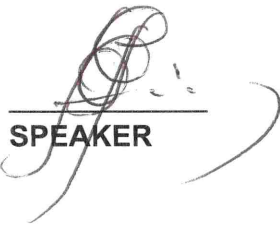




TRANSFER POLICY

JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY

Council Resolution: 6.4.27/05/2026	Approved Date: 27/05/2026
Effective Date: 1 July 2026	Review Date: Annually


SPEAKER


DATE

JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY



TRANSFER POLICY 2026 / 2027

MR. I.E AISENG
JOHN TAOLO GAETSEWE
DISTRICT MUNICIPALITY
SPEAKER

1. PURPOSE

To provide for the transfer of an employee from one department to another.

2. LEGAL FRAMEWORK

The Constitution of the Republic of South Africa, 1996

Municipal Systems Act, 32 of 2000

Labour Relations Act, 66 of 1995

Applicable Collective Agreements



3. DEFINITION OF DEPARTMENT

For the purpose of this policy, "*Department*" shall mean a Directorate, Department, Division, Section or Operational Unit of the Municipality.

4. APPLICATION OF POLICY

This policy will be applicable to all employees of the municipality except the Municipal Manager, Departmental Heads, those employed in terms of Sections 56 and 57 of the Municipal Systems Act No. 32 of 2000 as amended and all employees employed by the Municipality on a fixed term employment contract.

5. TRANSFER OF AN EMPLOYEE

5.1 A municipality may transfer any staff member in the service of that municipality to any equivalent post in the municipality or, subject to section 197 of the Labour Relations Act, to an equivalent post in another municipality.

5.1.1 A staff member may only be transferred—

- a) If the staff member requests or consents, in writing, to the transfer; or
- b) In the absence of consent, if the transfer is fair taking into consideration
 - i. The operational requirements of the affected institutions, including whether the transfer of the staff member would address such requirements;
 - ii. Written representations from the staff member prior to the proposed transfer; and
 - iii. The extent to which the interests and circumstances of the staff member may be fairly accommodated.

5.1.2 The salary and other conditions of service of a staff member may not be adversely affected by a transfer under this regulation without the written consent of that staff member.

5.1.3 A staff member contemplated in this regulation may not be demoted, promoted or transferred to a position at a level which is lower or higher than the staff member's current post level.

6. Secondment of staff to another municipality

6.1 A municipality may second a staff member with the relevant competencies to act in a post that is vacant in another municipality.

6.2 The municipalities contemplated in sub-regulation (1) must conclude a written agreement regarding the secondment that specifies

6.2.1 the municipality responsible for the costs of secondment;

6.2.2 the duration of the secondment, which may not in each case exceed a period of twelve months;

6.2.3 the person to whom the seconded staff member must report;

7. Secondment of other government employees to municipality

7.1 A municipality may request national or provincial, government, another municipality or any state organ as the case may be, to second a person with the relevant competencies to act in a vacant post for a specified period or until such time that a suitable candidate has been appointed: Provided that the relevant legislation, terms and conditions of service of that person apply.

7.2 The parties contemplated in sub-regulation (1) must conclude a written agreement regarding the secondment that specifies the issues set out in regulation 26(2).

7.3 The municipality must inform the MEC of any such secondment and the terms and conditions associated with that secondment.

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7.3.1 The place at which the seconded staff member must work; and

7.3.2 The new job description of the seconded staff member.

7. DELEGATIONS

The Council may, by resolution, delegate its authority to transfer an employee to the Municipal Manager, subject to such terms and conditions as the Council may determine. The Municipal Manager is delegated in terms of Section 66 of the Labour Relations Act, 66 of 1995 to deal with staff establishments.

8. POLICY REVIEW

This policy will be reviewed annually.

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