

# DR BEYERS NAUDE MUNICIPALITY

<b>DR BEYERS NAUDE MUNICIPALITY</b>	<b>POLICY: RECRUITMENT AND SELECTION</b>	<b>RESPONSIBLE ADMINISTRATION UNIT</b>
<b>ADOPTED BY COUNCIL ON 23 MAY 2017 : RESOLUTION : COUNCIL – 063/17</b>	<b>TO BE REVISED: MAY : 2018</b>	<b>CORPORATE SERVICES AMALGAMATION HR WORKING GROUP</b>

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## **1. POLICY STATEMENT**

It is the policy of the Dr Beyers Naude Local Municipality (DBNLM) to recruit potential employees and to promote current employees to fill in the existing and new vacancies so as to promote the smooth flow of activities regarding programmes, projects, assignments and tasks in achieving Institutional goals without interruption. (DBNLM) is also committed in demonstrating compliance with relevant legislation in handling the recruitment and selection processes. The Council will ensure consistency and confidentiality engaging with relevant stakeholders in implementing this policy, furthermore ensuring that the applicants are given feedback as and when it is required.

## **2. PURPOSE**

This policy seeks to reflect processes, procedures and practices which are used to assist the departments regarding human resources provisioning and related assignments. The policy regulates the manner in which these activities are carried out to avoid illegitimate and unethical conduct of (DBNLM) assigned Officials. The policy is also aiming at fulfilling the Council commitment in promoting the principles of Affirmative Action and compliance with the Employment Equity Act.

The policy seeks to achieve optimum utilization of employees' skills and talents by employing suitably qualified persons in more advantageous work situations through promotion to enhance career advancement.

## **3. SCOPE OF APPLICATION**

The Policy will be applicable to all the employees of the Dr Beyers Naude Local Municipality and prospective employees for all advertised posts. The policy also covers the recruitment process for prospective employees and staff currently employed by the department and within the public and private sector or local government. These categories of employees ranged from low skilled, strategic, professionals and those in leadership positions.

## **4. LEGISLATIVE FRAMEWORK**

- 4.1 Constitution of the Republic of South Africa, 1993
- 4.2 Labour Relations Act, Act 66 of 1995 (as amended)
- 4.3 Employment Equity Act, Act 55 of 1998
- 4.4 White Paper on Human Resource Management / Local Government
- 4.5 Municipal Systems Act, 2000 (Act 32 of 2000).
- 4.6 Municipal Structures Act 1998
- 4.7 Basic Conditions of Employment Act, Act 75 of 1997
- 4.8 Skills Development Act, Act 97 of 1998

- 4.10 Skills Development Levies, Act 9 of 1999
- 4.11 Existing SALGBC Collective Agreements
- 4.12 MFMA - Minimum Competency Levels
- 4.13 National Development Plan [NDP]

## **5. POLICY OBJECTIVES**

This staffing policy of the Dr Beyers Naude Local Municipality aims at:

- 5.1 Providing guidelines for the appointment of suitable candidates and identifying employees for promotion opportunities;
- 5.2 Establishing principles and procedures ensuring that Dr.Beyers Naude Local Municipality complies with legislative regulation in respect of employment equity and affirmative action;
- 5.3 Setting out the procedural steps for the advertisement of a vacant post the selection of applicants for interviews, the conducting of interviews and the appointment of candidates to the permanent and the fixed term contractual staff compliment including the contingency workforce compliment;
- 5.4 To engage in a process to improve the representatives of the personnel establishment of the Council to reflect the racial and gender composition of the citizens of Council, while recognizing the need to focus on customer needs, standards of effectiveness and efficiency in service delivery.
- 5.5 To open up career paths by ensuring access to all occupations and promotional opportunities.

## **6. PRINCIPLES**

- 6.1 The staffing policy and its implementation is fundamentally aimed at matching the human resources to the strategic and operational needs of the Municipality ensuring the full utilization and continued development of these employees.
- 6.2 Each appointment must be rationally and objectively justifiable by reference to the strategic and operational needs of the Municipality.

- 6.3 The responsibility of the Municipality is to determine the strategic and operational needs of the Municipality, and the relevant reporting to Manager/Department Head structures of the Municipality.
- 6.4 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, except as provided in this policy with reference to affirmative action and employment equity.
- 6.5 With reference to the Constitution of South Africa Act 108 of 1996 as amended and the provisions of Chapter II of the Employment Equity Act 55 of 1998 as amended, under no circumstances should any person be refused employment on any arbitrary or discriminatory basis, including but not limited to race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV Status, conscience, belief and/or opinion, taking into account the provision of Chapter III of the EE Act, Act 55 of 1998.
- 6.6 The Dr Beyers Naude Local Municipality is an equal opportunity employer, and, as such, preference will be given to suitably qualified candidates who are members of designated groups as defined in section 1 of the Employment Equity Act of 1998 as consisting of black people, women and people with disabilities.

No provision in this policy should be construed as requiring the Municipality to take any decision concerning an employment policy or practice that would establish an absolute barrier to the prospective or continued employment or advancement of people who are not from designated groups.

This includes, but is not limited to, any decision relating to the termination of employment of any employee of the Municipality for reasons not relating to the conduct or capacity of the employee or the operational requirements of the employer in terms of the provisions of Chapter VIII of the Labour Relations Act of 1995 as amended.

## 7. DEFINITIONS

Terms and definitions that will be used throughout the procedure that need clarification for the reader, this can also include any keywords. Include also technical terms, abbreviations that maybe used in this document.

Word/Term	Definition (with examples if required)
Constitution of the Republic of South Africa, 1993	The supreme legislation of the Republic of SA that encompasses all human rights and executive structural prescriptions.

Labour Relations Act, Act 66 of 1995 (as amended)	The Act that regulates relationships between parties in the Bargaining environment e.g. Employers and Labour unions.
Municipal Structures Act 1998	To provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipality.
Municipal Systems Act, 2000 (Act 32 of 2000).	To provide for the core principles, mechanisms and processes necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities.
Basic Conditions Employment Act	A legislative framework that regulates partnerships, and conditions of employment between an employer and employee in terms of leave, hours of work, remuneration etc.
Skills Development Act, Act 97 of 1998	An Act that ensures the development of human resources for specific and defined skills in order to perform at a maximum level. This act encourages the identifying of skill gaps through audits and analysis to develop an individual structured programme. .
Skills Development Levies Act, Act 9 Of 1999	An Act or statutory legislation designed to monitor the implementation of and provision of imposition of a levy from the employers towards skills development.
Employment Equity Act	A piece of legislation designed to put measures in place to ensure that suitably qualified persons from designated groups are afforded equal employment opportunities and are suitably represented in all occupational categories and levels of the workforce.
Internal Advertisements	Posts that are advertised on the Municipality notice boards for current Council employees, irrespective of which department the employee works.
External Advertisements	Posts that are advertised outside the municipality either nationwide, provincially, locally or within the district.
Re-advertisement	It is a process whereby a post is advertised for the second time due to the non- availability of suitable candidates in the first round of selection.
Headhunting	Means to seek and identify suitable candidates for positions where difficulty is experienced to recruit suitably qualified

	candidates as well candidates from historical disadvantaged groups and normally follows after the post has been advertised for the second time without success.
Initial Screening	A process by which all applications received are sorted out to determine people who meet the minimum requirements as advertised and result in compilation of the master-list.
Manageable size	An agreed number of applications that can be selected for interview purposes based on a set criterion.
Designated Groups	This refers all previously disadvantaged groups such as Africans (Black, Coloured, Indian and Chinese); Women; People with Disabilities (PWD's) as per Employment Equity Act of 1998 (amended).
People with Disabilities (PWD's)	Means people who have a long term or recurring physical or mental impairment which substantially limit their prospects of entry into, or advancement in employment.
Panel Members	People formally appointed to serve in the selection process for the filling of vacant posts in the department.
Senior Management Services (SMS's)	All Senior Managers of the department appointed at level 13 upwards and appointed in terms of the DPSA SMS Handbook.
Relevant Experience and qualification	Experience and qualification that is in line with key performance areas of the advertised post.
Education	Any formal, structured learning programme/s that relates to the theoretical, conceptual and applied skills for the personal and / or work life of the individual.
Training	Any form of structured learning (whether offered off the job/ on the job) in which occupational, work related or job related competence is acquired and /or developed.
Equivalent qualification	Any qualification that has a national qualification framework (NQF- level).
Vetting process	A process by which prospective candidates for vacant posts are subjected to risk assessment to determine their employability in the public service.

Reference Checking	A process by which an applicant for a vacant post is subjected to a background checking process where the service, disciplinary and criminal records are scrutinized to know more about the applicant.
EE Committee	A statutory structure designed to monitor the implementation of employment equity measures in the workplace as per EE Act, 1998 whose members are formally appointed by the Superintendent General.
Affirmative Action	A programme by which previously disadvantaged groups are provided with opportunities for advancement, even it entails elements of discrimination based on fairness.
Employment Equity Act	A piece of legislation designed to put measures in place to ensure that suitably qualified persons from designated groups are afforded equal employment opportunities and are suitably represented in all occupational categories and levels of the workforce.
Internal Advertisements	Posts that are advertised on the Municipality notice boards for current Council employees, irrespective of which department the employee works.
External Advertisements	Posts that are advertised outside the municipality either nationwide, provincially, locally or within the district.
Re-advertisement	It is a process whereby a post is advertised for the second time due to the non-availability of suitable candidates in the first round of selection.
Career Development	The formal processes within the organization whereby relevant and representative people make decisions on the appropriate learning for individuals within career path and / or within their current roles.
Suitable applicant	A person maybe suitable qualified for a job as a result of anyone, or any combination of, that persons:- <ul style="list-style-type: none"> <li>a) Formal Qualifications</li> <li>b) Prior Learning</li> <li>c) Relevant Experience</li> </ul>

	d) Capacity to acquire within a reasonable time the ability to do the job.
Promotion	Means the placement of an employee from inside the municipality to a vacant higher graded/ level post which is provided on the basis of a clear distinguishable higher work level and is accompanied by the granting of the rank and salary level of the higher posts, absorption in the post and execution duties attached to the post.
Fair Discrimination	A process of objective differentiation where a candidate is chosen in an objective selection process based on a fair evaluation using appropriate criteria.
Employee	A synonym for the term “staff member”. A person who is employed by an organization to perform specific functions, on the staff of the organization
Affirmative Action measures	Tools 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 workforce of a designated employer

## 8. CONSULTATION PROCESS WITH STAKEHOLDERS

A number of different stakeholders have been consulted for inputs during the development or reviewing where their inputs have been thoroughly discussed and incorporated into the policy during the process of the Recruitment and Selection process.

- 8.1 Line managers from different components
- 8.2 Organized Labour;
- 8.3 Human Resources department;
- 8.4 Members of the Employment Equity Committee.

## 9 POLICY PRINCIPLES INHERENT IN THE RECRUITMENT AND SELECTION POLICY

The guiding principles that underpin this policy the values and concepts that are required to support the intention of the policy:

### 9.1 EQUITY

The distribution of access and opportunity is fair to achieve employment equity in the workplace. All advertisements for placement in the newspapers must indicate specific EE targets in line with departmental Employment Equity Plan.

## **9.2 TRANSPARENCY**

The recruitment process must open and fair.

## **9.3 PARTICIPATION**

All relevant stakeholders are represented in the recruitment process and this includes line managers, human resource practitioners, Employment Equity Committee members and organized labour (for all positions below level of the Municipal Manager and section 56).

## **9.4 VALUE SYSTEM**

The value systems reflected in the department's vision and mission will characterize all dealings between all current employees and prospective candidates for vacant posts.

## **9.5 ACCOUNTABILITY**

All line managers and HR Practitioners will be required to account for non-adherence to the provisions of this policy. Non-compliance will be dealt with in terms of the Disciplinary Code and Procedures.

## **9.6 TIMEFRAME FOR THE FILLING OF POSTS**

- 9.6.1 The process of filling a vacant post should be completed within six [6] months – as the collective agreement. However, it is agreed that appointments carried out at the DBNLM will be concluded within a period of three [3] months. This applies to all funded vacant posts in the department.
- 9.6.2 Any formal acting capacity against a funded vacant post can be considered for shortlisting.
- 9.6.3 If an appointed candidate vacates the post or any post becomes vacant with same requirements of the post within a period of six [6] months, all internal interviewed candidates who met the threshold can be considered for appointment.

## **10 PROCEDURE**

### **10.1 Employment Equity Act**

- 10.1.1 As employer, Dr Beyers Naude Local Municipality must take reasonable steps to consult and reach agreement on matters listed in section 17 of the

Employment Equity Act with its employees or nominated by the employees, subject to the provisions of section 16 of the Employment Equity Act.

10.1.2 Dr Beyers Naude Local Municipality must collect information and conduct an analysis in the prescribed form, of its employment policies, practices, procedures and the working environment in order to identify employment barriers which adversely affect people from designated groups in terms of the provisions of section 19 of the Employment Equity Act of 1998.

10.1.3 Dr Beyers Naude Local Municipality must prepare and implement an employment equity plan which will achieve reasonable progress towards employment equity in the Employer's workforce, and such plan shall contain, at the very least, the information listed in section 20[2] of the Employment Equity Act of 1998.

10.1.4 Dr Beyers Naude Local Municipality must before the end of the term of its current employment equity plan prepare and submit to the Department of Labour, a successive employment equity plans in compliance with provisions of Chapter III and section 23 of the Employment Equity Act of 1998.

## **11 AUTHORITY**

The responsibility for implementing affirmative action measures and ensuring compliance with the provisions of the Employment Equity Act, of 1998, rests with the Municipal Manager of the Employer or his/her delegated assignee(s).

### **11.1 Elements of Recruitment and Selection**

11.1.1 The responsibility for the appointment of personnel rests with the Municipal Manager of the Employer or his/her delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

11.1.2 The approval of such appointments mentioned above rests with the Exco Committee as recommended by the recruitment and selection panel including the Municipal Manager or his/her delegated assignee.

### **11.2 Recruitment**

#### **The need to fill a post**

11.2.1 Prior to filling a post, the necessity for filling shall be assessed by the Head of Department or his delegate, ensuring that the position is approved and appearing on the departmental organizational structure.

- 11.2.2 There should be an allocation of a specific budget for new posts which have been identified and assessed and the inclusive package of the post specification, budget allocation approved by Council.
- 11.2.3 The Municipal Manager's or Departmental Head approval to filling a vacant post must be sought prior to commencing with the process of scrutinizing validity of a recruitment to be followed.
- 11.2.4 Should a post, after having undergone scrutiny, be authorised for filling by the relevant authority, employees requiring re-deployment in terms of the Re-deployment Strategy as well as employees in a supernumerary capacity are considered in the first instance.

### **11.3 Validation of Inherent requirement**

The inherent requirements of a job must reflect the needs of the Municipality and must be appropriate to achieve the business interests of the Municipality.

- 11.3.1 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 scrutinized as to relevance and applicability.
- 11.3.2 Such validation is undertaken by the Human Resources Division Practitioner in consultation with the line manager which should lead the placing of an advertisement.

### **11.4 Recruitment Advertisement**

- 11.4.1 The validated information as referred to above shall form the basis for the advertisement/brief and all advertisements shall clearly state the relevant job requirements, application procedures together with closing dates for the receipt of application.
- 11.4.2 Advertisement shall indicate that all positions are available for the disabled persons to apply for and in those adverts that are targeted for the disabled the advert should specifically stipulate that the position is targeted at the disabled persons.
- 11.4.3 In some instances a vacancy will be advertised and after the selection process is complete for some reasons it is decided that a post should be re-advertised.
- 11.4.4 In some instances vacancies may be required to be filled with

immediate effect due to urgent operational requirements, or require some specific expertise which is not available within the Council. In such cases a decision would be needed to either first advertise internally or if there are suitable candidates and, deal with the process to completion.

- 11.4.5 The Municipal Manager may give instructions that the position be advertised both internally and externally in consultations with the Labour Unions.
- 11.4.6 The Municipality shall consider between three and five [3-5] applicants for interviewing at a given time regardless of any position under consideration;
- 11.4.7 If the panel finds a situation where more than five candidates meet the shortlisting criteria, they may take an additional one to make it six [6].
- 11.4.8 There may be instances where only one applicant qualifying responded to an internal advert and the panel resolves to short list the candidate.
- 11.4.9 The panel shall be obliged to continue with the interview and finalise the process towards recommending the appointment; this may apply only to internal candidates in grades TK 1 - 5.
- 11.4.10 **Internal:** All vacant and new positions on grades TK 1 - 17 shall be advertised internally within seven [7] days.
- 11.4.11 After the lapse of the seven [7] working days the shortlisting of the internal candidates shall take place within two working days from the closing date of the advert. If there are suitable qualified personnel, the interviews shall take place within ten (10) working days.
- 11.4.12 Where there is a vacant position on grades TK 10 to 17 that requires a specialized skill/s and that skill/s is not available within the Municipality such vacancy/s shall be advertised concurrently internally and externally for ten (10) working days.
- 11.4.13 **External:** Advertisements shall be placed in appropriate media / publications and community newspapers to ensure maximum access by the designated groups and suitable candidates.
- 11.4.14 When an advert is placed externally an amount of fourteen [14] working days waiting period for external candidates to respond or apply is a

prerequisite.

- 11.4.15 The Municipality's Employment Equity Plan targets, inter alia, shall be taken into consideration when determining whether recruitment activities are internal or external or both.
- 11.4.16 All applications shall be on an official Dr Beyers Naude Local Municipality Application form, which must be available in English.
- 11.4.17 Records shall be maintained for all applications received in response to advertised posts as well as ad-hoc applications received by Human Resources. Such records shall be kept for the prescribed period of twelve months and thereafter be expunged.

## **12. EMPLOYMENT EQUITY AND AFFIRMATIVE ACTION**

### **12.1 Elimination of Unfair Discrimination**

- 12.1.1 Dr Beyers Naude Local Municipality shall take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.
- 12.1.2 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 inherent requirement of any job.
- 12.1.3 Harassment of an employee, including sexual harassment of any form during any recruitment and selection proceedings and activities constitutes unfair discrimination and such will be dealt with in disciplinary action against any assigned Official found to have committed such act with in of.

### **13. Affirmative Action**

- 13.1.1 As a designated employer the DR Beyers Naude 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 with disabilities and black people as defined in the Employment Equity Act as a generic term meaning Africans, Coloureds and Indians.
- 13.1.2 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 workforce of the Employer.

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
- (d) to ensure that they enjoy equal opportunities and are equitably represented in the workplace of the Employer;
- (e) measures to ensure the equitable representation of suitably qualified people from designated groups in all occupational levels in the workplace of the Employer;
- (d) measures to retain and develop people from designated groups and to implement appropriate training measures, including measures in terms of the Skills Development Act of 1999.

#### **14. Selection**

##### **General Principles Governing Selection**

- Selection criteria shall be objective and related to the inherent requirements of the job and realistic future needs of the Municipality.
- The central guiding principle for selection shall be competence in relation to the inherent requirements of the job provided that selection shall support, as determined by the targets, suitably qualified applicants as defined in section 20[3] of the Employment Equity Act.
- 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.
- 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 Council's service is prohibited and evidence thereof will disqualify the applicant's application for consideration for appointment.

The Selection Panel for the appointment of:

### **Municipal Manager Position**

- Panel and procedure is set out in Circular 6/2014 on Regulations on the appointment and conditions of employment of Senior Managers.

### **Section 56 Positions**

- Panel and procedure is set out in Circular 6/2014 on Regulations on the appointment and conditions of employment of Senior Managers.

**The procedure for appointment of the Municipal Manager and Managers reporting directly to Municipal Manager as provided in the in Circular 6/2014 on Regulations on the appointment and conditions of employment of Senior Managers is attached as Addendum to this policy.**

### **Senior Manager Positions (15 – 17)**

- Relevant Departmental Head/his nominee
- HR Department
- Labour Unions

### **Post Level 1 – 14 Positions**

- Relevant Departmental Head/his nominee
- HR Department
- Labour Unions

**NB** \* Labour Unions – attend the proceedings as observers only.

### **Compiling the short list**

The shortlist will be drawn up by the Selection Panel in accordance with the approved selection criteria.

### **Selection and Assessment Methodology**

The Municipality will only make use of assessment techniques which:

- a) Are prescribed or legislated to identify a specific competency inherent to the post,

- b) have been approved to be valid and reliable;
- c) can be applied fairly to all employees; and
- d) are not biased against any employee or group.

All parties will uphold the strictest confidentiality in respect of any information supplied. The assessment process is an integrated process and the final decision shall be based on the results of the whole process.

- The Human Resources function is responsible for ensuring the integrity of the assessment process and the use and application of assessment techniques.
- Prior the shortlisting and interviewing a confidentiality form shall be distributed to the members of the shortlisting and interviewing panel to complete, to sign and sign witnesses.
- In some instances where it is absolutely necessary appropriate testing methodologies will be utilized to test candidates their abilities and capabilities on a select subject matter depending on the position requirements.
- Medical testing will only be utilised if required or permitted by legislation or if it is justified in the light of medical facts with regard to the inherent requirements of the job.
- Applicants who provide false information or misrepresentation shall be disqualified and should it be found after the decision to appoint has been taken, the affected employee will be subject to Council disciplinary procedure and if found guilty dismissal shall be an appropriate sanction.

**Reference checking:** Pre-screening to validate information on the Curriculum Vitae and/or application form may be conducted in relation to the inherent requirements of the job.

- Prior to and during, interviewing the shortlisted candidates specific condition are communicated to the candidates, e.g. passing a driving test, producing a valid drivers license, provision of educational qualifications etcetera.
- In an event that one of these conditions is not fulfilled, the contract of employment will not be honored.

The following references can be contacted to verify the employment history of the applicant: This process may be done by the Human Resources Division or an external contracted independent certified verifier.

- Current employer
- Previous employer

- References given by applicant
- Local Government institutions, licenses
- Educational institutions e.g. qualifications
- Occupational levels and or position
- Criminal Offences

### **Rating:**

- All rating of candidates against the identified competencies to be done on the basis of a standardized methodology and the selection panel to be trained in such methodology.
- Rating must be justified by valid motivations based on the applicants deliberations and the requirements of the posts.
- It is important to note that on rating /scoring candidates, the highest rating/score does not necessarily justify an appointment as other factors and attributes are considered in the process to decide which candidate to consider recommending for appointment.

### **Record Keeping:**

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. As in the recruitment process, these records need to be maintained for a prescribed period of twelve months.

### **The selection decision**

The selection decision is based on the assessment of the candidates in conjunction with section 20[3] and particularly 20[3] d of the Employment Equity Act and in the context of Municipality requirements.

Targets, based on the Employment Equity Plan of Dr Beyers Naude Local Municipality, will be set to guide the preferential order of appointment at the Municipality.

### **Appointing Authority**

In terms of section 82 of the Municipal Structures Act, 1998 (Act 117 of 1998) a Municipal Council must appoint a Municipal Manager who is the head of administration and also the Accounting Officer of the Municipality.

In terms of section 56 (a) of the Municipal Systems Act, 2000 (Act 32 of 2000) as amended, a municipal council, after consultation with the Municipal Manager, appoints a manager directly accountable to the Municipal Manager.

The responsibility and approving for the appointment of grades TK 1 to 17 personnel rests with the Municipal Manager of the employer or his delegated assignee(s) in terms of section 55(1)(e) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended.

The approval of appointments for Section 56 employees rests with the Mayor in consultation with the Exco Committee members or Councillors involved during the interviews.

The final approval and ratification of the above categories of employees rests with Council.

### **Disputes**

Disputes concerning the appointment of a candidate are dealt with in terms of Bargaining Council dispute resolution procedure and relevant Labour Law.

## **15. Special Circumstances**

- When some of the selection panel members are not available due to urgent commitments and unforeseen circumstances, the selection or interview process may proceed only if the Manager(s)/Supervisor(s) for whom the vacancy exist and the Human Resource personnel is present.
- In cases where the delay in filling of the post may have serious implications in the local municipality regarding service delivery - an urgent appointment may be made authorised by the Municipal Manager in consultation with the Management and the Exco Committee.