

CSS1 of 2018

IMPLEMENTATION OF EMPLOYEE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM (ED: CSS) (5/1B)

PURPOSE

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.

INTRODUCTION AND BACKGROUND

At its meeting held on 13 December 2016, COUNCIL **RESOLVED** as follows “

“1. That Council **ADOPTS** the Employee Performance Management and Development System.”

OVERVIEW OF POLICY GUIDING EMPLOYEE PERFORMANCE MANAGEMENT IN THE MATJHABENG LOCAL MUNICIPALITY.

POLICY FRAMEWORK

On 13 December 2016, Council adopted Employee Performance Management Framework regulating the Performance management system in the municipality. The Framework provides guidelines on the development and implementation of the employee performance management system. The framework provides the following guidelines on organizational performance management:

Planning for Performance Management

In planning for employee performance management, the aim is to ensure that our system complies with all the requirements set out in the Act.

*** **Attached as SEPARATE COVER 1** is approved Employee Performance Management and Development System. Amongst others the framework is aiming to ensure that Council:

- Show how we are going to operate and manage the system from the planning stage up to the stages of performance review and reporting;
- Indicate how our various stakeholders and role-players including employees will be included in the implementation and functioning of the system;
- clarify how Council will implement the system within the framework of the integrated development planning (IDP) process, including any procedures to be followed;
- Address the matter of how often we will report and to whom; and
- Link the performance management system to how we manage the performance of employees.

The aim of this Performance Management Policy and Procedure Manual is to provide the principles, prescripts and the process applicable to the performance assessments of employee, as well as the allocation of performance incentives to eligible employees.

The Municipal Manager in conjunction with the Mayoral Committee has the discretion to decide on the establishment of a financial incentive scheme, subject to the availability of adequate funds in the Municipal budget and the medium-term expenditure framework. It is thus within the Council's discretionary powers to allow, or disallow the payment of any performance incentives for a particular financial year.

LOCAL LABOUR FORUM – LLF

The LLF is a representative and legitimate body which is, in accordance with the Labour Relations Act, Act No. 66 of 1995, vested with the responsibility to ensure that the introduction, design, implementation and monitoring of the IPMS are in accordance with fair and equitable labour practices and that employees' rights are protected.

The LLF must ensure that a culture and work situation conducive for a performance appraisal system is established and maintained. Furthermore, that the system is designed to take individual employee needs into consideration and provides a mechanism for resolving disputes concerning the implementation of the system. The system includes agreement on the standards to be set, the criteria underlying performance measurement and the content and format of the different phases of the system

ROLL OUT PLAN OF THE IMPLEMENTATION OF EMPLOYEE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM

Timelines	Activity	Responsibility
January	Engagement of SALGA in planning roll-out	Directorate Corporate Services and SALGA
January – February 2018	Workshop on IPMS. Main Stakeholders	Human Resources assisted by SALGA
March – April 2018	Training of Line Managers on IPMS	Skills Development, Human Resources and SALGA
May – June	Implementation Phase for new financial year starting 1 July 2017	All Directorates, Human Resources

In accordance with legislative requirements, specifically the MSA, the entire staff component of the Council will be required to participate in the IPMS and by implication performance appraisals. This is necessary since recognition for performance measurement is key in ensuring successful implementation of IPMS.

SUBMITTED FOR INFORMATION

CSS2 of 2018**PROPOSED ORGANISATIONAL STRUCTURE (MUNICIPAL MANAGER) (2/1)**

To table the Proposed Organisational Structure of the Matjhabeng Local Municipality to the Section 80 Committee for discussion.

INTRODUCTION AND BACKGROUND

At its meeting held on 16 January 2018 **COUNCIL RESOLVED:**

- “1. That the item BE **NOTED AND REFERRED BACK** for re-submission at the next Ordinary Council meeting.
2. That Municipal Manager **MUST IDENTIFY** all critical positions that Council should approve to be filled.
3. That the Whips of different political parties **MUST MEET** with the Municipal Manager to deliberate on the Organogram, clarify matters, agree and present their consensus and their disagreements to Council, to deal with disagreements.”

DISCUSSION

The various directorates reviewed the proposed organisational structure to align it with current Municipal's financial needs and functions.

*** **Attached as SEPARATE COVER 2** are the financial implications tables of the Proposed Macro and Micro Organizational Structure of the Matjhabeng Local Municipality.

*** Also **attached as SEPARATE COVER 3** are the comparative tables that indicate cost movements from the earlier submissions made to Council in 16 January 2018.

The total cost of the Organisational Structure tabled in Council on 16 January 2018 was R1,096,368,695. After the exercise conducted by directorates to reduce non-crucial posts in the proposed structure, the total cost of the organogram has come down to 945,570,056.

LEGAL REQUIREMENTS

Local Government Municipal Systems Amendment Act, 2011.
Municipal Financial Management Act.

POLICY POSITION

Council's Approved Organization Structure as approved by Municipal Manager.
TASK Job Evaluation System

SUBMITTED FOR DISCUSSION

CSS3 of 2018

PROGRESS ON IMPLEMENTATION OF SHIFT SYSTEM IN TERMS OF THE COLLECTIVE AGREEMENT FOR THE FREE STATE DIVISION (ED: CSS) (5/1)**PURPOSE OF REPORT**

To submit to the Section 80 Committee a progress report on the implementation of a 42 hour Working Week (4 Shifts) System.

BACKGROUND

The Collective Agreement for the Free State Division which was entered into by SALGA, SAMWU and IMATU came into operation on the 1st July 2016 and shall remain in force until the 30th June 2020.

In terms of Clause 5.3.19 “Shift Allowance” means a non-pensionable allowance, which shall be paid to employees who work on a regular rotational shift basis.

Clause 5.3.25 stipulates that “Shift” means where an Employee is required to work for a specific period of time on a rotational shift system with an average of either 42 hours, 56 hours or 84 hours per week respectively, a whereby twenty four hour, seven days a week (24/7) municipal service is rendered.

Section D makes provision for a Uniform Inclusive Fixed Shift Allowance.

Paragraph 20, under 20.1 reads as follows: *“All personnel working shifts within Municipalities will be paid a monthly fixed allowance. For purpose of this Agreement the term “Operational Personnel” refers to those officials who are required to work shifts as agreed to by the parties and includes all operational personnel working in the Municipalities in the Free State Province.”*

One of the three categories of Shift systems can be applied.

42 HOUR WORKING WEEK (4 SHIFTS)	56 HOUR WORKING WEEK (3 SHIFTS)	84 HOUR WORKING WEEK (2 SHIFTS)
Shall only be applicable to operational employees performing twenty four hour, seven days per week service.	Shall only be applicable to operational employees performing twenty four hour, seven days per week service.	Shall only be applicable to operational employees performing twenty four hour, seven days per week service.
20.1.2 This inclusive fixed monthly shift allowance will be paid at a rate of 27% of each of the concerned employees’ basic salary, e.g. if an employee earns a basic salary of R120 000-00 on a specific scale, he earns a basic monthly salary of R10	20.2.1 This inclusive fixed monthly shift allowance will be paid at a rate of 48% of each of the concerned employees’ basic salary, e.g. if an employee earns a basic salary of R120 000-00 on a specific scale, he earns a basic monthly salary of R10	20.3.1 This inclusive fixed monthly shift allowance will be paid at a rate of 72% of each of the concerned employees’ basic salary, e.g. if an employee earns a basic salary of R120 000-00 on a specific scale, he earns a basic monthly salary of R10 000-00 this employee will then be paid an

000-00 this employee will then be paid an additional R2 700-00 per month as a fixed allowance of 27%.	000-00 this employee will then be paid an additional R 4 800-00 per month as a fixed allowance of 48%.	additional R 7 200-00 per month as a fixed allowance of 72%.
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The shift system is operating in four Sections within the Municipality with each applying its own systems.

- Fire and Rescue Services
- Traffic and Security Services
- Waste Water Treatment Works
- Pump Stations.

Item number A43/2017, on consolidated overtime claimed from 01 July 2016 to 28 February 2017 was developed and submitted to Council which was held on the 22 March 2017.

Council Resolved:

1. That Council **TAKES NOTE** of the reports submitted.
2. That Council **TAKES NOTE** of the recommendations put forward by Departments to change the situation.
3. That Service Delivery Departmental situations **BE TAKEN INTO** consideration separately from supporting departmental situations.
4. That a proposal for continuous operations and a shift system **BE TABLED** at the Local Labour Forum.

Following the Council Resolution a Shift System Ad-hoc Committee was established in order to introduce a uniform shift system to be tabled at the LLF which will comply with the Collective Agreement,

The Ad-Hoc Committee acknowledged that the Municipality does not have a uniform shift system and each Section gave an outline of how they apply the Shift System.

Fire and Emergency Services

Employees are working twelve (12) hours per shift which is averaged over a period of four (4) months.

One shift reflects the hours worked per week as follows:

First Month		Second Month		Third Month		Fourth Month	
Week 1	48 Hours	Week 1	36 Hours	Week 1	48 Hours	Week 1	36 Hours
Week 2	48 Hours	Week 2	36 Hours	Week 2	48 Hours	Week 2	36 Hours
Week 3	48 Hours	Week 3	36 Hours	Week 3	48 Hours	Week 3	36 Hours
Week 4	48 Hours	Week 4	36 Hours	Week 4	48 Hours	Week 4	36 Hours
Total 48 X 4 = 192		Total 36 X 4 = 144		Total 48 X 4 = 192		Total 36 X 4 = 144	

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The total hours worked over a period of four (4) months = 672 hours which is 168 average per month. The average number of hours worked per week is equal to 42 hours.

Security and Traffic Services

Security section is operating in four (4) shift system and eight (8) hour shift, forty eight (48) hours a week. The shift runs for six days a week and rest for two (2) days.

The security officers over a period of eight (8) weeks will work 384 hrs \8, which is an average of 48 hours a week.

Traffic section is operating in two (2) shift system and eight (8) hour shift, forty (40) hours a week. The shift runs for 5 days a week and rest for two (2) days.

Traffic officers over a period of eight (8) weeks will work 336 hrs \8, which is an average of 40 hours a week.

The following shifts are worked in a day per week:

Security		Traffic	
14:00 – 22:00	8 Hours	06:30 – 14:30	8 Hours
14:00 – 22:00	8 Hours	06:30 – 14:30	8 Hours
06:00 – 14:00	8 Hours	06:30 – 14:30	8 Hours
06:00 – 14:00	8 Hours	06:30 – 14:30	8 Hours
22:00 – 00:00	2 Hours	06:30 – 14:30	8 Hours
00:00 – 06:00	6 Hours		
22:00 – 00:00	2 Hours		
06:00 – 06:00	6 Hours		
Total	48 Hours per week	Total	40 Hours per week

The average number of hours worked per week equals to 40 hours.

Wastewater Treatment works (WWTW) and Pump stations.

4 Shift system of 12 hours per shift and 4 x 12 hours off

Day 1	6H00 to 18H00	12 hours
Day 2	6H00 to 18H00	12 hours
Day 3	18H00 to 00H00	6 hours
Day 4	12H00 to 6H00 / 18H00 to 00H00	6 hours + 6 hours
Day 5	00H00 to 6H00	6 hours First day Off

The system for one Employee over a period of 8 weeks will work for 336 hours meaning an average of 42 hours per week.

DISCUSSIONS

It was agreed that the current shift system in Fire and Rescue Services and Water and Wastewater is in adherence with the provisions of the Basic Conditions of Employment Act, 75 of 1997 and should be adopted as it also complies with the Current Collective Agreement for the Free State Division of SALGBC.

Traffic and Security section have to move over from eight (8) hours shift system to twelve (12) hours shift system as well as from two (2) shift system to four (4) shift system.

Since employees have to work forty an average of two (42) hours shift per week, it is proposed that the shift system that is in operation within Fire and Rescue section and WWTW and Pump Stations sections, of twelve (12) hour shift system (average of) forty two (42) hours per week be adopted as the standard shift system to be implemented in the Municipality. The shift runs for 4 x 12 hours over 4 days. The last shift will end on the fifth day at 06h00 and this is also the first day off.

The proposed shift system for Traffic and Security Services will function as follows:

06:00 – 18:00	12 Hours	Off day	
06:00 – 18:00	12 Hours	Off day	
18:00 – 0:00	6 Hours	Off day	
0:00 – 06:00	6 Hours	06:00 – 18:00	12 Hours
18:00 – 06:00	6 Hours	06:00 -18:00	12 Hours
06:00 – 18:00	6 Hours	18:00 – 0:00	6 Hours
		0:00 – 06:00	6 Hours
		18:00 – 0:00	6 Hours
Total	48 Hours per week	Total	42 Hours per week

PERSONNEL IMPLICATIONS

Should the 42 Hour Working Week (4 Shifts) with a fixed shift allowance of 27% be accepted and implemented across the Municipality excessive claims of overtime will be minimised.

However, if the actual filled positions are not sufficient it will have an effect that overtime will still have to be worked.

LEGAL IMPLICATIONS

The change of the shift system must be subject of Local Labour Forum discussion and agreement.

The 2 shift system will only be allowed to assist Municipalities that were on the on their 2 shift system for a period of twelve(12) months from the signature of the agreement where thereafter they must change to 3 or 4 shift system in terms of the Collective Agreement.

FINANCIAL IMPLICATIONS

It should be noted that any shift system adopted by Matjhabeng Local Municipality, such as the 42 hour system will be on all inclusive fixed monthly shift allowance. In terms of the above all inclusive monthly shift system will have the following effect:

- 20.1.2 This inclusive fixed monthly shift allowance will be paid at a rate of 27% of each of the concerned employees' basic salary, e.g. if an employee earns a basic annual salary of R120 000-00 on a specific scale, he earns a basic monthly salary of R10 000-00 this employee will then be paid an additional R2 700-00 per month as a fixed allowance of 27%.

20.1.3 The inclusive fixed monthly shift allowance will be paid in consideration of and in lieu of the following:-

- Payment for the scheduled overtime (those hours exceeding the agreed upon 40 hours per week) worked by operational personnel as part of the 42 hour rotational 4 shift system (42 hour work week), i.e. the additional 2 hours per week (over and above the 40 hours which constitute these officials normal average weekly working hours);
- Payment for work performed on Sundays as prescribed by the BCEA (as part of scheduled shift);
- Payment for work performed during night hours between the hours of 18H00 and 06H00, as prescribed by the BCEA and the Divisional Collective Agreement;
- Payment for work performed during meal intervals as prescribed by the BCEA.
- Payment for any other form of shift allowance which may have been payable to any shift workers or which may have existed before the conclusion of this agreement.

20.1.4 This allowance is not in consideration of the following and therefore specifically excludes payments for the following:-

- Payment for work performed on Public Holidays as prescribed by the BCEA and Divisional Collective Agreement;
- Any other allowances not related to working hours and which is currently the subject of existing collective agreements and / or conditions of service or which might in future form the basis of negotiations on conditions of services, e.g. stand-by;
- Payment for scheduled overtime, unscheduled overtime and emergency overtime, i.e. overtime not included in the 42 hour working week.

20.1.5 Irrespective of the threshold determined by the BCEA employees performing operational duties will be paid the above allowance.

If the 56 or 84 hour system is implemented the above will still apply.

FURTHER COMMENTS CORPORATE SERVICES

In terms of the Collective Agreement for the Free State Division, an Item on the implementation of the Shift System was submitted for inclusion in the Agenda of Local Labour Forum Meetings which were scheduled for 8 November 2017, 16 November 2017 and 12 December 2017.

The said Meetings did not materialize and an ordinary Local Labour Forum Meeting was arranged for 26 January 2018. At this Meeting it was resolved that the Ad-hoc Committee that dealt with the Shift System be reconvened in order to compile a comprehensive Report to be submitted to the next sitting of the Local Labour Forum.

A Meeting of the Ad-Hoc Committee has been scheduled for 6 February 2018.
Following from the above, the Shift System has not been agreed upon. Hence no successes in overtime can be reported on.

SUBMITTED FOR NOTIFICATION

CSS4 of 2018

STUDY ASSISTANCE SCHEME: 2015, 2016 & 2017 (ED: CSS) (5/4/3/1)

PURPOSE OF REPORT

To provide the Section 80 Committee: Corporate Services with statistics regarding approved Study Assistance applications for 2015, 2016 and 2017 and qualifications obtained.

BACKGROUND

The purpose of the Study Assistance Scheme (SAS) is to encourage and assist Councillors and Officials who want to develop their potential and thus increase their value to the Municipality through obtaining formal qualifications recognized on the National Qualifications Framework (NQF).

FINANCIAL IMPLICATION

Sixty-Seven (67) Study Assistance applications to the amount of R393 879.00 were approved for the time period 2015, 2016 and 2017:

	NUMBER OF APPLICATIONS	AMOUNT PAID
2015	25	R 77 797.00
2016	9	R 65 862.00
2017	33	R 250 245.00
TOTAL	67	R 393 904.00

*** Details of the approved study assistance applications for the mentioned period are **attached on page 1 to page 9 of the Annexures.**

POLICY STATEMENT

Study Assistance Scheme.

RECOMMENDATION

1. That the Section 80 Committee note that sixty-seven (67) study assistance applications to the amount of R393 879.00 were approved for the period 2015, 2016 and 2017.
2. That nineteen (19) officials obtained qualifications via the Study Assistance Scheme.

CSS5 of 2018

IMPLEMENTED AND PLANNED SKILLS DEVELOPMENT INTERVENTIONS (ED: CSS) (5/6/1)

PURPOSE OF REPORT

To submit to the Section 80 Committee (Corporate Services) implemented and planned training.

BACKGROUND

Apart from providing strategic and operational direction to training initiatives and reporting on such initiatives, the respective submission of the annual Workplace Skills Plan (WSP) and Implementation Report to the Local Government Sector Education & Training Authority (LGSETA) enables the Municipality to access recovery against levy payments by way of mandatory skills grants.

This grant, based on the skills levy paid by the Matjhabeng Local Municipality, is in essence a statutory fund designated for skills development.

LEGISLATIVE MANDATE AND POLICIES

The following legislation and policies provide the broader framework and imperatives:

Legislation

- Constitution of the RSA (108/1996)
- Employment Equity Act (55/1998) and regulations
- Skills Development Act (97/1998) and regulations
- Skills Development Levies Act (9/1999) and regulations
- South African Qualifications Authority Act (58/1995)

Policies / Procedures:

- Employment Equity Policy and Plan
- Skills Development Policy
- Study Assistance Scheme
- Control Measures: Attendance of External Training Events
- Annual Workplace Skills Plan (WSP)

***** Attached on page 10 to page of 14 of the Annexures is the implemented training.**

TRAINING INTERVENTIONS

Training interventions required to achieve priorities in terms of individual and departmental needs were requested through a Training Need Analysis form, which was sent to all Directorates.

All information obtained were imported to the required LGSETA Template and submitted to LGSETA on 28 April 2017. Considering the year under review, training interventions covering various occupational categories have been attended by a total of two hundred and one (201) delegates at a total cost of R 3.4 million rand (Annexure A).

These PIVOTAL (Professional; Vocational, Technical and Academic) learning areas included Municipal Finance Management, Customer Care, Labour Relations, Infrastructure (Water and Waste Water Treatment Process Control), Information Technology, Compliance management, Risk Management, and formal studies via Study Assistance.

Workplace Integrated Learning (WIL) initiatives included Water and Waste Water Treatment Process Control Learnership, Internships for Finance, Information Technology, PMU and Electrical Engineering.

SUBMITTED FOR NOTIFICATION

CSS6 of 2018

QUALIFICATIONS AUDIT REPORT: MATJHABENG LOCAL MUNICIPALITY
(ED: CSS)

PURPOSE OF THE REPORT

To submit findings to the Section 80 Committee (Corporate Services) in respect of a qualification audit done within the Matjhabeng Municipality. The purpose of this report is to provide a profile of qualifications, work experience and skills levels of job incumbents in order to inform a human resource development and organisational strategy.

BACKGROUND

As a compliance matter, qualification audits have to be undertaken frequently for competency profiling, training needs identification and to assist employees in terms of skills development interventions, talent retention, career pathing and succession planning.

OBJECTIVES

The main aim of this audit was to develop a profile of the human resource component of the Matjhabeng Municipality. The report provide the following:

- A demographic profile of the employees which includes an analysis of the gender composition, age, occupational category, job levels and recommendations concerning upgrading of capacity within the work force.
- A competency profile in terms of current educational and skills levels.

*** **Attached as SEPARATE COVER 4** is the combined Skills Audit.

LEGISLATIVE FRAMEWORK

Section 68 of the Local Government Municipal Systems Act 32 of 2002 places an obligation on a municipality to develop its human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way.

The Skills Development Act (97 of 1998) aims at providing an institutional framework for the development and implementation of national, sector and workplace strategies to develop and enhance the skills of the South African workforce. This Act should be read together with the Skills Development Levies Act of 1999 which regulates the imposition of skills development levies and the disbursement of skills grants by Sector Education and Training Authorities.

SUBMITTED FOR NOTIFICATION

CSS7 of 2018**REPORT ON DISCIPLINARY CASES FOR THE PERIOD JULY 2017 TILL TO DATE (ED: CSS)****PURPOSE OF REPORT**

To submit to the Section 80 meeting a report on disciplinary hearings reported for the period July 2017 till end December 2017.

BACKGROUND

Various Departments have levelled charges of misconduct against employees during the period mentioned above.

Find below a report on all disciplinary cases reported for the period July 2017 till end December 2017.

NAME	POSITION	DEPARTME NT	TYPE OF MISCONDUCT	PROGRESS
D Bangiso(134392); LB Ndumela (126630); RP Lethoba (129150); BJ Potsane (120168); S Mahlobo (127573); B Sikutswa (120481); V Memani (312037); TI Joko (165283); M Sefantsi (150265); IB Mankheli (165174) N Siyabonga; P Tshepan; T Rajoale (800248); P Rankolane (800253); K Mothekhe (800181); L Ramatsui; M Chabalala (800014); J Litabe (800073) & T Letoane (800065)	General Workers	Infrastructure	Refused to carry out an instruction to work and assist the employer for a spurious reason related to hired trucks; have embarked on an unlawful and unprotected industrial action which heralded in the complete or partial work stoppage and refused to offer services as contemplated in the contract of employment.	16/8/2017 – First sitting 2/2/2018 – Resolved that matter be referred back to the Local Labour Forum for discussion
TS Sefudi (113241)	General Worker	Corporate Services	Absent from 11/07/2017 until 21/07/2017 from work without leave or permission.	25/10/2017 – First sitting DC pending
N Rashalala (129456)	General Worker	Infrastructure Dept	Absent without leave or permission from 6/3/2017 until 17/03/2017	4/8/2017 – First sitting DC pending
Masikantsi S (210651)	Snr Chief Parks Sport and Recreation	Community Services	Allegedly travelled with a General Worker in your vehicle during working hours, leading to the	17/1/2018 – First sitting DC pending

	Officer		General worker not performing her duties at Virginia Municipal Offices Gardens. Allegedly refused to report to your Supervisor on a daily basis and take instructions from him.	
MS Sejane (165171)	Clerk	Finance	Involved in fraudulent actions regarding illegal appointments of members of public by Me Molotsi from Community Services	19/12/2017 – First sitting DC Pending
ME Mohalali (800136)	General Worker	Infrastructure	1. Absent without leave on 6/9/17. 2. Marked yourself present for 7/9/17 on the attendance register. 3. Theft & vandalism took place on 7/9/2017 at Major Pump Station and lead pump station stand still due to theft.	22/1/2018 – First sitting DC pending
MD Ntuli (800228)	General Worker	Infrastructure	1. Absent without leave on 6/9/17. 2. Marked yourself present for 7/9/17 on the attendance register. 3. Theft & vandalism took place on 7/9/2017 at Major Pump Station and lead pump station stand still due to theft.	
MJ Molotsi (800165)	General Worker	Community Services	1. Fraudulent appointment letters to member of the Public in exchange for money. 2. Fraudulent action by the employee by forging the signature of the Municipal Manager. 3. Unlawful using the Employer's official document without permission by drafting falsified appointment	21/12/2017 – First sitting D C Pending

			<p>letters to members of Public.</p> <p>Putting Council's name in disrepute by exploiting member of public by accepting money for appointment in positions that does not exist. The employee misused her relationship with the Municipality for her own benefit.</p>	
SJ Noka (112343)	Cleansing Officer	Community Services	<p>Gross negligence by allowing a member of public to work without proper appointment processes</p> <p>Put council's name in disrepute by allowing a member of public to work without payment and not being employed by the Municipality</p>	<p>26/2/2018 – First sitting</p> <p>DC pending</p>
N Tembe (175009)	General Worker	Community Services	<p>Refuse to take instructions from Supervisors go to work at Virginia main Municipal offices garden area.</p>	<p>24/1/2018 – First sitting</p> <p>DC pending</p>
			You swore at all of your Supervisors.	
G Ngake (800205)	General Worker	Infrastructure	<p>Absent without leave or permission from 24/07/2017 until 7/08/2017</p>	<p>26/1/2018 – First Sitting</p> <p>DC Pending</p>
T Selepe (150143)	Security Officer	Public Safety	<p>Assault towards Supervisor</p>	<p>27/2/2018 – First sitting</p> <p>DC Pending</p>
ZC Mthendele (120408)	General Worker	Infrastructure	<p>Putting Council's name in disrepute by being in possession with unlicensed firearms</p>	<p>Amendment to Accusation of Misconduct, sent back to Department</p> <p>D C pending</p>
K Tsolo (120653)	General Worker			
A Malang (150386)	General	Infrastructure	<p>Refused to go to</p>	DC pending, date

	Worker		Mmamahabane Community Hall to repair the roof eaves covering with IBR roof sheets.	for hearing to be confirmed by PO
JA de Klerk (110331)	Fireman	Public Safety	Negligence, failed to attend to a call, thought there was no fire when indeed there was	DC pending, date for hearing to be confirmed by PO
MJ Futhela (111421)	General Worker	Infrastructure	Absent without leave or permission 24/10/17 - 10/11/17	Abscondment letter served to Employee, awaiting confirmation if representations were done, if not, termination letter to be served to employee

*** Attached on page 15 to page 18 of the Annexures is the graph for the type of misconduct.

SUBMITTED FOR NOTIFICATION

CSS8 of 2018

REPORT ON DISPUTES LODGED AT THE BARGAINING COUNCIL FOR CONCILIATION AND ARBITRATION FROM JULY 2017 TILL TO DATE (ED: CSS)

PURPOSE OF REPORT

To submit to the Section 80 meeting a report on disputes that have been lodged at the Bargaining Council for conciliation and arbitration respectively.

BACKGROUND

Disputes are lodged at the South African Local Government Bargaining Council by employees who claim that they have been treated unfairly by the Employer.

Find below a list of current cases reported which was set down for conciliation and arbitration respectively:

CONCILIATIONS

NAME	NATURE OF DISPUTE (Unfair Labour Practice – ULP, Unfair dismissal)	DEPARTMENT	OUTCOME
SAMWU obo Members	The FS SALGBC Collective Agreement regulates the conditions of employment of the workers within its scope or jurisdiction. The Employer has unilaterally changed the conditions of service unilaterally. Not treated the same as other employees pertaining to leave days and leave bonus	Various Departments	6/7/2017 - Certificate of Non Resolution issued. Matter to proceed to arbitration. 18/10/2017 - Ruling: 1. The SALGBC has no jurisdiction to conciliate this matter; 2. I therefore have no jurisdiction to issue a certificate of outcome in this matter; 3. The matter is dismissed.
MB Mokole and T I Nkuna	Unfair Dismissal (Office of the Executive Mayor)	Office of the Executive Mayor	1/9/2017 – Certificate of non -resolution issued. Matter to proceed to arbitration
SAMWU obo TM Lebere	Unfair Labour Practice - The Employer failed to ensure that employee in the same post level rotate in the position of acting.	Town Planning and LED	28/8/2017 – Received referral for conciliation. Set down date not yet confirmed by Bargaining Council.
T J Motsepe	ULP – Acting in a higher post since March 2016, employer refuses to appoint him permanently	Community Services	CONCILIATION: 28/9/2017
TE Sehong	ULP – Promotion; Acting as Senior Technician for 4 years. Employer refuses to	Infrastructure	18/10/2017 – Certificate of non resolution issued

	appoint permanently		
BM Lidziya	Applied for promotion. Refused, made grievance and not entertained	LED	6/7/2017 Notice of withdrawal of dispute
SAMWU obo L Pheko	Unfair Dismissal (Abscondment)	Public Safety and Transport	6/7/2017 – Certificate of non resolution issued
SAMWU obo T Moleleki	Unfair dismissal	Infrastructure	24/11/2017 – Certificate of non resolution issued
MATUSA / Matjhabeng Local Municipality	ORA - establishment of Organisational Rights within the Municipality	Various Departments	13/12/2017 – Dispute withdrawn at the CCMA due to defect referral, however have the right to re refer the matter should the dispute arise again

ARBITRATIONS

S Selepe	Unfair suspension	Public Safety and Transport	Arbitration took place. Closing Arguments to be submitted by 18/8 by Applicant and 23/8 by Respondent. Final Argument by Applicant to be submitted by 25/8/2017. Awaiting Award from Commissioner Moloi. Award in favour of the employee. Suspension to be uplifted.
SAMWU obo L Pheko	Unfair Dismissal (Abscondment)	Public Safety and Transport	ARBITRATION: 5/12/2017 – Matter was dismissed at the Bargaining Council
MB Mokole and T I Nkuna	Unfair Dismissal (Office of the Executive Mayor)	Office of the Executive Mayor	17/11/2017 – Award in favour of the Applicants – Reinstatement into their previous positions as well as payment of all monies outstanding. Matter currently taken on review by the Respondent
T J Motsepe	ULP – Acting in a higher post since March 2016, employer refuses to appoint him permanently	Community Services	13/11/2017 – Award in favour of the Municipality
TE Sehong	ULP – Promotion; Acting as Senior Technician for 4 years. Employer refuses to appoint permanently	Infrastructure	8/12/2017 – Case dismissed due to non attendance of the Applicant

SUBMITTED FOR NOTIFICATION
CSS9 of 2018

REPORT ON QUARTERLY SDBIP FOR THE PERIOD OCTOBER 2017–
DECEMBER 2017 (ED: CSS)

PURPOSE OF REPORT

To submit to the Section 80 meeting the Quarterly SDBIP report for branch Labour Relations.

BACKGROUND

*** Find attached the Quarterly SDBIP report for period October – December 2017. The Quarterly SDBIP report appears on page 19 to page 24 of the Annexures.

SUBMITTED FOR NOTIFICATION

CSS10 of 2018

**SKILLS DEVELOPMENT BRANCH: QUARTERLY SDBIP FOR THE PERIOD
OCTOBER 2017 – DECEMBER 2017 (ED: CSS)**

PURPOSE OF REPORT

To submit to the Section 80 (Corporate Services) Committee the Quarterly SDBIP report for the Skills Development Branch.

BACKGROUND

*** The Quarterly SDBIP report for the period October – December 2017 **appears on page 25 to page 28 of the Annexures.**

SUBMITTED FOR NOTIFICATION

CSS11 of 2018

INSTITUTIONAL BRANDING (ED: CSS) (5/3/2/2)

PURPOSE

To inform the Section 80 Committee on the proposed Institutional Branding that has to be done at Matjhabeng Local Municipality as mandated by Chapter 10 of South African Constitution 108 of 1996.

BACKGROUND

All legislative frameworks (White paper) are intended to give effect to the Constitutional right of each citizen to not only have access to information held by the State organ that binds government of having information readily available and accessible.

It is in the interest of this Institution to more accessible to its customers, which are Ratepayers; Residents; and Service providers. Batho Pele Principle which is one of our regulators' in Chapter 10 of our constitution, emphasizes the creation for Accountability; Access; Transparency and Openness.

LEGAL AND POLICY FRAMEWORK

The Constitution of the Republic of South Africa Act 108 of 1996, Chapter 10 Section 195 subsection 1(a)-(i) prescribes to the employees of every sphere of Government how to render services to the public. Subsection 2(a) states that the principles as listed on 195 (1) are applicable to administration in **EVERY** sphere of Government, so Matjhabeng municipality as a sphere of Government is obliged to render services to the society in its area of jurisdiction in a way that will be addressing the Section 195.

PROBLEM STATEMENT

Our Institutional Branding is ageing if not aged. It's a branding hat was done by the past regime in office, which doesn't talk with the democratic changes. It still reflect the old painful history i.e. we still have Welkom City Council branded cars .e.t.

This is a clear violation of White Paper on Transforming Public Service Delivery of 1997 and Promotion of Administration and Justice Act (AJA) OF 2000.

FINANCIAL IMPLICATIONS

Branding is a once of project in two decades, it's a project that lasts for years and It also provide dignity and respect to the institution. It's an unfortunate part to our institution because we allow it to collapse and cost so much. The cost is +- 2 million.

We have resolve to put it in two phases: Indoor and outdoor branding. Indoor branding do form part of IDP and is one of our KPI for 2017/18 financial year of Customer Care.

Indoor Branding costs: eight hundred thousand (800 000.00).

*** See the presentation **attached as SEPARATE COVER 5.**

*** See the copy of the Branding specifications **attached as SEPARATE COVER 6.**

SUBMITTED FOR CONSIDERATION

CSS12 of 2018

PROGRESS ON RECRUITMENT OF PLUMBERS (ED: CSS) (3/3/27)

PURPOSE

The purpose of this item is to submit to the Section 80 Corporate Services Committee Meeting, the progress made on the recruitment of plumbers.

BACKGROUND

It was requested that a report be submitted to the Section 80 Committee with regard to progress made on the recruitment of plumbers.

The positions of 28 Plumbers were advertised internally on the 07 September 2017 with the closing date of 29 September 2017.

Twenty three (23) Application forms were received.

Short-Listings of this position took place on the 08th November 2017. Out of the Twenty three (23) candidates who applied, no candidate met the requirements. The panel short-listed sixteen (16) candidates who are currently acting on those positions and have relevant Plumbing experience. The panel members also agreed that an additional clause be added in their appointment letters which states that they must obtain the required Trade Test Certificate and a valid driver's license within a specified period.

Interviews were held on the 30th January 2018 and the submission is currently underway for the appointment of the recommended candidates.

PERSONNEL IMPLICATIONS

The Municipality has a high level of Vacancies which are affecting Service Delivery should the appointment of recommended employees be finalised acting allowances will be reduced and there will be stability at infrastructure.

FINANCIAL IMPLICATIONS:

The positions appears on the structure and are budgeted for.

POLICY POSITION

Recruitment and Selection Policy

SUBMITTED FOR NOTIFICATION

CSS13 of 2018

REPORT ON THE STATE OF FACILITIES ADMINISTERED BY CORPORATE SERVICES (ED: CSS) (5/3/2/1)

PURPOSE

To table a Report on the State of Facilities administered by Corporate Services.

BACKGROUND

One of the Key Performance Areas of the Council Administration Division of the Corporate Services Department is Facilities Management. This Section is responsible for:

- Office Allocation to Employees and Councillors
- Cleanliness of the Facilities
- Ensuring that repairs and maintenance are done, as and when the need arise
- Rental of Community Halls

ORGANISATIONAL ARRANGEMENT

The Section is currently headed by the Senior Administration Officer. It consists of the following personnel:

- Care Takers : 14
- Team Leaders : 18
- General Workers : 103
- TOTAL : 136

LIST OF FACILITIES

The Facilities Management Section is responsible for 31 Facilities spread across the 6 Units of Matjhabeng Municipality.

*** *For more details on the List of Facilities administered by Corporate Services Department, see pages 29 to 30 of the Annexures.*

REPAIRS AND MAINTENANCE

The Repairs and Maintenance of all Municipal Properties is done by the Building Maintenance Section of the Infrastructure Department. However, they have conceded that they do not have enough capacity to attend to the Repairs and Maintenance Backlog that is prevailing. They have proposed out-sourcing some of these services.

An Assessment Report on the State of Facilities indicates that Kutlwanong Municipal Offices, Thabong Community Centre, Old Traffic Department, Virginia and Meloding Municipal Offices need special attention.

*** *For more details on the State of the Facilities, see pages 31 to 33 of the Annexures.*

RENTAL OF HALLS

The Rental of Halls is a dual function of Council Administration and Income Section of Finance Department. The roles are divided as follows:

- The Caretakers of the Facilities Management are responsible for the bookings of the facilities to the members of the community.
- The Cashiers of the Income Section are responsible for collection of Rental fees based on Tariff Rates prescribed by Council annually.

CHALLENGES

The Section is currently facing the following challenges:

- Inadequate office space at the Main Building to accommodate growing staff
- Unilateral allocation of offices by Officials and Councillors without prior consultation with the Facilities Management Section leading to a state of disarray
- Haphazard reporting of cases needing repairs and maintenance
- Lack of comprehensive Policy Framework to deal with Hall Rentals
- Inconsistent Hall Rental tariffs in different Units and sub-Units
- Currently Repairs and Maintenance is done by the Building Maintenance and Electrical Sections of the Infrastructure Department. Turnaround time to address reported defects is an on-going challenge because of Staff shortage.

POLICY FRAMEWORK

At the present moment, the Rental of Municipal Halls derives its mandate from the Municipal Tariff Policy which is reviewed annually. There is currently no other Policy to regulate Facilities Management.

RECOMMENDATIONS

1. To develop Policy and Procedure Manual on Facilities Management to address comprehensively the gaps that have been mentioned above.
2. To relocate the Building Maintenance staff to Facilities Management Section in order to ensure synchrony and effective service delivery.
3. To increase the number of Plumbers, Electricians, Painters and Carpenters to reduce the back-log caused by staff shortage.
4. To train and re-train the Sectional Staff on best practice on Facilities Management.

SUBMITTED FOR CONSIDERATION