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MATJHABENG MUNICIPALITY

ANNEXURES

FOR THE

LOCAL LABOUR FORUM MEETING

CONVENED FOR

TUESDAY, 02 APRIL 2019

AT

10:00

AT

**ROOM 428, 4TH FLOOR, MAIN BUILDING,
WELKOM**

LOCAL LABOUR FORUM SUB-COMMITTEE (DATED 17/ 9/18)

HUMAN RESOURCES DEVELOPMENT SUB – COMMITTEE	BASIC CONDITIONS SUB - COMMITTEE	WORKPLACE & SERVICES RESTRUCTURING SUB - COMMITTEE
<p><u>Councillor</u></p> <p>Cllr S Mawela (CP)</p> <p>Cllr Macingwane</p> <p><u>Management</u></p> <p>SMHR -S Nhlapo</p> <p>ML - J Gouws</p> <p><u>IMATU</u></p> <p>E Eloff</p> <p><u>SAMWU</u></p> <p>AI Tlhone</p> <p>T Nqulo</p> <p>M Mocholotsi</p> <p>T Liphoko</p>	<p><u>Councillor</u></p> <p>Cllr M Mphikeleli</p> <p>Cllr S Manese</p> <p><u>Management</u></p> <p>EDCS – Mr F Wetes</p> <p>EDSSS – Mr T Makofane</p> <p><u>IMATU</u></p> <p>C Smith</p> <p><u>SAMWU</u></p> <p>Dan Mana</p> <p>S Mohale</p> <p>Jijingubo</p>	<p><u>Councillor</u></p> <p>Cllr T Letlhake</p> <p>Cllr M Mphikeleli</p> <p><u>Management</u></p> <p>MM – Mr T Tsoaeli</p> <p>SMLS – Mr M Vanga</p> <p><u>IMATU</u></p> <p>E Eloff</p> <p><u>SAMWU</u></p> <p>T Mahlatsi</p> <p>M Mahase</p> <p>W Makhobotloane</p>

LOCAL LABOUR FORUM RESOLUTIONS AUDIT: JANUARY 2018

ITEM NO	DESCRIPTION	DATE	RESPONSIBLE PERSON	PROGRESS
LLF6 of 2018	<p><u>IMPLEMENTATION OF SHIFT SYSTEM IN TERMS OF THE COLLECTIVE AGREEMENT FOR THE FREE STATE DIVISION</u> (ED: CSS) (5/5/1)</p> <p>PURPOSE OF THE REPORT</p> <p>To submit to the Local Labour Forum a report on the implementation of a 42 hour work week (4 Shifts) system for discussion and to be agreed upon in order to comply with the Collective Agreement for the Free State Division of the South African Local Government Bargaining Council (SALGBC)</p> <p><u>THE LOCAL LABOUR FORUM RESOLVED</u> (26 January 2018)</p> <p>1. That the matter BE REFERED BACK to Conditions of Service Sub-Committee for discussion.</p> <p>2. That the matter BE RESOLVED within two weeks.</p>	26 January 2018	SM:HR M:P M:LR	<p>The Basic Conditions Sub Committee verified the lists of Shift workers submitted by the relevant Departments. The Committee was in agreement that the 42 Hour Working Week (4 Shifts) with a fixed allowance of 27% be accepted and implemented across the Municipality. The Sub Committee recommended that the Finance Department present the financial implications in the Meeting of the Local Labour Forum as the Basic Conditions Sub Committee could not pronounce itself in this regard because the</p>

				<p>Employer and Labour was in disagreement on backpay.</p> <p>At the LLF Meeting on 28 August 2018 SAMWU submitted that they wanted the 3 shift or 2 shift to be implemented as per the Arbitration Award in the matter between SAMWU obo Khasebe & 189 others and Maluti-A-Phofung Local Municipality and Maluti-A-Phofung Water. At the Meeting held on 12 September 2018 it was resolved that the matter be referred to the Bargaining Council for the interpretation of the Shift System.</p> <p>SAMWU referred a Dispute to the SALGBC regarding interpretation/application of the Collective Agreement. Conciliation took place on 7 September 2018 and a</p>
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				Certificate of non-resolution was issued by the Commissioner. Arbitration set down on 2 April 2019.
LLF7 of 2018	<p><u>DEPARTMENT OF SPORTS, ARTS, CULTURE AND RECREATION TRANSFERRING OF THE LIBRARY SERVICES TO PROVINCIAL GOVERNMENT (ED: CSS) (5/3/2/1)</u></p> <p>PURPOSE</p> <p>To submit an item to the Local Labour Forum information on progress made by Human Resource Sub-Committee for the finalization of the transfer of Library Services back to the Department of Sports, Arts, Culture and Recreation as their constitutional mandate.</p> <p><u>THE LOCAL LABOUR FORUM RESOLVED (26 January 2018)</u></p> <p>That the matter BE FINALIZED within two weeks and the report BE SUBMITTED to the next LLF meeting.</p>	26 January 2018	SM:HR M:P	<p>Employees were transferred to different units within the municipality.</p> <p>Those who opted to go to the province were terminated in the Municipality and were appointed by the provincial department with effect from 01 August 2018.</p>
LLF8 of 2018	<p><u>ESTABLISHMENT OF EMPLOYMENT EQUITY COMMITTEE AND ITS FUNCTIONS (ED: CSS) (5/3/B)</u></p> <p>PIURPOSE</p> <p>To prepare for the establishment of the Employment Equity Committee to ensure implementation of the Employment Equity Act.</p>	26 January 2018		No feedback received

	<p><u>THE LOCAL LABOUR FORUM RESOLVED (26 January 2018)</u></p> <p>1. That the Department of Labour BE INVITED to assist in establishing the committee.</p> <p>2. That letter of invitation BE WRITTEN to the Department of Labour.</p>		<p>SM:HR M:P</p>	
LLF9 of 2018	<p><u>IMPLEMENTATION OF EMPLOYEE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM(ED: CSS) (5/1B)</u></p> <p>PURPOSE</p> <p>The purpose of this item is to reflect the status quo of the Matjhabeng Local Municipality`s Employee Performance Management and Development System and to provide the implementation plan for the system.</p> <p><u>THE LOCAL LABOUR FORUM RESOLVED (26 January 2017)</u></p> <p>That the matter BE REFERRED BACK to Management for further interrogation</p>	26 January 2018	<p>SM:HR MOES</p>	<p>Council Approved Employee Performance Management and Development Policy on 13 December 2016. This Policy was tabled before LLF but was rejected by Labour. In the meantime SALGA, through European Union is assisting municipalities, Matjhabeng in particular, to develop Integrated Performance Management System Policy. Draft policy is ready and the Branch OES has requested officials from SALGA to present the draft policy before the relevant stakeholders as soon as</p>

				they are available. It is envisaged that the Workshop will be held during November 2018.
LLF10 of 2018	<p><u>LOCAL LABOUR FORUM SCHEDULE OF MEETING</u>(ED: CSS) (3/3/24)</p> <p>PURPOSE</p> <p>To inform Local Labour Forum delegates of the schedule of LLF Meetings.</p> <p><u>THE LOCAL LABOUR FORUM RESOLVED</u> (26 January 2017)</p> <ol style="list-style-type: none"> 1. That the schedule of meetings BE NOTED. 2. That in future the leaders of the parties SEAT and DECIDE on agenda and items of the LLF. 	26 January 2018	ED:CS M:LR	Finalised

RESOLUTIONS AUDIT: FEBRUARY 2018

ITEM NO	DESCRIPTION	DATE	RESPONSIBLE PERSON	PROGRESS
SLLF1 of 2018	<p><u>SALGBC: DISCIPLINARY PROCEDURE COLLECTIVE AGREEMENT (ED: CSS) (5/2/2)</u></p> <p>PURPOSE OF REPORT</p> <p>To notify the Local Labour Forum that a new Disciplinary Procedure Collective Agreement was adopted by the Bargaining Committee of the Central Council in terms of clause 17.3 of the Constitution.</p> <p><u>THE SPECIAL LOCAL LABOUR FORUM RESOLVED (23 February 2018)</u></p> <p>1. That the matter BE NOTED.</p> <p>2. That the Bargaining Council BE REQUESTED to do presentation for Municipality.</p>	23 February 2018	<p>ED:CSS M:T M:LR</p>	<p>LLF Briefing Session for Matjhabeng LLF held on 8 June 2018 by SALGBC</p> <p>SALGBC conducted LLF Briefing Session on 26 July 2018 for LLF's from Lejweleputswa District</p> <p>Induction of Contract and Bopa Lesedi Employees took place on 20 July 2018 and 30 August 2018</p> <p>Briefing Session for Managers and</p>

	3. That the Corporate Services, Training unit and Labour Relations TO PRESENT a programme on educating ordinary workers about the Disciplinary Procedure.			Supervisors was held on 23 April 2018
SLLF2 of 2018	<p><u>ABSORPTION OF 95 MONTH TO MONTH EMPLOYEES (ED: CSS) (5/2/2)</u></p> <p>PURPOSE OF REPORT</p> <p>To provide to the Local Labour Forum a status report on the Absorption of the 95 month to month employees in terms of Council Resolution. C8/2015.</p> <p>To deliver on the matter and map the way forward.</p> <p><u>THE SPECIAL LOCAL LABOUR FORUM RESOLVED (23 February 2018)</u></p> <p>1. That the 95 employees BE ABSORBED in their positions which they are currently working without the process of interviews.</p> <p>2. That those who do not meet the requirements BE ASSISTED with developmental programmes in those positions.</p> <p>3. That the Human Resources Sub-Committee BE TASKED with the verification of the employees.</p>	23 February 2018	ED:CSS SM:HR M:P	The 95 employees were ABSORBED on the 01 April 2018 in the positions which they were occupying as per their month to month contracts.

LOCAL LABOUR FORUM RESOLUTIONS AUDIT: APRIL 2018

ITEM NO	DESCRIPTION	DATE	RESPONSIBLE PERSON	PROGRESS
	<p><u>THE LOCAL LABOUR FORUM RESOLVED (23 April 2018)</u></p> <p>That the Special LLF BE on the 3rd of April 2018 to get the report from HR Sub-Committee.</p>	23 April 2018	SM:HR	
	<p><u>THE LOCAL LABOUR FORUM RESOLVED (23 April 2018)</u></p> <p>That the HR SHOULD WRITE a letter to the Department of Labour and report to the coming special Local Labour Forum.</p>	23 April 2018	SM:HR	
	<p><u>THE LOCAL LABOUR FORUM RESOLVED (23 April 2018)</u></p> <p>That the meeting SHOULD MAKE use of the recording to get the exert information.</p>		PARTY LEADERS	Finalised
LLF3 of 2018	<p><u>APPOINTMENT OF LOCAL LABOUR FORUM CHAIRPERSON AND VICE-CHAIRPERSON FOR 2018 TERM (ED: CSS) (5/2/2)</u></p>	23 April 2018		Finalised

	<p>PURPOSE OF THE REPORT</p> <p>To elect a chairperson and Vice-Chairperson for the Local Labour Forum for 2018.</p> <p><u>THE LOCAL LABOUR FORUM RESOLVED:</u> (23 April 2018)</p> <ol style="list-style-type: none"> 1. That Mr. ME Mahase IS APPOINTED has a Chairperson for the 2018 term. 2. That Mr. VE Mawela IS APPOINTED has a Vice-Chairperson for the 2018 term. 		M:LR	
LLF4 of 2018	<p><u>FEEDBACK ON ABSORPTION OF 95 MONTH TO MONTH EMPLOYEES</u> (ED: CSS) (5/2/2)</p> <p>PURPOSE</p> <p>To submit feedback to the Local Labour Forum on the verification done by the Human Resource Sub-Committee of the 95 month to month Employees.</p> <p><u>THE LOCAL LABOUR FORUM RESOLVED</u> (23 April 2018)</p> <ol style="list-style-type: none"> 1. That the matter BE NOTED. 2. That the matter BE FINALIZED in the next Local Labour Forum meeting after listening to the recording. 3. That the special LLF BE SCHEDULED for the 3rd of May 2018. 	23 April 2018	PARTY LEADERS	The 95 employees were ABSORBED on the 01 April 2018 in the positions which they were occupying as per their month to month contracts.

	4. That the party leaders BE AVAILABLE to listen to the recording.			
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LOCAL LABOUR FORUM: RESOLUTIONS AUDIT: JUNE 2018

ITEM NO	DESCRIPTION	DATE	RESPONSIBLE PERSON	PROGRESS
SLLF2 of 2018	<p><u>TRANSFERRING OF LIBRARY SERVICES TO THE PROVINCIAL GOVERNMENT DEPARTMENT OF SPORTS, ARTS, CULTURE AND RECREATION(ED: CSS) (5/3/2/1)</u></p> <p>PURPOSE</p> <p>To submit an item to the Local Labour Forum a report on progress made by Human Resource Sub-Committee for the finalization of the transfer of Library Services to the Department of Sports, Arts, Culture and Recreation as their constitutional mandate.</p> <p><u>THE SPECIAL LOCAL LABOUR FORUM RESOLVED (05 June 2108)</u></p> <ol style="list-style-type: none"> 1. That those who are acting MUST BE ISSUED with letters that explained their termination of acting as from the 1st of June 218. 2. That those who agreed to stay with Municipality the letters MUST BE PREPARED for the Municipal Manager to sign. 	05 June 2018	SM:HR M:P	<p>Employees were transferred to different units within the municipality.</p> <p>Those who opted to go to the province were terminated in the Municipality and were appointed by the provincial department with effect from 01August 2018.</p>

	<p>3. That those undecided BE GIVEN until the end of the week to decide or the Committee will decide for them.</p> <p>4. That those who opted to go to the Province MUST BE GIVEN termination forms.</p> <p>5. That the HR Department MUST FACILITATE the transfer of Me Hlongwane to the Province and Me Macuphe to remain in the Municipality.</p> <p>6. That Me Macuphe SHOULD WRITE a letters indicating that she is WITHDRAWING her decision of going to Province.</p>			
8SLLF3 of 2018	<p><u>PLACING EMPLOYEES ON ZERO PAY EFFECTING UNPAID LEAVE WITHOUT FOLLOWING THE PROCEDURE</u> (SAMWU)</p> <p>PURPOSE</p> <p>SAMWU submit this item to the Local Labour Forum for discussion as employees are being placed on zero pay by the employer and also effecting unpaid leave without following the necessary policies and procedures.</p> <p><u>THE SPECIAL LOCAL LABOUR FORUM RESOLVED</u> (05 June 2018)</p> <p>1. That no zero or unpaid leave WILL BE EFFECTED if not authorized by Municipal Manager.</p>	05 June 2018	SM:HR M:P	No feedback received

	<p>2. That the secular to communicate the above resolution BE SIGNED by Municipal Manager and departure from that WLL BE considered to be the violation of disciplinary code.</p> <p>3. That even if the powers lies with Municipal Manager the accusation SHOULD BE PROVEN in the hearing and recommendations BE DONE by the presiding officer.</p>			
SLLF4 of 2018	<p><u>FEEDBACK ON ABSOPTION OF 95 MONTH TO MONTH EMPLOYEES (ED: CSS) (5/2/2)</u></p> <p>PURPOSE</p> <p>To submit feedback to the Local Labour Forum on the verification done by the Human Resources Sub Committee of the 95 month to month Employees.</p> <p><u>THE SPECIAL LOCAL LABOUR FORUM RESOLVED (05 June 2018)</u></p> <p>1. That the Local Labour Forum MUST DEAL with the structure for it to BE APPROVED by the Council.</p> <p>2. That the appointment letters BE ISSUED at 14:00 by Municipal Manager and relevant Managers.</p> <p>3. That the HR Sub-Committee BE PRESENT to assist in the issuing of appointment letters.</p>	05 June 2018	<p>MM ED:CS SM:HR M:P MOES</p>	<p>Appointments Letters were issued to the 95 month to month employees and they have been absorbed with effect from 01 APRIL 2018</p>

	4. That the next meeting BE SCHEDULED for the 12, 13 and 14 June 2018 to review the organizational organogram.			
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