



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

POLICY ON RECRUITMENT, SELECTION AND APPOINTMENTS

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1. INTRODUCTION

The Department of Environmental Affairs (DEA) acknowledges that talent recruitment is one of the most important activities through which it will meet its human resource capacity requirements to achieve its vision, strategic goals and objectives. The Department furthermore acknowledges that the process of filling vacancies should take place in compliance with all applicable legislation and policies. This policy is therefore developed to provide a clear process in the filling of posts and to ensure compliance with the relevant human resources management policies and statutory requirements. The policy also aims to promote the adoption of human resources management best practice and to ensure the promotion of employment equity, fairness, efficiency and the achievement of a representative Department.

2. PURPOSE OF POLICY

The purpose of this policy is to:

- 2.1 Provide clear guidelines and procedures for the filling of vacancies, both permanent and temporary/contract, at all levels in the DEA.
- 2.2 Promote compliance with all relevant and applicable human resource policies, directives and labour legislation.
- 2.3 Promote human resources management best practice that will ensure employment equity, fairness, efficiency and the achievement of a representative Department, and public service in general.
- 2.4 Establish a policy, guidelines and procedural measures to ensure that the selection of candidates is undertaken in a justifiable, equitable and fair manner.
- 2.5 Provide guidelines for the re-appointment of former employees.
- 2.6 Provide guidelines for the transfer and secondment of officials.

3. DEFINITIONS OF TERMS

This policy shall be read in conjunction with the Public Service Act, 1994, as amended, the Public Service Regulations 2001, as amended, and all other Public Service directives, collective agreements and departmental policies and procedures. In this policy, unless the context indicates otherwise, the below listed terms shall carry the meaning assigned as follows:

- 3.1 **Approving Authority:** refers to the employee delegated to approve an action in terms of the Public Service Act, 1994, as amended, and the Public Service Regulations, 2001, as amended.
- 3.2 **Black people:** is a generic term which means Africans, Coloureds and Indians (definition taken from the Employment Equity Act, 1998).
- 3.3 **Department** refers to the Department of Environmental Affairs.
- 3.4 **Designated groups** mean Black people, women and people with disabilities (definition taken from the Employment Equity Act, 1998).
- 3.5 **EE Plan** refers to the Department of Environmental Affairs' Employment Equity Plan.

- 3.6 **Executive Authority** refers to the Minister for the Department of Environmental Affairs.
- 3.7 **Branch Manager:** refers to a Head of a Component who would also be the Programme Manager.
- 3.8 **Internal Candidate** refers to candidates from inside the Department, including interns, temporary or contract employees.
- 3.9 **Line Manager** refers to any employee with staff supervisory responsibilities.
- 3.10 **SMS** refers to members of the Senior Management Service.

N.B: All other words shall have the meaning assigned thereto in the Public Service Act, 1994, as amended and the Public Service Regulations, 2001, as amended.

4) **AUTHORISATION**

- Constitution, 1996
- Public Service Act, 1994, as amended
- Employment Equity Act, 1998
- Basic Conditions of Employment Act, 1997, as amended
- Labour Relations Act, 1995, as amended
- Public Finance Management Act, 1999 as amended
- Public Service Regulations, 2001, as amended
- White Paper on the Transformation of the Public Service, 1995
- White Paper on Human Resource Management, 1997
- White Paper on Affirmative Action, 1998
- Codes of Remuneration (CORE), including guidelines
- Collective Agreements signed in the PSCBC and the GPSSBC
- Financial Manual
- Public Service Handbook issued by the Department of Public Service and Administration
- Skills Development Act, 1998
- Environmental Affairs Employment Equity Plan
- National Minimum Information Requirements (NMIR)
- Minimum Information Security Standards (MISS)
- The National Vetting Strategy (As approved by Cabinet)
- Senior Management Service (SMS) Handbook

5) **SCOPE OF APPLICATION**

This Policy applies to:

- (a) All serving employees in the Department who are appointed in accordance with the Public Service Act, 1994, as amended

- (b) Potential employees as stipulated in the Labour Relations Act, 1995
- (c) Former employees seeking re-employment

6) POLICY PRINCIPLES

6.1 Fairness

The process of recruitment , selection and appointments should not unfairly discriminate against external and/or internal applicants, nor against any applicant on the grounds of race, colour, gender, disability, age, religion, belief, culture, language, birth, family responsibility, creed, marital status, sexual orientation, pregnancy, HIV status, conscience, ethnic or social origin or political opinion. However, it is not unfair discrimination to take affirmative action measures consistent with the purpose of the Employment Equity Act, 1998 and the EE plan; or distinguish, exclude or prefer any person on the basis of an inherent requirement of a job.

6.2 Affirmative Action

The Department is an Affirmative Action employer and subscribes to and applies the principles of Affirmative Action, as prescribed by the Employment Equity Act.

6.3 Confidentiality

The entire process of Recruitment and Selection must be confidential. This includes, but is not limited to the handling of all information submitted by the applicants for vacancies, the discussion by the selection committee during the short listing and interviewing process and all other information and or discussion in relation to the process.

7. ROLES AND RESPONSIBILITIES

7.1 ROLE AND RESPONSIBILITIES OF THE DIRECTOR: HUMAN RESOURCES MANAGEMENT

The role and responsibilities of the Director: HRM shall include the following:

- a) To exercise the delegated authority to consider and approve requests for the advertising of vacant posts in the Department;
- b) To ensure that vacancies are on the approved structure, funded and has been Job Evaluated before they are advertised;
- c) To provide advice to line managers and employees on recruitment and selection, transfers, and secondment matters, including the interpretation of this policy and related matters;

- d) To provide advice on the adherence to recruitment standards and EE targets to the approving authority for approval of recommended short lists and nominations for appointments;
- e) To note all declarations of personal relations with applicants by members of the selection committees, and after careful consideration of the nature of the declared relationship, advise the delegated authority on the inclusion (approval) or exclusion (replacement) of any selection committee member, who would have made such declaration (so as to eliminate possible nepotism or bias by panel members).

7.2 ROLE AND RESPONSIBILITIES OF THE CHAIRPERSON AND THE SELECTION COMMITTEE

The role and responsibilities of the chairperson and the selection committee shall include the following:

- a) The chairperson shall lead the short listing and interviewing process.
- b) The chairperson will also facilitate the identification of key performance areas that are in line with the job description and the advert, for use in short listing candidates.
- c) The selection committee shall ensure that it considers all the applications fairly and in a consistent manner against the inherent requirements of the post, as advertised.
- d) The selection committee shall make recommendations on the suitability of a candidate after considering only:
 - (i) Information based on valid methods, criteria or instruments for selection that are free from any bias or discrimination;
 - (ii) The training, skills, competence and knowledge necessary to meet the inherent requirements of the post;
 - (iii) The needs of the Department for developing human resources;
 - (iv) The representativeness of the component where the post is located, in accordance with employment equity targets. Targets, set in the Employment Equity Plan, will take into account the representativeness of the component, the Directorate, the Chief Directorate, Branch and then the Department as a whole.
 - (v) The Department's affirmative action programme/ EE plan and approved numerical targets.
- e) A selection committee shall record the reasons for its decision with reference to the criteria mentioned in paragraph (d) above.

- f) All members of the selection committee shall have a responsibility to declare to the HR Technical Advisor, both before the short list and the interview process, any personal relations with any of the applicants for noting by the delegated authority when approving the short list and the selection committee.

7.3 ROLE AND RESPONSIBILITIES OF THE UNION REPRESENTATIVE(S)

The role and responsibilities of Union Representative(s) shall include the following:

- a) They will be invited to the short listing and interview process as observers.
 - b) When an observing Union representative has a concern with the selection process, she or he shall record and report his/her concern to the Director: HRM in writing within a day following the day of the process taking place.
 - c) A union representative shall not play any role in respect of any post for which he/she is also an applicant.
- N.B:** A short listing or interview process will go ahead even in the event that a Union Representative fails or is unable to attend the meeting. The Union Representatives may exercise their observer role on the short listing even after the meeting has taken place, if they so wish.

7.4 ROLE AND RESPONSIBILITIES OF THE HUMAN RESOURCES TECHNICAL ADVISOR

The role and responsibilities of the HR Technical Advisor (HR TA) shall include the following:

- a) To provide advice to the chairperson and selection committee on the application of the policy and ensure compliance with the policy.
- b) To ensure that the chairperson understands and executes his/her role in a proper manner.
- c) To ensure that during the short listing process, applicants are assessed fairly and consistently against the key performance areas and requirements of the post that have been captured in the advert and the Job Description.
- d) To ensure that applicants who are finally recommended for the short list meet the requirements of the post as advertised, and advise the chairperson and the selection committee accordingly if one or more of the candidates do not meet those requirements.

- e) To ensure that, in addition to the key performance areas of the post, the selection committee also takes into consideration the EE requirements of the respective Component, Directorate, Chief Directorate, Branch and the Department, and that the applications of suitably qualified candidates whose candidature will enhance representivity and the achievement of EE targets, are given priority during the selection process.
- f) Before the interview, to check and confirm that the prepared interview questions are not discriminatory in nature and are relevant to the key performance areas of the post.
- g) To ensure that all members of the selection committee declare their personal relations with any of the applicants, before each short list and interview meeting, and record that declaration for noting by the delegated authority.
- h) To record, in writing, the events of the short listing meeting and the interview process, including the advice provided to the chairperson and the selection committee. The record shall then accompany the request for an approval of a short list and a request for the approval of the nominated candidate(s).
- i) To facilitate the process of requesting an approval of the short list and the approval of the candidate(s) recommended by the selection committee.

8. FILING OF VACANT POSTS ON THE ESTABLISHMENT OF THE DEPARTMENT

8.1 METHODS OF RECRUITMENT

All vacant and funded posts in the Department will be advertised so as to reach, as efficiently and effectively as possible, the entire pool of potential applicants, especially persons historically disadvantaged. Various methods shall be utilised in the recruitment of employees, depending on the need, the level of the post and other related factors and also subject to approval from the Director: HRM. All vacant and funded posts in the Department shall, in terms of Part VII, C1A.2 /3 of the Public Service Regulations, 2001, be advertised within six months after becoming vacant and be filled within 12 months after becoming vacant. The Director: HRM shall request all Line Managers to provide in writing, the reasons for failing to comply with the time frames for filling vacancies and take appropriate measures to address non-compliance.

A) ADVERTISING IN THE PRINT MEDIA

The most common method of recruitment for the filling of vacancies will be through the placement of an advertisement in the print media (i.e. daily or weekend newspaper - national, regional, and local), as approved by the Director: HRM.

A post that has been approved for placement in the external print media will also be placed on the DEA website and in the Public Service Vacancy Circular.

B) PLACEMENT OF ADVERTS ON THE PUBLIC SERVICE VACANCY CIRCULAR (PSVC)

Vacant posts may also be placed in the PSVC through the Department of Public Service Administration (DPSA). The vacancy can be placed in the PSVC only or in the PSVC in addition to the other media as approved.

C) INTERNAL POSTING

A vacancy may also be advertised internally in the Department only through e-mail circulation to all staff, placement on the notice boards and on the DEA Intranet.

Advertisement of vacancies posted internally will be meant for internal officials only, unless otherwise indicated.

D) ENVIRONMENTAL AFFAIRS WEBSITE

In addition to one or more of the above available methods, advertisement for posts will also be placed on the DEA website (except for the vacancies posted internally, and meant only for internal candidates).

E) HEAD-HUNTING

This method can be used only in conjunction with the normal advertising of vacancies. In the event that the selection committee was not able to identify any suitable candidate(s), either during the short listing process or after the interviewing process, head-hunting can be undertaken. If the selection committee was unable to identify suitable candidates from a pool of applicants who had responded to an advertisement, the committee can submit a written motivation to the Director: HRM to request approval to head hunt. If the selection committee fails to identify suitable candidates during an interview process (i.e. after approval of a short list was initially granted), the committee shall submit a written motivation to the relevant delegated authority, who approved the short list, and request approval to head hunt. Such a motivation shall include the reasons why the candidates who were interviewed did not meet the requirements of the post.

Head hunting can be done through word of mouth, i.e. where the line manager/selection committee identifies suitable candidates in the respective fields and invites them to forward their applications. The process of head hunting can also be done through the use of a professional recruitment company. A combination of the two approaches may also be used simultaneously. Whenever the services of a service provider/recruitment agency is utilised, the appointment of a preferred service provider will be done in compliance with the Department's approved policy on procurement of services and goods.

Head hunted candidates should be assessed by the same selection committee against the same selection criteria used on other applicants during the selection process.

8.2 CONTENTS OF ADVERTISEMENT

An advertisement for a post should (where applicable) specify the following:

- a) Title of the post
- b) Place to be stationed
- c) Key requirements and key performance areas/duties of the post

- d) Remuneration for the post
- e) Contact person to whom enquiries can be addressed
- f) The closing date for application. (The closing date for a post advertised in the external media must allow a minimum of 10 working days for submission of applications, and the closing date for a post advertised internally in the Department must allow a minimum of 5 working days.)
- g) The nature of appointment i.e. if the post is for a specific term, the nature and term of the contract should be clearly stated (e.g. Two year contract).
- h) That ALL candidates will be subjected to a detailed verification process, covering the following areas: Criminal and credit record checks, verification of citizenship, previous employment and academic qualifications; and
- i) A requirement for proof of professional registration (where applicable).

9. SELECTION PROCESS

9.1 COMPOSITION OF THE SELECTION COMMITTEE

- a) The selection committee shall consist of a minimum of three members who are employees of a grading equal to or higher than the grading of the post to be filled, or suitable persons from outside the public service. Where possible, the selection committee shall preferably consist of at least two members who are of a higher grading than the post.
- b) The chairperson of the selection committee, who shall be an employee (public servant), shall be of a grading higher than the post to be filled. The direct supervisor for the post being filled shall, as far as possible, form part of the selection committee.
- c) In the event that the selection process is not finalized on a specific day or time, the same selection committee members must be present on the continuation of the process.
- d) In the event that the manager of the component within which the vacant post is located, is graded lower than the vacant post, such a manager may be a member of the selection committee.
- e) Employees of a grading lower than the grading of the post to be filled may provide secretarial or advisory services during the selection process, but shall not form part of the selection committee.
- f) A Human Resource practitioner must serve on all selection committees in a technical advisory capacity to assist the selection committee.
- g) A selection committee constituted for the appointment of a Head of the Department shall include at least three Ministers.
- i) The committee that short listed applicants, shall, as far as possible, remain the same and become the interviewing panel/selection committee for the interviewing process.

- j) In the event that the approved selection committee has to change due to the unavailability of one or more of officials on the committee, approval shall, as far as possible, be sought from the approving authority before the interview takes place, stating the reason for the change and the names of the recommended replacement member/s.
- k) A selection committee shall, where possible, include adequate representation (race and gender) of people from designated groups and include members with relevant expertise.
- l) A member of a recognized labour union will be allowed to attend as an observer.

9.2 SELECTION METHODS

a) SHORTLISTING

- (i) The selection committee shall eliminate non-qualifying applicants for the post, on the basis of the inherent requirements of the post, and recommend to the approving authority a list of suitable candidates for approval as the short list.
- (ii) The elimination of non-qualifying applicants must be done in a justifiable manner and must be documented, so that the reasons for elimination are available for record and audit purposes.
- (iii) Head hunted candidates must be identified, and reasons for head hunting them must be included in the request for approval of the short list.

b) INTERVIEWING OF SHORT LISTED CANDIDATES

- (i) Short listed candidates will be subjected to a structured interview with the selection committee, during which they will be asked questions in relation to the key performance areas of the post. Candidates will, as far as possible, be given a notice period of not less than three full calendar days for preparation for the interview.
- (ii) No discriminatory questions may be asked to candidates during the interview.
- (iii) Interview questions should be relevant to the requirements of the post and the same interview questions should be asked to each candidate.

c) PRACTICAL JOB-BASED ABILITY TEST

A practical job-based ability test may be used by the selection committee, in conjunction with interviews, as an additional selection tool for determining a suitable candidate. The test must be based on the key performance areas of the post. In the event that the exercise is timed, the allocated time for the candidates to complete the exercise must be reasonable and be applied/monitored consistently for all candidates.

d) REFERENCE CHECKS

- (i) At least one written reference report shall be obtained in respect of each recommended candidate, preferably from the direct supervisor, before selection is concluded. Verification of details of the current employment shall also be a requirement in respect of all non-internal recommended applicants.
- (ii) Only referees whose names appear on the candidates CV must be contacted. If, for any reason, another person not indicated on the CV is to be contacted, the candidate's consent must be obtained.
- (ii) Telephonic reference checking can be utilized to expedite the process. The Chairperson or the HR TA will be responsible for the process. The reference checks must be submitted together with the submission for the recommendation of the nominated candidate.

e) SMS COMPETENCY ASSESSMENT TESTS

- i) Applicants being considered for Senior Management posts will be subjected to a Competency Assessment with any of the service providers accredited by the Department of Public Service and Administration.
- ii) The final selection decision will be based on the results of the competency assessment, the interview results, the results of the practical job-based ability test, if applicable, and the reference check.

10. APPOINTMENT OF CANDIDATES

10.1 RECOMMENDATION OF SUITABLE CANDIDATES

- a) The selection committee shall submit to the approving authority their recommended candidate(s) for approval.
- b) The recommendation shall be accompanied by the reference checks of the recommended candidate; results of the job-based ability exercise for all candidates and a copy of the SMS competency assessment report where applicable.
- d) In the event that the panel has identified more than one suitable candidate for appointment to the post, the panel may recommend to the approving authority more than one candidate in order of preference. The alternative/runner up candidates will be appointed to the post in the event that the first nominated candidate declines the offer.
- e) An approval of a runner-up candidate (as recommended according to paragraph 10.(a) above) shall remain effective for three consecutive months from the date that the first nominated candidate

- f) assumed duty. If the first nominated approved candidate declines the offer or if the candidate accepted the offer of employment and then vacates the post within three months of assumption of duty, the line manager shall have the option to appoint the second recommended candidate, subject to a positive reference report.
- g) All appointments shall be subject to a comprehensive verification process in terms of the **National Vetting Strategy**.

10.2 FEEDBACK TO CANDIDATES FOR A POST

- a) A candidate who has been appointed to a post will be informed and given an offer of employment immediately on receipt of approval from the approving authority.
- b) All short-listed candidates who were interviewed and were not successful for the post, must be informed in writing of the results of the interview within five working days of receiving the approval for the recommended nominated candidate from the delegated authority.
- c) All internal DEA candidates, irrespective of whether they were short listed or not, must be issued with regret letters, immediately after receipt of the approval of the nomination, and ideally before the appointed candidate is informed.
- d) The relevant line manager, in cooperation with the HR TA or Director: HRM, shall ensure that particular sensitivity is shown towards unsuccessful internal candidates to ensure that the information does not reach such a candidate through unofficial channels (grape-vine).
- e) The chairperson and the selection committee, through the HR TA, shall provide reasons in writing to an applicant who was not short listed and/or appointed to a post, on receipt of a written request from the applicant or his/her union representative.

11. TRANSPORT/TRAVEL AND ACCOMMODATION FOR SHORT LIST CANDIDATES INVITED FOR AN INTERVIEW/SMS COMPETENCY ASSESSMENT /JOB ABILITY EXERCISE

11.1 The Department shall provide reasonable and the most economic travel/transport and accommodation to short listed applicants, who are residing far from the location where the interview/SMS competency/job ability exercise will be undertaken, or who are at the time of the invitation far from the location/centre where the assessment process will be undertaken.

11.2 QUALIFICATION CRITERIA FOR TRANSPORT /TRANSPORT ACCOMMODATION

11.2.1 Applicants will only be provided transport accommodation; only if they coming out outside of the province and/or town where the assessment will take place.

- 11.2.2 No transport or accommodation will be provided, if the post was advertised internally in the Department, or in the local media and the applicant is coming from outside the circulation area of the media used.
- 11.2.3 In any other special circumstances, transport and accommodation shall be granted at the discretion of the Director: Human Resources Management, in consultation with the relevant Line Manager, after careful consideration of the circumstances of the specific case.
- 11.2.4 Provision of transport shall be considered a courtesy on the part of the Department, and whilst it shall not be unreasonably refused to an applicant, it shall not be an entitlement. An applicant shall therefore not be entitled to dispute the ruling of the Director: Human Resources.
- 11.2.5 Hotel accommodation will be arranged for an applicant only in exceptional cases, on the approval of the Director: HRM, in consultation with the relevant Line Manager.
- 11.2.6 In the event of the Department failing or being unable to provide transport and accommodation to the applicants to attend any assessment process, the applicants shall be responsible for making their own arrangements.

12. FILLING OF VACANCIES WITHOUT ADVERTISING

- 12.1 The Department shall exercise its right to fill a vacant post without advertising it, under the following circumstances, as provided in Part VII, C.2.5 of the Public Service Regulations, 2001 :
- 12.1.1 If the Department can fill the post from the ranks of supernumerary staff of equal grading
- 12.1.2 If the Department can absorb into the post an employee who was appointed under an affirmative action programme, if she or he meets the requirements of the post, including employees recruited through the Department's internship, bursary and/or learnership programmes
- 12.1.3 If the Department plans to fill the post as part of a programme of laterally rotating or transferring employees to enhance organisational effectiveness and skills; or
- 12.1.4 If the post is filled in terms of section 3B of the Public Service Act, which deals with the appointments and career incidents of Heads of Department.

13. APPOINTMENT OF TEMPORARY OFFICE RELIEF STAFF

It is acknowledged that the Directorate: HRM will from time to time receive requests to assist Line Managers with the provision of temporary office staff relief. These requests will at times be urgent and will require the Directorate to attend to them with the urgency that will satisfy the needs of the respective line managers. These policy guide lines are therefore aimed at providing a clear approach to the filling of contract posts for temporary office administration relief and to ensure that there is adherence to the core principles that this policy seeks to promote.

13.1 APPROACHES TO THE FILLING OF CONTRACT POSTS FOR TEMPORARY OFFICE ADMINISTRATION RELIEF

Depending on the urgency of the request, the Directorate: HRM will assist the Line Manager with the provision of temporary office administration relief in the following manner

a) ADVERTISING OF TEMPORARY VACANCIES

Temporary posts will be advertised through internal media in the Department to allow for a short running time of the advert. On closing of the advert, the selection committee will apply the normal selection process.

b) APPOINTMENT OF RUNNER-UP CANDIDATES TO TEMPORARY VACANCIES OF EQUAL LEVEL

The Directorate: HRM shall create and maintain a data base of runner-up candidates for administrative positions. In the event that a Line Manager requests urgent temporary office administration relief, unemployed applicants who are on the data base and who are available for temporary work, may be considered for appointment. The applicant may be re-interviewed by the line manager or be appointed directly, on the basis that they were once interviewed and found appointable, if the line manager so wishes.

c) APPOINTMENT OF FORMER INTERNS AND PEOPLE WHO WERE PREVIOUSLY EMPLOYED ON A TEMPORARY BASIS IN THE DEPARTMENT

Line managers may be allowed to recruit for temporary vacancies unemployed people who have previously been in the Department's internship programme and people who have been previously employed on a contractual basis and are still unemployed, if the candidate had previously demonstrated well developed competencies and an understanding of the work of the Department and internal systems i.e. GroupWise, EDMS etc.

d) SHORT LISTING FROM APPLICATIONS OF RECENTLY ADVERTISED POSTS

The other option for the filling of a temporary vacancy is to allow the line manager to short list potential candidates from a pool of applications of recently advertised administrative vacancies at the same level as the temporary post being filled. The line manager shall consider those applicants who are unemployed and are likely to be interested in the temporary vacancies.

14. RE-APPOINTMENT OF FORMER EMPLOYEES

14.1 An Executing Authority may not re-appoint a former employee where:

- a) The former employee left the public service earlier on the condition that he or she would not accept or seek reappointment;
- b) The original grounds for termination of service militate against re-appointment;
- c) The former employee left the public service due to ill health and cannot provide conclusive evidence of recovery.

14.2 Notwithstanding the condition in paragraph 14.1(a) above, an Executing Authority may appoint a former employee referred to above provided that:

- a) The appointment is in the public interest;
- b) The appointment is made in accordance with the recruitment and selection procedures in the PSR and no other suitable candidate can be recruited;
- c) The appointment is made for a fixed period not exceeding three years, and that term may be extended only for a further term not exceeding three years; and
- d) The employee has not been appointed in terms of this regulation before.

15. LATERAL TRANSFERS OF EMPLOYEES

15.1 Lateral transfer refers to the horizontal transfer of staff, within and between departments without any financial gain, to a vacant post within the same or another occupational class.

15.2 The process of lateral transfers enhances organizational effectiveness.

15.3 Employees can from time to time be rotated between different jobs within the Department and between different departments to enhance their skills.

15.4 The process for a lateral transfer may be initiated by either the employee or the employer.

15.5 In the event that the transfer process is initiated by the employer, the employee will be consulted thoroughly.

15.6 Employees can be redeployed on a temporary basis into a vacant post or additional to the establishment only where no other arrangement can be made. The same conditions as for transfers will apply, except that the post that the employee vacates, may not be filled during such temporary redeployment.

15.7 Transfers between different departments will be done by mutual agreement between departments and the employees concerned.

15.8 Transfers between National Departments and Public Entities, as described in the PFMA, will be regarded as a transfer in terms of this policy.

15.9 CONDITIONS FOR TRANSFERS

- a) Employees who apply for a lateral transfer should do so through their supervisors in accordance with the approved procedure.
- b) Transfers should be effected to benefit the Department, but the employee's personal circumstances should also, as far as possible, be taken into account.
- c) A person may be transferred while serving his/ her probation period.
- d) The notice period must be negotiated between the current and the receiving supervisor. A transfer should preferably be effected not more than one month after approval thereof.
- e) Any possible costs associated with a transfer are dealt with in accordance with the relevant collective agreements and the Departmental policy on Resettlement.

16. SECONDMENT OF EMPLOYEES

16.1 CONDITIONS FOR SECONDMENTS

- a) The recipient department shall bear the inclusive costs of secondments, unless otherwise arranged or Treasury approves another arrangement.
- b) The secondment, once agreed to, shall be a written contractual agreement between the individual and the host department, or other institutions as stipulated in the Act.
- c) If any employee is seconded to a foreign government or international organization, approval shall be obtained in writing from the Minister of Foreign Affairs.
- d) Seconded employees shall continue to be entitled to all the benefits provided for in their contracts of employment with their original departments/institutions and will remain subject to all the obligations provided for in the Act and the Regulations.

16.2 PROCEDURES TO BE FOLLOWED FOR PERSONS SECONDED FROM OUTSIDE THE DEPARTMENT

- a) Section 15(2) of the Public Service Act, 1994, as amended, requires that the Minister of Environmental Affairs must agree to the secondment and that Treasury must approve funding, where necessary.
- b) Seconded persons may be kept additional to the establishment, which means that no vacancies have to be secured for them. Funding for such additional employment may be granted from the operational budget and not from the personnel budget.
- c) When approaching Treasury for approval of funding for secondments from outside the Department/ Public Service the following should be addressed:
 - i) Why the need cannot be satisfied from resources from within the Department

- ii) Motivation for the proposed remuneration
- iii) It must be stated that the original company of the seconded person is willing to make his/her services available
- iv) It must also be stated that the Department has a direct relationship with the original organization and not the seconded person
- v) The approval of the Minister for the secondment must be attached

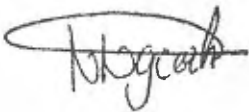
16.3 The following information must be provided in respect of each seconded person:

- (a) Name
- (b) Original company
- (c) Address of original company
- (d) Purpose for which person is seconded
- (e) Period of secondment
- (f) The rate of remuneration

17. MONITORING, EVALUATION AND REVIEW OF POLICY

17.1 The Director: Human Resources Management be responsible for the continuous monitoring, evaluation and review of the policy and ensure that the policy is always up to date and aligned to national policy and legislative developments.

APPROVED / NOT APPROVED



DIRECTOR-GENERAL

DATE: 11/10/2011