



## **ACTING IN HIGHER / SAME LEVEL POSITION POLICY**

### **1. PURPOSE**

1.1. The purpose of this policy is to provide a framework for the appointment and remuneration of employees acting in higher positions and in vacancies in same level the positions they are occupying in the Municipality.

### **2. SCOPE OF APPLICATION**

2.1. This policy applies to all permanent and contract staff that are in employee of the municipality for a period of six weeks and more.

### **3. POLICY STATEMENT**

3.1. The Municipality treat acting in a higher position as means of empowering junior staff with the experience that will provide personal empowerment for future development whilst acting in the position equivalent is for the Municipality to fulfill its operational requirements

### **4. APPLICABLE PRINCIPLES**

- 4.1. The consideration for appointment of staff to act in higher or same level positions shall be based on potential, personal attitude and performance demonstrated by the employees in performing in their current duties.
- 4.2. Ideally an employee acting in higher or same level position must come from the same department where the position became vacant and must be approved by the Municipal Manager before assumption of duties.
- 4.3. All cases of employees acting in higher or same level position in terms of 4.1 and 4.2 above shall be in writing to the employee after due process of approving the appointment have been satisfied.
- 4.4. Employee will only be permitted to act in a position one level higher than the one they are currently occupying or same level. The Municipal Manager will approve an exception to this rule.

### **5. DURATION FOR ACTING POSITIONS**

5.1. Acting in higher or same level position shall be a temporal measure and therefore no employees shall act in a higher or same level position for a period exceeding six (6) months in the event the employer has required the employee to act for period exceeding six (6)

months and has failed to apply for an exemption the provisions of the Labour Relations Act shall apply.

- 5.2. An acting form attached herein as "Annexure A" must be completed by the supervisor and employee who has been requested to act prior to the acting taking place.
- 5.3. The acting appointment shall be authorized by the Municipal Manager prior to the employee acting in the position.

## **6. PRINCIPLE FOR ACTING IN A POSITIONS ON THE SAME LEVEL**

- 6.1. Employees can act in posts on the same level as theirs, although managers should consider people in lower posts first, in order to provide them with the opportunity to learn and acquire higher level skills.
- 6.2. Where an employee is acting in a position equal in level to the one they are occupying remuneration of notch higher than the employee is occupying will be paid.
- 6.3. It shall be responsibility of the Head of Department in collaboration with Human Resources to ensure that appropriate measures are taken to resolve the issue that resulted in the need for a person to act in higher position, in the first place.

## **7. APPOINTMENT OF EXTERNAL CANDIDATES IN ACTING POSITIONS**

- 7.1. The Municipality, may in exceptional cases, bring someone from outside of the municipality for purposes of acting in a vacant position. in such cases ,the following will prevail;
  - (1) The decision will be taken by the Executive Committee.
  - (2) Scarce skill and seniority will influence the decision
  - (3) A full salary will be paid to incumbent
  - (4) The contract will not exceed six(6) months

## **8. ACTING ALLOWANCE**

- 8.1. Acting refers where an employee, by written approval of the Municipal Manager or his nominee, act in higher post or position in the same level.
- 8.2. An acting allowance shall be paid to an employee acting in higher or same level post subject to :
  - (1) Written confirmation of acting appointment by Municipal Manager or his nominee prior to acting
  - (2) The employee acting in a post for a continuous period of 10 working days.
  - (3) The acting allowance will be a non-pensionable amount payable to be difference between the current salary of the employee acting and the minimum notch of the salary scale pertaining to the post in which the employee is acting or 8 % of basic salary of post in which employee is acting whichever is greater. in cases of Acting in the same level as the post the employee is occupying, acting allowance will be a non-pensionable amount of salary notch one level above the level above the level occupied by the acting employee.

- (4) 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 municipality to the KZN Division of SALGBC. During the period of the application for exemption the employee will continue to receive an acting allowance.
  - (5) Any employee permanently employed on an indefinite contract that acts in post of a section 56 shall be paid an acting allowance of 8% of total cost of employer remuneration of section 56 employee
  - (6) Any acting appointment does not guarantee a permanent appointment to that particular position.
- 8.3. The minimum period for illegibility of remuneration for acting in a higher or same level position shall be 10 working days or two weeks. Employee
- 8.4. \
- 8.5. acting in period less than 10 working days shall not be remunerated over and above their normal salaries.
- 8.6. Under exceptional circumstances only, will the Municipal Manager approve acting in a Higher position for periods shorter than 10 working days and longer than six months
- 8.7. Payment for acting in a higher position shall be remunerated as the difference in pay between incumbents normal salary and the salary of the position they are acting in.

#### **PROCEDURAL MATTERS**

- 9.1. In the event of a position becoming vacant, the Head of Department shall initiate the appointment of an acting employee by:
- (1) Motivating for a need for an acting employee.
  - (2) Ensuring that the position exists in the organogram of the Municipality
  - (3) Identifying an employee who will be suitable to act
  - (4) Establishing the availability of funds
- 9.2. The application for approval of an acting employee will be lodged with the Municipal Manager in an appropriate form bearing the signature of the Head of Department amongst other details.
- 9.3. The form will then be transmitted to the human resources section which will consider all policy and administrative issues and forward it to the finance service Department for confirmation of availability of funds.
- 9.4. The ultimate approval, on the form, will be given by the Municipal Manager
- 9.5. Only after approval has been obtained will the Human Resources Section generate and Issue a letter of appointment to the employee concerned to be transmitted through the office of the Head of the Department.
- 9.6. It will be responsibility of Human Resource to advise payroll of the details of the remuneration of the employee.



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**Mr. TL Kunéne**  
**(Speaker)**

**Resolution No: 32/2020 FC**



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**Mr. S. Sokhela**  
**(Accounting Officer)**

**Approval Date:27/05/2020**