



NOTICE/AGENDA

LOCAL LABOUR FORUM MEETING

WEDNESDAY

19TH JULY 2023

AT

10H00



Dr. Beyers Naudé
MUNICIPALITY | MUNISIPALITEIT | UMASIPALA
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DR. BEYERS NAUDÉ LOCAL MUNICIPALITY

NOTICE

**OF THE LOCAL LABOUR FORUM MEETING TO BE HELD ON
WEDNESDAY, 19TH JULY 2023, AT 10H00, ROBERT SOBUKHWE
BOARDROOM**

Notice is hereby given that the **LOCAL LABOUR FORUM** meeting of **DR. BEYERS NAUDÉ LOCAL MUNICIPALITY** will be held on **WEDNESDAY, 19TH JULY 2023** at **10H00, ROBERT SOBUKHWE BOARDROOM** to consider the following items of business: -.

MR. A. NOFEMELE
CHAIRPERSON

(09/23 LLF – 10TH JULY 2023)

COUNCIL MEMBERS: -

Councillor: A. Nofemele
Councillor: J. Lomberg

(Chairperson)

OFFICIALS: -

Director: Infrastructure Services
Director: Corporate Services
Director: Community Services
Chief Financial Officer
Manager: Human Resources
Committee Clerk: Secretariat

(Mr. B. Arends)
(Ms Z. V Kali)
(Mr. G. W Hermanus)
(Mr. J. Joubert)
(Ms. D. Klassen)
(Mr. S. Peter)

ORGANISED LABOUR: -

Mr. T. Ketchem (SAMWU)
Mr. T. Nkohla (SAMWU)

(Deputy Chairperson)

Mr. G. Davids (SAMWU)
Mr. W. Matyu (SAMWU)
Ms. L. Matikane (SAMWU)
Ms. C. Silimeni (SAMWU)
Mr. L. Wevers (SAMWU)
Mr. M. Bantom (IMATU)

ITEM NUMBER	ITEM DESCRIPTION	TO BE ACTIONED BY
LLF- 001/23	<p style="text-align: center;"><u>AGENDA</u></p> <p><u>OPENING AND WELCOMING: 3/2/1/3: -</u></p>	CHAIR-PERSON
LLF-002/23	<p><u>NOTICE CONVENING THE MEETING</u></p> <p>Notice is hereby given that a LOCAL LABOUR FORUM meeting of DR. BEYERS NAUDÉ LOCAL MUNICIPALITY will be held on WEDNESDAY, 19th JULY 2023 at 10H00, ROBERT SOBUKWE BOARDROOM</p>	
LLF- 003/23	<u>APPLICATION FOR LEAVE OF ABSENCE/ APOLOGIES: 3/2/1/3: -</u>	CHAIR-PERSON
LLF- 004/23	<u>MEETING CONSTITUTING LAWFULLY WITH A QUORUM: 3/2/1/2: -</u>	CHAIR-PERSON
LLF 005/23	<u>ACCEPTANCE OF AGENDA: 3/2/1/2: -</u>	CHAIR-PERSON
LLF 006/23	<u>DECLARATIONS OF INTEREST: 3/1/1/3/2: -</u>	CHAIR-PERSON
LLF- 007/23	<u>PRESENTATIONS: 12/2/2/1/2: -</u>	CHAIR-PERSON
LLF- 008/23	<u>CONFIRMATION OF MINUTES OF THE PREVIOUS LOCAL LABOUR FORUM MEETINGS: 3/2/1/5</u>	
LLF- 008.1/23	<p><u>CONFIRMATION OF THE LOCAL LABOUR FORUM MINUTES: 21ST JUNE 2023 AT 10H00: ANNEXURE A</u></p> <p><u>RECOMMENDATION TO THE LOCAL LABOUR FORUM</u></p> <p>That the minutes of the Local Labour Forum meeting held on the 21st June 2023 be confirmed and adopted.</p>	CHAIRPERSON

LLF-009/23	<u>CONFIRMATION OF THE MINUTES OF THE PREVIOUS OCCUPATIONAL HEALTH AND SAFETY MEETINGS : 3/2/1/5</u>	
LLF-009.1/23	<u>CONFIRMATION OF THE VIRTUAL OCCUPATIONAL HEALTH AND SAFETY MINUTES: 20TH JUNE 2023 AT 14H00: ANNEXURE B</u> <u>RECOMMENDATION (S) TO THE LOCAL LABOUR FORUM</u> That the minutes of the Virtual Occupational Health and Safety meeting held on the 21 st February 2023 be confirmed.	DCS
LLF-010/23	<u>REPORTS FROM THE VIRTUAL OCCUPATIONAL HEALTH AND SAFETY MEETING HELD ON THE 20TH JUNE 2023</u>	
LLF-010.1/23	<u>UPDATE ON RISK REGISTER REPORT: 3/1/2/1/3:-</u> <u>DISCUSSIONS BY THE COMMITTEE</u> The Director of Corporate Services, in deliberating on the report mentioned that supply chain offices had no ventilation, which was a health risk. Mr. Mandla informed the meeting that he can also look for sponsorship in order to assist with buildings that may need to be fixed. Mr. Japhta also expressed his disappointment that it was taking plus/minus 7 years for the Municipality to fix windows, especially in halls and public places. Regarding PPE's, Supply chain Management informed the Committee that they were waiting for the safety boots to distribute to everybody at the same time. Mr. Jaftha expressed his appreciation that the Safety boots had arrived, but also raised his concern that overalls were not provided with the boots. Mr. Van Zyl highlighted that he was worried that the report was only talking about Boots, because boots were not the only thing that talks to PPE's. He elaborated that as the electric department that works with live wires, they needed certain types of clothing to prevent them from being shocked by electricity. He emphasized that they needed advanced PPE's that will assist them better. Regarding the nonavailability of eating areas Mr. Mandla informed the Committee that as the Directorate they did submit a budget for the provision of eating areas for the different towns and they were waiting for its approval. Ms. Cona also lamented that stalls in Graaff-Reinet could be used as a canteen as they did not need too much of maintenance except for a fresh coat of paint and cleaning.	

Mr. Matyu requested to know as to what was the solution in the meantime?

Regarding Signs and Notices-No safety/warning boards Mr. Mandla informed the Committee that he was going to ask services providers if they were going to be able to provide such signs/notices for the Municipality.

The Director of Corporate Services advised that in the meantime the Directorates should print some of the signs and put them up.

Ms. Klassen explained that medical surveillances have been conducted from the 12 to 14 June 2023 and the department of health was also there to assist.

Regarding Employees/medical surveillance, Mr. Winnaar raised his concerns pertaining the criteria of selection of employees for vaccination and further requested to know as to when will the next round take place.

In response to Mr. Winnaar, the Manager: HR clarified that such medical surveillance was supposed to take place every six months but due to budget constraints it was not possible. Furthermore, the Manager: HR highlighted that such surveillance was for employees working at the sewerage, water, sensation, refuse and bush cuttings.

Regarding emergency evacuations Ms. Klassen highlighted that the Municipality had no evacuation plan and as the result there was a need for the building inspector to draw up evacuation plan that will help when there was fire.

Mr. Jaftha also mentioned that most buildings did not have fire extinguishers. He further highlighted that even those which had fire extinguishers such as the Traffic Department were not enough. He then promised that he was going to take full responsibility in terms of looking into this matter.

Without any further discussions on the report the Committee unanimously recommended as follows:

RECOMMENDATIONS TO THE LOCAL LABOUR FORUM

- a) That Mr. Jaftha will check Fire extinguisher on site on all Dr Beyers Naude Offices by the 10th July and if there were any purchases needed to be done for more that will take place by month end August 2023;
- b) That For all buildings, the Building Inspector with the OHS reps will look at which signages will be needed and submit the report by not later than 30th July 2023;
- c) That Mr. Mandla will communicate with external service providers to assist with renovations at no fee charged to the municipality not later than 30th August 2023;
- d) That each directorate must investigate the budget to see if additional PPEs could be purchased and pressure be put on the supply chain;

	<p>e) That COIDA payment be done urgently or the percentage that the Department of Labour needs for a payment's arrangement be handled urgently; and</p> <p>f) That the Risk Assessment needs to be updated monthly and that OHS Reps have the right to update the risk assessment register and update it with Human Resources monthly.</p>	
<p>LLF-011/23</p>	<p><u>REPORTS FOR CONSIDERATION: -</u></p>	
<p>LLF-011.1/23</p>	<p><u>REPORT: CIRCULAR: NO. 07/2023 – STATUS OF THE MAIN COLLECTIVE AGREEMENT AS FROM 1 JULY 2023 UNTIL FURTHER NOTICE 3/2/3.</u></p> <p><u>PURPOSE</u></p> <p>The purpose of the item is to submit to the Local Labour Forum the status of the current Main Collective Agreement. (MCA), as from 1 July 2023, pending the outcome of the MCA negotiations.</p> <p><u>BACKGROUND</u></p> <p>The parties (SALGA, SAMWU and IMATU) to the Council concluded an MCA in 2015. The period of operation of the MCA commenced on 1 July 2015 and ended on 30 June 2020. The parties subsequently concluded two Addendum Agreements to extend the period of operation of the MCA until 30 June 2023.</p> <p>Since the period of operation of the MCA ends on 30 June 2023, it was necessary to consider the status of the MCA as from 1 July 2023. The matter was discussed at a special meeting of the Executive Committee of the Central Council, held on 5 June 2023. Circular 07/2023 which is self-explanatory is hereto attached as <u>ANNEXURE C</u></p> <p><u>CONTENT</u></p> <p>The committee members are requested to note the Status of the Main Collective Agreement Circular No. 07/2023 as it is submitted for information.</p> <p><u>FINANCIAL IMPLICATIONS</u></p> <p>None</p> <p><u>LEGAL FRAMEWORK</u></p> <ul style="list-style-type: none"> ➤ Basic Conditions of employment Act, Act 75 of 1997 ➤ Labour Relations Act No. 66 1995 ➤ Local Government Bargaining Council Main Collective Agreement 	<p>DCS HRM</p>

	<p><u>CONCLUSION</u></p> <p>The item is submitted for information</p> <p><u>COMMENTS</u></p> <p><u>COMMENTS FROM THE DIRECTOR: COMMUNITY SERVICES:-</u></p> <p><u>COMMENTS FROM THE DIRECTOR: INFRASTRUCTURE SERVICES:-</u></p> <p><u>COMMENTS FROM THE CHIEF FINANCIAL OFFICER:-</u></p> <p><u>RECOMMENDATION TO THE LOCAL LABOUR FORUM</u></p> <p>That the report be noted and accepted.</p>	
<p>LLF-011.2/23</p>	<p><u>PROGRESS REPORT ON EVALUATION OF JOB DESCRIPTION: DR. BEYERS NAUDE MUNICIPALITY3/1/2/1/1</u></p> <p><u>PURPOSE</u></p> <p>The purpose of this report is to provide an update to EXCO about the results of the Job Evaluation outcomes of Dr. Beyers Naude Local Municipality.</p> <p><u>BACKGROUND</u></p> <p>A service provider has been contracted by the Sarah Baartman District Municipality to assist municipalities within its jurisdiction with Job description writing and organizational design and development. Brian Singh Consulting is the appointed consultant. The process started on 01 September 2020, to date the project is finalized and a total number of 390 job description was developed.</p> <p>Sarah Baartman District Municipality is responsible for grading jobs using the TASK Job Evaluation System in 6 Local Municipalities as well as those in the Sarah Baartman District Municipality (SBDM). The SBDM Job Evaluation Unit (JEU facilitates the grading process within the district. The District Job Evaluation Committee (DJEC) is responsible for grading the job descriptions and consists of members from each of the 7 municipalities involved.</p> <p><u>GRADING OUTCOMES FOR DBNLM</u></p> <p>SALGA has developed and adopted a Job evaluation policy which gives guidance to all municipalities to develop their own Job Evaluation Policy as per their individual situations. The Job Evaluation Policy for DBNLM has been developed and is in a draft form subject to be workshop with all stakeholders.</p>	<p>DCS HRM</p>

	<p>Dr. Beyers Naudé Local Municipality received six batches of Job evaluation outcomes thus far, four of the six batches have been implemented and communicated to the affected employees. In the previous Local labour Forum meeting dated 21 June 2023 it was requested that a report be submitted on all the Job Evaluation outcomes thus far.</p> <p>Attached to the item as <u>Annexure D</u> is a report reflecting the Job Evaluation Outcomes as per department and position.</p> <p><u>FINANCIAL IMPLICATIONS</u></p> <ul style="list-style-type: none"> The 2022/23 financial year employee related cost budget as approved by Council made provision for this increase as the job evaluation outcomes are effective as of 1 January 2023 as prescribed. The increase from thereon to the 2023/24 financial year has been budgeted for. <p><u>LEGAL FRAMEWORK</u></p> <ul style="list-style-type: none"> Constitution of the Republic of South Africa (1996), as amended Municipal Structures Act No. 117 of 1998 Municipal Systems Act No. 32 of 2000 Municipal Finance Management Act, 56 of 2003 Labour Relations Act, 66 of 1995 as amended Basic Conditions of Employment Act (Act 75 of 1997) SALGA task job evaluation policy Municipalities 2012 Municipal Staff Regulations (2020) – Chapter 2 <p><u>COMMENTS FROM THE DIRECTOR: INFRASTRUCTURE SERVICES:</u> =</p> <p><u>COMMENTS FROM THE DIRECTOR: COMMUNITY SERVICES: -</u></p> <p><u>COMMENTS FROM THE CHIEF FINANCIAL OFFICER: -</u></p> <p><u>RECOMMENDATIONS TO THE LOCAL LABOUR FORUM</u></p> <p>That the progress report on the job evaluation outcomes be noted.</p>	
<p>LLF-011.3/23</p>	<p><u>DRAFT TELEPHONE USAGE POLICY 7/1/5/1/1</u></p> <p><u>PURPOSE</u></p> <p>The purpose of this item is to present to the Standing Committee the Draft Municipal Telephone Usage Policy.</p> <p><u>BACKGROUND</u></p>	<p>DCS</p>

Dr. Beyers Naudé Local Municipality (BNLM) is a service orientated public entity whose legislated mandate is to in the main provide services to residents and in pursuit of the mandate make use of various communication methods and mechanisms including but not limited to systems, tools and equipment including communication tools such as telephones.

The Administration has developed a draft telephone usage policy for municipal employees. This policy aims at creating a framework to ensure the effective and efficient use of municipal telephones and to implement mechanisms aimed at minimising the impact of abuse of Council resources.

CONTENT

The draft municipal telephone usage policy is attached as **Annexure E**

FINANCIAL IMPLICATIONS

With the implementation of this policy, municipal employees will be obliged to pay for all private calls made with Council's telephones and to reduce telephone cost to Council.

LEGAL FRAMEWORK

- Section 62 and 78 of the Local Government: Municipal Finance Management Act (Act No. 56 of 2003)
- The Constitution of the Republic of South Africa

COMMENTS FROM THE DIRECTOR: INFRASTRUCTURE SERVICES: -

None.

COMMENTS FROM THE DIRECTOR: COMMUNITY SERVICES: -

None.

COMMENTS FROM THE CHIEF FINANCIAL OFFICER: -

COMMENTS FROM THE SENIOR MANAGER: STRATEGIC SERVICES: -

None.

RECOMMENDATIONS TO THE LOCAL LABOUR FORUM

- (a) That the Draft Municipal Telephone Usage policy be approved; and
- (b) That the policy be workshopped with Council and Officials.

LLF 012/23	<u>URGENT MATTERS: -</u>	CHAIR- PERSON
LLF 013/23	<u>CLOSURE: 3/1/13/2: -</u>	CHAIR- PERSON

01/23



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ANNEXURE A

**CONFIRMATION OF THE LOCAL LABOUR
FORUM MINUTES: 21ST JUNE 2023 AT
10H00**



MINUTES

OF THE LOCAL LABOUR FORUM MEETING

HELD

ON

WEDNESDAY, 21ST JUNE 2023
AT 10H00



DR. BEYERS NAUDÉ LOCAL MUNICIPALITY

MINUTES

**OF THE LOCAL LABOUR FORUM MEETING HELD ON WEDNESDAY,
21st JUNE 2023, AT 10H00, ROBERT SOBUKWE BOARDROOM**

COUNCIL MEMBERS PRESENT: -

Councillor: A. Nofemele
Councillor: J. Lomborg

(Chairperson)

OFFICIALS PRESENT: -

Director: Infrastructure Services
Director: Corporate Services
Chief Audit Executive
Acting Manager Waste Management
Manager: Human Resources
Intern: Secretariat

(Mr. B. Arends)
(Ms Z. V Kali)
(Mr. G. Maya)
(Mr. R. Boggenpoel)
(Ms. D. Klassen)
(Ms. N. Jack)

ORGANISED LABOUR PRESENT: -

Mr. T. Ketchem (SAMWU)
Mr. T. Nkohla (SAMWU)
Mr. G. Davids (SAMWU)
Mr. W. Matyu (SAMWU)
Ms. L. Matikane (SAMWU)
Ms. C. Silimeni (SAMWU)
Mr. L. Wevers (SAMWU)

(Deputy Chairperson)

MINUTES

ITEM NUMBER	ITEM DESCRIPTION	TO BE ACTIONED BY
LLF- 056/23	<p><u>OPENING AND WELCOMING: 3/2/1/3: -</u></p> <p>The Deputy Chairperson Mr. Ketshem opened the meeting and apologised for the delay as SAMWU was in a caucus concerning the confidential agenda. He also made an apology for the Chairperson (Councillor: Nofemele) who was going to be late for the meeting due to the meeting with the Speaker. He then requested Mr. Fortuin to lead the meeting with prayer.</p>	CHAIR-PERSON
LLF-057/23	<p><u>NOTICE CONVENING THE MEETING</u></p> <p>The Deputy Chairperson read the notice convening the meeting.</p>	
LLF- 058/23	<p><u>APPLICATION FOR LEAVE OF ABSENCE/ APOLOGIES: 3/2/1/3: -</u></p> <p>The attendance register was circulated to everyone present in the meeting to append their signatures in confirming their presence.</p> <p><u>Apologies were received on behalf of the following:</u></p> <ul style="list-style-type: none"> • Chief Financial Officer: Mr. J. Joubert • Director Community Services: Mr. G. W. Hermanus • IMATU Representative: Mr. M. Bantom <p><u>RECOMMENDATION TO THE EXECUTIVE COMMITTEE</u></p> <p>That the following apologies be noted and accepted: -</p> <ul style="list-style-type: none"> • Chief Financial Officer: Mr. J. Joubert • Director Community Services: Mr. G. W. Hermanus • IMATU Representative: Mr. M. Bantom 	CHAIR-PERSON
LLF -059/23	<p><u>MEETING CONSTITUTING LAWFULLY WITH A QUORUM: 3/2/1/2: -</u></p> <p>The Deputy Chairperson of the Local Labour Forum confirmed that the Local Labour Forum Committee Meeting held on the 21ST June 2023 at Robert Sobukwe Boardroom at 10h00 was constituted lawfully with quorum as per the Standing rules of order.</p>	CHAIR-PERSON
LLF 060/23	<p><u>ACCEPTANCE OF AGENDA: 3/2/1/2: -</u></p>	CHAIR-PERSON

	<p>Mr. Nkohla, before accepting the agenda requested clarity in terms of the Confidential meeting that would take place. Furthermore, Mr. Nkohla requested to know why there were two agendas and which agenda the Committee was accepting at this point.</p> <p>Mr. Ketchem asked anybody from administration to please explain the two agendas The Director: Corporate Services answered by stating that there were two agendas which would be discussed separately.</p> <p>It was decided that the two agendas be combined, and the effected person would then leave when they are being discussed. Mr Nkohla moved, and Mr. Fortuin seconded.</p> <p>The Chairperson joined and took over the meeting at 10H20.The Deputy Chairperson updated the Chairperson on the proceedings of the meeting thus far.</p> <p><u>RECOMMENDATION TO THE EXECUTIVE COMMITTEE</u></p> <p>That the two agendas (open and confidential) be combined and that the affected person be excused for the confidential item.</p>	
<p>LLF 061/23</p>	<p><u>DECLARATIONS OF INTEREST: 3/1/1/3/2: -</u></p> <p><u>NONE</u></p>	<p>CHAIR-PERSON</p>
<p>LLF- 062/23</p>	<p><u>PRESENTATIONS: 12/2/2/1/2: -</u></p> <p><u>NONE</u></p>	<p>CHAIR-PERSON</p>
<p>LLF- 063/23</p>	<p><u>CONFIRMATION OF MINUTES OF THE PREVIOUS LOCAL LABOUR FORUM MEETING(S) 3/2/1/5:-</u></p>	
<p>LLF- 063.1/23</p>	<p><u>CONFIRMATION OF THE LOCAL LABOUR FORUM MINUTES 29TH MARCH 2023:</u></p> <p>The Director: Corporate Services tabled the Minutes of the Local Labour Forum meeting held on the 29th March 2023, Robert Sobukwe Boardroom at 14H00 for Confirmation.</p> <p>There being no corrections and matters arising on the minutes, the Forum unanimously recommended as follows:</p> <p>Councillor: Lomberg seconded by Ms. Klassen moved for the confirmation of the Minutes of the Local Labour forum held at Robert Sobukhwe Boardroom at 14H00.</p> <p><u>RECOMMENDATION (S) TO THE EXECUTIVE COMMITTEE</u></p>	<p>CHAIRPERSON</p>

	That the minutes of the Local Labour Forum meeting held on the 29 th March 2023, Robert Sobukwe Boardroom at 10H00 be confirmed with recommendation (s) per item to the Local Labour Forum.	
LLF- 064/23	<u>CONFIRMATION OF MINUTES OF PREVIOUS TRAINING COMMITTEE MEETING; 3/2/1/5</u>	DCS
LLF- 064.1/23	<p><u>CONFIRMATION OF MINUTES OF SPECIAL TRAINING COMMITTEE MEETING: 14TH APRIL 2023 :</u></p> <p>The Director: Corporate Services tabled the Minutes of the Virtual Training Committee Meeting held on the 14th April 2023 for Confirmation.</p> <p>Mr. David seconded by Ms. Klassen moved for the confirmation of the Minutes of the Virtual Training Committee meeting held on the 14th April 2023.</p> <p><u>RECOMMENDATION (S) TO THE EXECUTIVE COMMITTEE</u></p> <p>That the minutes of the Special Training Committee Meeting held on the 14th April 2023 be confirmed with recommendation (s) per item to the Local Labour Forum hereunder.</p> <p><u>REPORTS SUBMITTED TO THE TRAINING COMMITTEE: 14TH APRIL 2023</u></p> <p><u>APPROVAL OF WSP 2023/2024: 4/4/2/1: -</u></p> <p><u>RECOMMENDATIONS TO THE EXECUTIVE COMMITTEE</u></p> <p>(a) That the information collected through the skills audit questionnaires, training needs analysis and online training survey for 2023 be included on the 2023-2024 WSP;</p> <p>(b) That the employees appointed with conditions be accommodated on the 2023-2024 WSP; and</p> <p>(c) That the training committee accepted and endorsed the 2023-2024 WSP for submission to the LGSETA.</p>	DCS
LLF- 064.23	<p><u>CONFIRMATION OF MINUTES OF VIRTUAL TRAINING COMMITTEE MEETING: 25TH APRIL 2023 : ANNEXURE 03</u></p> <p>The Director: Corporate Services tabled the Minutes of the Virtual Training Committee Meeting held on the 25th April 2023 for Confirmation.</p> <p>Mr. Matyu seconded by Ms. Welman moved for the confirmation of the Minutes of the Virtual Training Committee meeting held on the 14th April 2023.</p>	

	<p><u>RECOMMENDATION (S) TO THE EXECUTIVE COMMITTEE</u></p> <p>That the minutes of the Virtual Training Committee Meeting held on the 25th April 2023 be confirmed with recommendation (s) per item to the Local Labour Forum hereunder.</p> <p><u>REPORTS SUBMITTED TO THE TRAINING COMMITTEE: 25th APRIL 2023</u></p> <p><u>RECOMMENDATION TO THE EXECUTIVE COMMITTEE</u></p> <p>That the WSP Implementation Plan for Quarter 4 be noted.</p> <p><u>TRAINING REPORT – THIRD QUARTER (2022/2023): 3/1/2/1/2: -</u></p> <p><u>RECOMMENDATIONS TO THE EXECUTIVE COMMITTEE</u></p> <p>(a) That the contents of the training report (Third quarter 2022/2023) be noted and accepted, and</p> <p>(b) That the matter of the composition of the committee be finalized since it has a negative impact on the spending of the budget and the employees appointed with conditions.</p>	
<p>LLF- 065.23</p>	<p><u>REPORTS FOR CONSIDERATION</u></p>	
<p>LLF- 065.1/23</p>	<p><u>DRAFT MUNICIPAL RESIDENCE POLICY:</u></p> <p><u>PURPOSE</u></p> <p>The purpose of the item was to present to the Local Labour Forum the Draft Municipal Residence Policy.</p> <p><u>BACKGROUND</u></p> <p>Dr. Beyers Naudé Local Municipality (BNLM) has an immovable property asset portfolio that consists of both developed and undeveloped portions of land, amongst those that are developed we can include but not limited to what is known as the “Dam Houses” which are situated at the Nqweba Dam and the Wastewater Treatment Plant residences, and all those that fall within the jurisdiction of the Municipality.</p> <p>An Audit Query that was received by Corporate Services during the 2021/22 Financial Year through the Auditor General (AG) promoted an urgent need for the development of this policy as there are no documentation in place that guides the allocation of these houses to officials.</p> <p>Considering the above, this policy aims at creating a framework in which the management and administration of Municipal residences leased or allocated to Municipal employees for purpose of official accommodation</p>	<p>DCS</p>

meaning for operational requirements for his/her specific post is effective, fair and transparent.

CONTENT

To manage Municipal residences productively, a draft policy has been developed and is attached as **Annexure 04**.

FINANCIAL IMPLICATIONS

To be determined through the allocation guidelines.

LEGAL FRAMEWORK

- Municipal Asset Transfer Regulation
- Rental Housing Act no. 50 of 1999
- Municipal Systems Act no. 32 of 2000
- Municipal Finance Management Act, 56 of 2003

DISCUSSIONS BY THE COMMITTEE

The meeting unanimously agreed that the Draft Municipal Residence Policy be discussed in conjunction with the Occupation of Municipal Houses report (Dam Houses in Graaf Reinet) item.

There being no further deliberations on the item, the committee unanimously recommended as follows:

RECOMMENDATIONS TO THE EXECUTIVE COMMITTEE

- (a) That the Draft Municipal Residence Policy be considered and approved.
- (b) That written submission be made on any additions or amendments to the draft policy; and
- (c) That the policy be workshopped with the Local Labour Forum and Council.

OCCUPATION OF MUNICIPAL HOUSES BY OFFICIALS: DAM HOUSES IN GRAAFF-REINET: -

LLF- 065.2/23

PURPOSE

The purpose of the item was to report to the Local Labour Forum on the occupation of Municipal houses by officials of the Dr Beyers Naudé Local Municipality.

BACKGROUND

The Administration Section, which is a Sub-Section under the Corporate Services Directorate, is responsible for the effective management of Council's immovable non-current assets or better known as land and buildings which also includes but not limited to what is known as the "Dam Houses" which are situated at the Nqweba Dam.

During last year's visit by the Auditor General (AG), Corporate Services received a Request for Information (RFI) in respect to the occupation of Municipal properties by employees of the Municipality and in an effort to get the relevant information in relation to the process that was followed in allowing the current officials to occupy the houses and the period thereof, it is unfortunate that all efforts were ineffective.

This is brought to the attention of the LLF to be able to take into deliberation the merits involved in the allocation of the "Dam Houses" to officials and the period thereof.

CONTENT

Currently, officials occupying the Dam Houses is an official from the Infrastructure Services Directorate and an official from the Traffic Department in Graaff-Reinet. There are no records of either of them having any form of agreement with Council however Records & Archives only has an application letter from one of the officials dated 5th June 2014. Finance Department has no record of a Municipal services account being paid the official.

Furthermore, the LLF to take note that information from Finance Department shows that one of the officials has a Municipal services account that has been active since **May 2010** with an amount due to Council of **R 1 226.21** as of 30th May 2023. This detail then suggests he has been occupying the property since 2010.

The two officials are not paying any monthly rentals for these houses and only one is paying for Municipal services.

FINANCIAL IMPLICATIONS

Revenue enhancement to Council when monthly rental is implemented.

LEGAL FRAMEWORK

- Constitution of the Republic of South Africa 1996
- Municipal Structures Act no. 117 of 1998
- Municipal Finance Management Act, 56 of 2003
- Municipal Supply Chain Management Regulations (Supply Chain Management Policy)

DISCUSSIONS BY THE COMMITTEE

The Chairperson in deliberating on the report explained that everybody should have read their agendas and familiarised themselves with the draft municipal policy regarding the Occupation of municipal houses by officials specifically the Dam house in Graaff-Reinet.

The Chairperson further stated that since everyone had read the policy pertaining the occupation of Municipal house, such policies would be discussed concurrently.

Subsequent to the above, the Chairperson requested the Director: Corporate Services to present the Policy to the Committee.

DCS

The Director: Corporate Services in presenting the policy stated that the policy was intended for everyone employed by Dr. Beyers Naude Local Municipality. The Director: Corporate Services explained that as a Municipality they have noticed that there was no lease agreement in place for workers residing on Municipal houses, and consequential to that there should be a policy put in place for such oversight.

Upon doing the policy the one concern was that workers occupying such houses were not paying any services towards the Municipality Ms. Kali mentioned.

The Director: Infrastructure impressed upon the Committee that the Municipality should look at all areas within Dr. Beyers Naude and not only focus on Graaff-Reinet as that will assist in solving the problem within the Municipality.

The Chairperson expressed gratitude to Ms. Kali for the explanation. He then requested inputs from the Committee Members in terms of the recommendation.

Mr. Nkohla explained that such recommendation was not clear to him, hence he would want a caucus.

In response to Mr Nkohla, the Director: Corporate Services explained that it was imperative for the Municipality to have contracts in place with its employees', in line with the Occupation of Municipal houses policy. Furthermore, the Director: Corporate Services explained that as the result of nonavailability of the Occupation of Municipal houses policy the Municipality was unable to write off the debt as there was no contract in place. Additionally, to the above the Director: Corporate Services highlighted that upon the approval of policy the Municipality will then be able start off on a new slate.

Mr. Nkohla requested that labour members be granted time for caucus to be able to elaborate more on the matter and give recommendations.

Meeting commenced again at 10-57am.

The Chairperson in proceeding with the meeting requested SAMWU to provide-feedback.

Mr. Nkohla explained that as labour they were of the view, that the Administration should conduct a clear study on all areas of Dr. Beyers Naude Local Municipality where there were houses being occupied by employees. Additionally to that Mr. Nkohla stated that once the study has been conducted and a way forward on how the employees already occupying the Municipal houses were going to be handled only then, that SAMWU would be able to accept the policy.

The Director: Corporate Services agreed with labour and mentioned that the Municipality will undertake the study and give the feedback to the Committee.

Ms. Klassen mentioned that preferences should be given to those that don't have houses.

Mr. Nkohla also advised that the Municipality should look at those houses that were not being occupied by employees e.g. (the swimming pool).

Councillor: Lomborg also mentioned that in the policy it should also be stated that once an employee stays in a municipal house, business should not be conducted in that house as it is meant for residential purposes.

There being no further deliberations on the report the Committee unanimously recommended as follows:

Mr. Nkohla seconded by Mr Ketshem moved for the acceptance of the recommendations below:

RECOMMENDATION (S) TO THE EXECUTIVE COMMITTEE

- (a) That Corporate Services assess all Municipal houses within Dr Beyers Naude Municipality;
- (b) That a special Local Labour Forum meeting for feedback be arranged;
- (c) That the employees occupying Municipal houses without contracts be informed; and
- (d) That preference be given to those employees that have no homes and that contracts be clear on the commence date and end date, so that no extension would be given.

LLF- 060/23

REVIEW OF HUMAN RESOURCES POLICIES

PURPOSE

The Human resources policies listed below were due for review. The purpose of the item is to submit these policies to the Local Labour Forum for consideration:

- Recruitment and Selection Policy
- Study Assistance Policy
- Succession Planning and Career Pathing Policy
- Subsistence and Travelling Policy
- Education Training and Development Policy
- Acting Allowance Policy

BACKGROUND/INTRODUCTION

It is essential that all HR policies be reviewed from time to time to be in line with new legislation, to be abreast with development of employees and most importantly to create an environment of minimising the misuse of municipal processes.

The policies listed above are due for review to be in line with Chapter 3 of the new Municipal Staff Regulations (Government Gazette No. 45181)

CONTENT

These policies are not new and therefore only the sections with changes as per the regulations will be highlighted and presented to the Committee.

FINANCIAL IMPLICATIONS

Financial implications are on the implementation of the above listed policies.

LEGAL FRAMEWORK

- Basic Conditions of employment Act, Act 75 of 1997
- Labour Relations Act No. 66 1995
- South African Local Government Bargaining Council Main Collective agreement
- Municipal Staff Regulations (Government Gazette No. 45181)
- Collective agreement Disciplinary Code
- **Skills Development Act:** Refers to the Skills Development Act (Act no 97 of 1998) as amended.
- **Skills Development Levies Act:** Refers to the Skills Development Levies Act (Act 9 of 1999) as amended
- **SARS Guidelines**

CONCLUSION

The item was submitted for consideration.

DISCUSSIONS BY THE COMMITTEE

The Committee unanimously decided to combine all the HR policies into one and deliberate on them as a pack hereunder.

RECOMMENDATION TO THE EXECUTIVE COMMITTEE

That the policies listed below for review be accepted.

- Recruitment and Selection Policy
- Study Assistance Policy
- Succession Planning and Career Pathing Policy
- Subsistence and Travelling Policy
- Education Training and Development Policy
- Acting Allowance Policy

LLF-061/23

NEW HUMAN RESOURCES POLICIES

PURPOSE

The Human resources policies listed below are new. The purpose of the item is to submit these policies to the Local Labour Forum for consideration:

- Incapacity due to Illness or Injury Policy
- Medical Aid Schemes membership and Registration of dependants on accredited medical schemes Policy
- Job Evaluation Policy

BACKGROUND/INTRODUCTION

The policies listed above are newly developed policies for the Dr. Beyers Naude Municipality.

CONTENT

These policies are necessary to guide the institution in dealing with incapacity of employees and to curb the misuse of medical aid schemes as well as giving guidance in terms of Job evaluation.

FINANCIAL IMPLICATIONS

Financial implications are on the implementation of the above listed policies.

LEGAL FRAMEWORK

- Basic Conditions of employment Act, Act 75 of 1997
- Labour Relations Act No. 66 1995
- South African Local Government Bargaining Council Main Collective agreement
- Municipal Staff Regulations
- Collective agreement Disciplinary Code
- **Skills Development Act:** Refers to the Skills Development Act (Act no 97 of 1998) as amended.

CONCLUSION

The item is submitted for consideration.

DISCUSSIONS BY THE COMMITTEE

The Committee unanimously decided to combine all the HR policies into one and deliberate on them as a pack hereunder.

RECOMMENDATION TO THE EXECUTIVE COMMITTEE

That the policies listed below for review be accepted.

- Incapacity due to Illness or Injury Policy
- Medical Aid Schemes membership and Registration of dependants on accredited medical schemes Policy
- Job Evaluation Policy

LLF-062/23

REVIEW OF HUMAN RESOURCES POLICIES

PURPOSE

The Human resources policies listed below are due for review. The purpose of the item is to submit these policies to the Local Labour Forum for consideration:

- Scarce Skill Allowance Policy
- Consequence Management Policy
- Occupational Health and Safety Policy

BACKGROUND/INTRODUCTION

The policies listed above are due for review with no changes, the review is to give a new review date to the policies.

CONTENT

These policies were presented at a policy workshop to councillors and Labour on 5&6 July 2022

FINANCIAL IMPLICATIONS

Financial implications are on the implementation of the above listed policies.

LEGAL FRAMEWORK

- Basic Conditions of employment Act, Act 75 of 1997
- Labour Relations Act No. 66 1995
- South African Local Government Bargaining Council Main Collective agreement
- Municipal Staff Regulations
- Collective agreement Disciplinary Code
- **Skills Development Act:** Refers to the Skills Development Act (Act no 97 of 1998) as amended.
- **Skills Development Levies Act:** Refers to the Skills Development Levies Act (Act 9 of 1999) as amended

CONCLUSION

The item was submitted for consideration.

DISCUSSION BY THE COMMITTEE

The Committee having read the policies above and raised no objections nor additions to the policies and there being no discussions on the policies above the Committee unanimously recommended as follows:

Mr. Nkohla seconded by Mr. Matyu moved for the acceptance of the recommendation below:

LLF-063/23

RECOMMENDATION TO THE EXECUTIVE COMMITTEE

That the policies listed below for review be accepted.

- Scarce Skill Allowance Policy
- Consequence Management Policy
- Occupational Health and Safety Policy

CIRCULAR: NO. 01/2023 – SALARY AND WAGE INCREASE FOR THE PERIOD 01 JULY 2023 TO 30 JUNE 2024

PURPOSE

The purpose of the item was to submit to the Local Labour Forum the salary and wage increase for the period 1 July 2023 to 30 June 2024 as outlined in circular No. 01/2023.

BACKGROUND

At an Executive Committee meeting held on 14 March 2023, parties **SALGA, IMATU** and **SAMWU** agreed that the Salary and Wage increase for the 2023/2024 financial year, as per the Salary and Wages Main Collective Agreement shall be implemented as outlined in the attached circular.

CONTENT

The committee members are requested to note the salary and wage Circular No. 1/2023 as it is submitted for information.

FINANCIAL IMPLICATIONS

Budget for 2023/2024.

LEGAL FRAMEWORK

- Basic Conditions of employment Act, Act 75 of 1997
- Labour Relations Act No. 66 1995
- Local Government Bargaining Council Main Collective Agreement on Salaries and Wages

CONCLUSION

The item is submitted for information.

DISCUSSIONS BY THE COMMITTEE

There being no discussions on the report the Committee unanimously recommended as follows:

RECOMMENDATION TO THE EXECUTIVE COMMITTEE

That the report be noted and accepted.

LLF-064/23

PROGRESS REPORT ON EVALUATION OF JOB DESCRIPTION: DR. BEYERS NAUDE MUNICIPALITY

PURPOSE

The purpose of the report was to update the Local Labour Forum on the progress made in terms of the evaluation of the job description.

BACKGROUND

A service provider has been contracted by the Sarah Baartman District Municipality to assist municipalities within its jurisdiction with Job description writing and organizational design and development. Brian Singh Consulting is the appointed consultant. The process started on **01 September 2020**, to date the project is finalized and a total number of 390 job description was developed.

Sarah Baartman District Municipality is responsible for grading jobs using the TASK Job Evaluation System in 6 Local Municipalities as well as those in the Sarah Baartman District Municipality (SBDM). The SBDM Job Evaluation Unit (JEU facilitates the grading process within the district. The District Job Evaluation Committee (DJEC) is responsible for grading the job descriptions and consists of members from each of the 7 municipalities involved.

Due to the slow pace in grading and auditing of job descriptions by the Provincial Audit Committee (PAC), the District Municipality appointed the TASK Auditing Service Provider (TASP) (Brian Singh Consulting) to speed up the process of auditing graded outcomes. All municipalities were required to sign a Service Level Agreement as a sign of their commitment towards the functioning of the Job Evaluation Unit. Provision has been made in the adjustment budget to honour the commitment. Thus far 121 job descriptions have Audited with final outcomes from the Task Auditing Service Provider.

IMPLEMENTATION PLAN

SALGA has developed and adopted a Job evaluation policy which gives guidance to all municipalities to develop their own Job Evaluation Policy. Attached to this report is a draft Job evaluation Policy for DBNLM which still needs to be workshopped to all stakeholders and adopted by Council.

The Job evaluation unit is committed to training more staff in specialized fields to become part of the District Job evaluation Committee (DJEC), the municipality submitted three names from the following directorates:

- Financial Services
- Infrastructure Services
- Community Services

The job evaluation process should not be seen as a promotion scheme, as it only relates to the proper evaluation of the post or position, furthermore, the duties of the job evaluation Committee are to evaluate the position and not the person.

The following conditions apply when placing staff on a new TASK grade and salary scale:

- Employees whose positions have been evaluated higher than their current TASK grade will be placed on the same notch of the new TASK grade.
- Only newly appointed employees will commence at the first notch of the new TASK grade.

ILLUSTRATIONS

It is important to note that the erstwhile TASK Collective Agreement was implemented in 2004. The objective was to complete the evaluations within a period of 18 months. If employees signed their job descriptions at that point in time and their posts were not evaluated, it is no fault of the employee. Employees thus have a legal right in terms of the parity principle, as an example:

- **If an employee was on a TASK Grade 5 in 2018 and in 2023 is on a salary notch 5,**
 - **And, that employee's post was graded in 2023 on a TASK Grade 7.**
 - **Then that employee has a right to be on notch 5 of the TASK Grade 7 salary range,**
 - **Because, if the evaluation was done in 2018 and the grade outcome was a TASK Grade 7, that incumbent would have had notch increases over the years and in 2023 would have been on a notch 5 in 2023,**
 - **So, it is unfair for that employee to suffer loss of salary progression through no fault of him/ her and to be placed on the minimum of the new salary scale.**
- Employees whose existing basic salary is higher than the new TASK grade maximum will retain their existing basic salary on a personal-to-holder basis.
 - In the event of the above, annual cost of living adjustments, as determined by the South African Local Government Bargaining Council, will be applied to the salary rate as retained by the employee from the date on which such an adjustment is applicable.
 - Letters will be written to individual employees informing them of their Job Evaluation outcomes and new salary scales and ensuing notches where adjustments are warranted.
 - The implementation date for a new TASK JE outcome will be January 1, 2023, and outcomes received after that date will be implemented retrospectively; however, such implementation will not exceed six months.

FINANCIAL IMPLICATIONS

- Operational budget for the financial year 2022/23

LEGAL FRAMEWORK

- Constitution of the Republic of South Africa (1996), as amended.
- Municipal Structures Act No. 117 of 1998
- Municipal Systems Act No. 32 of 2000
- Municipal Finance Management Act, 56 of 2003
- Labour Relations Act, 66 of 1995 as amended.
- Basic Conditions of Employment Act (Act 75 of 1997)
- SALGA task job evaluation policy Municipalities 2012
- Municipal Staff Regulations (2020) – Chapter 2

DISCUSSIONS BY THE COMMITTEE

The Manager: HRM, Ms. Klassen tabled the report on Job evaluation and explained that the process has been long overdue as the result of lack of assistance from SALGA. Ms. Klassen gave a bit of a background and in doing so stated that due to many challenges that were encountered in the past the district had since appointed a new service provider.

Mr. Nkohla in deliberating on the report stated that he was not happy since there was no policy in place in order to guide the whole process. He further stated that employees were not happy as they felt that there was no incentive added through job evaluation process.

Mr. Nkohla also outlined that he was raising the issue even though the evaluation was not evaluating the person but the job. Furthermore, Mr. Nkohla mentioned that one would be in a position for 20 years and still there was no growth and even with the job Evaluation there seems to be no growth.

Mr. Nkohla in deliberating further on the report stated that for the Committee to discuss and recommend appropriately there was a need to have a policy in place.

Mr. Nkohla further expressed that the availability of the policy was going to help in closing the gap between the employer and employees which will make employees to understand the process better.

Additionally, to the above, Mr. Nkohla stated that he believed that employees were supposed to be incentivised but not in a way it will cripple the Municipality Financially-

Mr. Nkohla also indicated that the section was supposed to be confidential as each one had an interest in the matter.

Mr. Davids explained the issue of Confidential, in terms of basic conditions act, confidential information cannot be realised when financial matter is included, he asked do they have financial figures and names, they can't realise but if there are no names, they are able to be given the

report. He is thankful for the progress that has been done. He mentioned that job evaluation should only show the post and grading.

Ms. Klassen in response to some of the remarks raised by Mr. Nkohla and Mr. Davids clarified the issue of names and positions regarding the report and stated that when the Job evaluation results were submitted employees had to sign their JD's and outcomes hence the names were reflecting on the report.

Ms. Klassen further clarified that indeed when the outcomes of the Job evaluation were completed only the level and money for the post would reflect.

Ms. Klassen also acknowledged the importance of POPI Act 4 of 2013 which was in place to protect personal information and persons names. Consequent to the above, Ms. Klassen requested to be afforded with time to do proper research and find out the correct way she can submit the report to avoid any legal actions that may arise soon.

Precedingly, Ms. Klassen informed the Committee that all the Job evaluations with positive outcomes had since been implemented not as per the report but as per the SALGA guidelines as mentioned previously.

Ms. Klassen also echoed the same sentiments as Mr. Nkohla regarding the Policy and mentioned that she had thought by know the policy would have been finalised. Consequential to the above, Ms. Klassen then requested the Director: Corporate Services to spearhead the populating of the policy so that a workshop can be done and ultimately adoption of the policy by Council.

Mr. Nkohla was not sure regarding confidential as he feels that they have different views regarding confidential, as labour they want to know the task grade which will be on the organogram as they know the notches of the task grades, don't include name. His concern is when it's been advertised it's on task grade 15 but according to the report it was on task grade 20, hence they want such a report to make them aware of changes that have accrued.

Mr. Arends agreed with Mr. Nkohla and stated that the report should only indicate how the certain post have improved or downgraded.

Ms. Klassen noted the remarks raised by Mr. Nkohla and Mr. Arends.

Mr. Davids mentioned that as labour they were interested in the task grades and the notches so that they can be able to go back to the drawing board as that will assist them.

Subsequent to the above deliberations, Ms. Klassen recommended that she would do research on the request that labour is asking in terms of the report, what she can include and not include in such a report.

Without any further deliberation on the report the Committee unanimously recommended as follows:

	<p>Mr. Davids seconded by Mr. Welman moved for the acceptance of the recommendations below:</p> <p><u>RECOMMENDATIONS TO THE EXECUTIVE COMMITTEE</u></p> <p>(a) That Council approve the implementation date for a new TASK JE outcome will be the 1st of January 2023, and outcomes received after the date will be implemented retrospectively (on January 1, 2023); however, the period of implementation will not exceed six months.</p> <p>(b) That the 1st January 2023 implementation will not include new position that have not been subjected to the Job Evaluation Process and employee who have refused to sign their job description</p> <p>(c) That the Director: Corporate Services, be delegated by Council to correspond with individual employees in advising them of the job evaluation results concerning his/her position, with the following conditions: Advising the employee of his/her rights to appeal should he/she be unhappy with the results.</p> <p>(d) That the progress report on the job evaluation outcomes be noted.</p>	
<p>LLF 066/23</p>	<p><u>URGENT MATTERS: -</u></p> <p><u>NONE</u></p>	<p>CHAIR-PERSON</p>
<p>LLF 067/23</p>	<p><u>CLOSURE: 3/1/13/2: -</u></p> <p>The meeting was declared closed at 11H42.</p>	<p>CHAIR-PERSON</p>

CONFIRMED & SIGNED OFF BY:

CHAIRPERSON:

CLLR: A. NOFEMELE

DATE

01/23



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ANNEXURE B

**CONFIRMATION OF THE VIRTUAL
OCCUPATIONAL HEALTH AND SAFETY
MINUTES: 20Th JUNE 2023 AT 14H00**



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MINUTES

VIRTUAL OCCUPATIONAL HEALTH
AND SAFETY MEETING HELD TUESDAY.

20TH JUNE 2023

AT 14H00



MINUTES

OF THE OCCUPATIONAL HEALTH AND SAFETY (OHS) COMMITTEE MEETING HELD ON TEUSDAY, 06TH JUNE 2023 AT 14H00

OFFICIALS PRESENT: -

Director: Corporate Services - Ms. Z. V. Kali
Manager: Human Resources
Manager: Records & Archives
Acting Manager: Protection Services
Manager: Electrical Services
Manager: Budget and Treasury (**virtual**)
Manager: Assets
Area Engineer: N/B, Aberdeen & GRT (SHE Representative)
P. A – Chief Financial Officer (SHE Representative)
Law Enforcement (SHE Representative)
Intern: Secretariat

(Chairperson)
(Ms. D. Klassen)
(Ms. C. Cona)
(Mr. D. Fortuin)
(Mr. A. Van Zyl)
(Mr. S. Mbotya)
(Mr. R. Deysel)
(Mr. L. Mandla)
(Ms. L. Uithaler)
(Mr. L. Jaftha)
(Ms. N. Jack)

ORGANISED LABOUR PRESENT: -

Mr. W. Matyu
Mr. R. Winnaar
Mr. M. Jaftha

MINUTES

ITEM NUMBER	<u>ITEM DESCRIPTION</u>	TO BE ACTIONED BY
OHS-051/23	<p><u>OPENING AND WELCOMING: 3/2/1/3</u></p> <p>The Director Corporate Services on her opening remarks, she noted with grave concerns the poor attendances by the members of the Committee.</p> <p>Additionally to that, the Director Corporate Services stated that such poor attendance of the Occupational Health and Safety meetings was a serious matter and as a result she had since raised the issue with the Municipal Manager especially on the side of the Directors that were not attending Occupational Health and Safety meeting.</p> <p>Furthermore, the Director Corporate Services impressed upon the Committee that the Municipal Manager had since requested her to monitor the nonattendance and report back to him.</p> <p>Subsequent to the above remarks the Director Corporate Services requested Mr. Thompson to open the meeting with prayer.</p>	CHAIR-PERSON
OHS-052/23	<p><u>NOTICE CONVENING THE MEETING</u></p> <p>The Chairperson read the notice convening the meeting.</p>	CHAIR-PERSON
OHS-053/23	<p><u>APPLICATION FOR LEAVE OF ABSENCE/ APOLOGIES: 3/2/1/3</u></p> <p>The attendance register was circulated to everyone present in the meeting to append their signatures in confirming their presence.</p> <p><u>Apologies were received on behalf of the following:</u></p> <ul style="list-style-type: none"> • Chief Financial Officer: Mr. J. Joubert • Director Infrastructure: Mr Arends • Director Community Services: Mr. G. W. Hermanus • Manager Administration: Ms N. Oliphant • Assistant Manager HR: Mr Samson • Manager: Supply Chain Management: Mr Jegels • Interim Coordinator Office of the Political Office Bearers: Mr Pietersen <p><u>RECOMMENDATION (S) TO THE LOCAL LABOUR FORUM</u></p> <p>That the above apologies be accepted.</p>	CHAIR-PERSON
OHS - 054/23	<p><u>MEETING CONSTITUTING LAWFULLY WITH A QUORUM: 3/2/1/2</u></p>	CHAIR-PERSON

	The Chairperson of the Occupational Health and Safety Committee confirmed that the Occupational Health and Safety Meeting held on the 20th June 2023 at 10h00 was constituted lawfully with quorum as per the Standing rules of order.	
OHS - 055/23	<u>ACCEPTANCE OF AGENDA: 3/2/1/2</u> The Committee unanimously accepted the agenda as previously circulated.	CHAIR-PERSON
OHS - 056/23	<u>DECLARATIONS OF INTEREST: 3/1/1/3/2</u> <u>NONE</u>	CHAIR-PERSON
OHS - 057/23	<u>PRESENTATIONS: 12/2/2/1/2</u> <u>NONE</u>	CHAIR-PERSON
OHS - 058/23	<u>REPORTS FOR CONSIDERATION: -</u>	HRM
OHS-058.1/23	<u>UPDATE ON RISK REGISTER</u> Prior to the tabling of the report, the Director Corporative Services remarked as follows: <ul style="list-style-type: none"> • That OHS was not a Human Resources problem but for every Directorate. • That OHS Reps should report monthly whenever they encounter problems in their respective Directorates • That recommendations should change as they were outdated. • Proposed that Ms Klassen should do the presentation on the risk management and after that members will be able to discuss. <p>Ms Klassen tabled the risk management report and amongst the things she highlighted was the poor maintenance of work facilities of the Municipal buildings, poor quality of PPEs, nonavailability of eating area, Employees/medical surveillance, Emergency evacuation and non-availability of Signs and Notices-No safety warning boards</p> <u>DISCUSSIONS BY THE COMMITTEE</u> The Director of Corporate Services, in deliberating on the report mentioned that supply chain offices had no ventilation, which was a health risk. Mr. Mandla informed the meeting that he can also look for sponsorship in order to assist with buildings that may need to be finished. Mr. Japhta also expressed his disappointment that it was taking takes plus/minus 7 years for the Municipality to fix windows, especially in halls and public places.	HRM

In regard to PPE's Supply chain Management informed the Committee that they were waiting for the safety boots to distribute to everybody at the same time.

Mr. Jaftha expressed his appreciation that the Safety boots had arrived, but also raised his concern that overalls were not provided with the boots.

Mr. Van Zyl highlighted that he was worried that the report was only talking about Boots, because boots were not the only thing that talks to PPE's. He elaborated that as the electric department that works with live wires, they needed certain types of clothing to prevent them from being shocked by electricity. He emphasized that they needed advanced PPE's that will assist them better.

In regard to the nonavailability of eating areas Mr. Mandla informed the Committee as the Directorate they did submit a budget for the provision of eating areas for the different towns and they were waiting for its approval.

Ms. Cona also lamented that stalls in Graaff-Reinet could be used canteen as they did not need to much of maintenance except for a fresh coat of paint and cleaning.

Mr. Matyu requested to know as to what was the solution in the meantime?

In regard to Signs and Notices-No safety/warning boards Mr. Mandla informed the Committee that he was going to ask services providers if they were going to be able to provide such signs/notices for the Municipality.

The Director of Corporate Services advised that in the meantime the Directorates should print some of the signs and put them up.

Ms. Classen explained that medical surveillances have been conducted from the 12 to 14 June 2023 and the department of was health was also there to assist.

In regard to Employees/medical surveillance Mr. Winnaar raised his concerns pertaining the criteria of selection of employees for vaccination and further requested to know as to when will the next round take place.

In response to Mr. Winnaar the Manager HR clarified that such medical surveillance was supposed to take place every six months but due budget constraints it was not possible. Furthermore, the Manager HR highlighted that such surveillance was mainly for employees working at the sewerage, water, sensation, refuse and bush cuttings.

In regard to emergency evacuations Ms. Klassen highlighted that the Municipality had no evacuation plan and as the result there was a need for the building inspector to draw up evacuation plan that will help when there was fire.

Mr. Jaftha also mentioned that most buildings did not have fire extinguishers. He further highlighted that even those which had fire extinguishers such as the Traffic Department were not enough. He then promised that he was going to take full responsibility in terms of looking into this matter.

Without any further discussions on the report the Committee unanimously recommended as follows:

	<p><u>RECOMMENDATIONS TO THE LOCAL LABOUR FORUM</u></p> <p>a) That Mr. Jaftha will check Fire extinguisher on site on all Dr Beyers Naude Offices by the 10th July and if there were any purchases needed to be done for more that will take place by month end August 2023</p> <p>b) That For all buildings, the Building Inspector with the OHS reps will look at which signages will be needed and submit the report by not later than 30th July 2023</p> <p>c) That Mr. Mandla will communicate with external service providers to assist with renovations at no fee charged to the municipality not later than 30th August 2023</p> <p>d) That each directorate must investigate the budget to see if additional PPEs could be purchased and pressure be put on the supply chain.</p> <p>e) That COIDA payment be done urgently or the percentage that the Department of Labour needs for a payment's arrangement be handled urgently.</p> <p>f) That the Risk Assessment needs to be updated monthly and that OHS Reps have the right to update the risk assessment register and update it with Human Resources monthly.</p>	
OHS - 059/23	<p><u>URGENT MATTERS: -</u></p> <p><u>NONE</u></p>	CHAIR-PERSON
OHS - 060/23	<p><u>CLOSURE: 3/1/13/2</u></p> <p>The Director Corporate Services extended words of gratitude to everyone present in the meeting and further expressed that she was hopeful that as moving forward everything would be taken seriously.</p> <p>The meeting adjourned at 15H44</p>	CHAIR-PERSON

CONFIRMED & SIGNED OFF BY:

CHAIRPERSON:

CLLR: A. NOFEMELE

DATE

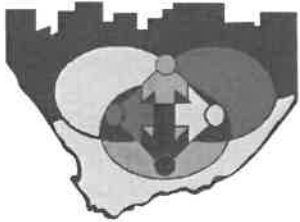
01/23



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ANNEXURE C

**CIRCULAR: NO. 07/2023 – STATUS OF
THE MAIN COLLECTIVE AGREEMENT AS
FROM 1 JULY 2023 UNTIL FURTHER
NOTICE 3/2/3.**



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

EASTERN CAPE REGIONAL OFFICE

PO Box 12627
CENTRAL
PORT ELIZABETH
6000

33 Heugh Road
WALMER
PORT ELIZABETH
6001

Tel: (041) 581-3222 / 581-3672

Fax: (041) 581-3648

E-mail: chumani@salebco.org.za

30 June 2023

To: All Municipalities

Municipal Manager

Director Corporate Service

Dear Sir/ Madam

Re: Circular 7/2023 Main Collective Agreement From 1 July 2023

Kindly find the attached circular for your attention.

Regards

Chumani Ngubohlanga Gqeke

Regional Secretary

Date signed: 30/6/2023

Address correspondence to the Regional Secretary



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

HEAD OFFICE

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4062
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Web-site: www.salgbc.org.za

27 June 2023

**TO: ALL MUNICIPAL MANAGERS
ALL HUMAN RESOURCES DIRECTORS**

THE PARTIES:

SALGA
SAMWU
IMATU

Mr. M Kolisa mkolisa@salga.org.za
Mr. D Magagula Dumisani.magagula@samwu.org.za
Mr. J Koen johan@imatu.co.za

REGIONAL SECRETARIES:

Gauteng/Johannesburg/Tshwane Division	Ms. E Sekgweleo	esmeralda@salgbc.org.za
Eastern Cape Division	Mr. C. Gqeke	Chumani@salgbc.org.za
Western Cape/Cape Metro Division	Ms. W Brink	wilma@salgbc.org.za
Northern Cape/Free State Division	Mr. T Mqobongo	thabiso@salgbc.org.za
NorthWest/Mpumalanga/Limpopo Division	Ms. D Monyemangene	Dikeledi@salgbc.org.za
KwaZulu-Natal/eThekweni Division	Mr. V Nzuza	vusi@salgbc.org.za

STATUS OF THE MAIN COLLECTIVE AGREEMENT AS FROM 1 JULY 2023

CIRCULAR 7/2023

The purpose of the circular is to clarify the status of the Main Collective Agreement (MCA), as from 1 July 2023, pending the outcome of the MCA negotiations.

The parties (SALGA, SAMWU and IMATU) to the Council concluded an MCA in 2015. The period of operation of the MCA commenced on 1 July 2015 and ended on 30 June 2020. The parties subsequently concluded two Addendum Agreements to extend the period of operation of the MCA until 30 June 2023.

Since the period of operation of the MCA ends on 30 June 2023, it was necessary to consider the status of the MCA as from 1 July 2023. The matter was discussed at a special meeting of the Executive Committee of the Central Council, held on 5 June 2023.

The Executive Committee resolved that the status of the MCA, after 30 June 2023, shall be regulated by the provisions of clause 3.1 and clause 21.4 thereof. In terms of these provisions, the MCA shall, after 30 June 2023, continue in force and effect until such time the parties have concluded and signed off a new agreement in terms of the relevant provisions of the Constitution of the SALGBC. These clauses shall apply to the MCA, and the parties shall abide thereby until such time as the parties have concluded a new MCA.

The MCA shall therefore remain in force and effect, as from 1 July 2023, in terms of clauses 3.1 and 21.4 thereof, which read as follows:

3.1 Notwithstanding the date of signature hereof, this Agreement shall come into operation in respect of the *Parties* to the Agreement, on 1 July 2015 and shall remain in force until 30 June 2020. **Thereafter the Agreement shall continue indefinitely in respect of the Parties to the Agreement.**

21.4 If the *Parties* are unable to conclude the negotiations in respect of the amendment proposed as per clause 21.1 above, **this Agreement will continue to be in force and effect until such time the Parties have concluded and signed off a new agreement read with the relevant provisions of the Constitution of the Council.**

Kindly display this circular on all employee notice boards.

Yours faithfully



SS GOVENDER
GENERAL SECRETARY

01/23



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ANNEXURE D

PROGRESS REPORT ON EVALUATION
OF JOB DESCRIPTION: DR. BEYERS
NAUDE MUNICIPALITY 3/1/2/1/1

JOB EVALUATION OUTCOMES

The following positions from DBNLM were graded and audited.

Department	Section	Job Title	Task Grade
Corporate Services	Administration	Cleaner Hall Attendants (Generic)	3
		Committee Clerks (Generic)	6
		Senior Admin Officer Secretariat	11
		Admin Officer	9
		Switchboard Operator	5
	Records and Archives	Manager Records and Archives	14
		Archives Officer	9
		Archives Clerk (Generic)	5
	Office of the Political Office Bearers	Senior Coordinator	15
		PA Mayor, Councillors	7
		Public Participation Officer	10
		Mayoral Driver	6
	Human Resources	Manager HR	17
		SDF	12
		Labour relations Practitioner	12
		OHS Officer	11
		Recruitment and Selection Officer	10
		HR Officer Benefits	10
		Training Officer	10
		HR Clerk Benefits	7
		HR Clerk	6
		Clerk Labour Relations	6
		Clerk OHS	6
Finance Department	Expenditure	Accountant Payroll	12
		Payroll Officer	10
	Budget and Reporting	Manager Budget and Reporting	16
		Accountant Financial Information System	12
		Officer Bank Reconciliation	10
		Officer MSCOA	10

		Chief Officer Data Management	7
		Clerk Budget and Reporting	5
	Revenue and Credit Control	Manager Revenue and Credit Control	16
		Accountant Credit control	12
		Accountant Income	12
		Controllers Income (Generic)	11
		Officer Credit Control	10
		Free Basic Services Officer (Generic)	10
		Senior Clerk Credit Control (Generic)	7
		Senior Clerk Revenue (Generic)	7
		Senior Clerk Enquiries (Generic)	7
		Senior Cashier	7
		Cashiers (Generic)	6
	Assets	Assets Management Officer	10
		Insurance Clerk	6
	ICT	Manager ICT	16
		Senior ICT Officer	12
		Senior governance Security Officer	11
		ICT Officer	10
		ICT Help Desk Clerk	5
MM'S Office	Senior Manager Strategic Services	Manager PMS	17
		PMS System Controller	11
		Manager Legal Services	17
Community Services	Protection Services	Chief Fire Officer	15
		Senior Fire Fighter	10
		Fire Fighter	7
		Law Enforcement Officers (Generic)	10
		Data Capturer law enforcement	5
		Clerk Licensing	5

		Clerk/Cashier ENatis	6
		Management Rep (Generic)	12
	Community Services	GW Refuse Removal, Skips and Illegal Dumping (Generic)	2 (3)
		GW Area Cleansing (Generic)	3
		Supervisor Landfill sites	7
		Plant Operator TLB/Front loader (Generic)	5
Infrastructure Services	Electrical Section	Senior Artisan Electrical	12
		Artisans Electrical (Generic)	10
		Chief Clerk Electrical	7
		GW Electrical (Generic)	3
	Water and Waste Section	Process Controllers (Generic)	7
		Supervisor Plumbing (Generic)	9
		Small Plant Operators (Generic)	5
		Plant Operator /TLB/Front loader (Generic)	5
	PMU, Capital Projects & GIS	GIS Officer	11

01/23

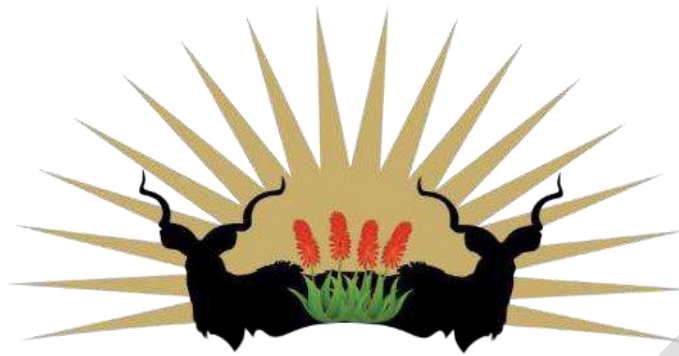


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ANNEXURE E

DRAFT TELEPHONE USAGE POLICY

7/1/5/1/1



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DRAFT TELEPHONE USAGE POLICY

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1. PREAMBLE

- 1.1. To define the established policy for telephone usage by Officials of the Dr. Beyers Naudé Local Municipality and to provide guidelines for the application thereof.
- 1.2. Dr. Beyers Naudé Local Municipality is a service orientated public entity whose legislated mandate is to provide services to residents and in pursuit of the mandate make use of various communication methods and mechanisms including but not limited to systems, tools and equipment including communication tools such as telephones.
- 1.3. It is prescribed in terms of legislation that the municipality must establish controls and systems to regulate the appropriate and efficient use of municipal resources.
- 1.4. The municipality is determined to ensure that telephone contact between staff and other state departments, organizations or members of the public is conducted in a professional and efficient manner.
- 1.5. The telephone usage policy aims to provide a framework aimed at ensuring that telephones as a working tool are used appropriately and that call charges are kept to a minimum.
- 1.6. The telephone usage policy herein lays down procedures for using the telephones and for making and receiving calls.
- 1.7. This policy provides set standards to be complied with by users of municipal telephones and applies equally to internal and external calls.

2. PURPOSE

2.1. The purpose of this policy is: -

- 2.1.1. To ensure the effective and efficient use of municipal telephones.
- 2.1.2. To implement a mechanism aimed at minimizing the impact of abuse of Council resources.
- 2.1.3. By minimizing telephone costs for the municipality.
- 2.1.4. To prevent the use of municipal telephones by unauthorized persons.
- 2.1.5. To outline expected recourse for misuse of telephones.
- 2.1.6. To minimize lost time due to employees devoting Council time in pursuit of personal or private interests.
- 2.1.7. To regulate what is permissible when using Council resources.
- 2.1.8. To ensure that employees bear the cost of using the municipal telephone service for private purposes.
- 2.1.9. To instill in the municipality a spirit of promoting cost effective and accountability to the general public and other stakeholders of the municipality.

3. OBJECTIVES

- 3.1. The telephone usage policy seeks to regulate the usage of the Municipality's telephones to ensure that telephones are available and are used for the conduct of official municipal business.

4. SCOPE

- 4.1. The telephone usage policy applies to all permanent and non-permanent employees of the municipality and is applicable only to the Municipality's office-based land line telephones and excludes mobile phones.

5. LEGAL FRAMEWORK

- 5.1. Section 62 and 78 of the Local Government: Municipal Finance Management Act (Act No. 56 of 2003) places an onus on municipal officials to take all reasonable steps to ensure that the resources of the municipality are used effectively, efficiently, and economically.
- 5.2. The Act requires officials to take effective and appropriate steps to prevent, within their area of responsibility, any unauthorized, irregular, fruitless, and wasteful expenditure, and any under-collection of revenue due.
- 5.3. The Constitution of the Republic of South Africa further imposes a responsibility on the Municipality to operate efficiently.
- 5.4. The Code of Conduct for staff members regulates against the misuse of municipal property and assets by municipal employees.
- 5.5. The Batho Pele White Paper places upon the municipality the responsibility and challenges of implementing policies which should have the desired effect of increasing efficiency, reducing wastage, and increasing transparency and accountability with the municipality.

6. TIMEFRAMES

- 6.1. The telephone usage policy will become effective from the date of approval by the Council of Dr. Beyers Naudè Local Municipality.
- 6.2. This policy will be reviewed as and when required.
- 6.3. This policy shall remain in force until it is repealed and replaced with another policy.

7. DEFINITIONS

CONCEPT	MEANING
Council	Shall mean the Council of Dr. Beyers Naudè Local Municipality.
Direct lines	Shall mean telephone lines not routed through the switchboard.
Employee	Shall mean a permanent or temporary official of the Council or part-time contract employee, in-service trainee, learner participating in a learnership of intern but excluding a student and independent contractor.
Land Line Calls	Shall mean calls dialed from the fixed telephone lines.

Municipality	Shall mean Dr. Beyers Naudè Local Municipality as determined by the Municipal Structures Act.
Policy	Shall mean the Telephone usage policy.
Private Telephone Call	Shall mean the use of official Council telephones for personal benefit.
Unauthorized Person	Shall mean people who are not employees of the Council.

8. PRINCIPLES

The telephone usage policy is underpinned by the principles of: -

- Equity
- Honesty
- Accountability
- Transparency
- Openness
- Collective responsibility

9. ROLES AND RESPONSIBILITIES

9.1. Manager: Administration

The Manager: Administration Services shall be responsible for implementing this policy and shall facilitate its revision as and when required.

9.2. Managers

Managers are responsible, as outlined in paragraph 10.3 herein, for managing telephone usage in their departments. Managers are further responsible for: -

- Making all employees in their departments aware of this policy.
- Ensuring employees comply with the policy.
- Reviewing and evaluating needs, and requests for telephone services.

9.3. Employees

All municipal employees are expected to familiarize themselves with the provisions of this policy and to comply therewith.

9.4. Switchboard Operator/Customer Care Officials (all areas)

- The switchboard will be operational from Monday to Thursday 07:30 to 16:30 and Fridays 07:30 to 15h00, excluding public holidays.
- Standby numbers will be used after hours and on public holidays.
- Callers are entitled to a prompt, polite response from the switchboard operator who should answer calls by identifying the name of the municipality.
- The Senior Customer Relations Management Officer must provide the Manager: Administration with a report on the telephone usage (official and private) at the end of each month. The Manager: Administration will in turn submit such a report to the Manager: Revenue & Credit Control for billing purposes.

10. POLICY DIRECTIVES AND PROCEDURE

- 10.1. It shall be the responsibility of the Council to provide all municipal offices or a combination of municipal offices with reliable telephone service.
- 10.2. The Council may centralize its telephone operating system through which all outgoing and incoming calls shall be routed.
- 10.3. The municipal switchboard shall be housed in a safe and secure environment and the switchboard instrument as well as the office in which the switchboard is housed shall be provided with lockable devices, the keys of which shall be in the possession of the switchboard operator, appointed by the Accounting Officer.
- 10.4. It shall be the responsibility of the switchboard operator to ensure that no unauthorized person obtains access to the switchboard of the Council.

11. TELEPHONE CONTROL MEASURES

11.1. Telephone Access Control

- (a) Each qualifying municipal official shall be allocated a secret telephone access pin code signed for and known only to the employee who will always be responsible for its protection.
- (b) The official in whose name the pin code is issued is responsible and liable for the usage of the pin code.
- (c) Should an official suspect and have proof that his/her pin code is being used by some other person, he/she shall immediately report the matter to the Manager: Administration through his/her line Manager, or any designated official, who will authorize the issue of a new pin code.
- (d) The official in whose name the pin code was issued is still liable for any cost arising from private calls made from that official's telephone.
- (e) Re-issuing of pin codes as provided for under (c) above shall be limited to two (2) occurrences per annum.
- (f) Management may change pin codes to mitigate fraud risks.

11.2. Direct and Switchboard (s) Lines

- (a) The Head of Department in conjunction with the line Managers shall determine which employees may have direct lines and telephone facilities in their offices.
- (b) Management shall provide an electronic device for the monitoring of all outgoing telephone calls.
- (c) All employees who have been issued with a pin code shall be obliged to keep and maintain a telephone logbook to record all private calls made.

- (d) All employees who have been issued with a pin code will be provided with an electronically produced list of calls that were recorded under their pin number and the employee will be required to indicate thereon which calls were for private use and be given a cut-off date by which the forms must be returned to the designated official.
- (e) No employee shall make a call on behalf of or allow any unauthorized person to make a private call from either a direct telephone line or from the switchboard.
- (f) No private calls may be directed through the switchboard.
- (g) The total cost of all calls made will be deducted from an official's salary if the employee fails to return the list by the cut-off date.
- (h) The Finance Department shall, based on information supplied in respect of private calls made by an official deduct from such employee's salary the full cost of private calls made, including VAT, for the month.

11.3. Call Restrictions

- (a) Each official who has been issued with a pin code shall refrain from making extensive private calls.
- (b) In the event that the misuse of telephones is observed by officials who has been issued with a pin code, and as a result thereof the officials are unable to perform their duties as required in terms of their contract or job description such official will be subject to disciplinary steps.

11.4. Private Calls

- (a) The Municipality recognizes that there may be some occasions, due to abnormal circumstances or an emergency that has arisen, where it is necessary for members of staff to make private calls. These calls are permitted by social calls to family and friends are not encouraged and will be monitored through the provisions of section 10.2.2 above.
- (b) The making or receiving of private calls is not a right and must be considered as a concession not to be abused.
- (c) When making or receiving private telephone calls, officials must apply the following principles: -
 - (i) The duration of the call must be kept short.
 - (ii) They must cause a minimum disruption both to the work of the individual and not to the workload of colleagues.

12. APPROVAL OF POLICY

Date of approval by Council	
Council Resolution Number	