



BA-PHALABORWA MUNICIPALITY

HUMAN RESOURCES INDUCTION MANUAL

Revision History

| REVISION | DATE | AUTHOR | REASON FOR CHANGE |
|-----------------|-------------|----------------------------|--------------------------|
| 1.0 | JULY 2015 | MALATJI MP & MOKOENA SS | REVIEW |

Issued Date :

Effective Date : Date of Council Approval

TABLE OF CONTENT

| | |
|---|-------|
| Aims and Objectives | 4 |
| Over view | 5 |
| 1. The political structure..... | 5 |
| 1.1. The establishment of Municipalities | 5 |
| 1.2. Types of Municipalities | 5 |
| 1.3. District Municipality | 5-6 |
| 1.4. Establishments of Ba-Phalaborwa Municipality | 6-7 |
| 1.5. Relationship between Council and officials | 7-8 |
| 1.6. Municipal objectives | 8 |
| 1.7. Election and function of the speaker | 8-9 |
| 1.8. The executive committee | 9 |
| 1.8.1. Roles and functions of the Executive committee | 9-10 |
| 1.9. The mayor and his/her functions | 10 |
| 1.10. Committees establishment in terms of the Municipal structures Act | 10 |
| 1.10.1 Powers and functions of section 80 committees | 10 |
| 1.10.1.1 Budget and Treasury | 10-11 |
| 1.10.1.2 Community and Social Services | 11 |
| 1.10.1.3 Technical Services | 11 |
| 1.10.1.4 Economic and Development | 11 |
| 1.10.1.5 Corporate Services | 12 |
| 1.11. Local Labour Forum | 12 |
| 1.12. Section 79 Committees | 12 |
| 1.12.1. Municipal Public Accounts Committee | 12 |
| 1.12.2. The Audit Committee | 12-13 |
| 1.13 Integrated Development Plan | 13 |
| 1.13.1. Function of Integrated Development Plan | 13 |
| 2. The Administrative Structure | 13 |
| 2.1. Appointment of the Municipal Manager | 13 |
| 2.1.1 Function of the Municipal Manager | 13-14 |
| 2.2. Appointment of Managers directly accountable to the Municipal Manager | 14 |
| 2.2.1 The Director: Corporate Services | 14 |
| 2.2.2 The Director: Community and Social Services | 15-16 |
| 2.2.3 The Chief Financial Officer | 16 |
| 2.2.4 The Director Technical Services | 16-17 |
| 2.2.5 The Director: Planning and Development | 17 |
| 3. Officials | 17-18 |
| 4. Recruitment | 18 |

| | |
|---|-------|
| 5. The appointment | 18 |
| 5.1 The Condition of services | 18 |
| 5.1.1 Annual Salary | 18 |
| 5.1.2 Pension benefits | 18-19 |
| 5.1.3 Medical Aid schemes | 19 |
| 5.1.4 Hours of work | 19 |
| 5.1.5 Annual leave | 19 |
| 5.1.6 Sick leave | 20 |
| 5.1.7 Maternity leave | 20 |
| 5.1.8 Family responsibility leave | 20 |
| 5.1.9 Study leave | 20-21 |
| 5.1.10 Housing allowance | 21 |
| 5.1.11 Rental assistant | 22 |
| 5.2 Other benefits | 22 |
| 5.2.1 Skills Development as a benefit | 22 |
| 5.2.2 Study bursary as a benefit | 22 |
| 5.2.3 Traveling allowance | 22 |
| 6. Code of Conduct for Municipal staff members | 22 |
| 6.1. General conduct | 22-23 |
| 6.2. Commitment of serving the public interest | 23-24 |
| 6.3. Personal gain | 24-25 |
| 6.4. Disclosure of benefits | 25 |
| 6.5. Unauthorized disclosure information | 25 |
| 6.6. Undue influence | 25-26 |
| 6.7. Rewards, Gifts and Favors | 26 |
| 6.8. Council property | 26 |
| 6.9. Payments of arrears | 26 |
| 6.10. Participating in Elections | 27 |
| 6.11. Sexual harassment | 27 |
| 6.12. Reporting duty of staff members | 27 |
| 6.13. Breaches of code | 27 |
| 7. Sanction for misconduct | 27 |
| 7.1 The disciplinary procedures | 27-28 |
| 7.2 The grievance procedure | 28-29 |
| 8. Occupational Health and Safety of an employee | 29 |
| 8. Policies to be held by the appointment employees | 29 |
| 9. Conclusion | 30 |

AIMS AND OBJECTIVES

Learning objectives

At the end of the learning, you will be able to understand the establishment and operation of Ba-Phalaborwa Municipality.

Learning outcomes

After the learning you will be able to:

- Familiarize yourself with the establishment of Municipal (political structure.
- Differentiate between types of municipalities
- List the different district municipalities in Limpopo
- Understand how Ba-phalaborwa municipality was established
- Identify the Ba-Phalaborwa Municipality's councilors and their functions
- Identify the role of the Mayor, the speaker and executive committee
- List the different committees that supports the different departments at Ba-Phalaborwa Municipality
- Familiarize yourself with the administrative structure of the Ba-Phalaborwa Municipality
- Understand the appointment of the Municipal Managers and his/her functions
- Understand the appointment of managers accountable to the Municipal Managers and their roles
- List the different departments and their functions
- Familiarize yourself with the Ba-Phalaborwa Municipality's organogram.
- Know the conditions of service that governs you together with the benefits that you have as an employee
- Understand the standard of conduct that is expected of you as an employee together with sanction for misconduct
- Understand the Performance Management system in Ba-Phalaborwa Municipality

OVERVIEW

South Africa is constituted of three level of government via:- The National Government as headed by the president, the provincial government that is headed by the premier as well as the local Government headed by the mayor.

We shall differentiate between these three spheres of government with specific reference to the local government, which necessitate the establishment of municipalities.

Focus will be on the political versus the administrative structures of the Municipality and see how the two bodies inform each other for the betterment of service delivery, and the promotion of efficiency and effectiveness of services.

1. THE POLITICAL STRUCTURE

1.1 THE ESTABLISHMENT OF MUNICIPALITIES

The establishment of municipalities is in terms of the Municipal Structures Act and the Municipal Systems Act and aimed at bringing services closer to the people. The Minister for Local Government in a particular Province must establish a Municipality in each Municipal area, hence Ba-Phalaborwa Municipality.

1.2 TYPES OF MUNICIPALITIES

The Municipal Structures Act make mention of three type of Municipal, namely:-

Category A Municipality referred to as Metropolitan Municipalities

Category B Municipality referred to as Local Municipalities

Category C Municipality referred to a District Municipalities

Ba-Phalaborwa municipality, which is a local municipality, is a category B municipality.

1.3 DISTRICT MUNICIPALITIES

District Municipalities are established in order to support the local municipalities under its disposal by ensuring Integrated Development planning for the whole district and also to build capacity of local municipalities.

We differentiate between five District Municipalities in Limpopo, namely:-

- Capricon District Municipality
- Mopani District Municipality
- Sekhukhune District Municipality
- Waterbug District Municipality
- Vembe District Municipality

Ba-Phalaborwa municipality, together with the other four municipalities, namely, Greater Tzaneen, Greater Giyani, Greater Letaba and Maruleng falls under Mopani District Municipality.

1.4 THE ESTABLISHMENT OF BA-PHALABORWA MUNICIPALITIES

Ba-Phalaborwa Municipality was established in terms of section 12 of the Municipal Structures Act and as determined by the minister for Local Government has got thirty six (36) councilors and five (5) traditional leaders.

Among the thirty six councilors, eighteen (18) of them are ward councilors as follows:-

| | | |
|-----------------------------------|----------|----------------------------------|
| Ward 1 | = | Cllr Malatji M |
| Ward 2 = Cllr Malatjie T | | |
| Ward 3 = Cllr Ndlovu E | | Ward 15 =Cllr Makasela R |
| Ward 4 = Cllr Popela R | | Ward 16 = Cllr Nkuna T |
| Ward 5 = Cllr Mabilo PG | | Ward 17 =Cllr Chauke S |
| Ward 6 = Cllr Mkansi TS | | Ward 18 =Cllr Mokgalaka S |
| Ward 7 = Cllr Peta A | | |
| Ward 8 = Cllr Mahomane N | | |
| Ward 9 = Cllr Malesa G | | |
| Ward 10 =Cllr Mashale R | | |
| Ward 11= Cllr De Beer SR | | |
| Ward 12= Cllr Otto KA | | |
| Ward 13 =Cllr Mhlari | | |
| Ward 14 = Cllr Mpenyane IF | | |

Fourteen of the councilors occupy positions on proportional representation as follows:-

Cllr Magomane MS (ANC)
Cllr Kgoete MP (COPE)
Cllr Mapanzela VP (ANC)
Cllr Mthombeni PS (ANC)
Cllr Mathebula MV (DA)
Cllr Mashele JG (ANC)

Cllr Malesa M (ANC)
Cllr Rapatsa DM (ANC)
Cllr Booysen HS (IRASA)
Cllr Nkuna SR (ANC)
Cllr Ramothwala B (DA)
Cllr Makwala MO (ANC)
Cllr Malobane TM (COPE)

Council has elected three functionaries councilors as the Mayor, the Speaker and the Chief whip, namely

1. **Cllr Sono A**
2. **Cllr Maake MD**
3. **Cllr Mohlala SL**

Ba-Phalaborwa Municipality as a local Municipality consists of five Villages with Traditional Leaders namely:

| | |
|---------------------------|-----------------------|
| Kgosi Malatji SG | - Maseke |
| Kgosi Malatji MA | - Makhushane |
| Kgosi Malatji TP | - Seloane |
| Kgoshi Ntsanwisi M | - Majeje |
| Makgosi Shai MC | - Mashishimale |

1.5. Relationship between Council and Officials

It is often said that political and governing functions are the exclusive domain of the council, while officialdom concerns itself exclusively with administration/management. Clearly, this is not the case. To give practical form to its political and governing functions, the council must concern itself from time to time also with policy-making, staff provision, procedural measures and control. Similarly, the official can only

administer effectively and meaningfully if he/she has a say in the governing process. In fact the governing process takes place precisely because of the interaction between governing and administering.

However, the parties have to guard against encroaching too far on one another's ground. Both are required to perform their tasks in such a way that there is no overlapping. Council meetings are the most efficient forum for putting questions to the Municipal Manager. Effective communication can obviate problems of this nature

The relationship between councilors and officials should be one of partnership, namely:

- Serve the community together; and
- Enhance the council's image

An official must

- Implement the council's policy
- Put the interests of the public first
- Serve as a liaison officer between the council and the public:
- Be a showcase for the council

1.6. MUNICIPAL OBJECTIVES

The Council must strive within its capacity to achieve the objectives as stipulated in section 152 of the constitution being:-

- To ensure the provision of services to communities in a sustainable Manner
- To promote social and economic development
- To promote safe and healthy environment and
- To encourage the involvement of communities and community Organization in the matters of local government.

Municipal council can only achieve these objectives by annually:-

- Reviewing the needs of its inhabitants
- Prioritize to meet those needs
- Review the process for involving the community
- Review its organization and delivery mechanism for meeting the needs of The community

1.7. ELECTION AND FUNCTION OF THE SPEAKER

The council should during its first meeting, which is presided by the Municipal Manager, elect among themselves, one member, who will preside all Council meetings – named the “SPEAKER”.

The function of the speaker among others, Cllr Maake MD

- Preside all Council meetings
- Make sure that Council meets on a quarterly basis
- Maintain order during council meeting
- Ensure that Council meetings are conducted in accordance with the rules and orders of the council
- Ensure that Council committees comply with the code of conduct as set.

The term of office of the Municipal Council, is five years, so is the term of the Speaker, Mayor and the Executive Committee

1.8. THE EXECUTIVE COMMITTEE

In terms of section 45 of the Municipal structures act, Ba-Phalaborwa Municipal Council has established an executive Committee which comprise of seven members including the mayor as follows:-

Cllr Sono NA (Mayor)

Cllr Malatji KS

Cllr Malatji M

Cllr Mpenyane I

Cllr SR de Beer

Cllr Nkuna T

Cllr Peta A

The Mayor (**Cllr Sono NA**) is the chairperson of the Executive committee and presides all Executive committee meetings, whereas **Cllr Mohlala L** becomes the Chief whip of the council.

1.8.1. ROLES AND FUNCTIONS OF THE EXECUTIVE COMMITTEE

The Executive Committee is the principal committee and as such has got a crucial role to play, which includes among other things: _

- Receive reports from other committees and forward them together with its recommendation to the Municipal council.
- Identify the needs of the Municipality.

- Review and evaluate those needs in order of priority
- Recommend to council strategies, programs and services to address priority needs through the Integrated Development plan
- Recommend the best methods and other approaches to deliver those Strategies
- Identify and develop criteria in terms of which progress in the Implementation of the strategies can be evaluated.
- Evaluate progress against key performance indicators.
- Review the performance of the municipality in order to improve its Economy, efficiency and effectiveness of the Municipality
- Review the by-laws in order to improve the performance of the Municipality
- Review the performance of the municipality in order to improve the Implementation of the Municipality's by-laws.
- Monitor the management of the municipality's administration in Accordance with the policy directives of the Municipal Council
- Oversee the Municipality's service delivery to communities in a sustainable Manner.
- Annually report on the involvement of the communities and community Organizations in the affairs of the Municipality.
- Ensure that regard is given to public views and report on consultation Effort on the decisions of the council
- Finally the executive committee must report to the Council all decisions Taken by committee

1.9 THE MAYOR AND HIS/HER FUNCTIONS

- The mayor presides all meetings of the executive Committee
- He/she performs the duties, including any ceremonial functions- and Exercises the powers delegated to him/her by the Municipal Council or the Executive Committee.

1.10 COMMITTEES ESTABLISHED IN TERMS OF THE MUNICIPAL TRUCTURES ACT

Section 80 of the Municipal structures Act mandated the Municipal Council to establish and appoint committees in terms of section 80 of the municipal structures Act.

The committee established by the Ba-Phalaborwa Municipality in terms of section 80 of the Municipal Structures Act are the following:

Budget and Treasury chairperson - Cllr Mpenyane IF

Community & Social Services chairperson - Cllr Nkuna T
Technical Services chairperson - Cllr Malatji MM
Planning and Development chairperson - Cllr Malatji KS
Corporate Services chairperson - Cllr Peta KA

1.10.1 Powers and Functions of section 80 Committees

1.10.1.1 Budget and Treasury

The Budget and Treasury committee dealing with financial matters of the institutions among others:

- Revenue which includes Debt Management
- Insurance valuations which includes general and interim Valuations
- Supply chain management which includes Procurement and stock Management

1.10.1.2 Community & Social Services

The Community & Social Services Committee dealing with the services of The community that is:

- Management of waste disposal site
- Traffic control for law enforcement and licensing
- Libraries
- Parks and cemetery

1.10.1.3 Technical Services

The *Technical Services Committee* supports the functioning of the Technical Services department. This is the department that is service delivery driven and the services of the municipality is measured against this department.

It deals with the following divisions: Electrical Services, Roads and Storm water, Water and Sanitation as well as building services. It also deals with the Project Management, which section is responsible for the application of grants from different stakeholders like the National Treasury, Public Works, and National Electricity Regulation of South Africa (NERSA) etc to implement projects for service delivery purposes.

1.10.1.4 Planning and Development

The Planning and Development committee deals with the strategic planning of the municipality and also responsible for

- Land use management
- Municipal property management
- Integrated Development Plan (IDP)
- Performance Management System(PMS)
- Economic development
- Intergovernmental Relations

1.10.1.5 Corporate Services

The Corporate Governance and Shared Services Committee, dealing with matters pertaining to the department which comprises of:

- Administrative Support
- Human Resources function
- Records Management Services and archiving
- Councilor support Services
- Legal Services
- Information and technology

1.11. The Local Labour Forum

The Local Labour Forum was established in terms of the Organizational rights Agreement to deal with labour matters. This committee is formed on a 50/50 basis of employer and employee representative

1.12. Section 79 Committees

Section 79 committees are established in terms of the Municipal structures Act which mandates the Municipal Council to establish and appoint **Municipal Public Accounts committee (MPAC)**, **Rules Committee** and **Audit Committee** to play an oversight role in the municipality.

1.12.1. The Municipal Public Accounts Committee (MPAC)

- To consider and evaluate the content of the annual report and make recommendations to council

- To examine the financial statements and audit reports
- To promote good governance
- To recommend or undertake any investigation in its area of responsibility

1.12.2. The Audit Committee

- Members of the Audit committee are appointed by Council from people with expertise outside the municipality to play an oversight role.
- They advise council, political office-bearers, the Municipal Manager and management on financial matters in term of the MFMA
- Review the annual financial statements and provide authoritative and credible view
- Responds to the council on any issues raised by the Auditor –General
- Carries out investigations into the financial affairs

1.13. Integrated Development Plan (IDP)

The integrated Development Plan is a five year strategic plan of the Municipality in terms of section 28 of the Local Government Municipal Systems Act 32 of 2000, a municipal council must adopt a process plan that would guide the planning, drafting, adoption and reviewing of the budget. The IDP must be in line with the Mopani District Municipality's IDP Framework.

1.13.1. Function of the Integrated Development Plan (IDP)

- The Integrated Development is a working tool towards service delivery for provision of better life for all
- It guides the municipality in the planning, drafting and adoption of the budget
- It identifies through stakeholders the services needed for the communities and convert into projects for implementation purposes.

2. THE ADMINISTRATIVE STRUCTURE

2.1 APPOINTMENT OF THE MUNICIPAL MANAGER

In terms of section 82 of the Municipal Structures Act and section 55 of the Municipal Systems Act, Ba-Phalaborwa Municipality appointed a Municipal Manager who is:-

- The head of administration and

- Accounting officer of the municipality

The Municipal Manager (Dr Sebashe SS) is appointed in terms of a written performance contract of five years. The performance contract is concluded annually within one month after the 1st July, which is the financial year of the municipality.

2.1.1 FUNCTIONS OF THE MUNICIPAL MANAGER

Among the responsibilities that the Municipal Manager has to carry includes the following:-

- He/she must form and develop an economical, effective, efficient And accountable administration.
- He/she must implement the municipality's Integrated Development Plan and monitor the process.
- He/she must advice political structure and political office bearers of The Municipality's activities.
- He/she must manage communication between the Municipality's Administration and its political structures and political office bearers
- He/she must carry out the decisions of the political structures and Political office bearers
- He/she is accountable for all income and expenditure, as well as all Assets and discharge of liabilities of the municipality.

2.2 APPOINTMENT OF MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPALMANAGER

In terms of section 56 of the Municipal Systems Act, the Ba-Phalaborwa Municipal Council, in conjunction with the Municipal Manager, appointed five Managers/directors directly accountable to the Municipal Manager. The conditions of appointment of the Managers are similar to that of the Municipal Manager.

The Municipal Manager together with Council have appointed five directors for the five directorates as follows:-

DEPARTMENT

DIRECTOR

| | |
|-------------------------------|--|
| Community and Social Services | - Mr Mukhabuki NS (on acting capacity) |
| Budget and Treasury | - Mr Ndzimande A (on acting capacity) |
| Planning and Development | - Ms Louw B (on secondment capacity) |
| Technical services | - Mr Mpharalala (on acting capacity) |
| Corporate Services | - Moakamel MI |

The directors of these departments together with the Municipal Manager are the Administrative bodies of Ba-Phalaborwa Municipality and function amongst others and not limited to as follows:-

2.2.1 THE DIRECTOR: CORPORATE SERVICES

This is the engine of the Municipality and the responsibilities attached to the Directorate, is to oversee to the whole administration of the Municipality. In order to achieve this, the department has been divided into four sections, each headed by the Assistant to the Directors as follows:-

- Administration, which deals with the general administration i.e. council support, cleaning services, records keeping as well as hiring of council property.
- The Human resources section dealing with personnel matters i.e. recruitment and selection and also includes Human Resources, Skills Development as well as Occupational Health and Safety
- The legal section, dealing with legal matters e.g. conducting of disciplinary hearing etc.

The director, as one of his/her key objectives, must ensure that he/she leads, direct and management staff within his/her department in such a manner that the objectives department of the department are met.

2.2.2 THE DIRECTOR: COMMUNITY AND SOCIAL SERVICES

This is the biggest department of them all and the services attached to it are mainly community based. The services includes among other things library services, law enforcement, community safety, and environmental management.

The department is therefore divided into three sections and headed by the Assistants to the Director as follows:-

- Traffic and licensing section which deals with traffic law enforcement in order to promote community safety on the roads and also the issuing of driver's licensing and testing that occurs in the municipal area
- The environmental health section which deals with waste management in the municipal area
- Parks and cemetery section
- Library section

The director attached to this department, must ensure that he leads his staff in a manner that will make the objectives of the department achievable.

2.2.3 THE CHIEF FINANCIAL OFFICER

The financial success of the Municipality rests with the chief Financial officer, who is the head of department. The Chief financial officer must among other things, manage and control the budget in line with the financial Act e.g. the procurement, treasury and the Municipal Financial management Act.

- The expenditure section control and monitor the municipality's expenditure and ensure that it is in line with the procurement policy.
- The income section receives all revenues and together with the credit control, device means to recover all money outstanding to council.
- The Supply Chain Management deals with procurement of services.

It is the responsibility of the Chief financial Officer to lead, direct and manage his/her staff within the department so that they meet the objectives of his department.

2.2.4 THE DIRECTOR: TECHNICAL SERVICES

This is the department that is service delivery driven as it deals with services as outlined in the Municipal Structures Act i.e. the provision of basic services like

electricity, water and sanitation, roads and storm water as is reflected in the Ba-Phalaborwa Integrated Development Plan.

The Director, must among his responsibilities ensure the provision and maintenance of electricity meters so that electricity usage is determined. He must also provide environmental acceptable water and sewerage services.

In order to make it easier to accomplish this, the department is divided into four sections and headed by the assistants to the director as follows:-

- The electrical section that deals with the provision and maintenance of electricity to the community.
- The water services section that ensures that the community is supplied with clean water and sanitation.
- The roads & Storm water section ensuring that the roads within the municipal area are maintained and developed.
- The building services section which looks at the maintenance of Municipal buildings.

2.2.5 THE DIRECTOR: PLANNING AND DEVELOPMENT

This is the department that deals with the planning of how the municipality will meet its objectives. The Integrated Development Plan, which is a five year plan of how the municipality will render services to the community is regarded as the bible of the municipality and guides it towards service delivery.

Other than the IDP, this department also has to come up with a strategy to grow the municipal economy, hence the local Economic Development Land Use Management, Town planning, GIS, Property Management falls within this department.

The Director has to take responsibility to deal, direct and manage his staff within the department so that they meet the objectives of this department

The organogram is the Municipality's structure, which reflects the status quo of the municipality with regard to the number of employees and the number of vacant position available. It is through the organogram that vacant position could be filled for effective service delivery.

The filling of vacant positions or the need for the creation of other positions are discussed in the Local Labour Forum, Governance and Shared Service Portfolio Committee which shall recommend to the council through Executive Committee for approval.

3. Officials

Every official reports to a specific supervisor/superior and is therefore subject to a prescribed chain of command. This hierarchy or authority is necessary for proper order and efficient administration, and must be respected. It is the duty of every official to familiarize himself/herself with the prevailing command arrangements and every supervisors must make sure that there are clear guidelines in this regard. Every official has a supervisor to consult for help and guidance. The supervisor, has a responsibility towards his/her subordinates- from assumption of duty to retirement

4. RECRUITMENT

The Human Resources division is responsible for advertising all approved vacant positions. Depending on the scarcity of the position and the approval of the executive committee, the position can either be advertised internally using the internal newsletter, locally using the local newspaper. or nationally using national newspapers.

5. THE APPOINTED EMPLOYEE

The employee who has been appointed to fill a particular position is Governed by the Conditions of service, which is a collective agreement Between the South African Local Government Association (the employer Organization) and Trade Union i.e. South African Municipal Workers Union (SAMWU) and the Independent Municipal and Allied Trade Union (IMATU).

An employee has a right to subscribe to one of the unions mentioned above, alternatively, he may remain a non-subscriber but there is a fee that is charged for non-subscribers.

5.1 THE CONDITIONS OF SERVICE

5.1.1 ANNUAL SALARY

Salaries differs from one level to the other and range from Post level 0, which is the highest up to post level 16, the Lowest level.

5.1.2 PENSION BENEFITS

In terms of the Collective Agreement, the employee has three pension funds to choose from:

-Municipal gratuity fund – where the employee receives one off payment of benefits due to him/her or a once off payment of his/her family in the event of his/her death.

-Municipal Employees Pension Fund – where the employee is paid Pension benefits due to him, and continue to receive earning on a monthly basis. The same becomes applicable in the event of his/her death (the family is paid a once off portion followed by monthly earnings).

-The National Fund for Municipal Workers. A member may choose to become a full member of this scheme or pay 2% in addition to the pension fund he/she has chosen.

5.1.3 Medical Aid schemes

In terms of the Collective Agreement, five medical aid schemes have been approved to choose from as follows:-Bonitas, Key health, Samwumed , Hosmed and LA health.

5.1.4 HOURS OF WORK

All employees are required to work a 40-hour working week i.e. five days of eight hours per week except for senior Management, traffic officers, security officers and all employees working less than 24 hours per month.

Reporting time is 07h00 in the morning with one hour lunch between 12h00 and 13h00. Knocking off time is 16h00.

5.1.5 ANNUAL LEAVE

An employee who is working for five days shall be entitled to 24 leave days per annum while a six days worker will be entitled to 27 leave days per annum.

The five days worker is compelled to take a minimum of sixteen (16) days per annum while the remaining eight (8) days can be accumulated, however, the maximum leave accumulated should not exceed forty eight (48) days.

The six days worker is compelled to take a minimum of nineteen (19) days per annum and the conditions of the remaining days is same as the above.

5.1.6 SICK LEAVE

An employee shall be granted eighty (80) days sick leave in three year circle.

The employee shall be expected to submit a medical certificate issued by a registered medical practitioner if more than (2) consecutive days are taken as sick leave.

However, if an employee was found to have taken two days sick leave on two occasions within two months and without producing a medical certificate, he may be demanded to produce sick note failing which, he will not be paid for the period in which he/she was off sick.

5.1.7. MATERNITY LEAVE

An employee is entitled to a three (3) months paid maternity leave with no limit to the number of confinements, on condition that she has one

year service with the employer. However, the employee will be required to work back the period of maternity leave taken.

5.1.8 FAMILY RESPONSIBILITY LEAVE

An employee who has more than four months service with the employer shall be entitled to a total of five (5) days paid leave within an annual circle, which he/she can take in the event:-

- When the employee's child is born
- The employee's child is sick
- The employee's spouse or life partner is sick
- In the event of death of
 - The employee's spouse or life partner
 - The employee's parent, adoptive parent, grand Parent, parents in-law, child, grand-child or sibling.

5.1.9. STUDY LEAVE

An employee shall be granted two days for study leave per subject i.e. he shall be granted a day before the date of exams for preparation and the date of the exam. The employer has to produce an exam time table for the days that he is going to take for study purposes.

5.1.10. HOUSING SUBSIDY

An employee shall be entitled to a flat rate Home Owner's allowance of R700 provided that he is paying a bond that is in his/her names. The benefit is not applicable to employees whose spouse is working in any other municipality and has benefitted in the same scheme. The housing subsidy allowance will be increased as guided by the South African Local Government Bargaining Council.

Employees earning less than R8000,00 will qualify for the non-pensionable allowance of R350,00 as housing allowance on conditions as stipulated in the salary and wage collective agreement.

5.1.11. RENTAL ASSISTANCE

An employee who is occupying residence on rental basis is entitled to a rental assistance of half the total monthly rental on a monthly basis up to the maximum of R400, 00

5.2 OTHER BENEFITS

5.2.1. SKILLS DEVELOPMENT AS A BENEFIT

The employee has a right to receive training in order to develop his/her skills for the benefit of the company and to increase productivity. However the training is aimed at addressing the skills gaps of the employee and will only be conducted according to the workplace Skills plan.

5.2.2. STUDY BURSARY AS A BENEFIT

An employee stands an opportunity to develop Him/herself by means of enrolling with any recognized institution using the internal staff bursary scheme. However the field of study should be relevant and in line with his/her scope of work.

5.2.3. TRAVELLING ALLOWENCE AS A BENEFIT

Depending on the position that the employee is occupying, the Council has in place a traveling allowance as a benefit.

Only personnel from post level 5 and up are entitled for traveling allowance.

6. CODE OF CONDUCT FOR MUNICIPAL STAFF MEMBERS

6.1. GENERAL CONDUCT

1. A staff member of a municipality must at all times-
 - (a) Loyal execute the lawful policies of the municipal council:
 - (b) Perform the function of office in good faith, diligently, honestly and in a transparent manner;
 - (c) Act in such a way that the spirit, support and objects of section 50 are promoted.
 - (d) Act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised; and
 - (e) Act impartially and treat all the people, including other staff members, equally without favour or prejudice
 - (f) An employee is expected to comply in every respect with the conditions of service and to refrain from any conduct, which would give just for discipline.

He/she is expected to:-

- Attend work regularly and punctually i.e. 07h00 reporting time, 12h00 to 13h00 lunch and to knock off at 16h00 daily.
- Conform to the reasonable dress code and wear uniform if required so.
- Carry his/her responsibilities in a diligent, careful and to the best of their abilities.
- Should take and obey instruction as given by his/her supervisor or any person having the authority to do so.
- Conduct him/herself with honesty and integrity.
- Request permission in advance for any leave of absence i.e. refrain from being absent from duty without permission or leave, expect on good cause.
- Is not allowed to have another paying job outside normal working hours, if this is to happen, the employee must get permission from the Head of Department and or the Municipal Manager. Such permission cannot be refused unreasonably.
- Refrain from any rude, abusive, insolent, provocation, intimidator or aggressive behavior, to a fellow employee or member of the public.
- Refrain from willful or negligent behavior, which may result in the damage of property.
- Refrain from participating individually with others in an illegal strike, which shall disrupt the operations of the employer.
- Refrain from disclosing information
- Refrain from consuming alcohol or using intoxicating drugs while on duty.

6.2. COMMITMENT TO SERVING THE PUBLIC INTEREST

A staff member of municipality is a public servant in a developmental local system, and must accordingly-

- (a) Implement the provisions of section 50 (2)
- (b) Foster a culture of commitment to serving the public and collective sense of responsibility for performance in terms of standards and targets;
- (c) Promote and see to implement the basic values and principles of public administration and described in the section 195 (1) of the Constitution;
- (d) Obtain copies of or information about the municipality's integrated development plan, and as far as possible within the ambit of the staff member's job description, seek to implement the objectives set out the integrated development plan, and achieve the performance targets set for each performance indicator;
- (e) Participate in the overall performance management system for the municipality, as well as the staff member's individual performance appraisal and reward system, if such exists, in order to maximise the ability of the municipality as a whole to achieve its objectives and improve the quality of life of its residents.

6.3. PERSONAL AGAIN

6.3.1. A staff member of a municipality may not –

- (a) Use the position or privileges of a staff member, or confidential information obtained as a staff member, for private gain or to improperly benefit another person; or
- (a) Take a decision on behalf of the municipality concerning a matter in which that staff member, or that staff member's spouse, partner or business associate, has a direct or indirect personal or private business interest.

6.3.2. Except with the prior consent of the council of a municipality a staff member of the municipality may not-

(a) Be a party to a contract for

- I. the provision of goods or services to the municipality; or
- II. The performance of any work for the municipality otherwise than as a staff member;

(b) Obtain financial interest in any business of the municipality; or

(c) Be engaged in any business, trade or profession other than the work of the municipality

6.4. DISCLOSURE OF BENEFITS

6.4.1. A staff member of a municipality who, or whose spouse, partner, business associate or close family member, acquire or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose in writing full particulars of the benefit to the council.

6.4.2. This item does not apply to a benefit which a staff member, or a spouse, partner, business associate or close family member, has or acquires in common with all other residents of the municipality.

6.5. UNAUTHORISED DISCLOSURE OF INFORMATION

6.5.1. A staff member of a municipality may not without permission disclose any privileged or confidential information obtained as a staff member of the municipality to an authorised person.

6.5.2. for the purpose of this item "privileged or confidential information" includes any information-

- (a) Determined by the municipal council or any structure or functionary of the municipality to be privileged or confidential:
- (b) Discussed in closed session by the council or committee of the council:
- (c) Disclosure of which would violate a person's right to privacy: or
- (d) Declared to be privileged, confidential or secret in terms of any law.
- (e) This item does not derogate from a person's right of access to information in terms of national legislation

6.6 UNDUE INFLUENCE

- 6.6.1. A staff member of a municipality may not-
- (a) Unduly influence or attempt to influence the council of the municipality, or a structure or functionary of the council, or a councillor, with a view to obtaining any appointment, promotion, privilege, advantage or benefits, or for a family member, friend or associate.
 - (b) Mislead or attempt to mislead the council, or a structure or functionary of the council, in its consideration of any matter; or
 - (c) Be involved in a business venture with a councillor without a prior written consent of the council of the municipality.

6.7 REWARDS, GIFTS AND FAVOURS

6.7.1 A staff member of a municipality may not request, solicit or accept any reward, gift or favour for-

- (a) Persuading the council of the municipality, or any structure or functionary of the council, with regards to the exercise of any power or the performance of any duty:
- (b) Making a representation to the council, or any structure or functionary of the council.
- (c) Disclosing any privileged or confidential information: or
- (d) Doing or not doing anything within that staff member's power or duties.

6.7.2 A staff member must without delay report to a superior official or to the speaker of the council any offer which, if accepted by the staff member, would constitute a breach of sub item (1)

6.8. COUNCIL PROPERTY

6.8.1A staff member off a municipality may not use, take, acquire, or benefit from any property or asset owned, controlled or managed by the municipality to which that staff member has no right.

6.9. PAYMENT OF ARREARS

6.9.1 A staff member of a municipality may not be in arrears to the municipality for rates and service charges for a period longer than 3 months, and a municipality may deduct any outstanding amounts from a staff member's salary after this period.

6.10 PARTICIPATION IN THE ELECTIONS

6.10.1 A staff member of a municipality may not participate in an election of the council of the municipality, other than in an official capacity or pursuant to any constitutional right.

6.11 SEXUAL HARASSMENT

6.11.1 A staff member of a municipality may not embark on any action amounting to sexual harassment.

6.12 REPORTING DUTY OF STAFF MEMBERS

6.12.1 Whenever a staff member of a municipality has reasonable grounds for believing that there has been a breach of this code. The staff member must without delay report the matter to a superior officer to the speaker of the council.

6.13 BREACHES OF CODE

6.13.1 Breaches of this code must be dealt with in terms of the disciplinary procedures of the municipality envisaged in section 67(10) (h) of this act.

7. SANCTIONS FOR MISCONDUCT

An employee, who commit the above will be sanctioned for misconduct and is to face disciplinary hearing. The sanctions imposed are intended to correct the behavior where necessary.

7.1. THE DISCIPLINARY PROCEDURE

The following disciplinary steps are applicable to an employee who has committed a misconduct, varying from the nature of offence.

Step 1: Verbal warnings

This will normally be the first formal action instituted against an employee for failure to meet performance requirements, breach of the terms of employment of the company or other work rules and will be given by the employee's immediate supervisor as soon as the offence became known.

However, verbal warning may not apply to serious offences.

Step 2: Written warning

A written warning shall be issued to the employee after he has failed to correct behavior, after a verbal warning was given or in the instance of a more serious nature of the offence

A copy of the warning shall be handed to the employee for which the employee shall be required to sign acknowledgement of receipt.

Written warnings shall remain valid for a period of six (6) months and shall be kept in the employee's personnel file.

Step 3: Final Written Warnings:

This step may be used where previous verbal and written warnings had failed to produce required results and/ or where stronger action than the abovementioned is required.

The relevant supervisor will record in writing the incident which gave rise to the issuing of the final written warning and handed over to the employee, who shall be required to sign acknowledgement of receipt.

Step 4: Dismissal

This step may be used where previous written warnings have failed to produce required results or stronger action than either First or Final Warnings are necessary due to the seriousness of the offence.

7.2. THE GRIEVANCE PROCEDURE

In case when an employee is aggrieved, he has a right to lay a grievance, following the grievance procedure as follows:-

The employee will lodge a grievance in writing to his/her immediate supervisor, who shall try and resolve it and inform the aggrieved in writing within ten days. If the employee feels that he/she is not satisfied about the outcome, he/she can refer the matter in writing to the Head of Department within ten days. The Head of department shall arrange a meeting to consult in resolving the grievance and shall inform the employee of the outcome within ten days. If the aggrieved employee is still not satisfied of the outcome, he/she may refer the grievance to the Municipal Manager within ten days and the latter shall make an endeavor to resolve the matter and inform the aggrieved employee in writing within ten days. However, if the employee still feels that his/her grievance is still not resolve, he/she may refer it to the Council for adjudication provided that a dispute has been declared.

8. OCCUPATIONAL HEALTH AND SAFETY OF AN EMPLOYEE

An employee will be required to comply with the Occupational Health and Safety procedures to avoid unnecessary injuries on duty.

8.1. General Duties of Employees at Work

Every employees shall at work take reasonable care for the health and safety of himself /herself and other persons who may be affected by his acts or omissions.

8.2. General Duties of Employer to their employees

Every employer shall provide and maintain as far as is reasonably practicable, a working environment that is safe and without risk to the health of his employees

9. POLICIES TO BE HELD BY THE APPOINTED EMPLOYEES

- a. The Basic Conditions of service
- b. Overtime policy
- c. Rental policy
- d. Probation policy
- e. Succession policy
- f. Acting policy

- g. Occupational Health and safety policy
- h. Protective equipment policy
- i. Staff provisioning policy
- j. Staff bursary policy
- k. Relocation policy
- l. Sexual Harassment policy

10. CONCLUSION

In conclusion, municipalities are service driven institutions and their success is when people on the ground get the best service they require with the least time attached to it. The systematic composition of the municipality's personnel including the councilors makes service delivery attainable. The employees on the other hand must conduct themselves in a manner that is acceptable and to avoid situations that will give rise to disciplinary actions taken against them. Every employee must put more effort to effective and efficient performance for service delivery enhancement.