ACTING AND SECONDMENT POLICY

JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY

Policy Resolution Number: 6.5.28/05/2021	**Approved Date:28 May 2021**
Effective Date: July 2021	**Review Date: As and when required**

SIGNATURE OF THE MUNICIPAL MANAGER

Ms P Q Mogatle

SIGNATURE OF THE SPEAKER

Speaker

Reaffirmed

JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY

ACTING & SECONDMENT POLICY

2021/2022

1. PURPOSE

The purpose of this policy is to address acting related challenges in the Municipality, regarding issues of compensation for all staff members, and appointment of acting staff. This policy will be used as a tool to address current challenges, and also as an active approach of addressing challenges that might arise in future.

2. SCOPE

2.1 This policy will be applicable to all permanent staff members who will be appointed to act in absence of other staff members.

2.2 The policy will exclude learners, interns, temporary workers, and volunteers.

3. LEGAL FRAMEWORK

Collective Agreement on Condition of Service for the Northern Cape Division of the 1st March 2017 until 30th June 2021.

Local Government Municipal Systems Act 32 of 2000 as amended.

Government Notice no. 91 of 03 February 2017: Municipal regulations on Minimum Competency Levels, 2007.

Government gazette no. 37245 of 17 January 2014: Regulations on appointment and Conditions of employment of Senior Managers.

4. DEFINITIONS OF TERMS

JTGDM - John Taolo Gaetsewe District Municipality.

Section 56 employees - staff members directly accountable to the Municipal Manager employed in terms of section 56 of the Municipal Systems Act.

Non section 56 employees - staff members employed in terms of section 55 of the Municipal Systems Act.

An acting employee – refer to any member of staff qualifying in terms of 2.1 above who could be appointed to act in any position that has become vacant for whatever reason.

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Temporary workers - employees appointed on full time or on time part time basis for a period of less than one year to undertake or complete a specific task.

5. ACTING FOR SECTION 56 AND NON SECTION 56 EMPLOYIEES

5.1 A suitable employee from any department within the Municipality may be appointed to act in a vacant position to ensure that Municipal activities continue uninterrupted.

5.2 A section 56 employee will not be allowed to act in an equivalent post level.

5.3 If a position becomes vacant and another staff member is required to act on the position, the acting staff member may not be three levels lower than the position on which he/she is expected to act.

5.4 The person appointed to act shall at least possess the necessary minimum competency levels to act in that position and shall have the minimum of 6 months experience with the Municipality.

5.5 The person appointed to act as a Municipal Manager, or a manager directly accountable to the Municipal Manager, may not be appointed to act for a period exceeding three months.

5.6 Should the need arise for the contract of the Municipal Manager, or a manager directly accountable to the Municipal Manager to be extended, it should be under special circumstances and he/she may not act for more than three months.

5.7 If an HOD is acting in the MM's position for more than 10 days in a 30 days cycle, the HOD will be entitled for acting allowance.

5.8 Performance assessments of the acting employee will be done in both the initial post of the employee and the post the employee is acting on.

5.9 The fact that an employee has been appointed in an acting capacity does not create a right or expectation to be appointed when the vacancy is advertised.

5.10 An acting employee remains responsible for the functions d his/her current post whilst acting in a higher position.

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5.11 An acting employee holding a transport allowance bearing post, acting on senior higher position, shall be entitled to the running costs for additional travelling involved in the higher position.

5.12 An employee holding a non-transport bearing post, acting in a transport allowance bearing position shall be entitled to the transport allowance payable to such position.

5.13 Despite all the stipulations above, this policy must always be applied in the best interest of the Municipality and therefore the most suitable person in the employment of the Municipality may be appointed or seconded to act in a specific position. Furthermore, the employee appointed to act may for practical reasons be released from his/her normal duties whilst taking charge of the duties of the position in question.

5.14 The acting allowance is non-pensionable.

6. DURATION FOR ACTING

6.1 The acting period for non-section 56 shall not exceed six (6) consecutive working months.

6.2 The acting period will be reviewed on three (3) months basis as long as the position remains vacant in consultation with senior management.

6.3 The acting allowance, payable each month, will be paid after 10 consecutive working days of uninterrupted service/work.

6.4 Any interruption of less than three working days in total shall be deemed to form part of the acting period if the interruption is caused by any of the following circumstances:

6.4.1 Illness supported by a medical certificate,

6.4.2 Family responsibility,

6.4.3 Attendance at court as a witness, if subpoenaed.

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7. CALCULATION OF ACTING ALLOWANCE

7.1 The acting allowance is calculated on the basis of the basic salary of the person required to act and the commencing notch of the salary scale of the post in which he or she is acting on.

7.2 The calculation of acting allowance/s paid to employees performing acting duties in section 56 shall be based on 60% of total remuneration package of the section 56 or other contractual post.

7.3 In the event that an employee's salary is equal to or higher than the commencing notch of the salary scale of the post in which he is due to assume an acting position, acting allowance fixed at 12.5% of the employee's basic salary shall be paid provided that the official does not take annual leave. Suppose the acting official takes leave, he/she will receive a pro-rata.

7.4 The acting allowance payable each month, will be paid after 10 consecutive working of uninterrupted service/work. Suppose the acting official takes leave, he/she will receive a pro-rata.

9. ADMINISTRATION OF THE POLICY

The relevant departments that will deal with the administration of this policy is the Corporate Services and Budget & Treasury Office. Calculations of the allowances will be prepared by HR unit and be executed by the Budget & Reporting unit.

10. EFFECTIVE DATE OF THE POLICY

The policy will be implemented once council has endorsed it, in a duly constituted council meeting.

11. REVIEW DATE

The policy will be reviewed annually.

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