTLEMENT

1 PREABLE

1.1 The Department is required to generally meet, within reason, the actual resettlement costs within the country incurred by an employee and her/his immediate family as a result of a transfer or appointment or due to certain service requirements is utilised at a place other than his/her headquarters or on termination of service or death.

1.2 Resolution No. 3 of 1999 of the Public Service Coordinating Bargaining Council (PSCBC) requires of the Department to determine policy regarding the following aspects: -

1.2.1 limits on expenditure;

1.2.2 maximum period of compensation;

1.2.3 restrictions in respect of the quantity and kind of personal effects covered; and

1.2.4 cost of property transfer

2. PURPOSE

To provide policy guidelines on the compensation of employees who in the interest of the state and at state expense, are transferred or appointed or due to certain service requirements, are utilised at places other than their head quarters or on termination of service.

3. AUTHORISATION

Resolution NO. 3 of 1999, of the Public Service Co-ordinating Bargaining Council (PSCBC), requires the Department to determine a policy on resettlement.

4 DESCRIPTION OF CONCEPTS

"Transfer" means -

- (a) the moving of an employee and/or his/her household from one headquarters to another in the Republic;
- (b) the temporary or permanent evacuation of official quarters at headquarters of an employee in order to occupy other accommodation; or
- (c) the evacuation by an employee of accommodation in order to occupy official quarters at his/her headquarters.

"Furnished accommodation," means a hotel or boarding room, caravan, and a rented furnished private house or official quarters furnished with the basic and essential furniture other than by the employee herself/himself.

"Headquarters" means the local municipality where the principal duties of an employee are or have to be performed or which may be indicated as his/her headquarters by the head of department.

"Household" means

- (a) the spouse of an employee, and/or
 - (b) the necessarily dependent child who is bona fide resident with an employee: provided that if a child studies at an institution for post-school education, whether intramurally or extramurally, she/he may be deemed to be a member of the household, but only -
 - (i) if she/he did not take up any permanent full-time employment after leaving school.
 - (ii) until
 - (aa) she/he attains the minimum post school qualification (or minimum combination of post-school qualifications) which will enable him/her to take up employment in the field of study for which she/he originally intended to qualify herself/himself; or
 - (bb) the normal duration of the course, as prescribed by the institution concerned, plus one academic year, expires, if it takes him/her longer than such prescribed period to attain the relevant qualification as a result of poor academic performance; or
 - (cc) she/he discontinues the relevant course of study; or
 - (dd) she/he changes his/her course of study;
- whichever of the said four events occurs first, and/or
- (c) a relative of an employee who is permanently resident with and necessarily dependent on him/her and whose income, from any source, does not exceed the sum of -
 - (i) the appropriate maximum basic social pension, plus

- (ii) the maximum allowance for a war veteran to which a social pension has been awarded; plus
- (iii) the maximum allowance paid to a person as a result of a late application for a social pension,

and if the relative concerned is a social pensioner, then any allowances other than those mentioned in subparagraph (ii) above, which he/she may receive in terms of the relevant regulations e.g. an attendant's allowance, should be ignored for the purposes of this paragraph provided that where two relatives so reside with her/him and are dependent on her/him and where the one relative would normally have been dependent of the other relative, for example a father and mother, both such relatives may be regarded as members of his/her household if half of their joint income from any source, does not exceed the sum of the maximum basic social pension in question and the allowances contemplated in paragraphs (i) to (iii) above, and

- (d) not more than one servant employed in a full-time capacity by the employee

"immediate family" means family as defined in clause 1.2 of resolution no. 3 of 1999 of PSCBC.

"Interim accommodation" means furnished accommodation occupied temporarily -

- (a) whilst permanent accommodation is being sought or until permanent accommodation, which has already been obtained, becomes vacant and available for occupation; and/or
- (b) by a member / members of a household who, as a result of the transfer and due to School obligations, reside(s) at the old and/or the new headquarters.

"Personal effects" means the movable property of an employee and of his/her household, which is normally applied to personal use, including vehicles, but excluding livestock, domestic animals and pets.

5 POLICY PROVISIONS AND ROLES/RESPONSIBILITIES

5.1 SCOPE OF APPLICATION

- 5.1.1 Any employee whose transfer has been initiated by the Department will be compensated for the actual resettlement costs as provided in Resolution No 3 of 1999 of PSCBC.
- 5.1.2 Any employee who is transferred at his/her own request will not be entitled to resettlement costs.

5.1.3 Reasonable costs of relocation of a newly appointed public servant to his/her place of work as provided in clause 4 of Resolution NO. 3 of 1999 of PSCBC may be paid by the Department.

5.1.4 The Department shall meet, in the case of termination of service or death as provided in clause 5 of Resolution No. 3 of 1999 of PSCBC, reasonable actual costs of resettlement of an employee and her/his immediate family. In the case of death, the remains of an employee who died on official duty away from her/his normal place of work shall be transported at state's costs.

5.1.5 Transfers within the boundaries of the local municipality where the principal duties of an employee are performed, resulting in change of home, shall not qualify an employee for resettlement benefits.

5.1.6 Changes of home which precede the actual date of transfer do not qualify an employee for resettlement benefits.

5.2 REIMBURSEMENT OF RESETTLEMENT COSTS

5.2.1 TRANSPORT OF PERSONAL EFFECTS AND/OR HOUSEHOLD OF AN EMPLOYEE

5.2.1.1 A transferred employee must transport his/her personal effects from old headquarters to the new headquarters at the most economical and cost-effective manner.

5.2.1.2 The transport of personal effects and/or household must take place within six months of date of transfer. The deferment may be requested, in exceptional circumstances, for a period not exceeding twelve months, initial six months inclusive. The employee concerned must apply in writing beforehand for such postponement,

5.2.1.3 Only personal effects used by the employee at her/his place of residence, in the case of termination of service, are transferable, and transfer costs of personal effects procured after the date of termination of employees' services will not be paid from state funds.

5.2.1.4 An employee must submit at least three tenders, where possible, for the transportation of her/his personal effects and/or household. The contract of rendering the service of transportation shall be between the relevant employee and the firm and not between the government and the firm.

5.2.1.5 To effect most economical arrangements, the head of the Department may obtain such further tenders on behalf of the

transferred employee in addition to those obtained by the employee as it deems necessary.

- 5.2.1.6 Two day's special leave with full pay may be granted to an employee who is transferred at State expense from the headquarters where he is transferred, to supervise the packing, loading and unpacking of personal effects.

5.2.2 STORAGE OF PERSONAL EFFECTS OF AN EMPLOYEE

- 5.2.2.1 The reasonable costs for the storage of personal effects of the employee as a result of housing shortage or being unable to immediately secure a house or flat shall be met from State fund for a period not exceeding one month or in exceptional cases two months.

- 5.2.2.2 The storage of personal effects at State expense is not a standard transfer privilege, but is only intended where an employee experiences actual problems in securing accommodation at his/her new headquarters which meets with the needs (size) of her/his family.

5.2.3 INTERIM FURNISHED ACCOMMODATION

- 5.2.3.1 On transfer, an employee may be accommodated at State expense for at most one calendar month whilst still looking for a rental or own accommodation. On special motivation a second month may be considered.

- 5.2.3.2 The Department will only consider payment with regard to claims for rental expenses, which have already been incurred. In other words employees will pay for the rental expenses and then claim such expenses from the Department. Corroborative proof must accompany all claims.

5.2.4 TRAVEL EXPENSES OF DEPENDENT SCHOOL CHILDREN

If dependents of a transferred employee must remain in a school at the employee's old headquarters because he/she does not want to interrupt the education of his/her children, he/she may be compensated, for a maximum of one school year, for the most economical reasonable mode of travel to the new place of work at the beginning and end of the school year and for school holidays.

5.2.5 TRANSFER FEES ON ACCOMMODATION

5.2.5.1 The employee may be compensated for reasonable actual transfer fees arising from the purchase of a dwelling, or a building site and the erection of a dwelling thereon. The expenses in this regard refer to the cost of conveyance of property, mortgage costs, expenses arising from the drafting of a purchase contract, inspection fees, etc.

5.2.5.2 The claim for compensation for reasonable actual transfer fees arising from the purchase of a dwelling or building site and erection of a dwelling thereon must be submitted with six months from date of transfer. The department may be requested, in exceptional circumstances, to extend the time for a period not exceeding twelve months, initial six months inclusive.

5.2.6 EXPENDITURE ON BOOKS, UNIFORMS AND RELATED COSTS

5.2.6.1 The Department may pay a once-off amount as determined by the Minister to each school child that must change school as a result of the transfer of the employee, towards the expenditure on School books, uniforms, sports outfits and other related costs.

5.2.6.2 The payment of the above amount cannot be met from State funds for expenditure connected with School uniforms, where an employee would in any case have been obliged to purchase new school uniforms for his/her child at the old headquarters owing to the fact that the child completed his/her primary school education and would have had to attend a secondary school where a different uniform is prescribed or where a child starts his/her primary education for the first time.

5.2.7 SUNDRY COSTS

The Department may pay the employee the amount as prescribed in clause 3.9 of Resolution No. 3 of 1999 of PSCBC collective Agreement on Resettlement in order to meet incidental expenses. The claim should be submitted within six months from date of transfer.

5.2.8 CONTINUED PAYMENT OF HOME OWNER ALLOWANCE

5.2.8.1 The Department shall continue to pay homeowner allowance in respect of a dwelling at the previous headquarters for a limited period not exceeding six months -

- (a) if the employee and her/his immediate family have no reasonable alternative dwelling;

(b) until the employee sells the dwelling, subject to the period not exceeding six months; or

(c) until the employee qualifies for a home owner allowance at her/his new headquarters, but subject to the period not exceeding six months.

5.2.8.2 The allowance may be continued for a period not exceeding six months, if the dwelling is still occupied by dependents of the employee and she/he joins them periodically.

5.2.9 PRIVILEGES FOR NEW APPOINTEES

5.2.9.1 The travelling expenses as well as transport expenses, insurance costs and storage costs for not longer than one month, of the personal effects of a candidate and/or her/his household who, on appointment, necessarily has to relocate may be compensated on the basis provided in clause 4 of PSCBC Resolution No. 3 of 1999 of the Collective Agreement on Resettlement.

5.2.9.2 A new appointee may also be accommodated at State expense as provided in paragraph 5.2.3.1 above.

5.2.9.3 The executing authority or his delegate may provide a once-off sum to assist the employee with initial expenses before she/he receives her/his first salary payment. In such cases the candidate shall agree in writing to repay the Department's expenditure for relocation on pro rata basis if she/he leaves the Department in a year or less in respect of the unexpired period

5.2.9.4 In the case of a married employee the employee must declare that his/her spouse is not entitled to any remuneration by her/his employer in respect of transport expenses and insurance cost on personal effects or for travelling and subsistence allowance.

5.2.10 PRIVILEGES ON TERMINATION OF SERVICE OR DEATH

5.2.10.1 The Department shall meet the reasonable actual costs of resettlement of an employee and/or his household within the Republic due to -

(a) retirement from Public Service;

(b) discharge owing to ill-health occasioned without default, inefficiency (as distinct from misconduct), redundancy, abolition of post or reorganisation;

(c) termination of service contract as a result of the expiry of the period of service prescribed in the contract; or

(d) his/her death while in Government employment.

5.2.10.2 Resettlement expenses may also be paid *mutatis mutandis* on termination of service to an employee who was recruited abroad for appointment or his/her household in the case of his/her demise, from his/her existing place of residence back to his/her country of origin.

5.2.10.3 The expenditure on resettlement should be incurred within six months of termination of service. Deferment of transport of the employee's household and/or personal effects may be granted in certain circumstances if the employee has obtained prior written approval and subject to the following conditions -

(a) the expenditure should not be incurred later than 90 days after the initial six months;

(b) the request for deferment may not be granted under the following circumstances -

(aa) to enable the employee to accept employment outside the public service;

(bb) for longer than the end of the year in which his/her service ended, to enable his/her children to complete their schooling or post-school training, or

(cc) for any other reason where the employee's household's request centres around personal interests or tastes, except where she/he experiences problems in selling his/her house owing to circumstances out of his/her control.

5.2.11 PRIVILEGES WHEN AN EMPLOYEE DIES WHILE ON OFFICIAL DUTY AWAY FROM HIS/HER OFFICIAL HEADQUARTERS

5.2.11.1 In the case of the death of an official as a result of accident caused in the execution of his/her official duty, the transportation costs of his/her remains to his/her headquarters shall be met from State fund.

5.2.11.2 If an employee is on official duty in a foreign country, or is stationed there and dies there, or if a family member dies there, the cost of transporting the body to the place of burial in the Republic will be recovered from State Fund. If the burial should take place in a foreign country other than the country where the employee was stationed, the body may be transported to the country on State funds, but limited to the amount that would have been incurred had the body been transported to the Republic.

6. MONITORING, EVALUATION AND REPORTING

An annual report, with particulars regarding all expenses resulting from the application of this policy, should be compiled by Human Resource Management



Limpopo

PROVINCIAL GOVERNMENT

important

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REF: S4/2/1
ENQ: MAPUTLE PP
DATE: 30 APRIL 2003

TO: HEAD OF BRANCHES, GENERAL AND SENIOR MANAGERS,
MANAGERS, VERTICAL PROGRAMMES, AND HEADS OF DISTRICTS,
REGIONAL AND DISTRICT HOSPITALS

DEPARTMENTAL CIRCULAR NO 48 OF 2003

APPOINTMENTS IN ACTING POSITIONS

1. Resolution 1 of 2002 regarding agreement on acting allowances stipulates that an employee shall not act for an uninterrupted period of more than twelve months in a vacant funded post and that if a need exist all eligible employees will be considered for appointment.
2. The Head of Department's Circular No. 1 of 2002 regarding the appointment in acting positions stated that in a situation where there are more than one officer in the same level rank, appointment of such officers to act in higher positions should be done on rotational basis.
3. Since most of the officers has acted for a period of twelve months, renewal letters and new appointees in acting positions should be communicated to our Office and in case where some officers has not yet concluded a twelve months period, an indication should be made of until when is the officer acting or the date on which the acting period ended including an indication of why Departmental Circular No. 1 of 2002 is not being implemented.
4. Assuring you our best cooperation at all times.

[Signature] 2/5/03

THE SENIOR MANAGER
HUMAN RESOURCE MANAGEMENT

Typed by Ann-Mare: 10/04/2003

MR. MAI WANDLA

copied to ...

Northern Province
Department of Health and Welfare
Office of the Acting HOD



CIRCULAR NO. 1 OF 2002

TO: HEADS OF BRANCHES, GENERAL, AND SENIOR MANAGERS,
MANAGERS, HEADS OF DISTRICTS AND INSTITUTIONS

FROM: ACTING HEAD OF DEPARTMENT

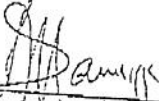
DATE: 09 JANUARY 2002

SUBJECT: APPOINTMENT OF OFFICERS IN ACTING POSITIONS

Kindly take note that in a situation where there is more than one officers in the same level/rank, appointment of such officers to act in higher positions should be done on rotational basis.

This arrangement will afford all officers who are at the same level, a fair opportunity to be exposed to higher responsibilities. The length of the acting period will vary from one situation to another, depending on the level of post and the amount of responsibility, but should be less than one year.

This arrangement is retrospectively with immediate effect.


DR. H.N. MARZINI
ACTING HEAD OF DEPARTMENT

ANNEXURE C

1

Public Health and Welfare Sector Bargaining Council Resolution No.:1 of 2002.

AGREEMENT ON ACTING ALLOWANCES

The parties note that paragraph 5.1 of the PSCBC Resolution 8 of 2001 provides for the framework for the compensation of an employee acting in a higher post

1. Purpose

The purpose of this agreement is to determine a policy on acting allowance and compensation to be paid to an employee appointed to act in a higher post.

2. Scope

This agreement binds the employer and all employees that fall within the registered scope of the bargaining council

3. THEREFORE the parties agree as follows:

3.1. An EMPLOYEE appointed in writing to act in a post of a higher grade than the grade of the employee by the Head of Department or his/her delegate at provincial or national level (here-after the "appointing authority") shall be paid an acting allowance to act in vacant posts provided that:

3.1.1. the post is a vacant and funded post;

3.1.2. the acting period is longer than 8 weeks;

3.1.3. the appointing authority is a level higher than the acting appointee;

3.1.4. The EMPLOYEE must accept the acting appointment.

3.2. An EMPLOYEE may only be appointed to act in a higher post that is one post level higher than her/his current position.

3.3. The provisions of paragraph 3.2 above may be deviated from on good cause shown by the appointing authority.

[Handwritten signatures and initials]

3.4. In instance where the acting period is uninterrupted for 8 weeks or longer the EMPLOYEE so acting will be compensated from the date he/she started acting.

3.5. The acting allowance will be calculated on the basis of the difference between the current salary notch of the EMPLOYEE and the commanding notch of the higher post. An EMPLOYEE acting in a post in the Senior Management Service will receive the difference between her/his current salary notch and 60% of the commanding total cost to employer package applicable to the post level. The allowance is payable as a monthly non-pensionable allowance.

3.6. An EMPLOYEE may not act in a higher vacant post for an uninterrupted period exceeding twelve months.

3.7. Appointing authorities must investigate the necessity to have acting appointees in vacant funded posts. If the need does exist, all eligible employees will be considered for appointment. The twelve months referred to in paragraph 3.5 above will run from the date of actual appointment. Employees who have been acting before/since 1 April 2002 and who have been appointed/reappointed in terms of this provision will be paid as from 1 April 2002.

3.8. The effective date for purpose of calculation of the acting allowance is the 1 April 2002.

3.9. The fact that an employee has been appointed in an acting capacity does not create a right or legitimate expectation to be appointed in the vacant post.

3.10. Date of implementation will be the 1 April 2002.

4. Dispute Resolution

Any dispute about the interpretation or application of this agreement may be referred by any party to the Council, for resolution in terms of the dispute resolution procedure of the Council.

Handwritten signatures and initials at the bottom of the page.

This agreement signed on behalf of the Departments of Health and Department of Social Development as Employers, and the relevant employee organizations at sectoral level. All signatories being duly authorized thereto at PRETORIA on this 15 day of MAY 2002

ON BEHALF OF THE EMPLOYER		
State as the Employer	Name	Surname
<i>Transvaal</i>	G. SEKOTSE	SEKOTSE
ON BEHALF OF UNION PARTIES		
Trade Union	Name	Surname
DENOSA <i>PER DENOSA MANENTE</i>	STREMESE	STREMESE
HOSPERSA	TABULANI E.	KHANYALE
NEHAWU	R.S. MATSHESU	MATSHESU
NPSWU		
NUPSAW		
PAWUSA		
PSA		

WITNESSES:

[Signature]
 (PHWSBC CHAIRPERSON)

[Signature]
 (PHWSEC SECRETARY)