



Maphumulo Local Municipality

Human Resource

Management Strategy

Introduction

The Human Resources Strategy, processes and procedures are a must have for every functional institution or business with the purpose of preserving its ability to serve the public, clients, attract and retain satisfied employees, conducive work environment and to reach institutional set objectives through logical and consistent management decision making process; further, that they serve as:-

- Basic communications tool;
- Staff and management induction and development resource;
- Formal policy framework within which the municipality can make decisions on important or sensitive issues in a fair and consistent manner; and
- a written documentation of the Municipality's commitment to its employees, positive labour relations, health and safety.

Purpose

- The purpose of this Human Resources Strategy is to set out the normative framework of human resources management within the Maphumulo Local Municipality.
- This document reflects the values and principles that the Municipality subscribes to and that must be applied in the day-to-day administration of personnel and the interpretation of the policies as adopted by the municipality.
- The framework contained in this document governs human resources management in the Municipality and designed to promote fairness in human resources management practices and procedures.
- This document endeavors to suggest a uniform and coherent approach to all HRD matters in the Maphumulo Local Municipality.
- It further serves to give direction on the implementation imperatives with regard to the provisions of the national skills development strategy and skills development act. This will ensure an inclusive and integrated approach towards organizational and people development.
- This strategic document is geared towards transforming the Maphumulo Local Municipality into a truly learning organization where:
 - The strategies, structure and culture of the organization become part of the learning system.
 - The learning of all employees is facilitated and the organization continuously transforms itself.
 - A willingness to accept that learning occurs continuously at all levels and needs to flow freely to where its need is displayed.

Human Resource Management Strategy

Goals and Objectives of the Maphumulo HRM Strategy

- To identify and devise plans to deal with the critical factors that affect and have effect of the management of the human resource aspect of the municipality;
- To implement plans that will contribute to the creation of a competitive and able workforce;
- To serve as a long-term strategic blueprint that will guide and inform the management of staff;
- To create cordial and professional relationships between and among staff, management and Councilors; and
- To serve as a general framework that provides a perspective for selecting specific policies and procedures for the municipality.

Rational

- In developing this HR Strategy, the Maphumulo Local Municipality illuminates through the statement of agreed intent that clearly and unequivocally sets out its views with respect to particular administrative and operational matters.
- This Human Resources Strategy is meant to serve as a framework of a set of principles and rules that provide direction to the Municipality in order to improve its efficiency and competence.
- It is a guide for Managers and staff to have a good idea of the Council's expectations regarding certain basic issues pertaining to employment, operations and employees.
- The guidelines as positioned in this the Human Resources Strategy, should not be seen as cast in stone but subject to the statutory provisions and amendments relating to the Municipality and local government in general.
- Provisions of this strategy document should be applied with discretion and flexibility, and be seen as a cornerstone for behavior, processes and practices of all employees within the Municipality.
- The Human Resources Strategy has been compiled in an enabling spirit and sets out the processes and procedures relating to employment within the Municipality.
- This document therefore contains the processes, procedures and work atmosphere directives that make up the method in which Maphumulo Local Municipality carries out all the functions and its business.

Legislative Framework

In compiling this Draft Human Resources Strategy, reference was made to the following statutes:

- Employment Equity Act No. 55 of 1998 as amended;
- Labour Relations Act No. 66 of 1995 as amended;
- Basic Conditions of Employment Act No. 75 of 1997 as amended;
- Municipal Finance Management Act 56 of 2003 as amended;
- Local Government Laws Amendment Act 51 of 2002
- Local Government: Municipal Systems Amendment Act 44 of 2003 and subsequent Amendments
- Skills Development Act No. 97 of 1998 as amended;
- Human Resource Development Strategy for South Africa (HRDSA) 2010 – 2030
- Regulations on the Disciplinary Code and Procedures for Senior Managers;
- The National Skills Development Strategy III (NSDS III);
- White Paper on Affirmative Action in the Public Service and
- White Paper on Human Resource Management in the Public Service.

Considerations

In developing its Human Resource Management Strategy, the Maphumulo Local Municipality considered the following factors:

- The Municipality's vision, mission statement;
- Strategic objectives as reflected in the approved IDP;
- Staff demographics and realities;
- The external factors that affect and could have effect of the implementation of the HRM Strategy;
- Specific and broad expectations of the stakeholders; i.e. Councilors, staff and the community.

That the strategy and its propositions subscribe to the laws of South Africa. The Municipality is an equal opportunity employer that values diversity in the workplace. Maphumulo Local Municipality is an organization that wishes to reflect the demographics of the country and promotes gender equality and sensitivity in the workplace.

Definitions

In this document, unless the context indicates otherwise.

- All other terms contained in this document are as defined in the Constitution of the South African Local Government

- “bargaining council” means the South African Local Government Bargaining Council and includes the division of the bargaining council in whose area the Municipality falls;
- “Basic Conditions of Employment Act” (BCEA) means the Basic Conditions of Employment Act 1997 (Act No 75 of 1997);
- “collective agreement” means a collective agreement as contemplated in the Labour Relations Act 1995 (Act No 55 of 1995);
- “council” means the council of the Maphumulo Local Municipality and includes any political structure, political office-bearer or employee of the Municipality lawfully acting in its stead;
- “employee” means an employee of the Municipality;
- “geographical relocation” means the physical and spatial relocation of a job and the employee performing that job from one place within the Municipality to another place within the Municipality and “relocate” has a corresponding meaning;
- “HRD” means the Human Resources Development;
- “HRM” means the Human Resource Management;
- “HRMS” means Human Resources Management Strategy;
- “immediate family member” means the mother, father, husband, wife, child and siblings of an employee;
- “mayor” means councillor elected as the Mayor of the Municipality in terms of section 55 of the Municipal Structures Act or a person acting in his/her stead;
- “Labour Relations Act” means the Labour Relations Act 1995 (Act No 66 of 1995);
- “Municipal Manager” means a person appointed in terms of section 82 of the Municipal Structures Act, including a person acting in his/her stead or in terms of a power delegated in writing to her/him by the Municipal Manager;
- “Municipal Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act No 33 of 2000) and related Amendments;
- “Municipality” means Maphumulo Local Municipality;
- “MLM” means Maphumulo Local Municipality
- Words importing the singular include the plural and vice versa
- Words importing one gender include the other genders.

Application

The strategy covers all employees, managers, senior managers, directors as well as the heads of departments in Maphumulo Local Municipality.

- This Human Resources Strategy shall apply to all employees employed by the Maphumulo Local Municipality who fall within the registered scope of the Bargaining Council in the Republic of South Africa;

- The related processes and procedures will be regarded as the required practice, providing a clear systematic method and hierarchy for implementing Maphumulo Local Municipality goals, strategy and decisions.
- In this Human Resources Strategy, the procedures will describe a logical sequence of activities or processes that are to be followed to complete a task or function in a correct and consistent manner across the company operations.

Guiding Principles

The Maphumulo Local Municipality recognizes the contributions of its employees as significant assets and treats each individual employee fairly and consistently in all matters, with a uniform application of the following human resources philosophies:

- Human resources are best allocated to achieve optimum productivity and efficiency.
- Pay and benefits offered are fair, equitable and competitive.
- Employees are always encouraged to well-equip themselves for the present job and future development of the Municipality
- Reward is based on merit. High performers are given priority to take up more responsible positions.
- Two-way communications between employees and the management are promoted as a means of building mutual understanding and trust.
- Protect the interests of staff and those of the Municipality
- Correct behavior rather than to punish through this strategy
- Striving at all times to act ethically, transparently, equitably and within the rules of the Labour Law and the Basic Conditions of Employment Act,
- Workplace health and safety is given top priority to protect human health and enable employees to deliver their best performance,
- The protection of human rights in employment is supported by the Municipality, as guided by relevant locally and internationally accepted principles;
- The principle of Constitution of the Republic of South Africa, the Bill of Human Rights and rule of law.

HR Development Plan

- It is the policy of the Maphumulo Local Municipality to unceasingly strengthen and develop its Human Resources in order to meet the challenges of its development and support various Municipal services and business mandates, addressing identified delivery constraints from time to time; and
- Within the context of the Maphumulo Local Municipality, HRD refers to formal and explicit activities that will enhance the ability of all individuals to reach their full

potential. By enhancing the skills, knowledge and abilities of individuals, the municipality's HRD serves to improve the productivity of people internally and externally, whether these are in formal or informal settings. Increased productivity and improvements to the skills base in a country supports economic development, as well as social development.

Purpose of the HRD Plan

- The purpose of the Human Resource Development Plan will deal with the people management within the Municipality; take on the responsibility streamlining human and operational resources, roles and contracts;
- The Municipality has developed this strategic blueprint on HRD in order to move HR from the backroom to the boardroom by bringing out the best in Municipal employees and thus contribute to the success of the Municipal area; and
- This strategy aims at building a competitive Municipality; include overall management complement in strategic human resources management, management of transformation and change, management of firm infrastructure and management of employee contribution.

Objectives of the HRD Plan

This HRD Plan is aimed at addressing the following objectives:

- Help give impetus to the implementation of internships and learner-ships;
- Ensures an integrated approach to HRD matters and inclusiveness;
- Enhances greater uniformity in HRD practices;
- Create better opportunities for skills development and individual development for all personnel;
- Ensure greater transparency in HRD decision-making and practices; and
- Help create a conducive environment for organizational and personal development and growth.

Local Context

Through the IDP process, the Maphumulo Local Municipality acknowledged the fact that the plans and actual delivery of services to the community will take place within the socio-economic realities of the area. So much so that some of these realities manifest themselves in the administration of the municipality. It is therefore important to restate these realities in this strategy as this will give them the prominence they deserve. This will help in ensuring that the

fight to eradicate or lower the illiteracy rate in the area becomes the responsibility of the collective; i.e. the political leadership, staff, sector department and the community.

Below is an extract from the IDP which represents the situation as it stands:

- 31.2% of its population had no schooling which is far below than the provincial and national average that were 21.9% and 8.4% respectively in the same year;
- A mere 1.7% of the population had higher level of education;
- Interestingly, primary education enrolment (age 6-13 years) in Maphumulo was 91.5% compared to provincial (90.3%) and national (93.1%); and
- It is worrying to note that despite a large enrolment in primary education, most of these pupils do not finish their primary, secondary and university education.

If the above statistic is anything to go by, chances are very slim that the Maphumulo Local Municipality and the local economy to venture into a growth path thereby improve the wellbeing of its populace. This is against the fact that an educated and well capacitated human resource is the bedrock of growth and development. The development of this Human Resource Strategy will take cognizance of the realities as they currently obtain.

Specific Role of HRD

1. **Strategic business partner** – the HRD of Maphumulo Local Municipality will factor in additional policies on employee welfare and new or changing competency requirements to support developed Municipal strategies. Through collaborating with management across the board, HRD will take on the role of expert task and assist in strengthening the relationship between employees and senior management.
2. **Change agent** – HRD will lead in actively building and maintaining a corporate culture that embraces people development.
3. **Employee champion** – HRD shall create a productive work environment, ensure effective communication, and manage workforce relations.
4. **Manager of personnel acquisition and development** – it will define, generate, continuously reinforce, and sustain skills pool, knowledge, abilities, attitudes, and desired behaviors.
5. **Manager of processing, compliance, and reporting** – HRD function will align its strategic and tactical plans with those of the Council, enforce compliance with laws, create policies, and execute administrative processes, all in a cost-effective.

a) **Assignment of Employment Functions, Duties and Powers**

- Council shall appoint a Municipal Manager and managers directly accountable to the municipal manager.
- As head of administration the Municipal Manager is, subject to the directions contained in this document, in respect of human resources management responsible and accountable for, amongst other things, the formation and development of an economical, effective, efficient and accountable administration which:-
 - is equipped to implement the Municipality's integrated development plan;
 - operates in accordance with the Municipality's performance management system;
 - is responsive to the needs of the community to participate in the affairs of the Municipality;
 - the appointment of staff other than managers directly accountable to the Municipal Manager, subject to the Employment Equity Act, 1998 (Act 55 of 1998);
 - the management, effective utilization and training of staff;
 - the maintenance of the discipline of staff;
 - the promotion of sound labour relations;
 - compliance by the Municipality with applicable labour legislation;
 - approving a staff establishment for the Municipality;
 - providing a job description for each post on the staff establishment;
 - attaching to the posts in the establishment, except the posts of municipal manager and managers directly accountable to the municipal manager;
 - the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation; and
 - establishing a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service, subject to any applicable collective agreement.

b) **Ethical considerations**

Whenever:-

- the council must make an appointment and a candidate for appointment is a family member, business associate or partner of a councillor, that councillor must recuse himself from any proceedings of the council where such appointment is considered;

- the municipal manager or a departmental head must make an appointment and a candidate for appointment is a family member, business associate or partner of the municipal manager or that departmental head, the municipal manager or the departmental head concerned must recuse himself from any proceedings where such appointment is considered. The municipal manager must appoint another senior employee from the relevant department and another departmental head to consider such an appointment.
- An applicant who canvasses support with a view to be transferred or promoted to another post shall be disqualified for such promotion or transfer.

c) Appointment of Family Members of Employees

- Employment of immediate family members and relatives of employees must, as far as possible, be avoided;
- No employee may participate in any decision, which may directly benefit or be to the detriment of an immediate family member or relative;
- No employee may be appointed, promoted or transferred in such a manner that he would supervise or be subordinate to an immediate family member or relative; and
- Whenever a family member or relative of an employee applies for a vacant position, the manager responsible for human resources management must point out the content of this strategic document to the parties involved, including the person or persons who must make the appointment.

GENERAL CONDITIONS OF EMPLOYMENT

No person may be appointed to a vacancy in Maphumulo Local Municipality's service-

- unless she/he is a South African citizen or has permanent residential status or a valid work permit, provided that no person may be appointed for a period that exceeds the period of validity of her/his work permit, if any;
- unless she/he is proficient in two official languages, one of which must be IsiZulu, if she/he is an office worker or will occupy a position requiring her/him to communicate with members of the public on a regular basis;
- unless she/he is at least 16 years of age or older;
- if she/he has reached the age of 65 years; if she/he, directly or indirectly, approaches or canvasses a councillor or employee with a view to securing that councillor or employee's vote or support in favour of her/his appointment
- if she/he offers to perform the duties attached to the position for which she/he is a candidate for less than the remuneration that the Municipality offers;
- if she/he is a member of Parliament or a provincial legislature or a councillor of the Municipality at the time when the position is advertised;

- unless she/he has the formal qualifications, acquired prior learning, relevant experience or has the capacity to acquire, within a reasonable time, the ability to do the job, provided that if such an appointment is made, such person may not be appointed on a higher salary scale than the minimum scale applying to the position in question neither may she/he progress in such a salary scale until such time as she/he complies with those requirements.

DESIGNATION OF POSTS TO BE FILLED IN TERMS OF SECTION 57 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT

The Municipal Manager and Managers directly accountable to the municipal manager must be appointed in terms of a written fixed term employment contract and subject to the conclusion of an annual performance agreement as contemplated in section 57 of the Municipal Systems Act (2000); and

As soon as Council approved the organisational structure of the Municipality, the Municipal Manager must initiate and facilitate the process of filling the approved and funded posts.

Staff establishment

- The staff establishment consists of-
 - positions on the permanent establishment; and
 - positions on the temporary establishment.
- The permanent establishment contains all positions that must be filled on a permanent basis and those that must be filled in terms of fixed term employment and the temporary establishment contains all positions that are created pursuant to Municipal Structures
- The manager responsible for human resources management must create and maintain the staff establishment on an electronic database.
- The database must contain the following information relating to each position:
 - The designation/title of the position;
 - The level of the position as approved by the bargaining council after the position has been evaluated;
 - Details regarding any and all allowances that are linked to the position including any stand-by, transport, telephone and other allowances;
 - The leave entitlements linked to the position;
 - The budget vote from which the position will be financed;
 - Whether the position is full or part-time;
 - Whether the position must be filled on a permanent or fixed term basis;
 - Whether the position is an entry post or a promotion post;
 - The department or other organisational unit to which the position is assigned; and

- Any other relevant information.

CREATING NEW PERMANENT POSITIONS

A departmental head wishing to create a new permanent position in his department must submit a written application, via the manager responsible for human resources management, to the municipal manager.

An application for creating a new permanent position must contain the following information:

- Details of the department or section where the post must be created.
- A full explanation of the functions and responsibilities of the proposed post in accordance with the TASK job evaluation system.
- The need for the post.
- The alternative solutions that were considered for performing the proposed functions allocated to the position, including re-organization of work rather than creating the position.
- The reasons why each of the alternatives have been rejected.
- A full explanation of the estimated costs of the position for the Municipality during the next three years.
- If provision has not been made in the budget for the proposed position, an indication of the budget vote from which the position will be financed.
- Whether the position must be full or part-time.
- Whether the position must be filled on a permanent or fixed term basis.
- The municipal manager's decision with regard to an application for creating a new permanent position is final.

Creating a temporary positions

The municipal manager may, after consultation with the managers responsible for human resources management and financial management and the relevant departmental head, create one or more temporary positions on the establishment.

A temporary position may be created to deal with a temporary increase in the Municipality's work due to:

- a disaster;
- the allocation of money to the Municipality for the continuation or completion of a specific project not provided for in the budget;
- a backlog in work; or
- special programmes established or managed by the Municipality to combat poverty and unemployment.

- A temporary position ceases to exist when the reason why the position was created ceases to exist and the person occupying that position is released in that position is released on the day that the position ceases to exist.
- The municipal manager's decision with regard to the creation and abolishing of temporary positions is final.

ABOLISHING EXISTING PERMANENT POSITIONS

A departmental head wishing to abolish an existing permanent position in his department must submit a written application, via the manager responsible for human resources management, to the municipal manager.

- An application regarding the abolishing of an existing position must state
- The reasons for abolishing the position;
- Measures that must be taken to ensure that functions relating to the position would continue to be performed, if necessary.

Whenever a position is abolished and is still occupied, the incumbent must be dealt with in terms of this strategic blueprint.

Volunteer workers

A departmental head may, in consultation with the municipal manager and the manager responsible for human resources management, engage one or more volunteer workers additional to his department's establishment for the purposes of-

- gaining work experience or
- partial fulfillment of the requirements of his training or education at another institution or
- A volunteer worker may not-
- be remunerated in any way;
- supervise or approve the work of any employee of the Municipality;
- be appointed to a position existing in the permanent or temporary staff establishment;
- investigate, prosecute or preside during any disciplinary enquiry into an employee's alleged misconduct;
- appraise an employee's performance, whether formally or informally; and sign, authorize, authenticate or execute any documents on behalf of the Municipality.

Volunteer workers

The duration of a volunteer worker's engagement is in the sole discretion of the relevant departmental head but may in any case not exceed one month during any financial year except when a longer period is necessary in respect of a volunteer worker engaged partial fulfillment of the requirements of her/his training or education at another institution.

A volunteer worker is subject to such conditions of engagement and work place rules relating to attendance, conduct, grievances and work place relations as the Municipality may determine.

- By being accepted as a volunteer worker with the Municipality, a volunteer worker permanently and irrevocably alienate and assign without compensation of whatever nature copyright and intellectual property rights in any work produced by her/him that is eligible for copyright or intellectual property rights during her/his service with the Municipality, to the Municipality.
- The termination of a volunteer worker's engagement with the Municipality shall not be construed as a termination based on the Municipality's operational requirements, nor as an unfair or unlawful dismissal.
- Accordingly a volunteer worker shall not be entitled to any remuneration or compensation, including, but 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.
- A volunteer worker does not have and will not develop any expectation at any time of becoming an employee of the Municipality. Specifically no written or oral offer of employment, or undertaking of future employment, whether explicitly or implicitly, directly or indirectly, may be made to a volunteer worker or her/his associates, successors or agents before or at the time of entering into the Municipality's service.

HR Policy Development

Management shall engage in a process that will result in the development and review of among others, the following HRM Policies:

- Recruitment and selection
- Leave policy
- Overtime policy
- Remuneration policy
- Acting policy
- Staff attraction and retention policy
- Subsistence and travelling policy
- Employee bursary scheme

- Health and Safety policy
- Training and development policy
- Staff regulation

Strategic Duties and Responsibilities

Head of Department (HOD)

The Head of Department is responsible for the effective training of staff and the efficient management and administration of his/her department. Furthermore every head of department is responsible and accountable for:

- Ensuring that his/her subordinates are given the opportunity to learn within the departmental and public service-wide framework.
- Ensuring that skills development is budgeted for:
- Ensure that national standards of training and development initiatives are maintained
- Ensure that the workplace is converted into a learning environment.
- Ensure that the workforce participates in the learner ship and skills programmes.

Strategic Duties and Responsibilities

Human Resources Practitioners

Human resource practitioners are responsible for:

- Facilitate the development and implementation of personal development plans of staff; and
- Facilitate the identification of accelerated development programme candidates as well as the development and implementation of accelerated development programmes for staff with potential.

Strategic Duties and Responsibilities

Skills Development Facilitators

The key responsibilities of skills development facilitator (SDF) are:

- To investigate and identify patterns of people development at a strategic level
- To identify key strategy key strategy skills shortages and priorities
- To analyze and report on specific skills requirement issues that may be relevant to the development of strategic objectives.

- To identify strategic opportunities for learner ship development and the promotion of national skills development priorities
- To develop structures and systems for effective skills planning
- To facilitate the development of workplace skills plans(WSPs)
- To submit workplace skills to LGSETA
- To facilitate and co-ordinate training committee meetings
- To assist the department in completing key reporting documentation as required by LGSETA
- To advise the department on quality assurance requirements as set by SAQA
- To facilitate the implementation of quality assurance measures
- To serve as a contact between the department and the LGSETA
- To conduct annual skills audits.

Strategic Duties and Responsibilities

Municipal Training Committee

The functions of the training committee are as follows:

- Municipal wide consultations
- To assist with the development of WSPs
- To inform all employees on the development of WSPs and skills promotion
- To collate and assist in the collection of relevant information
- To report on progress regarding the implementation of WSP
- To meet regularly and be informed about ongoing skills planning issues

Strategic Duties and Responsibilities

Middle Managers

Every middle manager is responsible for;

- Actively ensuring that all employees under his/her authority are given the opportunity to learn within the departmental career development framework.
- Ensuring that there is an effective transfer of learning from the training programmes to the workplace
- Actively involving themselves with career planning, coaching and mentoring in consultation with employees to develop them to their full potential and ensuring that they are available for appointment in increasingly responsible positions that become available in the public service.

Strategic Duties and Responsibilities

Employees

Every employee is responsible for:

- Determining with his/her supervisor, training and development needs and personal developmental plans
- Demonstrate a willingness to learn and grow through work experience
- Accepting responsibility and taking the initiative for his/her training and development
- Taking full advantage of the training and development opportunities available to his/ her
- Applying the knowledge and skills learnt to improve his/her work performance.

Disclaimer

- Whereas the Maphumulo Local Municipality wholeheartedly subscribes to the ideas, processes and procedures described herein, they are not terms or conditions of employment;
- This HR Strategy is to acquaint employees, Managers and Councilors with the Municipality's procedures, policies and protocols;
- Information contained in this Human Resources Strategy is to be used as a general reference.
- Human Resource Strategy may be changed by Council, or any person delegated, as deemed necessary.
- This strategy does not provide contractual rights and is not intended to convey a guarantee of continued employment.
- The Municipality reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies or procedures, in whole or in part, at any time, with or without prior notice, because of reasonable limitations, changing laws or institutional requirements, and other conditions or causes;
- This strategy is not intended to create, nor is it to be construed to constitute a contract between the Municipality and any one or all of its clients, stakeholders and employees;
- To the extent that any part of this HR Strategy (Processes and Procedures) conflicts with any Legislation, the Constitution of the Republic of South Africa, Labour Relations Act and the Basic Conditions of Employment Act shall govern.

Adoption of the HRM Strategy

This strategy is adopted and approved by the full Council of the Maphumulo Local Municipality for implementation.

Effective from (Date):.....

Approved per Resolution Number..... on this theday of..... 20.....

Signed this, theday, of.....20.....

MUNICIPAL MANAGER