

ACTING ALLOWANCE POLICY

<u>Policy: Acting Allowance Policy</u>	<u>Effective Date:</u>
<u>Approved:</u>	<u>Review Date: 31 March 2020</u>

Notwithstanding the review date herein. This policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

1. POLICY PURPOSE

Council acknowledges that from time to time an employee, due to certain circumstances (such as death, resignation, etc.) may not be in position to discharge his/her duties and responsibilities in terms of the contract of employment. Council further recognizes that from time to time there would be a need to appoint another employee to discharge the duties of that particular employee in their absence, hence the need to enter into an acting arrangement and acting allowances

- An employee is deemed to be acting in another post when he/she is dully appointed by Municipal Manager to do so.
- An employee who acts in another post must be also be required to execute his/her original duties, functions and powers

This policy provides the policy principles for the acting policy

2. POLICY OBJECTIVE AND SCOPE

The objective and scope of the policy are the following:

- To ensure that efficiency of the Municipal is maintained during the absence of the incumbent
- To promote on the job experience and exposure to other employees
- To provide a policy guideline for the handling of acting arrangements in various positions within Council
- To provide a policy guideline within which acting arrangements can occur
- This policy is applicable to:
 - All permanent employees of the municipality including fixed term contract employees
 - All section 57 employees of the municipality in terms of the Systems Act

3 POLICY DEFINITION

“**Council**” means the municipality

“**Acting**” refers to where an employee, by written approval of the Council or Manager or Manager reporting to the Municipal Manager act in a higher post

4 LEGISLATIVE FRAMEWORK

The parties acknowledge that acting is regulated in the following legislation and collective arrangement:

- Local government Municipality Systems Act no 32 of 2000
- Divisional Conditions of Service Collective Agreement
- In the event of Conflict between the policy and the System Act and the Collective Agreement then the systems act and Collective agreement will prevail

5 POLICY/ PROCEDURE TARGET AUDIENCE

The policy applies to all staff functioning in acting roles

GENERAL POLICY PROVISIONS

6.1 MUNICIPAL MANAGER

- In the absence of the Municipal Manager or any other section 57 employee shall be appointed by Council to act as a Municipal Manager.
- Any person appointed to act as Municipal Manager Must at least have skills, expertise, competency and qualifications as prescribed.
- A person appointed to act may do so for a maximum period of 3 months and with permission of the MEC for a further 3 months period
- Any acting appointment contrary to the Systems Act is null and void
- The Municipal manager must authorise the payment of an acting allowance to an employee who acts Municipal Manager during his/her absence
- An acting allowance is only payable when an employee acts as a Municipal Manager for a minimum of 10 uninterrupted consecutive working days
- The acting allowance in terms of payable in terms of this policy shall be fully taxable and included in the monthly salary of the acting employee and be paid on the pay day month following the conclusion of the acting period
- Before an acting allowance is payable in terms of this policy, the relevant Municipal Manager must certify that the acting employee performed all the duties such an employee in respect of whom he/she acted satisfactory and such certificates shall be filled in the personal file of the employee who acts in terms of this policy.

6.2 MANAGERS REPORTING TO THE MUNICIPAL MANAGER

- In the absence of a manager then the Municipal Council must appoint an employee to act in the post of a manager reporting to the Municipal Manager.
- A person appointed to act may do so for a maximum period of 3 months.
- The Municipal Manager must authorize the payment of an acting allowance to an employee who acts a Manager during the absence of the Manager concerned
- Acting allowance shall only be payable when an employee acts as Manager for a minimum of uninterrupted 10 working days
- The acting allowance in terms of payable in terms of this policy shall be fully taxable and included in the monthly salary of the acting employee and be paid on the pay day month following the conclusion of the acting period
- Before an acting allowance is payable in terms of this policy, the relevant Municipal Manager must certify that the acting employee performed all the duties

such an employee in respect of whom he/she acted satisfactory and such certificates shall be filled in the personal file of the employee who acts in terms of this policy

6.3 OTHER PERMANENT EMPLOYEES ACTING

Acting refers to where an employee, by written approval of the Municipal Manager or his nominee, acts in a higher post.

- An acting allowance shall be paid to an employee acting in a higher post subjects to:
- Written confirmation of acting appointment by Municipal Manager or his nominee prior to acting
- The employee acting in a post for continuous period of 10 working days
- The acting allowance will be non-pensionable amount payable to be different between the current salary of the employee acting and the minimum notch of the salary scale pertaining to post in which the employee is acting.
- An employer shall not require an employee to act for longer than 6 months in the post unless an application for exemption is made by the municipal to the specific division of SALGBC. During the period of the application for exemption the employee will continue to receive and acting allowance
- Any acting appointment does not guarantee a permanent appointment to that particular position

6.4 GENERAL

The powers of Council and the Municipal Manager in terms of this policy may be delegated to the terms and conditions as Council or the Municipal Manager may determine

Any acting appointment must be in writing to act in a higher post, by a person duly authorised to do so and that act official must accept the acting appointment in writing before the acting commences

An official who has been appointed to act in accordance with the Provisions of this Policy may only act in a higher post for the maximum period permissible and under the conditions stipulated in the policy after which the agreement shall be reviewed.

An official acting in a vacant position should not expect to be automatically appointed permanently when the position is advertised.

Acting allowance will be paid in the month following the period in which the acting took place.

6.5 COMMENCEMENT

This policy comes into force on the date which is adopted by council.

6.6 SHORT TITLE

This policy will be well known as the Acting Arrangement Policy.

AUTHORITY

Formulation Policy : Head of Corporate Service
Authorisation Policy : Council
Ownership & Maintenance Manager : Manager: Human Resource