

MINUTES: COUNCIL: 25 MAY 2010

103. RECRUITMENT POLICY – INTERNAL ADVERTS - CC

(Directorate: Corporate Support Services Directorate)

(4/4/B)(31763)/(jm)

ACTION

1. That cognizance be taken on the following; DCS
 - 1.1 the report from Corporate Support Services on the need to amend the Recruitment Policy;
 - 1.2 Of the proposed and Draft Recruitment Policy Document as in the report;
 - 1.3 Of the comments from SALGA (including a copy of Section 59 of the said Systems Act) be noted as in the report;
 - 1.4 Of the comments from the Developmental Local Government & Housing in the North West Province in the report);
 2. That the internal adverts to be handled in the following manner; DCS
 - 2.1 that internal to only include employees within the employ of the Municipality;
 - 2.2 that all internal adverts be publicised for a minimum of (5) five working days;
 - 2.3 That procurement of internal labour, that includes selection, interviews and appointments be finalised before posting of external applicants;
 3. That external adverts be publicised for a minimum of 10 working days; DCS
 4. That external adverts to include those people residing within the broader jurisdictional area of the Rustenburg Local Municipality and areas outside the District and the Province; DCS
 5. That the local residents of the broader Rustenburg jurisdictional area be given priority on matters related to 3 above; DCS
 6. That the head-hunting process be done by the Municipal Manager in consultation with the Executive Mayor. EM
MM
-

AGENDA: MAYORAL COMMITTEE: 20 MAY 2010

103. RECRUITMENT POLICY – INTERNAL ADVERTS

(Corporate Support Services Directorate)

4/4/B (31763)

1. STRATEGIC THRUST

The Rustenburg Local Municipality has adopted as key priority area to establish an organizational structure supportive of employment equity.

2. PURPOSE OF THE REPORT

The purpose of this report is to enable Council to re-consider its decision around the adoption of the Recruitment Policy with respect to the question of the internal advertisements. The critical request is to make sure that internal adverts are accommodated in the Policy. The inclusion of the internal adverts in the Policy would assist the objective of complying with Employment Equity related regulations.

3. EXECUTIVE SUMMARY.

Management has acknowledged with appreciation Council's adoption of the Recruitment Policy during the Special Council meeting held in August 2009. The said Council meeting, in its adoption of the Policy, deleted issues related to the internal advertisement of positions. The request to Council is to insert issues related to internal adverts.

Legislation related to Skills Development is meant to make sure employees, in the context of this Municipality, are better equipped to do their jobs as expected. The one capacitating strategy is through the Workplace Skills Plan (WSP).

The objective of the Workplace Skills Plan, inter alia, is to capacitate employees of the Municipality to enhance their ability to contribute constructively to the service delivery imperatives. The Directorate Corporate Support, through the HR Unit, implements the policies and strategies in line with expected applicable norms.

The training of staff is another tool meant to motivate them where possible including promotions where possible. One promotional tool is through the internal adverts by creating an enabling mechanism for career pathing/development.

This item served before the Portfolio Committee: Corporate Support Services on the 17 May 2010 and the following recommendations were made:

RECOMMENDED:

ACTION

1. That cognizance be taken on the following;

DCS

AGENDA: MAYORAL COMMITTEE: 20 MAY 2010

- 1.1 the report from Corporate Support Services on the need to amend the Recruitment Policy;
 - 1.2 Of the proposed and Draft Recruitment Policy Document – (Annexure A) (Pages 247 - 260)
 - 1.3 Of the comments from SALGA (including a copy of Section 59 of the said Systems Act) be noted as (Annexure B) (Pages 261 - 263) in the report;
 - 1.4 Of the comments from the Developmental Local Government & Housing in the North West Province (Annexure C) (Pages 264 - 267) in the report);
 2. That the internal adverts to be handled in the following manner;
 - 2.1 that internal to only include employees within the employ of the Municipality;
 - 2.2 that all internal adverts be publicised for a minimum of (5) five working days;
 - 2.3 That procurement of internal labour, that includes selection, interviews and appointments be finalised before posting of external applicants;
 3. That external adverts be publicised for a minimum of 10 working days; DCS
 4. That external adverts to include those people residing within the broader jurisdictional area of the Rustenburg Local Municipality and areas outside the District and the Province; DCS
 5. That the political participation in the recruitment process be excluded in the Policy except with the recruitment of the Municipal Manager and other Section 57 Managers ; DCS
 6. That the local residents of the broader Rustenburg jurisdictional area be given priority on matters related to 3 above. DCS
-

RUSTENBURG LOCAL MUNICIPALITY



RECRUITMENT POLICY

1. INTRODUCTION

The Rustenburg Local Municipality subscribes to the notion that personnel in a working environment are the most important asset that contributes to the effectiveness of governance. This asset is also considered indispensable to service delivery objectives. It is an accepted norm that the success of the organization depends on the performance and ability of its employees and it is then crucial to have a sound policy with regard to the appointment of personnel.

DEFINITIONS:

Words and phrases used in this Policy will bear the following meanings unless such meanings are inconsistent with the context in which they were used:

- a) Municipality: means the Rustenburg Local Municipality unless the context depicts otherwise;
- b) Legislation means any Act promulgated by law or any regulation or Policy guidelines and approved by Government for adherence in implementing policy;
- c) Section 57 Manager means Directors of the Municipality as referred to by legislation inclusive of the Systems Act and other Acts of Government;
- d) Employees means all current permanent employees and temporary employees of the Municipality;

2. POLICY OBJECTIVES:

This Recruitment Policy is, inter alia, aimed at the following;

ANNEXURE A

- 2.1 to introduce a fair and objective procedure for the staffing of recruited individuals for the Municipality;
- 2.2 to create a sound procedure and to also provide guidelines for the recruitment and appointment of suitable candidates;
- 2.3 to ensure compliance to legislation and employment Equity;
- 2.4 to enhance the principles of Affirmative action;
- 2.5 to set out the procedural steps, covering the following;
 - 2.5.1 the advertisement of budgeted vacant posts;
 - 2.5.2 the selection of applicants for interviews;
 - 2.5.3 the conducting of interviews; and
 - 2.5.4 The ultimate appointment of Staff.

3. SCOPE OF THIS POLICY

The Rustenburg Local Municipality aspires by means of this policy to meet the following objectives:

- 3.1 To address the developmental role of the Rustenburg Local Municipality by providing employees access to training and the development of skills on a continuous basis, in order to comply with the dynamics of the changing environment of the Council.
- 3.2 To make appointments within the stipulations of the approved Employment Equity Plan of the Rustenburg Local Municipality, in order to achieve as far as possible the employment equity objectives and numerical goals of the Council;
- 3.3 To appoint suitably qualified persons, as defined in Chapter 3, Section 20 (3), (4) and (5) of the Employment Equity Act, who meet the minimum qualification requirements as set from time to time by the SALGBC.
- 3.4 To give preference to suitably qualified people from designated groups in the consideration of the filling of posts, with new appointments, to ensure their equitable representation throughout the workforce.
- 3.5 To ensure that where more than one person from designated groups are being considered for a post, the person from the category within the designated groups which is the most under-represented in the category of the specific vacancy be preferred, keeping in mind the stipulations of the total Appointment Policy, as well as the principle of merit, as in clause 6.2.1.1.2.

- 3.6 To ensure that whilst all possible effort will be made to achieve the numerical goals of the Employment Equity Plan, appointments be made with the aim to maintain productivity in the Council, and to ensure the rendering of a quality service to the community;
- 3.7 To make appointments to maximize the benefits of diversity, equal appointments and new opportunities, to ensure a motivated workforce.

4. **CRITERIA TO BE MET BY THIS POLICY**

4.1 **Quality**

4.1.1 The policy must be implemented in such a way that the quality of services is not affected in a negative sense.

4.1.2 Standards regarding output shall not be affected in a negative way.

4.2 **Democracy**

The policy must adhere to the requirements of democracy as far as openness and transparency are concerned.

4.3 **Public responsibility**

The policy must be justifiable from a public responsibility point of view.

4.4 **Fair and just**

The policy must be fair and just to all;

4.5 **Appointments within specific job categories**

In accordance with the Employment Equity Act, there are nine job categories, and appointments in these categories shall as far as possible be made within the guidelines, in order to reach the approved numerical targets of the Employment Equity Plan of the Municipality within a period of 5 years.

5. **RESPONSIBILITIES**

5.1 **Rustenburg Local Municipality**

Council of Rustenburg Local Municipality shall be responsible for the appointment of the Municipal Manager and first reporting level employees after consulting the Municipal Manager, as prescribed in the Municipal Systems Act, Section 56 and the Municipal Structures Act, Section 82 including any applicable legislation.

5.2 Municipal Manager and Appoinmments.

5.2.1 Permanent appointments

The Municipal Manager is responsible for all permanent appointments on job levels 20 to 2, as prescribed in the Municipal Systems Act, Section 55, and 1(e).

5.2.2 Temporary appointments

5.2.2.1 The Municipal Manager is responsible for the appointment of all employees including those on contracts.

5.2.2.2 Temporary appointments shall be done in terms of or in adherence to the Employment Equity Plan of the Council.

5.2.2.3 Temporary employees will be appointed in accordance with the approved
---- Contract of the Council for Temporary Employees. (Copy attached as Annexure A).

5.2.2.4 When requests for temporary /permanent appointments are considered by the Municipal Manager the comments of the political head of the Directorate concerned as well as the comments of the Director: Corporate Support Services and the political head of the Directorate: Corporate Support Services will be taken into account;

5.2.2.5 Requests for temporary appointments should not be accompanied by Curriculum Vitae (CV) of preferred candidates;

5.2.2.6 Selection of preferred candidate for Temporary appointments should be done by the Directorate concerned from a pool of CVs in the data base facilitated by Corporate Support Directorate,

5.2.2.7 Clause 5.2.2.1, above, will be done in consultation with the relevant Director or as delegated (by the Municipal Manager).

5.2.3 Voluntary Workers

5.2.3.1 Voluntary workers shall be appointed in terms of the Skills and qualifications requirements of the Council.

5.2.3.2 Voluntary workers shall be appointed in accordance with the
--- approved Indemnity Form;

5.2.3.3 When requests for voluntary workers are considered by the Municipal Manager, the comments of the Director and Political Head_of the Directorate concerned, as well as the comments of the Director: Corporate support Services and the Political Head of the Directorate

Corporate Support Services will be taken into account, as per attached application form for Voluntary Workers (Annexure D).

- 5.2.3.4 All requests for voluntary workers shall specify the purpose, dates and duration for which they are needed.
- 5.2.3.5 That the appointment of Voluntary Workers, not be applicable to specialized positions.

5.3 Directorate : Corporate Support Services

The Director: Corporate Support Services will be responsible for the following:

- 5.3.1 Recommendation with regard to the permanent appointment of employees on job levels 20 – 2, in collaboration with the different directorates, within the approved Employment Equity Plan of the Municipality.
- 5.3.2 To establish a pool of suitably qualified applicants in line with the Employment Equity Plan of the Council, to be utilized in a temporary- or voluntary capacity, if and when requested by Directorates to the Director: Corporate Support Services, and considered for approval by the Municipal Manager.
- 5.3.3 The conducting of all recruitment for all levels, by means of advertising and direct recruitment in accordance with this policy.
- 5.3.4 The preparing of applications for short-listing.
- 5.3.5 *The conducting of all preliminary administration / arrangements regarding interviews.*
- 5.3.6 The competency of candidates prior to interviews, where applicable.
- 5.3.7 The briefing of all candidates invited for interviews regarding the Conditions of Employment.
- 5.3.8 That all interviews to be chaired by respective Directorate that is related to the vacancy.
- 5.3.9 The exercising of all post-interview administration.

6. PRE RECRUITMENT REQUIREMENTS:

To enable the Municipal Manager to recruit timeously the highest calibre of person in the shortest period of time in the most cost-effective manner, the following processes should be adhered to:

6.1 Council

To enable the Council to approve any appointments either directly or by means of delegated powers, the following documentation should be in place:

- 6.1.1 An approved organogram or Organizational Structure;
- 6.1.2 An approved personnel budget;
- 6.1.3 Approved qualification, skills and experience requirements;
- 6.1.4 An approved job description for all newly created posts;

6.2 Corporate Support, through its HR Unit must ensure that:

- 6.2.1 All relevant documentation has been received;
- 6.2.2 All necessary documentation has been duly authorized;
- 6.2.3 Job description, job level, qualification and experience requirements are correctly stated;
- 6.2.4 Salary scales are correctly indicated.

6.3 Recruitment

6.3.1 Recruitment shall take place only after a proper requisition is made according to the attached form, and approved by the Municipal Manager. (Annexure B1).

6.3.2 Recruitment will manifestate in different forms, e.g.:

- * Newspapers
- * Bulletins and professional magazines
- * Head hunting

6.3.3 Newspapers

Vacancies shall be advertised in the newspapers, bearing costs and availability of qualified applicants in mind,;

6.3.4. Bulletins and professional magazines, Institutes

If efficient candidates could not be recruited by means of advertisements in newspapers, the Director : Corporate Support Services may advertise in applicable bulletins and professional magazines / Institutes.

7. Head Hunting

Head hunting will be conducted in the following manner;

7.1 Definition;

Head hunting is the concept where specific persons with specific knowledge, qualifications, experience and skills are needed and where suitable applicants could not be obtained by means of the normal recruitment process.

7.2 Head hunting objective;

Head hunting can thus specifically be applied with the aim to identify suitable applicants from designated groups for appointments in accordance with the employment Equity Plan of the Council (as in point 4.5 of this policy), if suitable applicants could not be identified by means of normal recruitment.

7.3 Recruitment through Head hunting;

In the event that a suitable candidate is not secured through the normal recruitment process, the Head hunting process would be invoked. The relevant Office should seek approval from the Municipal Manager to head hunt. At least one CV, preferably two or more should be considered for recruitment under the head hunting process.

7.4 Selection through Head hunting;

The selection process must be in line with the Employment Equity Plan.

7.5 Interviews through Head hunting;

The normal interview process would be followed and adhered to.

7.6 Appointment from a Head hunting process.

The appointment of the preferred incumbent would be handled normally like any other person appointed according to this Policy.

8. Advertising;

All advertisements shall be displayed publicly as wide as possible.

8.1 External adverts;

8.1. (a) These adverts would cover those adverts that relates to people who are inside the employ of the Municipality and covering the jurisdiction of this Municipality and beyond its boundaries;

8.1. (b) People from this District, Province and other Municipalities outside this Province would be considered preferably in the said order of preference;

8.1. (c) These adverts will be availed in certain local papers, as permitted by the Municipal Manager or his/her delegate, and should be those circulating with the area of the Municipal jurisdiction;

8.1. (d) The adverts to be publicized for a minimum period of 10 working days.

8.2. Characteristics

Advertisements should have the following characteristics:

The texts of advertisement must:

- (a) Be informative;
- (b) Adequately describe the company and the job, in language which is likely attract good applicants;
- (c) Specify precisely and realistically the qualifications and special skills required by the applicants;
- (d) Indicate, where possible, the salary and important fringe benefits;
- (e) State clearly how applicants should respond to the advertisement;
- (f) State that the Council as an employer that practices equal opportunities.

8.3 Vacant posts will be analyzed to determine realistic person.

9 SELECTION AND ASSESSMENT.

The selection process must be as effective as possible, and in line with the Employment Equity Plan and all other relevant legislations. Stipulations of this Policy, on the selection process would include the following;

9.1 Compliance to Legislation;

The central guiding principle for selection shall be competence in relation to the essential requirements of the job provided that selection shall favour, as determined by the targets, suitably qualified applicants as defined in section 20 (3) of the Employment Equity Act.

9.2 Competencies and potential;

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.

9.3 Prohibition of canvassing;

Canvassing by job applicants or any other person on behalf of job applicants, for posts within the Council's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment;

9.4 Prospective candidates

9.4.1 In considering candidates for the shortlist, preference will be given to local applicants if possible;

9.4.2 Recruitment should be accorded to internal staff before resorting to external recruitment, whereby positions will be advertised as stipulated in this Policy;

9.4.3 External recruitment should only be resorted to in the case where there is no suitably qualified employee from the internal staff.

10. AFFIRMATIVE ACTION;

10.1 Elimination of unfair discrimination;

It is affirmed that it will not constitute unfair discrimination to take affirmative action measures consistent with the purposes of the Employment Equity Act of 1998 as set out in this policy or to distinguish, exclude or prefer any person on the basis of an essential requirement of any job.

10.2 Affirmative action;

- a) As a designated employer the Rustenburg Local Municipality must, in order to achieve employment equity, implement affirmative action measures for people from designated groups as defined in section 1 of the Employment Equity Act of 1998. 'Designated groups' means black people, women and people, women and people with disabilities and 'black people' is defined in the Employment Equity Act as a generic term meaning Africans, Coloureds and Indians.
- b) Affirmative action measures are measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workplace of the Employer.

10.3 Affirmative action measures include, but are not limited to, the following:

- a) Measures to identify and eliminate employment barriers, including unfair discrimination, which adversely affect people from designated groups;
- b) Measures designed to further diversity in the workplace based on equal dignity and respect of all people;
- c) Making reasonable accommodation for people from designated groups in order to ensure that they enjoy equal opportunities and are equitably represented in the workforce of the Employer;
- d) Measures to ensure the equitable representation of suitably qualified people from designated groups in all occupational levels in the workforce of the Employer;
- e) Measures to retain and develop people designated groups and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.

11. **UNDUE INFLUENCE**

11.1 The following criteria as stipulated in clause 7(a) of the Municipal Systems Act, 2000 shall be adhered to:

11.1.1 A Staff member of a Municipality may not unduly influence or attempt to influence the council of the municipality, or a structure or functionary of the Municipality;

11.1.2 Clause 11.1 will also be applicable to a Councilor duly influenced with a view to obtain any appointment, promotion, privilege, advantage or benefit, or for a family member, friend or associate;

11.2. The following criteria as stipulated in clause 6 of the Conditions of Employment shall be adhered to: (Government Gazette (vol 352) dated 28 October 1994 (No 16047)).

(a) An applicant shall, when applying for appointment, promotion or transfer; subject himself to the screening techniques determined by the council.

(b) A person, with the exception of a student, shall be at least 16 years of age before he may be appointed.

(c) A person shall be appointed in the council's service in a permanent capacity only if he / she –

(i) Has not yet reached the age of 56 years.

(ii) Complies with the qualification and / or proficiency requirements laid down by the council, unless otherwise determined by the council.

12. **Assessment**

Assessments points to note;

12.1 Assessment instruments must be objective and must have predictive validity with regard to work performance in a specific post;

12.2 The potential candidate may be identified and evaluated through trainability tests, culture-free or fair psychometric tests, assessment centers, performance history, personal needs and aspirations, as well as interviews with predetermined criteria to reduce bias.

12.3 The Director: Corporate Support Services may acquire reference reports where applicable, provided that the employer at the time will only be contacted with the applicant's consent.

13 INTERVIEWING PROCESS.

Policy adherence and legislation;

- 13.1 Interviews would be conducted in an open and fair manner with the objective of selecting a suitable candidate;
- 13.2 The interview process will be conducted mindful of provisions of this Policy and all other legislative imperatives.
- 13.3 During the interview process, the unions are invited in writing to attend such interviews in line with 13.2 below;
- 13.4 Unions are given the status of observers only to observe fairness and reasonableness in the total recruitment process;
- 13.5 Unions are excluded from the decision making process but have the right to request reasons why a specific applicant was more suitable than another applicant.

INTERVIEWS FOR;

- 13.1 Section 57 Managers;

These are Appointments in terms of Section 57 of the Local Government: Municipal Systems Act, No 32 of 2000. Report is to be submitted to Council via the Mayoral Committee for the interviewing of short-listed applicants. Council is to make a decision regarding level 0-1 appointments.

13.2 Composition of the Interview Panel;

The Panels will consist of:

- a) MMC for Corporate Support Services;
- b) MMC for the Directorate where the vacancy exists;
- c) The MMC may delegate a member of the relevant Directorate Portfolio Committee on a rotational bases to attend on his/her behalf;
- d) Director or his/her delegate from the Directorate where the vacancy exists;
- e) Director: Corporate Support Services or representative;
- f) Employment Equity designated official;
- g) A representative from each of the recognized Unions as observers

13.3 Interview Questions;

All questions for the interviews would be handled as follows;

13.3.1 Standard written questions are to be prepared by the Directorate where the vacancy exists;

13.3.2 Additional questions from the Human Resource Unit would be included for all levels of recruitment;

13.3.3 The same questions are to be asked to all applicants in a specific position/vacancy during the interviews – NB: This does not include follow up questions;

13.3.4 An interview report on the interview process should be completed during each interview. See attached Annexure D;

13.3.5 The Municipal Manager or his/her nominee is to sign all documentation regarding the appointment of an employee. This refers to all levels of positions;

13.3.6 The Directorate Corporate Support, through its Human Resource Unit will also dispatch regret letters to unsuccessful applicants on the short list after the successful candidate has accepted the job offer.

10.6 Interviews

Interviews involve processing and evaluating evidence about the capabilities of candidates in relation to the job specification, in comparison with each other. The interviewing process should also be handled in the following manner;

10.6.1 The Directorate: Corporate Support Services shall make arrangements with candidates in good time for interviews.

13.6.2 The Municipal Manager may assign a particular person- or persons to attend interviews when needed.

13.6.3 The Directorate : Corporate Support Services shall brief the interviewing panel on the interview programme.

13.6.4 The Directorate : Corporate Support Services as well as the applicable Directorate shall provide the interviewing panel with a job description, job specification as well as questions and answers;

13.6.5 Interviews for a specific post must be completed on the same day because comparing candidates to each other is part of the process and the latter candidate might have the advantage of the earlier interviewed Candidate.

14. Appointments

This last stage of recruitment would cover the following;

- a) Priority will be given to employment of South Africans. Foreign candidates will only be employed after consultation with the unions and the North West Legislator;
- b) Appointments in all job categories will as far as possible be in line with the approved Employment Equity Plan of Council,
- c) The Directorate: Corporate Support Services shall be responsible for all post selection assessment, and post appointment administration;
- d) A final decision regarding appointments must be made promptly after interviews.

15. OTHER POLICY AND / OR INSTRUCTIONS TO BE TAKEN INTO ACCOUNT

The guidelines for recruitment will, inter alia, be aligned to the following Policies and Acts which will be taken into consideration when there are any amendments in these Policies and Acts that will have an effect on this Policy:

- 15.1 The SALGBC's Policy on Employment Equity;
- 15.2 The Employment Equity Plan of the Municipality;
- 15.3 The Conditions of Service;
- 15.4 The applicable circulars from the Bargaining Council;
- 15.5 The applicable legislation to different jobs;
- 15.6 Skills Development Act;
- 15.7 Skills Levies Act;
- 15.8 Employment Equity Act;
- 15.9 Municipal Systems Act;
- 15.10 Occupational Health and Safety Act.

16. ADMINISTRATIVE UPKEEP OF THE POLICY

The Director: Corporate Support Services will be responsible for the upkeep of this policy and the policy shall be adjusted under the following circumstances:

- a. When the policy approach of the Municipality changes.
- b. When legislation requires changes.

17. IN CONCLUSION

This Policy is implementable according or in line with applicable legislation. Any possible conflict between this Policy and any applicable legislation, the latter will take precedence.