

# DRAFT POLICY

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## 1. INTRODUCTION

The Recruitment and Selection policy and its implementation will be fundamentally aimed at matching human resources to the strategic and operational needs of the Municipality, ensuring the full utilisation and continued development of these employees.

## 2. PURPOSE

2.1 The Municipality recognises that its employment policies, practices, and procedures must comply with the principle of the rule of law. The principle of the rule of law includes the principle of legality, which requires the Municipality, its political structures, and political office-bearers as well as its employees, to always comply and without exception with the relevant legal provisions governing the matter concerned.

2.2 This policy is further based on the principles set out below. Human resources in the Municipality must –

2.2.1 Be characterised by a high standard of professional ethics.

2.2.2 Promote the efficient, effective, and economic utilisation of employees.

2.2.3 Be conducted in an accountable manner.

2.2.4 Be transparent.

2.2.5 Promote good human resource management and career development practices, to maximise human potential.

Ensure that the Municipality's administration is aligned with the Employment Equity Policy of the Cederberg Municipality, and that human resource management practices are based on ability, objectivity, and fairness.

2.3 All aspects of the staffing, structuring, recruitment, selection, interviewing and appointment of employees will be non-discriminatory and will afford applicants equal opportunity to compete for vacant positions. This policy must however be read in conjunction with the Municipality's Employment Equity Policy and Employment Equity Plan.

### 3. SCOPE AND APPLICATION

To ensure a fair and equitable employment process, this policy shall apply to all permanent appointments made within the Municipality, but, unless expressly stated, not to the recruitment and selection of temporary (contract and project) workers, EPWP workers, political support staff, mentors and student appointees.

### 4. DEFINITIONS

**“Candidate”** means an applicant for a post.

**“Council”** means the Cederberg Municipality.

**“Employee”** means any person, excluding an independent contractor, who works for the Cederberg Municipality and who receives, or is entitled to receive any remuneration.

**“Employer”** means the Cederberg Municipality.

**“Executive Management”** shall mean the Municipal Manager and Heads of Department.

**“Full-time employee”** means someone who is in the employ of the Municipality and who is working 40 hours per week.

**“Heads of Department”** shall mean all appointees in terms of section 56 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).

**“Human Resource Need”** means the organisation's forecast of needed staff size and skill mix for the designated planning period.

**“IDP”-** means Integrated Development Plan, as contemplated in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

**“Induction”** shall mean initiation: a formal entry into the organisation or position or office.

**“Labour Organisations”** means Cederberg Municipality recognised Unions.

**"Municipal Manager"** shall mean a person appointed by the Municipal Council as the Municipal Manager for the municipality in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

**“Municipality”** means the Cederberg Municipality.

**“Nepotism”** means favouritism based on family relationship or friendship.

**“Part-time employee”** means someone who is in the employ of the Municipality and who is working less than 40 hours per week.

**"Permanent Employee"** means an employee, excluding a contract employee and a temporary employee, occupying a post on the approved staff establishment of the Council in a permanent capacity, whether full-time or part-time, and includes an apprentice and a person appointed in such post for a probationary period.

**“PMS”** means Performance Management System as contemplated in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and relevant Regulations.

**“Recruitment”** means the activities undertaken in the human resource management to attract sufficient and competent job candidates who have the necessary potential, skills, experience and qualifications to fill job requirements to assist the Municipality in achieving its objectives.

**“Regulations”** means the Local Government: Municipal Staff Regulations, 2021

**“Reference check”** means the gathering of information about a candidate’s history from people with whom such candidate has been associated.

**“Selection”** means the process of making decisions about the matching of candidates considering individual differences and the requirements of the job.

**"Staff establishment"** means the approved posts created for the normal and regular requirements of the Cederberg Municipality.

**“Staff member”** shall mean the employees of the Cederberg Municipality, including the Municipal Manager.

**"Temporary Employee"** means an employee, excluding a contract employee, appointed to a post on the approved staff establishment of the Council in a temporary capacity, whether full-time or part-time, for a continuous period not exceeding 12 (twelve) months.

**"Workforce planning"** means a process that ensures people with the appropriate skills are in the right place, at the right location, at the right time to meet the community's changing needs. It examines what an organisation needs to accomplish in a given period of time; what knowledge, skills, and experience are required to get the job done; and how large and what type of workforce is required to provide that mix of skills, knowledge, and experience.

**"Workplace"** refers to the place of work as contemplated in the Labour Relations Act, 1995 (Act No. 66 of 1995).

All terminology not defined under paragraph 4 of this policy shall bear the same meaning as in the applicable legislation.

## **5. LEGAL FRAMEWORK**

This policy and its application must be in accordance with the following legislative prescripts:

- 5.1 The Constitution of the Republic of South Africa, 1996.
- 5.2 The Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).
- 5.3 The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).
- 5.4 The Local Government: Municipal Staff Regulations, 2021
- 5.5 The Labour Relations Act, 1995 (Act No. 66 of 1995).
- 5.6 The Skills Development Act, 1998 (Act No. 97 of 1998).
- 5.7 The Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997).
- 5.8 The Occupational Health and Safety Act, 1993 (Act No. 58 of 1993)
- 5.9 All relevant Collective Agreements.

## **6. AUTHORITY TO FILL VACANCIES**

- 6.1 The appointment of a Municipal Manager and other Senior Managers will be made by Council in terms of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers No. 37245 of 17 January 2014.
- 6.2 The responsibility and authority for the appointment of all other personnel rests with the Municipal Manager or his/her delegate in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

## **7. DETERMINING RECRUITMENT NEEDS**

Prior to filling a post, the necessity for filling shall be assessed and motivated in writing by the relevant Head of Department to the Municipal Manager or his/her delegate, bearing in mind the following criteria:

- 7.1 Approved staff establishment.
- 7.2 Funding for the post.
- 7.3 Nature of the post.
- 7.4 Applicable terms of employment.
- 7.5 Turnaround time for filling of approved, funded vacancies.
- 7.6 Tools of the trade
- 7.7 Office space
- 7.8 New technology
- 7.9 Approved and evaluated job description
- 7.10 Where human capital will be sourced
- 7.11 Budget and possible restructuring of the post
- 7.12 The use of service providers for specific positions

## **8. INHERENT AND GENERAL REQUIREMENTS**

- 8.1 The inherent requirements of a job must reflect the needs of the Municipality and must be appropriate to achieve the service delivery interests of the Municipality.
- 8.2 Prior to the recruitment process commencing, the outputs, skills, knowledge, and competencies and stated educational requirements as contained in the competency/job profile or job description are to be scrutinised as to relevance and applicability.
- 8.3 All requirements advertised in job vacancies, must reflect the relevant requirements of the Job Description attached to the post,
- 8.4 No person may be appointed unless: -
- a) they are South African citizens, permanent resident, or foreign national with a valid work permit.
  - b) they possess the relevant competencies, qualifications and experience as set out in Annexure A of the Local Government: Municipal Staff regulations
- 8.5 Employment contracts will only be valid after it has been signed by the municipal manager or his authorised delegate
- 8.6 The Municipal manager must, if required, appoint his authorised delegate in writing and determine the scope and limits within which his authority is delegated

## **9. RECRUITMENT ADVERTISEMENT**

- 9.1 The validated inherent job requirements and key performance areas shall form the basis for the advertisement and all advertisements shall clearly state:
- 9.1.1 The job title.
  - 9.1.2 Term of appointment
  - 9.1.3 Place of work.
  - 9.1.4 Salary scale or pay range
  - 9.1.5 Competency requirements of the post and if applicable, the minimum qualifications and experience as set out in Annexure A of the regulations
  - 9.1.6 The inherent requirements of the job
  - 9.1.7 A summary of the core functions
  - 9.1.8 The need for signing an employment contract, and where applicable, a performance agreement and disclosure of benefits and interests.
  - 9.1.9 The address where applications must be sent
  - 9.1.10 Where applicants can obtain the application form
  - 9.1.11 The name and contact details of the person to whom enquiries may be directed.
  - 9.1.12 The need to undergo screening and vetting if applicable
  - 9.1.13 Closing date of for submission of applications
  - 9.1.14 A statement that the Municipality subscribes to the principles of employment equity.
  - 9.1.15 A statement that canvassing with councillors or staff members will disqualify any candidate from being considered for appointment.
  - 9.1.16 The address where, and if applicable, the person to whom applications must be delivered.
  - 9.1.17 The closing date and time for the submission of applications.
  - 9.1.18 A statement that applications received after the closing date will not be accepted or considered.

9.1.19 A statement that applications must only be made on the prescribed application form, which must be fully completed, otherwise applications will not be accepted or considered.

9.1.20 A statement that if an applicant does not hear from the municipality within 90 days his/her application was unsuccessful.

9.2 Vacancies must, as a minimum, be advertised internally and may at the same time be advertised externally, provided that external advertisements must at least be published in a newspaper of record as provided for in section 21(1) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

## **10. UNSOLICITED APPLICATIONS**

10.1 Unsolicited applications must be returned forthwith to the applicant stating that the Municipality did not have any vacancies at the time when the application was submitted and that should any vacancy arise, the Municipality would advertise such vacancy.

10.2 Nobody may promise or undertake to accept an unsolicited application for appointment and to submit it when a vacancy is advertised.

## **11. HEAD HUNTING**

11.1 Head hunting will always be applied with caution, and it may only be applied with the explicit approval of the Municipal Manager and only after the selection panel, in consultation with the relevant Head of Department, if applicable, is of the opinion that the assessed candidates are not suitable and/or do not meet the requirements of the position advertised.

11.2 Normally targeted persons will be provided with a copy of the recruitment advertisement and allowing them to apply of their own accord.

## 12. APPLICATION PROCEDURE

- 12.1 Enquiries about any advertised post shall be directed to the Division: Human Resources Management Services.
- 12.2 All applications shall be received by the Division: Human Resources Management Services.
- 12.3 All applicants must properly and fully complete all sections of the official application form attached as Annexure B to the regulations.
- 12.4 Applications not made on the prescribed application form, must be disregarded as it is deemed an invalid application, and will render the appointment as well as the contract of employment entered into between the candidate and the municipality, invalid. [regulation 15(5)]
- 12.5 Application forms must be accompanied by certified true copies of original qualification certificates (i.e., degrees, diplomas, certificates, school certificates, etc.), as well as required driver's licences, professional driver's permits, academic records with examination results and registration certificates from professional bodies, where applicable.
- 12.6 Applicants must disclose their qualifications, references, registration with professional bodies, details of dismissal for misconduct, substandard performance or ill-health, disciplinary investigations and or hearings, whether completed or incomplete at their current and previous employers
- 12.7 Applications shall be disposed of in terms of the National Archives and Records services of South Arica Act, 1996, within six (6) months of concluding the recruitment process, provided that applications may be used to create a pool of candidates for similar posts within six months of advertising.

## **13. GENERAL PRINCIPLES GOVERNING SELECTION**

- 13.1 All candidates selected to take part in the recruitment process, must have the necessary competencies, and comply with the minimum requirements for education qualifications, work experience and knowledge as set out in annexure A of the Regulations. Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.
- 13.2 The central guiding principle for selection shall be competence in relation to the inherent requirements of the job considering the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.
- 13.3 Unless formal or statutory qualifications are clearly justified as essential for the job, relevant experience/performance, training (internal/external) as reflected and measured through competencies, and potential for the prospective vacancy shall be an important criterion.
- 13.4 Canvassing, i.e. attempting to solicit the influence of any person who could substantially influence the selection process by job applicants, or any other person on behalf of job applicants, for posts within the Municipality's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

## 14. NEPOTISM

- 14.1 It is the policy of the Municipality to seek competent applicants for positions and to further the careers of those employed regardless of whether they have close relatives already employed at the Municipality.
- 14.2 The basic criteria for appointment and retention are appropriate qualifications, experience and performance as set out in the policies of the Municipality.
- 14.3 Family relationships shall constitute neither an advantage nor a deterrent to appointment and retention at the Municipality provided the individual meets and fulfils the appropriate appointment standards.
- 14.4 For the purpose of this policy "close relative" is defined as spouse, domestic partner, parent, mother-in-law, father-in-law, step-parent, child, son-in-law, daughter-in-law, step-child, brother, step-brother, brother-in-law, sister, stepsister, sister-in-law, grandchild, aunt, uncle, nephew, niece and first cousin.
- 14.5 Employment of "close relatives" is therefore limited only where necessary to provide reasonable assurance that each employee can carry out the responsibilities of his/her particular position as objectively as possible.
- 14.6 Subject to adherence to the following provisions hereunder, there is to be no discrimination against the employment or continued employment of any person because of his/her relationship to a member of the Municipality staff:
- 14.6.1 "Close relatives" may not be employed in positions where such employment will result in the existence of a supervisor/subordinate relationship.

14.6.2 "Close relatives" may not be employed in positions where one will have responsibility for reviewing and approving financial/budget/purchase transactions or in recommendations and/or decision making in any matter concerning appointment, promotion, salary, retention or termination of employment of a "close relative".

14.6.3 No staff member may be appointed as the supervisor in respect of any "close relative".

14.7 If a situation arises to deviate from the above provisions, a detailed motivation must be submitted to the Municipal Manager to consider the individual case.

## **15. SELECTION PROCESS**

15.1 The purpose of selection is to identify the most suitable candidates from all the persons who applied and to eliminate unsuitable candidates in the fairest way possible.

15.2 The selection process for the position of Municipal Manager and other Senior Managers will be made in terms of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers No. 37245 of 17 January 2014.

15.3 The selection process for all other staff shall be conducted by a Selection Panel appointed by the Municipal Manager or his authorised delegate in writing.

## 16. **SELECTION PANEL**

- 16.1 The selection panel appointed by the Municipal Manager or his authorised delegate in writing, and shall consist of at least three (3) and no more than five (5) persons, who must remain the same for the entire selection process.
- 16.2 The chairperson must be the supervisor, or another staff member employed at least one job grade higher than the advertised post.
- 16.3 In determining the panel, the municipal manager must consider the nature of the post, the balance in terms of race and gender, and the skills and expertise of the persons involved.
- 16.4 One union representative per union may be allowed to attend interviews as observers, provided that they sign the declaration of confidentiality form. Non-attendance of unions will not invalidate the process.
- 16.5 All members and observers of the selection panel must disclose any interest with shortlisted candidates and complete the prescribed Pledge of Confidentiality and Declaration of Interest form, attached as Annexure “A” to this policy. No member may disclose any information to unauthorised persons, and which disclosure will constitute a disciplinary offence.
- 16.6 Panel members must recuse themselves if their spouse, partner, close family members or friends were shortlisted, or if they have some sort of relationship or indebtedness to one of the shortlisted candidates, or any other conflict of interest, which they must share with the full panel at the start of the meeting.
- 16.7 The head of human resources or his delegate must facilitate the process and provide advice to ensure adherence with the Regulations in the process

16.8 the secretariat does not form part of the panel, but must also sign a declaration of confidentiality.

## **17. PRE-SCREENING**

17.1 After the closing date of an advertisement all applications received for a specific post shall be used as a baseline for pre-screening of suitable qualified candidates.

17.2 Applications of all applicants will be pre-screened by a representative from the Division: Human Resources Management Services, together with officials from the appointed selection panel.

17.3 The purpose of pre-screening is to ensure that applications of applicants adhere to the policy requirement that it must be accompanied by certified true copies of original and valid qualification certificates (i.e. degrees, diplomas, certificates, school certificates, etc.), as well as required driver's licences, professional driver's permits, academic records with examination results and registration certificates from professional bodies, where applicable.

17.4 Only applicants whose applications adhere to the requirements of paragraph 12 above, will be included in the master list of applicants.

## **18. COMPILING OF MASTER LISTS**

18.1 After the pre-screening of all the applications received for every specific position, only applications which adhered to the pre-screening requirements is to be captured on the master list compiled by the Division: Human Resources Management Services.

- 18.2 The master list must contain, in table form, the following particulars in respect of each candidate:
- 18.2.1 The applicant's surname followed by her/his initials.
  - 18.2.2 The applicant's area of residence.
  - 18.2.3 The applicant's gender.
  - 18.2.4 The applicant's population group.
  - 18.2.5 The applicant's qualifications and other requirements (e.g. license)
  - 18.2.6 The applicant's employment history and relevant experience
  - 18.2.7 If applicable, the nature of the applicant's disability.
- 18.3 The Division: Human Resources Management Services must submit the master list to the relevant selection panel.

## **19. COMPILING SHORTLISTS**

- 19.1 The selection panel must select from the master list, with due regard for the numerical goals set in the Municipality's Employment Equity Plan not more than six (6) applicants, who, in terms of the relevant competency requirements of the post, would be the most suitable candidates in the selection process.
- 19.2 To verify the authenticity of shortlisted candidates' qualification certificates, an external service provider may be appointed, subject to the Supply Chain Management policy of the municipality.

- 19.3 If any candidate submitted or claimed that he/she had some or other certificate or diploma, qualification, experience or disability that is disproved, such candidate must be disqualified.

## **20. NOTIFYING SHORTLISTED CANDIDATES OF SELECTION PROCEEDINGS**

The Division: Human Resources Management Services must notify every candidate whose name has been short listed of the venue, date and time and nature of the selection proceedings he/she must attend using the most reliable communications methods available.

## **21. INTERVIEWING IN RESPECT OF VACANCIES**

- 21.1 The list of shortlisted candidates and copies of their applications must be submitted to the panel prior to the start of the interview and the panel must confirm the selection criteria before the start of the interview.
- 21.2 If a selection panel member cannot attend the interview due to reasons beyond their control, the member may be withdrawn, provided that the panel still quorate (at least three members), otherwise the panel must be reconstituted.
- 21.3 The relevant head of department must submit the competency based interview questions to the HR department at least one day before the interview and the panel must prepare them on such questions before the interview and may not deviate from the list of questions.
- 21.4 The selection panel must recommend candidates, in order of preference, thus if a candidate declines an offer of appointment, the next candidate may be considered for appointment. If no suitable candidates were found, and the post is one where a scarce skill is involved, alternative recruitment methods (such

as head hunting, referrals, executive searches) may be considered, otherwise the post must be re-advertised, if no suitable candidates were attracted.

21.5 After having assessed the applicants, the selection panel must submit a recommendation, signed by the chairperson, to the Municipal Manager for his/her consideration and an appointment decision in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

21.6 Completed score sheets must be kept in safe storage for a period of at least six months after an appointment decision has been made.

## **22. CONDUCTING PROFICIENCY, MEDICAL AND FITNESS TESTS**

22.1 One or more relevant proficiency tests (e.g. typing tests, operating a grader etc.) may be required to be conducted before or after an interview is conducted.

22.2 A proficiency test may only be required if the outcome thereof is relevant to the expected job standards that would be expected of the employee, and it relates to the job description.

22.3 Candidates will be subjected to competency tests for the operating and handling of civil construction machines, where applicable.

22.4 If the daily working environment is of a physical nature, candidates may be subjected to a physical fitness test.

22.5 Successful candidates will be subjected to a medical assessment in terms of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993), where applicable.

## **23. REFERENCE CHECKING**

- 23.1 Reference checks must only be carried out for applicants recommended by the selection panel.
- 23.2 Reference checks must be conducted by the Manager: Human Resources Management Services or his/her nominee.
- 23.3 The person performing the reference check must obtain, but not limited to, the following information during the reference check:
  - 22.3.1 Confirmation of the applicant's employment history, including date of commencement with service at the previous employer and any past or pending disciplinary actions regarding the employee.
  - 22.3.2 The applicant's position and remuneration details.
  - 22.3.3 The job requirements and the candidate's performance in their current position.
  - 22.3.4 Determining whether the applicant was dismissed or resigned before being dismissed or charged with misconduct.
  - 22.3.5 Verifying criminal record, and where required by the job, identity, credit check and security clearance.
  - 22.3.6 Establishing the validity of qualifications before appointment
  - 22.3.7 A written report on the outcome of the verifications and references must be included in the recommendation to the municipal manager.

## 24. APPOINTMENT

The appointment of a Municipal Manager and other Senior Managers will be made in terms of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers No. 37245 of 17 January 2014. All other staff will be appointed in terms of the Local Government: Municipal Staff regulations, 2021.

- 24.1 A person may be appointed as a staff member, only if they possess the relevant competencies as per Annexure A of the Regulations and is not disqualified in terms of Regulation 22.
- 24.2 The Municipal Manager or his delegate must consider the recommendation of the selection panel and decide whom to appoint and on the terms and conditions of employment. If the municipal manager makes a different appointment, then the recommendation of the selection panel, then his reasons for same must be recorded in writing.
- 24.3 Appointments only take effect after the municipal manager or his delegate approved the appointment in writing.
- 24.4 The municipal manager must ensure that all interviewed candidates are informed whether or not they were successful.
- 24.5 Unsuccessful candidates must, on request, be provided with written reasons why they were unsuccessful.
- 24.6 The Municipal manager or his delegate must satisfy themselves that the candidate meets the relevant requirements as per Annexure A of the Regulations

- 24.7 Manager: Human Resources Management Services or his nominee, must present every newly appointed employee with a letter of appointment as provided for in section 29 of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997) not later than the day on which he/she starts working.
- 24.8 Whenever any of the details contained in such a letter change the Senior Manager: Human Resources Management Services or his nominee, must inform the employee in writing of such changes.
- 24.9 In the event that an employee cannot read, the relevant Manager or his/her delegate must explain the content of such letter and any amendment thereof to every such employee in a language that he/she understands.
- 24.10 The appointment letters of employees to whom the Municipal Regulations on Minimum Competency Levels, 2007 apply, must stipulate that, if the required minimum competency levels in the unit standards for each competency area are not attained within at 18 months' period from date of appointment, the employment contract will terminate automatically within one month after the applicable period.

## 25. PROBATION

- 25.1 A newly appointed employee in a position on the staff establishment of the Municipality must be appointed on a **minimum probation period of three (3) months and a maximum of twelve (12) months, and which minimum probation period must be based on the requirements of the job to establish whether performance is satisfactory**, before the appointment of the employee is confirmed.
- 25.2 The Head of Department or his/her nominee concerned **must ensure that the employee attends the HR induction programme** and evaluate the progress and

performance of an employee appointed on probation on a monthly basis per such factors, objectives and criteria as may be prescribed in terms of the Municipality's employee performance appraisal system.

- 25.3 An employee must be given reasonable evaluation, instruction, training, guidance or counselling to allow the employee to render a satisfactory service in terms of the Schedule 8 of the Labour Relations Act, 1995 (Act No. 66 of 1995).
- 25.4 If it is determined that the employee's performance is below standard, the relevant Head of Department or his/her nominee should advise the employee of any aspects in which he/she considers the employee to be failing to meet the required performance standards.
- 25.5 If the relevant Head of Department or his/her nominee believe that the employee is incompetent, the Head of Department or his/her nominee must advise the employee of the respects in which the employee is not competent.
- 25.6 The relevant Head of Department or his/her nominee may either extend the initial probationary period by a maximum period of six (6) months or recommend the dismissal of the employee to the Municipal Manager only after complying with the following:
- 24.6.1 The period of probation may only be extended for a reason that relates to the purpose of probation.
- 25.6.2 The relevant Head of Department or his/her nominee may only decide to extend the probationary period or to recommend the dismissal of an employee after he/she has invited the employee to make representations and has considered any representations made.

25.6.3 A trade union representative or fellow employee may make the representations on behalf of the employee.

25.7 If the Municipal Manager decides to dismiss the employee or the relevant Head of Department or his/her nominee decide to extend the probationary period, the employee must be advised of his/her right to dispute such decision in terms of Schedule 8 of the Labour Relations Act, 1995 (Act No. 66 of 1995).

## **26. INDUCTION**

26.1 The Senior Manager: Human Resources Management Services or delegate will take full responsibility for the induction of employees.

26.1.1 The new incumbent will be introduced to his/her immediate staff/colleagues by the Senior Manager: Human Resources or his/her delegate.

26.1.2 The Senior Manager: Human Resources Management Services shall ensure, in conjunction with the incumbent, that all appointment documentation has been completed and processed.

26.1.3 The Senior Manager: Human Resources Management Services will explain and provide a copy of the job description relating to the new employee's specific position/job function whilst the respective line managers are expected to conduct a full job orientation.

26.1.4 The Senior Manager: Human Resources Management Services will also explain and make available copies of the Municipality's Human Resources Policies and the Code of Conduct of Municipal Staff

Members as provided for in Schedule 2 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

- 26.2 The relevant Manager is responsible for the induction of each employee in his/her department to familiarise the employee with the department in which he/she has been appointed.

## **27. APPOINTMENT OF CONTRACT WORKERS**

Persons appointed contract workers, specialised contract workers, seasonal workers, “grey power” mentors or temporary relief staff –

- 27.1 May not receive any housing and travelling benefits.
- 27.2 May not become a member of a retirement fund, medical aid scheme or group life scheme to which the Municipality must contribute.
- 27.3 Earns leave and sick leave in accordance with the provisions of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), applicable statutory determinations or Collective Agreements.
- 27.4 May be appointed without adhering to the procedures and processes contained in this policy

## **28. APPOINTMENT OF REPLACEMENT LABOUR IN THE EVENT OF A STRIKE**

- 28.1 The Municipal Manager may, after consultation with the relevant Heads of Department and the Chief Financial Officer, employ replacement labour during a strike in terms of, and consistent with, section 76 of the Labour Relations Act, 1995 (Act No. 66 of 1995).

28.2 Every person appointed as replacement labour must receive a letter of appointment that complies with section 29 of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997). The letter of appointment must clearly stipulate that:

27.2.1 The appointment is only for the duration of the strike and that the services of the employee will terminate immediately when the regular employees of the Municipality return to work.

28.2.2 Termination of any replacement labour employment shall not constitute a dismissal of the person concerned and that he/she shall not be entitled to any additional remuneration or compensation in respect of the completion of such period.

28.2.3 The person's employment with the Municipality will come to an automatic end on expiry of the term and such termination shall not be construed as a termination based on the Municipality's operational requirements, nor as an unfair dismissal.

28.2.4 Accordingly, reference in this paragraph to additional remuneration or compensation to which the person shall not be entitled, includes but is not limited to, severance pay, notice pay, retirement and medical aid fund benefits to which an employee may otherwise be entitled to in the event of a termination based on an employer's operational requirements.

## **29. REIMBURSEMENT OF INTERVIEW RELATED COSTS**

29.1 Any prospective applicant, who is invited to attend an interview, shall attend the interview on their own expenses, except where the candidate is expected

to stay over for two days, the applicant may complete a form to claim accommodation, providing proof of payment by the employee is submitted to the municipality.

29.2 No other costs will be reimbursed.

29.3 The Municipality will not be responsible for travel costs such as flights, car hire, and or accommodation, even if interviews take too long and causes a candidate to miss their flight.

### **30. APPOINTMENT OF POLITICAL SUPPORT STAFF**

30.1 Political support staff will be appointed on fixed term contracts, linked to the term of office of the public office bearer (councillor) and which fixed term contract may not be longer than thirty (30) days after the public office bearer vacates office.

30.2 Support staff may be appointed (in terms of regulation 30), without adhering to the processes and procedures contained in the regulation and/or in this policy.

30.3 Political office bearers may not make use of permanent appointed officials for any political support, unless such staff member has been seconded from the municipality's approved staff establishment, or from another municipality's staff establishment.

30.4 All political support staff positions must be budgeted before they may be filled.

### **31. RECORD KEEPING**

31.1 Adequate records of the entire selection process need to be maintained, including selection and short-listing criteria: reasons for inclusion/exclusion of candidates; structured interview guide; copies of all other assessments

utilised; comprehensive notes on assessment of each candidate; assessment ratings; reference checks.

31.2 As in the recruitment process, these records need to be maintained for the prescribed period.

## **32. DISPUTE RESOLUTION**

Internal dispute resolution processes shall be followed in the event of any grievances and disputes arising out of the implementation of this policy. For all external candidates, the recognised labour relations mechanisms shall be applied.

## **33. AMENDMENTS**

The Council may from time to time amend this policy and introduce any measure(s) to ensure efficient, economic and effective management of Council resources.

## **34. SUPREMACY OF REGULATIONS**

Any provision in this policy that may be found to be contradictory to legislation, will be subject to the relevant legislation and amendments thereof

## **35. OTHER PROVISIONS**

The following matters are provided for in the Local Government: Municipal Staff regulations, 2021:

- i) Re-employment of dismissed staff (regulation 22)
- ii) Promotion (regulation 24)
- iii) Probation (regulation 23)
- iv) Transfer of staff (regulation 25)
- v) Secondment of staff to another municipality (regulation 26)
- vi) Secondment of other government employees to municipalities (regulation 27)

**36. EFFECTIVE DATE**

The Recruitment and Selection Policy will become effective upon approval thereof by the Cederberg Municipality.

**PLEDGE OF CONFIDENTIALITY  
and  
DECLARATION OF INTEREST**

This is to certify that I, \_\_\_\_\_ in my capacity as a member or an observer in the recruitment and selection procedures of the Cederberg Municipality understand that any information (written, verbal or in any other form) obtained during my involvement in the recruitment and selection procedures of the Cederberg Municipality must remain confidential. This includes all information about applications, candidates, discussions, interviewing questions, recommendations, as well as any other information mentioned during the procedure.

I understand and agree –

- (a) to abide by the confidentiality requirements of the recruitment and selection procedure;
- (b) that any unauthorized release or carelessness in the handling of this confidential information is considered a breach of the duty to maintain confidentiality;
- (c) that any breach of the duty to maintain confidentiality could be grounds for immediate removal from the recruitment and selection procedure.

Each panel member is required to declare if he or she has any family, marital or personal relationship with any of the applicants in this selection procedure that may compromise the panel member's ability to undertake his/her role as member of the recruitment and selection procedure.

Declarations to be made:

Nature of Interest: \_\_\_\_\_

\_\_\_\_\_  
INITIALS & SURNAME OF MEMBER/OBSERVER

\_\_\_\_\_  
SIGNATURE OF MEMBER/OBSERVER

\_\_\_\_\_  
DATE