



**MERA FONG CITY
LOCAL
MUNICIPALITY**

**ORDINARY VIRTUAL COUNCIL
MEETING**

THURSDAY, 28 NOVEMBER 2024

AT 10:00

THROUGH MICROSOFT TEAMS

MERAFONG CITY LOCAL MUNICIPALITY

OFFICE OF THE MUNICIPAL MANAGER
MUNICIPAL OFFICE
CARLETONVILLE

21 November 2024

Dear Councillor/Sir/Ms.

ORDINARY VIRTUAL COUNCIL MEETING OF MERAFONG CITY LOCAL MUNICIPALITY:
28 November 2024

NOTICE IS HEREBY GIVEN that an ORDINARY VIRTUAL COUNCIL MEETING of MERAFONG CITY LOCAL MUNICIPALITY will be held at 10:00 on THURSDAY, 28 NOVEMBER 2024 in the NEW COUNCIL CHAMBERS, MUNICIPAL OFFICE, HALITE STREET, CARLETONVILLE, to consider the under mentioned matters.

Yours faithfully

ELECTRONICALLY SIGNED

**CLLR TE MPHITHIKEZI
SPEAKER**

AGENDA

-
1. OPENING:

 2. NOTICE CONVENING THE MEETING:

 3. APPLICATION FOR LEAVE OF ABSENCE:

 4. SIGNING OF ATTENDANCE REGISTER:

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER:

6. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS:

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING:

7.1 Minutes of the Ordinary Council Meeting of Merafong City Local Municipality held on Tuesday, 29 October 2024 at 10:00 in the New Council Chamber, Municipal Offices, Halite Street Carletonville.

Attached as Annexure "One")

8. EXECUTION NOTICES:

9. MATTERS FOR CONSIDERATION:

10. REPORT OF THE EXECUTIVE MAYOR:

11. CLOSURE:

Annexure One



MERAUFONG CITY LOCAL MUNICIPALITY



MINUTES OF THE ORDINARY COUNCIL MEETING OF MERAUFONG CITY LOCAL MUNICIPALITY HELD ON TUESDAY, 29 OCTOBER 2024 AT 10:00 IN THE NEW COUNCIL CHAMBER, MUNICIPAL OFFICES, HALITE STREET CARLETONVILLE.

PRESENT:

COUNCILLORS:

Cllr N Best	-	Executive Mayor.
Cllr GM Sello	-	Deputy Executive Mayor
Cllr TE Mphithikezi	-	Speaker.
Cllr T Mokuke	-	Chief Whip
Cllr LI Mangaliso	-	MMC: Public Safety, Security and Transport.
Cllr LA Mganu	-	Water, Electricity and Gas
Cllr DV Tabane	-	MMC: Roads, Storm Water and Public Works.
Cllr DM Segakweng	-	MMC: Integrated Environmental Management.
Cllr GE Mbaliso	-	MMC: Local Economic, Tourism & Rural Development.
Cllr M Moyeni	-	MMC: Finance.
Cllr N Mcetywa	-	MMC: Corporate Support Services Libraries
Cllr PN Sefako	-	MMC: Human Settlements & Rural Development
Cllr E Tibane	-	MMC: Health and Social Development.
Cllr WA Fihla		
Cllr CY Kgakatse		
Cllr D Harman		
Cllr N Letlabika		
Cllr RG Lubbe		
Cllr L Maritz		
Cllr Masiu		
Cllr J Matabane		
Cllr SB Mbecheni		
Cllr TM Mnqandi		
Cllr AF Motloung		
Cllr TD Molatlhegi		
Cllr ATR Motsumi		

Cllr L Mpupu
 Cllr VT Mqotha
 Cllr ET Mtembu
 Cllr Z Mteto
 Cllr M Naki
 Cllr M Ngqele
 Cllr MB Nkabinde
 Cllr M Ntabeni
 Cllr MA Ntilane
 Cllr PEB O' Riley
 Cllr PE Phalatse
 Cllr AM Phenduka
 Cllr NC Pitlele
 Cllr CMD Rebelo
 Cllr SJ Tlhapi
 Cllr CS Steenekamp
 Cllr SI Tlharipe
 Cllr VM Tyelingane
 Cllr B van der Berg
 Cllr van der Hoff
 Cllr NE Wana
 Cllr JDW Zwart

OFFICIALS:

Mr. P Molokwane	-	Chief Operation Officer
Mr. SE Mantjane	-	ED: Community Services.
Ms. N Molefe	-	ED: Economic Development & Planning
Ms. D Mokoma	-	ED: Corporate Support Services
Mr. N Gubevu	-	ED: Energy
Ms. P Makhubela	-	Chief Financial Officer
Ms. M Mmeko	-	Deputy Chief Financial Officer
Mr. RG Pillay	-	Manager: Financial reporting
Ms. B Mjiwu	-	Manager: Office of the Speaker
Mr. DP Mosolotsane	-	Manager: Office of the Chief Whip
Ms. N Mahube	-	Acting Manager: Political Support Services
Ms. N Moyo	-	Manager: Civil Engineering
Mr. T Fezani	-	Manager: Corporate Communication & Marketing
Ms. K Kharejane	-	Acting Manager: Credit Control
Ms. B Lambert	-	Acting Manager: Human Capital
Mr. KL Maki	-	Acting Manager: Expenditure
Ms. K Marumole	-	Acting Manager: Office of the MM
Ms. J Monne	-	Manager: Manager Organisational Development
Mr. B Mazibuko	-	Manager: Industrial Relations
Ms. V Manthata	-	Manager: Internal Audit
Ms. E Ngamashe	-	Manager: PMO
Ms. Y Mapasa	-	Manager: LED & Tourism

Mr. T Dassie	-	Manager: Legal
Mr. ST Molokwane	-	Manager: Labour Law Litigation
Mr. W Molotsi	-	Manager: IDP/PMS/IGR
Mr. P Olivier	-	Acting Manager: Public Safety
Mr. I Mahlatsi	-	Manager: By-Laws
Ms. Z Pheto	-	Acting Manager: Spatial Planning
Ms. B Tsotso	-	Manager: Supply Chain
Mr. I Mavhutha	-	Manager: Waste Management
Mr. S Ngobese	-	Manager: Budget & Treasury
Mr. S Tholwana	-	Manager: Occupational Health
Mr. L Mofokeng	-	Acting Manager: Secretariat & Records
Mr. M Letlhaku	-	Manager: Fleet
Mr. N Voyi	-	Administration Officer: Office of the Exec Mayor
Mr. M. Lebereko	-	Acting Chief Committee Clerk
Mr. M Modise	-	Acting Committee Clerk

The **Notice of Convening the Meeting** was read by the ED Corporate Services: Ms. D Mokoma and the notice was confirmed by members to be in order:

1. **OPENING & WELCOME:**

The Chairperson Cllr TE. Mphithikezi opened the meeting by welcoming all. He expressed appreciation to member of the public in attendance and informed the sitting that the meeting was supposed to sat on the 29 September 2024 but was rescheduled as per the when priorities compete. He sincerely apologized for the inconvenience caused by the rescheduling he thereafter declared the proceedings of the meeting officially open.

2. **NOTICE OF THE MEETING**

Read by the Executive Director: Corporate Support Service Ms. Mokoma and it was confirmed to be in order.

3. **APPLICATION FOR LEAVE OF ABSENCE:**

COUNCILLORS:

Cllr Gcwalangobuthi
 Cllr Harman to be delayed
 Cllr Tlhapi
 Cllr Fihla to be delayed

Cllr Van der Berg to be excused at 12h00
Cllr Van der Hoff to be excused at 12h00
Cllr Legabe

OFFICIALS:

Mr. Mabuza
Ms. Moyo
Mr. Tholwana
Mr. Dassie

4. SIGNING OF ATTENDANCE REGISTER:

Circulated and signed by all members present.

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

As per the opening remarks Item 1.

6. PROPOSALS OF CONGRATULATIONS & CONDOLENCES:

- Cllr conveyed his deepest condolences to the families respectively of the late Mr. Mdladlana and Mr. Mboweni.
-

7. CONFIRMATION OF MINUTES:

After a proposal by Cllr Mpupu was seconded by Cllr Motsumi it resolved that the minutes be approved with the following amendments:

31 JULY 2024.

That the names of the Speaker to indicate Speaker rather than Chairperson.

14 AUGUST 2024

That the names of Cllrs Mokuke, Ntabeni, Ntabeni, van der Hoff, van der Berg, Wana, Mqotha, Rebelo were omitted from the minutes.

30 AUGUST 2024

After a proposal Cllr Mpupu was seconded by Cllr Motsumi it was resolved that the minutes be approved.

EXECUTION NOTICES:

31 JULY 2024

After a proposal by Cllr Motsumi was seconded by Cllr Mpupu the Execution notices were approved.

8. MATTERS FOR CONSIDERATION

REPORT OF THE AUDIT COMMITTEE

RESOLVED

- i) That Council takes note of the report of the Committee for the period ended 31 March 2024 (covering the 3rd quarter and year-to-date report of the 2023/2024 financial year).
-

ITEM 74/2024

**MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): SECTION 71 and 52(d)
REPORT FOR THE 1st QUARTER (JULY – SEPTEMBER 2024**

RESOLVED

- ii) That Council takes cognisance of the statement reflecting the budget performance for the month of September 2024.
- iii) That in order to comply with the provisions of Section 71 and 52d of the MFMA, the Accounting Officer must submit the statement to the Executive Mayor and Provincial Treasury, in both a signed document format and in electronic format.
- iv) That stringent credit control and debt collection measures be implemented to improve revenue collection.
- v) That strategic measures be taken to reduce water and electricity losses as a priority.

- vi) That the implementation of the capital budget from conditional grants be accelerated to avoid funds being returned with the resultant negative impact on service delivery.
 - vii) That cost containment report be noted as at the end September 2024.
-

ITEM 75/2024
WITHDRAWALS FROM MUNICIPAL BANK ACCOUNTS FOR THE PERIOD 01
JULY TO 30 SEPTEMBER 2024

RESOLVED:

- i) That Council take cognisance of the withdrawal report for the period 01 July until 30 September 2024 for tabling.
 - ii) That the report as approved and Form D as attached hereto be submitted to Provincial Treasury by the Accounting Officer.
-

ITEM 76/2024
PROGRESS REPORT ON PROCUREMENT FOR MERAFOG CITY LOCAL
MUNICIPAL OCTOBER 2024

RESOLVED:

- i) That Council take cognisance of the Procurement plan progress up to June in 2024/2025 financial year.
-

ITEM 77/2024

SUPPLY CHAIN MANAGEMENT: APPROVED DEVIATIONS FOR THE MONTH
OF SEPTEMBER 2024

RESOLVED:

- i) The Council takes cognisance of the Deviations report for the month of September 2024/25 financial year.

- ii) That the report be submitted to the Executive Mayor and subsequently Council for notification.
 - iii) See table with details below.
-

ITEM 78/2024

1st QUARTER REPORT ON IRREGULAR EXPENDITURE FOR 2024/25 FINANCIAL YEAR

RESOLVED:

- i) That Council note the Irregular expenditure report for 2024/2025 financial year.
 - ii) That Council refer the identified Irregular Expenditure for the 1st Quarter ending 30 September 2024 amounting to R1 826 751-46
 - iii) That Council refers the identified irregular expenditure for the month of September 2024 to the amount of R1 826 751-46 to MPAC for consideration and analysis in terms of section 32 of the MFMA. Refer to the table below.
-

ITEM 79/2024

FRUITLESS AND WASTEFUL EXPENDITURE FOR THE FINANCIAL YEAR 2024/2025 FIRST QUARTER

RESOLVED:

- i) That Council to note the of the identified Fruitless and Wasteful Expenditure report for the Financial year 2024/25 first quarter.
 - ii) That Council refers the identified Fruitless and Wasteful Expenditure for the Financial Year 2024/2025 for the first quarter amounting to R42 981 843.55 TO Council and MPAC for consideration and analysis in terms of Section 32 of the MFMA. See table below – Annexure “A”.
-

ITEM 80/2024

BUDGET FUNDING PLAN 2024/2025

RESOLVED:

- i) That the Municipality is implementing credit control in all areas of Debtor's book to improve the collection rate.
 - ii) That the budget funding plan attached as "Annexure 1" to this report be approved.
 - iii) That the Municipality continue to implement the cost containment measures to reduce on expenditure that is controllable and in other instance avoidable.
-

ITEM 81/2024

DETERMINATION OF UPPER LIMITS OF SALARIES ALLOWANCES AND BENEFITS OF THE DIFFERENT MEMBERS OF THE MUNICIPAL COUNCILS IN TERMS OF THE GOVERNMENT GAZETTE NOTICE 712 NUMBER 51407 DATED 17 OCTOBER 2024

RESOLVED:

- i) That Council take cognisance of the Government Notice No 51407 dated 17 October 2024 on determination of the upper limits salaries, allowances and benefits of the different members of the Municipal council with effect from 1 July 2023.
- ii) That the report on the determined upper limits and remuneration levels be approved.
- iii) That Council take cognisance that an amount of R 942 012.00 will be required to pay for the back pay of allowances for 55 Councillors with effect from 1 July 2023 to 31 October 2024 (16 months).
- iv) That Council to take out a risk insurance cover to provide for the loss of or damage to Councillors property, assets, life or disability arising from any riot, civil unrest, strike or public disorder or ensure that Councillors have such cover for their property as prescribed in the notice.

- v) That the MEC's concurrence to implement the Councillors allowance and benefits be sought after the approval of the item by Council.
 - vi) That the Accounting Officer be mandated to implement the resolution of council as soon as the written concurrence of the MEC is received.
-

82/2024

IMPLEMENTATION GUIDELINES OF THE 2024-2029 SALARY AND WAGE COLLECTIVE AGREEMENT

RESOLVED:

- i) That Council takes cognisance on the implementation of the Salary and Wage collective agreement for 2024-2029.
-

ITEM 83/2024

SECRETARIAT AND RECORDS MANAGEMENT REPORT ON THE DOCUMENT SCANNING AND RECORDS MANAGEMENT PILOT PROJECT

RESOLVED:

- i) That Council notes the report on the Document scanning and records management pilot project conducted by SALGA.
 - ii) That the Municipality undertakes a benchmarking exercise with the best performing municipality on automated records management systems and have improved audit outcomes as recommended by SALGA during the engagement as follows:
 - Dawid Kruipert Local Municipality and the ZF Mgcawu District Municipality in the Upington area, Northern Cape then make a visit to Gasegonyana or Siyacuma Local Municipality on the way back.
-

ITEM 84/2024

ADOPT A MUNICIPALITY PROJECT AN INITIATIVE BY SAIGA IN PARTNERSHIP WITH LGSETA

RECOMMENDED TO COUNCIL

- i) That Council notes the support and initiative by SAIGA and LGSETA;
 - ii) That Council take note of the Memorandum of Agreement entered into between Merafong City Local Municipality, (SAIGA) and (LGSETA);
 - iii) That the Memorandum of Agreement for the Adopt a Municipality Project be tabled to the next council meeting for noting and adoption.
-

ITEM 85/2024

REGIONAL PERFORMANCE AUDIT COMMITTEE CHARTER FOR 2024/2025 FINANCIAL YEAR

RECOMMENDED TO COUNCIL

- i) That Council adopts the Regional Performance Audit Committee Charter for 2024/2025 financial year.
-

ITEM 86/2024

REQUEST FOR DEVELOPMENT OF LEASE AGREEMENTS FOR NON-PROFIT ORGANISATIONS OPERATING FROM MUNICIPAL PROPERTIES

RECOMMENDED TO COUNCIL

- i) That the request for formalise the occupation of Municipal properties by Non Profit Organisations through Lease Agreements be approved.
 - ii) That Council takes cognisance of the significance of services implemented by these organisations towards Community development.
 - iii) That Council takes cognisance that the organisations from these properties are all registered Non Profit Organisations.
 - iv) That Council takes cognisance that these Organisations are meagerly funded by Provincial Government Departments and have no other means of income generation.
 - v) That cognisance be taken that the organisation are monitored by the Departments of Health, Education, Social Development and the Municipality.
 - vi) That formal lease agreements for these Non Profit Organisations be developed and signed by the Accounting Officer and any other property availed by the Municipality for Community development purposes.
 - vii) That it be reflected in the lease agreements that maintenance of the centers will be the responsibility of the occupants.
 - viii) That the Municipality provide access to basic services to sustain programs delivered by these organisations.
 - ix) That pre-paid water and electricity devices be installed to control misuse.
 - x) That the lease agreements be renewed at least every three years to ensure that the provision of these services are sustainable to the beneficiaries.
 - xi) That all arrangements be communicated to the management teams of these organisations through the office of the Accounting Officer.
-

ITEM 87/2024

APPROVAL TO CONDUCT AN ASSESSMENT OF SERVICE DELIVERY MECHANISM FOR ALL WATER BUSINESS WITHIN MERAUFONG CITY LOCAL MUNICIPALITY IN TERMS OF SECTION 78 OF MUNICIPAL SYSTEM ACT WITH VIEW OF CREATING A SPECIAL PURPOSE VEHICLE

RECOMMENDED TO COUNCIL

- i) That Council authorise an assessment of service delivery mechanisms for water business in Meraufong City Local Municipality, in terms of Section 78 process of the Municipal Systems Act, with a view of creating a Special Purpose Vehicle.
-

ITEM 88/2024

MERAUFONG CITY LOCAL MUNICIPALITY- MUNICIPAL PUBLIC ACCOUNTS COMMITTEE'S TERMS OF REFERENCE

RECOMMENDED TO COUNCIL

- i) That Council approves the MPAC Structure to provide the necessary resources and administrative support to enable the Committee to exercise its duties.
-

ITEM 89/2024

MERAFONG CITY LOCAL MUNICIPALITY- MUNICIPAL PUBLIC ACCOUNTS COMMITTEE'S ANNUAL PROGRAMME OF ACTION JULY 2024-JUNE 2025 FINANCIAL YEAR

RECOMMENDED TO COUNCIL

- i) That the contents of the item be noted.
 - ii) That the Municipal Council approves and adopts the attached MPAC Annual Programme of Action for the 2024/2025 financial year.
 - iii) That the item be submitted to MPAC strategic stakeholders i.e. National Treasury, Provincial Treasury, COGTA, Auditor General, Gauteng SCOPA and WRDM MPAC.
-

ITEM 90/2024
IN COMMITTEE ITEM

Item was discussed in Committee.

ITEM 91/2024
IN COMMITTEE ITEM

Item was discussed in Committee

9. CLOSURE.

The Speaker, Cllr TE Mphithikezi thanked all Councillors for participating during proceedings and officially declared the proceedings of the meeting closed.

MERAFONG CITY LOCAL MUNICIPALITY

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

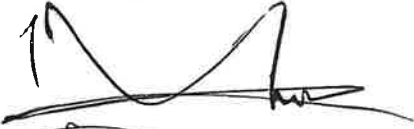
The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 74/2024 <u>MUNICIPAL FINANCE MANAGEMENT ACT (MFMA): SECTION 71 and 52(d) REPORT FOR THE 1st QUARTER (JULY – SEPTEMBER 2024)</u></p> <p><u>RESOLVED</u></p> <ul style="list-style-type: none">i) That Council takes cognisance of the statement reflecting the budget performance for the month of September 2024.ii) That in order to comply with the provisions of Section 71 and 52d of the MFMA, the Accounting Officer must submit the statement to the Executive Mayor and Provincial Treasury, in both a signed document format and in electronic format.iii) That stringent credit control and debt collection measures be implemented to improve revenue collection.iv) That strategic measures be taken to reduce water and electricity losses as a priority.v) That the implementation of the capital budget from conditional grants be accelerated to avoid funds being returned with the resultant negative impact on service delivery.vi) That cost containment report be noted as at the end September 2024.	

REMARKS

- i) Council noted of the statement reflecting the budget performance for the month of September 2024.

- ii) Council noted that Accounting Officer will submit the statement to the Executive Mayor and Provincial Treasury, in both a signed document format and in electronic format.
- iii) Council noted that credit control and debt collection measures will be implemented to improve revenue collection.
- iv) Council noted that strategic measures be taken to reduce water and electricity losses as a priority.
- v) Council noted that the implementation of the capital budget from conditional grants be accelerated to avoid funds being returned with the resultant negative impact on service delivery.
- vi) Council noted that cost containment report be noted as at the end September 2024.


HEAD OF DEPARTMENT

DATE:


MUNICIPAL MANAGER

DATE: 11/11/2024


PORTFOLIO HEAD

DATE: 11 November 2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on
29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 75/2024 <u>WITHDRAWALS FROM MUNICIPAL BANK ACCOUNTS FOR THE PERIOD 01 JULY TO 30 SEPTEMBER</u></p> <p><u>RESOLVED</u></p> <p>i) That the Council takes cognisance of the withdrawal report for the period 01 July until 30 September 2024 for tabling.</p> <p>ii) That the report as approved and Form D as attached hereto be submitted to Provincial Treasury by the Accounting Officer.</p>	

REMARKS

- i) Council took cognisance of the withdrawal report for the period 01 July until 30 September 2024 for tabling.
- ii) Council noted that the report as approved and Form D as attached hereto be submitted to Provincial Treasury by the Accounting Officer.


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DATE: 11 November 2024

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29 October 2024


The following item was approved by the Council:

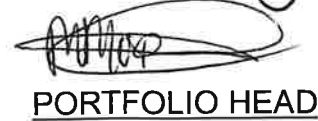
<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 76/2024 <u>PROGRESS REPORT ON PROCUREMENT FOR MERAUFONG CITY LOCAL MUNICIPALITY OCTOBER 2024</u></p> <p><u>RESOLVED</u></p> <p>i) That Council take cognisance of the Procurement plan progress up to June in 2024/2025 financial year.</p>	

REMARKS

- i) That Council took cognisance of the Procurement plan progress up to June in 2024/2025 financial year.


HEAD OF DEPARTMENT


MUNICIPAL MANAGER


PORTFOLIO HEAD

DATE:

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DATE: 11 November 2024.....

EXECUTION NOTICE

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29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 77/2024 <u>SUPPLY CHAIN MANAGEMENT: APPROVED DEVIATIONS FOR THE MONTH OF SEPTEMBER 2024</u></p> <p><u>RESOLVED</u></p> <p>i) The Council takes cognisance of the Deviations report for the month of September 2024/25 financial year.</p> <p>ii) That the report be submitted to the Executive Mayor and subsequently Council for notification.</p> <p>See table below</p>	

REMARKS

- i) The Council took cognisance of the Deviations report for the month of September 2024/25 financial year.
- ii) It was noted that the report be submitted to the Executive Mayor and subsequently Council for notification


HEAD OF DEPARTMENT

DATE:


MUNICIPAL MANAGER

DATE: 11/11/2024


PORTFOLIO HEAD

DATE: 11 November 2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on
29 October 2024

The following item was approved by the Council:


<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 78/2024 <u>1st QUARTER REPORT ON IRREGULAR EXPENDITURE FOR 2024/25 FINANCIAL YEAR</u></p> <p><u>RESOLVED</u></p> <p>i) That Council note the Irregular expenditure report for 2024/2025 financial year.</p> <p>ii) That Council refer the identified Irregular Expenditure for the 1st Quarter ending 30 September 2024 amounting to R1 826 751-46</p> <p>iii) That Council refers the identified irregular expenditure for the month of September 2024 to the amount of R1 826 751-46 to MPAC for consideration and analysis in terms of section 32 of the MFMA. Refer to the table below.</p>	

REMARKS

- i) Council referred the identified Irregular Expenditure for the 1st Quarter ending 30 September 2024 amounting to R1 826 751-46
- ii) Council referred the identified irregular expenditure for the month of September 2024 to the amount of R1 826 751-46 to MPAC for consideration and analysis in terms of section 32 of the MFMA. Refer to the table below


HEAD OF DEPARTMENT

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29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 79/2024 <u>FRUITLESS AND WASTEFUL EXPENDITURE FOR THE FINANCIAL YEAR 2024/2025 FIRST QUARTER</u></p> <p><u>RESOLVED</u></p> <p>i) That Council to note the of the identified Fruitless and Wasteful Expenditure report for the financial year 2024/25 first quarter.</p> <p>ii) That Council refers the identified Fruitless and Wasteful Expenditure for the Financial Year 2024/2025 for the first quarter amounting to R42 981 843.55 TO Council and MPAC for consideration and analysis in terms of Section 32 of the MFMA. See table below – Annexure “A”.</p>	

REMARKS

- i) Council to note the identified Fruitless and Wasteful Expenditure report for the Financial year 2024/25 first quarter.
- ii) Council referred the identified Fruitless and Wasteful Expenditure for the Financial Year 2024/2025 for the first quarter amounting to R42 981 843.55 TO Council and MPAC for consideration and analysis in terms of Section 32 of the MFMA. See table below – Annexure “A”.


HEAD OF DEPARTMENT

MUNICIPAL MANAGER

PORTFOLIO HEAD

DATE:

DATE: 11/11/2024

DATE: 11 November 2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024


The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 80/2024 <u>BUDGET FUNDING PLAN 2024/2025</u></p> <p><u>RESOLVED</u></p> <p>i) That the Municipality is implementing credit control in all areas of Debtor's book to improve the collection rate.</p> <p>ii) That the budget funding plan attached as "Annexure 1" to this report be approved.</p> <p>iii) That the Municipality continue to implement the cost containment measures to reduce on expenditure that is controllable and in other instance avoidable.</p>	

REMARKS

- i) Council noted that the Municipality continue to implement credit control in all areas of Debtor's book to improve the collection rate.
- ii) Council budget funding plan attached as "Annexure 1" to this report be approved.
- iii) Council noted that the Municipality should continue to implement the cost containment measures to reduce on expenditure that is controllable and in other instance avoidable.


HEAD OF DEPARTMENT


MUNICIPAL MANAGER


PORTFOLIO HEAD

DATE:

DATE: 11/11/2024

DATE: 11 November 2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on
29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 81/2024 <u>DETERMINATION UPPER LIMITS OF SALARIES ALLOWANCES AND BENEFITS OF THE DIFFERENT MEMBERS OF THE MUNICIPAL COUNCILS IN TERMS OF THE GOVERNMENT GAZETTE NOTICE 712 NUMBER 51407 DATED 17 OCTOBER 2024</u></p> <p><u>RESOLVED</u></p> <p>i) That Council take cognisance of the Government Notice No 51407 dated 17 October 2024 on the determination of the upper limits salaries, allowances and benefits of the different members of the Municipal council with effect from 1 July 2023.</p> <p>ii) That the report on the determined upper limits and remuneration levels be approved.</p> <p>iii) That Council take cognisance that an amount of R 942 012.00 will be required to pay for the back pay of allowances for 55 Councillors with effect from 1 July 2023 to 31 October 2024 (16 months).</p> <p>iv) That Council to take out a risk insurance cover to provide for the loss of or damage to Councillors property, assets, life or disability arising from any riot, civil unrest, strike or public disorder or ensure that Councillors have such cover for their property as prescribed in the notice.</p> <p>v) That the MEC's concurrence to implement the Councillors allowance and benefits be sought after the approval of the item by Council.</p> <p>vi) That the Accounting Officer be mandated to implemented the resolution of council as soon as the written concurrence of the MEC is received.</p>	

REMARKS

- i) until
- iv) All the resolutions to be implemented as per the Determination on the Upper limit and effective from the date of the gazette.
- v) Letter to MEC was written to request concurrence to implement the Councillors allowance and benefits be sought after the approval of the item by Council.
- vi) Accounting Officer was mandated to implement the resolution of council as soon as the written concurrence of the MEC is received.


HEAD OF DEPARTMENT


MUNICIPAL MANAGER


PORTFOLIO HEAD

DATE: 19 November 2024

DATE: 19/11/2024

DATE: 20/11/24

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 82/2024 <u>IMPLEMENTATION GUIDELINES OF THE 2024-2029 SALARY AND WAGE COLLECTIVE AGREEMENT</u></p> <p>i) That Council takes cognisance on the implementation of the Salary and Wage collective agreement for 2024-2029</p>	

Remarks

- The resolution on the implementation of the Salary and Wage collective agreement for 2024-2029 was submitted to salaries for implementation.


HEAD OF DEPARTMENT

MUNICIPAL MANAGER

DATE: 19 November 2024

DATE: 19/11/2024


PORTFOLIO HEAD

DATE: 20/11/24

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 83/2024 <u>SECRETARIAT AND RECORDS MANAGEMENT REPORT ON THE DOCUMENT SCANNING AND RECORDS MANAGEMENT PILOT PROJECT</u></p> <p><u>RESOLVED</u></p> <p>i) That Council notes the report on the Document scanning and records management pilot project conducted by SALGA.</p> <p>ii) That the Municipality undertakes a benchmarking exercise with the best performing municipality on automated records management systems and have improved audit outcomes as recommended by SALGA during the engagement as follows:</p> <p>Dawid Kruipt Local Municipality and the ZF Mgcawu District Municipality in the Upington area, Northern Cape then make a visit to Gasegonyana or Siyacuma Local Municipality on the way back.</p> <p>iii) That the list of identified officials and a budget breakdown be submitted urgently to Council</p>	

REMARKS

- i. No further action required
- ii. Records management unit is implementing the resolution and will submit the report to the Municipal Manager for final recommendation. Including the list of identified officials and budget



HEAD OF DEPARTMENT

DATE: 19 November 2024



MUNICIPAL MANAGER

DATE: 19/11/2024



PORTFOLIO HEAD

DATE: 20/11/24

MERAFONG CITY LOCAL MUNICIPALITY

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 84/2024 <u>ADOPT A MUNICIPALITY PROJECT AN INITIATIVE BY SAIGA IN PARTNERSHIP WITH LGSETA</u></p> <p><u>RESOLVED</u></p> <p>i) That Council notes the support and initiative by SAIGA and LGSETA;</p> <p>ii) That Council take note of the Memorandum of Agreement entered into between Merafong City Local Municipality, (SAIGA) and (LGSETA);</p> <p>iii) That the Memorandum of Agreement for the Adopt a Municipality Project be tabled to the next Council meeting for noting and adoption.</p>	

REMARKS

- i) The agreement was signed between the Municipality and SAIGA (in partnership with LGSETA);
- ii) The project is being implemented
- iii) No further action is required from Council

MUNICIPAL MANAGER

(Handwritten signature)

DATE:



DATE: *21/11/24*

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on
29 October 2024

The following item was approved by the Council

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 85/2024 <u>REGIONAL PERFORMANCE AUDIT COMMITTEE CHARTER FOR 2024/2025 FINANCIAL YEAR</u></p> <p><u>RESOLVED:</u></p> <p>i) That Council adopts the Regional Performance Audit Committee for 2024/2025 financial year-</p>	

REMARKS

- i) NO FURTHER ACTION NEEDED


HEAD OF DEPARTMENT

DATE: 14/11/2024


MUNICIPAL MANAGER

DATE: 14/11/2024


EXECUTIVE MAYOR

DATE: 18/11/2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

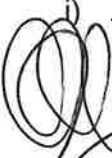
The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p><u>ITEM 86/2024</u> <u>REQUEST FOR DEVELOPMENT OF LEASE AGREEMENT FOR NON-PROFIT ORGANISATIONS OPERATING FROM MUNICIPAL PROPERTIES</u></p> <p><u>RESOLVED</u></p> <ul style="list-style-type: none">i) That the request for formalise the occupation of Municipal properties by Non Profit Organisations through Lease Agreements be approved.ii) That Council takes cognisance of the significance of services implemented by these organisations towards Community development.iii) That Council takes cognisance that the organisations from these properties are all registered Non Profit Organisations.iv) That Council takes cognisance that these Organisations are meagerly funded by Provincial Government Departments and have no other means of income generation.v) That cognisance be taken that the organisation are monitored by the Departments of Health, Education, Social Development and the Municipality.vi) That formal lease agreements for these Non Profit Organisations be developed and signed by the Accounting Officer and any other property availed by the Municipality for Community development purposes.vii) That it be reflected in the lease agreements that maintenance of the centers will be the responsibility of the occupants.viii) That the Municipality provide access to basic services to sustain programs delivered by these organisations.ix) That pre-paid water and electricity devices be installed to control misuse.	

- x) That the lease agreements be renewed at least every three years to ensure that the provision of these services are sustainable to the beneficiaries.
- xi) That all arrangements be communicated to the management teams of these organisations through the office of the Accounting Officer.

REMARKS

i) All applications for development of lease agreements submitted to the Legal and Secretariate Section for processing


HEAD OF DEPARTMENT

DATE: 14.11.2024


MUNICIPAL MANAGER

DATE: 14/11/2024


MMC: HEALTH & SOCIAL DEVELOPMENT

DATE: 14.11.2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on
29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 87/2024 <u>APPROVAL TO CONDUCT AN ASSESSMENT OF SERVICE DELIVERY MECHANISM FOR ALL WATER BUSINESS WITHIN MERAUFONG CITY LOCAL MUNICIPALITY IN TERMS OF SECTION 78 OF MUNICIPAL SYSTEMS ACT WITH VIEW OF CREATING A SPECIAL PURPOSE VEHICLE</u></p> <p><u>RESOLVED:</u></p> <p>i) That Council authorise an assessment of service delivery mechanisms for Water business in Merafong City Local Municipality, in terms of Section 78 of the process of the Municipal Systems Act; with a view of creating a Special Purpose Vehicle.</p>	

REMARKS:

- i) An assessment will be commissioned looking at:
- a. the direct and indirect costs and benefits if the service is provided through internal mechanism, including the expected effect on the environment and on human health, well being and safety;
 - b. The municipality's capacity and potential future capacity to furnish the skills, expertise and resources necessary for an internal mechanism;
 - c. The extent to which the re-organisation of the municipality's administration and development of its human resource capacity could be used to provide the service through an internal mechanism;
 - d. The likely impact on development, job creation and employment patterns in the municipality;


HEAD OF DEPARTMENT

DATE: 19 November 2024


MUNICIPAL MANAGER

DATE: 19/11/2024


PORTFOLIO HEAD

DATE: 20/11/2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 88/2024 <u>MERAFONG CITY LOCAL MUNICIPALITY- MUNICIPAL PUBLIC ACCOUNTS COMMITTEE'S TERMS OF REFERENCE</u></p> <p><u>RESOLVED:</u></p> <p>i) That the proposed MPAC terms of reference be adopted by Council</p> <p>ii) That Council approves the MPAC Structure to provide the necessary resources and administrative support to enable the Committee to exercise its duties.</p>	

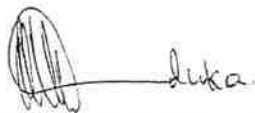
REMARKS:

- i) Terms of Reference to be implemented accordingly.
- ii) MPAC positions to be advertised.



EXECUTIVE MANAGER

DATE: 19/11/2024



MPAC CHAIRPERSON

DATE: 19/11/2024

EXECUTION NOTICE

Subsequent to an Ordinary Council Meeting held on

29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM 89/2024 <u>MERAFONG CITY LOCAL MUNICIPALITY- MUNICIPAL PUBLIC ACCOUNTS COMMITTEE'S ANNUAL PROGRAMME OF ACTION JULY 2024- JUNE 2025 FINANCIAL YEAR</u></p> <p><u>RESOLVED:</u></p> <p>i) That the contents of the item be noted.</p> <p>ii) That the Municipal Council approves and adopts the attached MPAC Annual Programme of Action for the 2024/2025 financial year.</p> <p>iii) That the item be submitted to MPAC Strategic stakeholders i.e National Treasury, Provincial Treasury, COGTA, Auditor General, Gauteng SCOPA and WRDM MPAC.</p>	

REMARKS:

- i) No further action required
- ii) The MPAC Annual Programme of action was distributed as discussed



EXECUTIVE MANAGER

DATE: 19/11/2024



MPAC CHAIRPERSON

DATE: 19/11/2024

MERAFONG CITY LOCAL MUNICIPALITY

EXECUTION NOTICE

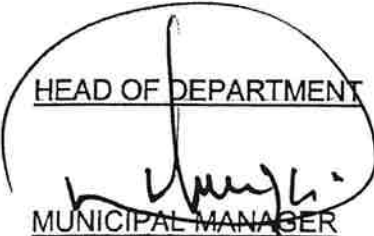
Subsequent to an Ordinary Council Meeting held on
29 October 2024

The following item was approved by the Council:

<u>FOR FINALIZATION</u>	<u>FOR INFORMATION</u>
<p>ITEM <u>REPORT OF THE AUDIT COMMITTEE</u></p> <p><u>RESOLVED</u></p> <p>i) That Council takes note of the report of the Committee for the period ended 31 March 2024 (covering the 3rd quarter and year-to-date of the 2023/2024 financial year.</p>	

REMARKS

1) NO FURTHER ACTION NEEDED

HEAD OF DEPARTMENT

MUNICIPAL MANAGER

DATE:  14/11/2024

DATE: 14/11/2024

9. ITEMS FOR CONSIDERATION:

INDEX

INSTITUTIONAL DEVELOPMENT

ITEM 91/2024	REVIEW OF THE MERAUFONG ORGANIZATIONAL STRUCTURE
ITEM 92/2024	PROPOSED AMENDMENT OF MERAUFONG CITY LOCAL MUNICIPALITY WARD COMMITTEE MEMBERS OUT OF POCKET EXPENSE
ITEM 93/2024	REQUEST TO FURTHER EXTEND THE LEASE AGREEMENT BETWEEN MERAUFONG CITY LOCAL MUNICIPALITY AND AFRICAN SKY PROPERTTIES REGARDING THE COUNCIL CHAMBERS FOR A PERIOD OF SIX MONTHS STARTING JANUARY ENDING 30 JUNE 2025.
ITEM 94/2024	SCHEDULE OF MEETINGS (January 2025 – December 2025)
ITEM 95/2024	CLOSURE OF MUNICIPAL OFFICES: FESTIVE SEASON 2024

ECONOMIC, SPATIAL AND SOCIAL DEVELOPMENT

ITEM 96/2024	STANDARD DRAFT BY-LAW FOR TOWNSHIP ECONOMIES
ITEM 97/2024	SUBMISSION OF VERIFIED INDIGENT APPLICATIONS FOR DEBT WRITE-OFF

ITEM 91/2024

REVIEW OF THE MERAUFONG ORGANISATIONAL STRUCTURE, 2024

ORDINARY COUNCIL MEETING: 28 NOVEMBER 2024

1. PURPOSE

The purpose of this item is to request the Council to consider the reviewed Organizational Structure for Merafong City Local Municipality, 2024.

2. BACKGROUND

In terms of Section 66 of the Local Government municipal System Act 32 (Act 32 of 2000), a Municipal Manager within policy framework determined by municipal Council and subject to any applicable legislation must;

- Develop a staff establishment for the municipality and submit the staff establishment to the municipality council for approval
- Provide a job description for each post on the staff establishment.
- Attach to those post the remuneration and other conditions of services as may be determined in accordance with any applicable labour legislation; and
- Establish a process or mechanisms to regularly evaluate the staff establishment and the remuneration and conditions of service.

The review of the structure incorporated the 2008 - 2011 (Approved High Structure) organisational structure as well as the proposed alignment as per the Staff regulations 2021. The process also took into consideration the process or the development of the Organisational Structure supported by COGTA to assist in realigning the organisational structure.

A high-level structure was approved on the 29th November 2023 and resolution was reached that Departments should held departmental strategic session on lower level structure whereby Corporate and Shared Service should support all sessions.

3. DISCUSSIONS

3.1. Progress report on the process followed

The Municipality On the 17 May to 18 May 2023 the Municipality held a strategic session were a new mission and vision were developed which gave effect to the IDP strategy that was approved by Council. The IDP outlined the specific rationale to the development of the Organisational structure taking into consideration the service delivery needs as identified by the community.

The Council developed and approved the high-level structure as per the Council resolution undertaken on the 29th November 2023. The resolution taken by Council was to further consult further through strategic sessions to give effect to the entire structure.

Strategic sessions were undertaken to get Inputs and comments from all departments, during the Strategic sessions, MMC's of Departments chaired the sessions supported by MMC' Corporate and Shared Services. Union representatives also attended the strategic sessions as required. The Draft Organisational structure was also presented to the LLF as well as all Section 80's of the different directorates.

Inputs were received and incorporated to a draft organisational structure (Annexure A) to be presented to Council for Approval.

3.2. Mandate and service delivery priorities for the Municipality

Merafong has developed an Integrated Development Plan (IDP – 2021-2026), guided by legislation, various national and provincial policy, and strategy initiatives such as the Gauteng Spatial Development Framework 2030, amongst others. Gauteng Department of Cooperative Governance and Traditional Affairs (COGTA) identified the need to realign and reconfigure the organisation structure after discovering the following:

3.2.1. Gauteng municipalities perpetuate organisational structures not aligned to the IDP, that are bloated, lacking functional rationale, and costly.

3.2.2. Consultants who help these municipalities create irrelevant posts, transfer no skill, push expensive yet underutilised organisational development software.

3.2.3. Merafong faces several challenges, namely lack of customer focus, roles ambiguities, role gaps, inadequate co-ordination, lack of a service delivery model, outdated job descriptions, inefficient resource utilisation, and old organisational structure.

3.2.4. An organisational structure is characterised by the following design principles: -

- Alignment to mandates and strategy
- Contribution of each core function to the mandates and strategy
- Clarity and contribution of individual roles to achieve Merafong objectives
- Clarity and structure of reporting relationships and decision making
- Appropriate span of control and number of organisational levels
- Appropriate support functions for effective functioning of the structure

3.3. Effect on the proposed positions.

Realignment of the positions were done in accordance with the Municipal Staff regulations 2021, Competency framework on the mainstream Occupations and Career streams.

The following general amendments came into effect during the consultation

- New positions were created and are indicated in the structure.
- Managers will no longer have secretaries but will be renamed to office administrators as this will assist the entire unit to have a functional administration.
- Head of department (Executive Managers) will remain with secretaries.
- Some positions have changed names and have been indicated to realign the positions with the LG Municipal Staff Regulations,
- The positions that are reporting to Manager will be renamed to assistant managers provided that the MSR (Municipal Staff Regulation, 2021) competency framework guides as such.
- All Clerks and admin officer positions to be realigned to avoid the grading levels i.e Clerk gr 1, Clerk Gr 2, Admin officer Gr 1 or Gr 2. These positions to only be referred to as clerks on the same salary band and Admin officer in the same salary band and the post level be revised to entry levels.
- Senior internal auditor position abolished due to duplication of functions
- Admin officer position in internal audit abolished due to realignment of functions.
- Rename legal admin to Legal Advisor
- Creation of the Manager Libraries and Messenger positions at COO
- Creation of the Graphic/Web design, Events officer as well as a events clerk positions at Marketing and Communication
- Creation of a administrator, Senior Risk Officer and Ethics risk officer at Risk Management unit
- Creation of Assistant Manager PMO and Performance management officer position at PMO
- Abolish special workman positions and realigned them to operator positions and functionary streams at Parks and Cemetery
- Abolished Auxiliary workers positions at Libraries to realign them to functionary streams
- Creation of new position as highlighted in the presentation under Billing.
- Sub accountant positions be abolished to align them to functionary streams.
- Asset management to be moved to Financial reporting
- Employment Equity be moved to Industrial Relations unit
- New positions at Labour law litigation unit be created.
- Mechanics be moved from Electrical department to Fleet
- EAP unit to be moved to OHS and rename the department Wellness and OHS

- All cleaners in the office buildings be moved to OHS. Cleaners at Facilities (Community facilities) will remain at Facilities.
- Abolish the position of printers to realign its functionary stream.
- Environmental division to be move to Community Services

3.4. Job evaluation Process

In terms of the MSR, 2021, all positions in the municipality must be evaluated through a Job evaluation (JE) Process. Job evaluation involves the evaluation of the job not the person performing the job.

SALGA undertook a review of the positions in the municipality and developed a Master List as indicated in the JE Policy Guidelines as means of providing a clearly articulated process flow, standardised job descriptions and enhanced governance of the TASK job evaluation that will ensure successful implementation of job evaluations in municipalities. Since the inception of TASK Job evaluation more than 41000 jobs have been evaluated and uploaded on the system. SALGA has developed a Master List of all evaluated jobs as a reference point for all municipalities. The final Master List that was compiled, took into consideration results as provided by different Provincial Audit Committees, the provisions of the Staff Regulations and other best practices. Job description quality has been a major cause for the delay in job evaluation for many years and to date in some instances, municipalities cannot finalize their TASK Job Evaluation due to the inability of writing job descriptions, this enables Job Evaluation Committee members to measure the weight of jobs through the TASK Job Evaluations System.

The Master List is useful tool for assisting municipalities to adopt jobs and job descriptions that appear on the master list. It is also helpful for Job Evaluation Units and Provincial Audit Committees to ensure standardization and benchmarking of jobs. The circular is attached for easy reference (Annexure "B")

3.5. Placement due to organisational restructuring

In terms of the Municipal staff regulation guidelines, the Municipality shall review its organisational structure, and along it the remuneration strategy and funding of filled posts and vacancies every year prior to adoption of the IDP. This review may have, among others, financial and geographical redeployment implications, as well as involve intra- and inter-departmental transfers, and temporary or permanent redundancy.

The placement of staff members following the review shall avoid disruption of effective and efficient delivery of services, and may not be used as a punitive measure against staff members, or to promote or demote staff members.

The following measures shall be used to place staff members after organisational restructuring or review:

- Place existing staff members first
- Every attempt shall be made to place existing staff members into posts created in the reviewed structure.
- If no placement in terms of the agreed criteria can be made, the Municipality shall advertise the post and fill it with the most suitable external candidate.
- New or posts with major changes shall be advertised and filled using the recruitment and selection policy and this policy.
- Place staff members on a close match basis
- Staff members are to be placed in the reviewed structure on a close match basis. This means that an existing staff member's profile (*i.e., qualifications, experience, and competencies*) shall be matched against the *job description* of the new / reviewed post on the reviewed organisational structure, not the post designation.
- Where more existing staff members are a close match to fewer posts, the Municipality's Employment Equity Policy shall be applied.
- If candidates remain tight at this point, and no near matches exist in other posts, staff members shall be placed through additional criteria to be devised by the Placement Committee and agreed-upon in the Local Labour Forum. Such criteria may include, but not limited to, *Last in First out (LIFO)* or *First in First out (FIFO)*.

Furthermore The review of the staff establishment of municipalities may result in the need for the migration and placement of employees from disestablished/abolished staff establishment to t anew staff establishment. The South African Local Government Bargaining Council has issued a collective agreement on the Migration and Placement of staff on the 6th April 2022 which end in 2027. (Annexure C) The agreement outlines the process to be followed when migrating and placing staff. A Placement Committee which is the composition of the LLF needs to undertake the process.

Human resource unit is currently understaffed and lacks capacity to implement the Task JE process and migration and placement process and therefore requires an independent specialist in the process to facilitate the process. This will also avoid issues on biasness. The Facilitator will on a weekly basis report to the Placement Committee and Accounting officer to ensure the smooth transition from Van der Merwe

to TASK grading and placing of employees through the migration and placement into the new organisational structure.

4. ORGANISATIONAL AND PERSONNEL IMPLICATIONS

The approval of the Final Organizational Structure will have a positive impact to the achievement of strategic objectives of the organization as outlined in IDP and ensuring that the positions are based on the analysis of the functional components be aligned with the SDBIP.

5. COMMUNICATIONS IMPLICATIONS

The Reviewed Organizational Structure has been communicated to all relevant stakeholders.

6. CONSTITUTIONAL AND LEGAL IMPLICATIONS

The Organisational structure will be aligned to the Merafong IDP as well as to all the relevant legislations.

7. FINANCIAL IMPLICATIONS

This Organisational Structure will have financial implications for the municipality. Newly created departments and positions will be budgeted for. The filling of the position will be implemented in phases as prioritised. The standard norm will be below the regulated norm of 40% which is currently 30% staff establishment.

The total costs for New positions is estimated to R36 000 000.00

As per the guidelines from SALGA and the MSA Regulation, the municipality will be migrating from the old Van Der Merwe Salary Scale to TASK system, which will be addressed when the remuneration strategy is submitted to council after the Placement committee has finalised its report.

8. ORTHER BODIES / DEPARTMENT CONSULTED

All departments and stakeholders will be consulted in this regard.

RECOMMENDED

- i) That Council approves the reviewed organisational structure as presented.
- ii) That the approved submission of the reviewed structure be submitted to MEC with 14 days of the Council approval.
- iii) That Council take cognizance of the progress made regarding the Review of the Organisational Structure
- iv) That Council take into cognisance the Circular No 8/2024 related to the implementation of revised Task Job Evaluation guidelines and master list of all evaluated jobs.
- v) That Council takes cognisance of the Collective Agreement on the migration and placement of staff.
- vi) That HR to develop a 3-year strategy on the implementation of the reviewed Organisational structure and submit to the Municipal Manager
- vii) A remuneration strategy be submitted to Council to note the migration and placement process.
- viii) An independent service provider be appointed to facilitate and advice on the implementation on the migration and placement process from Van der Merve to TASK Grading as well as the approved structure for a period not exceeding 12 months.



FINAL MIERAFONG MUNICIPALITY ORGANO - STRUCTURE



MERAFONG MUNICIPALITY ORGANISATIONAL STRUCTURE 2024

VISION

An economically sustainable, community oriented and safe city.

MISSION

To create an enabling environment that is transparent and accountable to the community,
by providing excellent, effective and efficient services.

INDEX

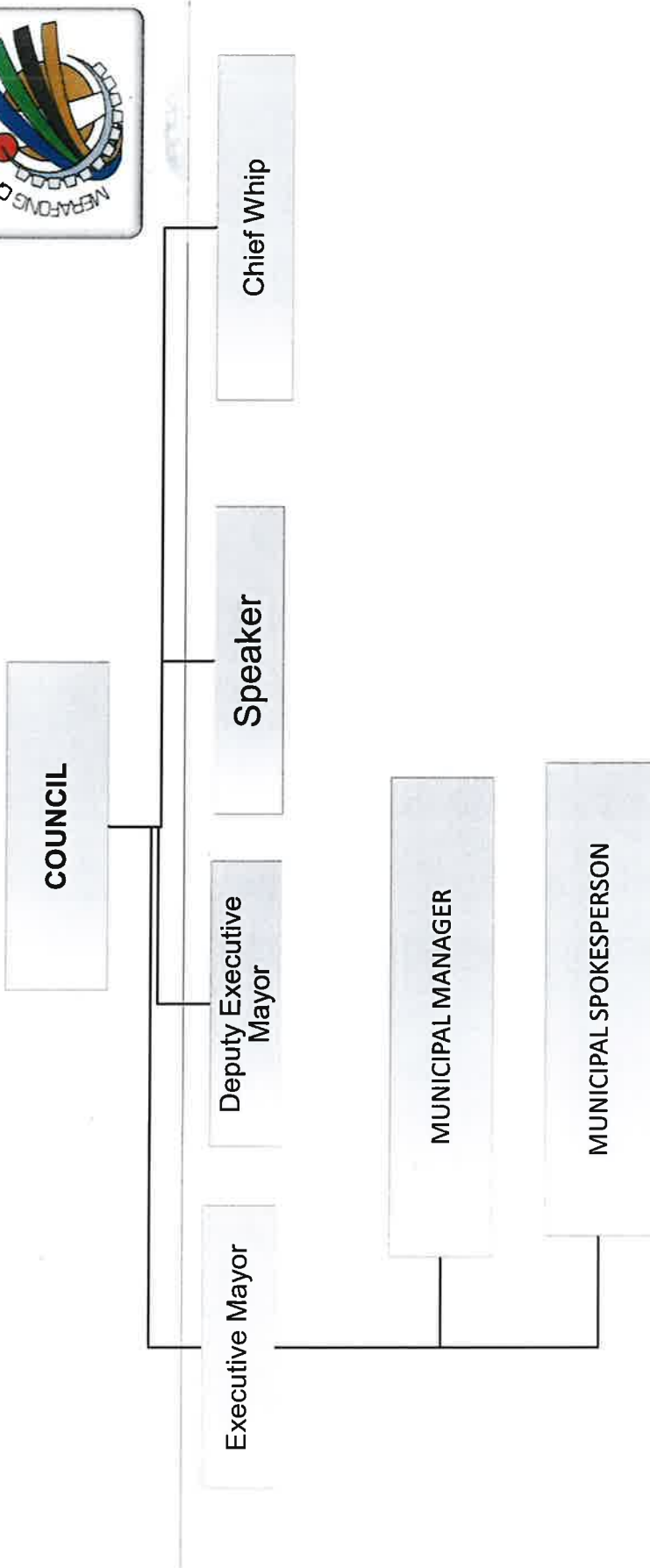
Department	PAGE	COMPLEMENT
Political Support Services	64	
Executive Mayor	8	29
Deputy Executive Mayor	9	5
Speaker	10	37
Chief Whip	11	3
Office of the Municipal Manager	45	
Municipal Manager: Departments	13	8
Municipal Manager: Managers	14	9
Strategy and IDP	15	5
Internal Audit	16	8
Infrastructure Investment Planning and PMU	17	10
Legal Services	18	5
Chief Operating Officer	226	
Office of the COO	20	8
Marketing & Communication	21	21
Risk Office	22	6
PMO	23	5
Parks	24	104
Libraries	25	82
Finance	137	
Chief Financial Officer	27	9
Revenue	28	87
Expenditure	29	11
Financial Reporting	30	10

Supply Chain Management	31	20
Corporate and Shared Services	116	
Executive Manager Corporate and Shared Services	33	11
Human Resources Management	34	12
Organisational Development	35	10
Industrial Relations	36	5
Labour Law & Litigation	37	4
Information Communication and Technology	38	12
Fleet Management	39	14
Occupational Health & Safety	40	27
Records & Secretariat	41	21
Economic Development and Urban Planning	76	
Executive Director Economic Development and Urban Planning	43	6
Human Settlement and Property Management	44 – 45	31
Town Planning	46	28
Economic, Development, Tourism and Agriculture	47	11
Technical Services	314	
Executive Manager Technical Services	49	9
Roads Storm Water and Public Works	50	109
Water and Sanitation	51 – 52	193
Geo Tech	53	3

Energy		310
Executive Manager	55	7
Energy & Planning	56	38
Network	57	87
Renewable Energy	58	5
Solid Waste	59	173
Community Services		241
Executive Manager	61	7
Social & Development	62	143
SRACH	63	15
Facilities	64	72
Environmental Services	65	4
Public Safety		166
Executive Manager Public Safety	67	7
Security Services	68	31
Traffic Services	69	46
Licensing	70	62
By-Laws	71	20
TOTAL STAFF COMPLIMENT		989



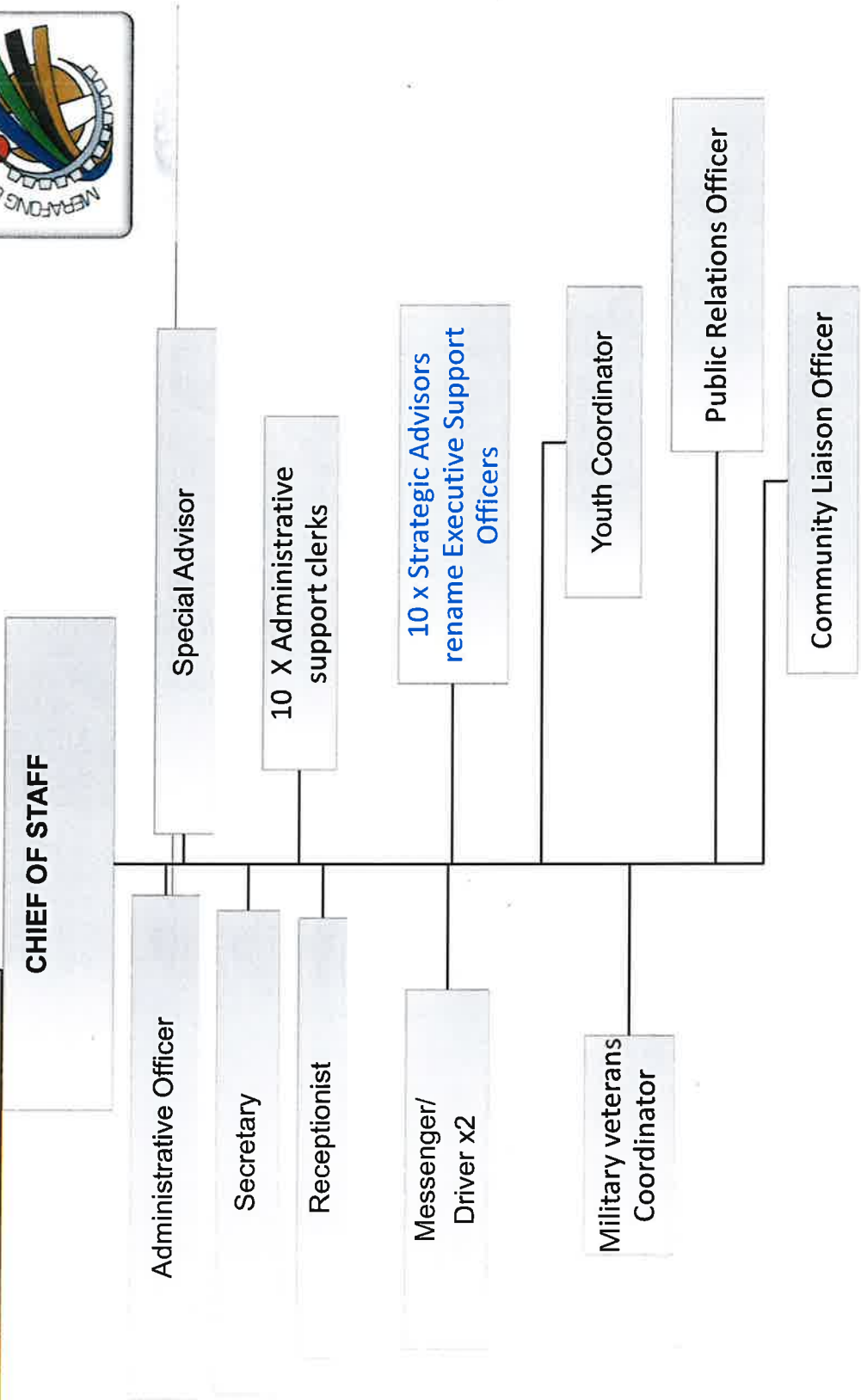
POLITICAL SUPPORT SERVICES



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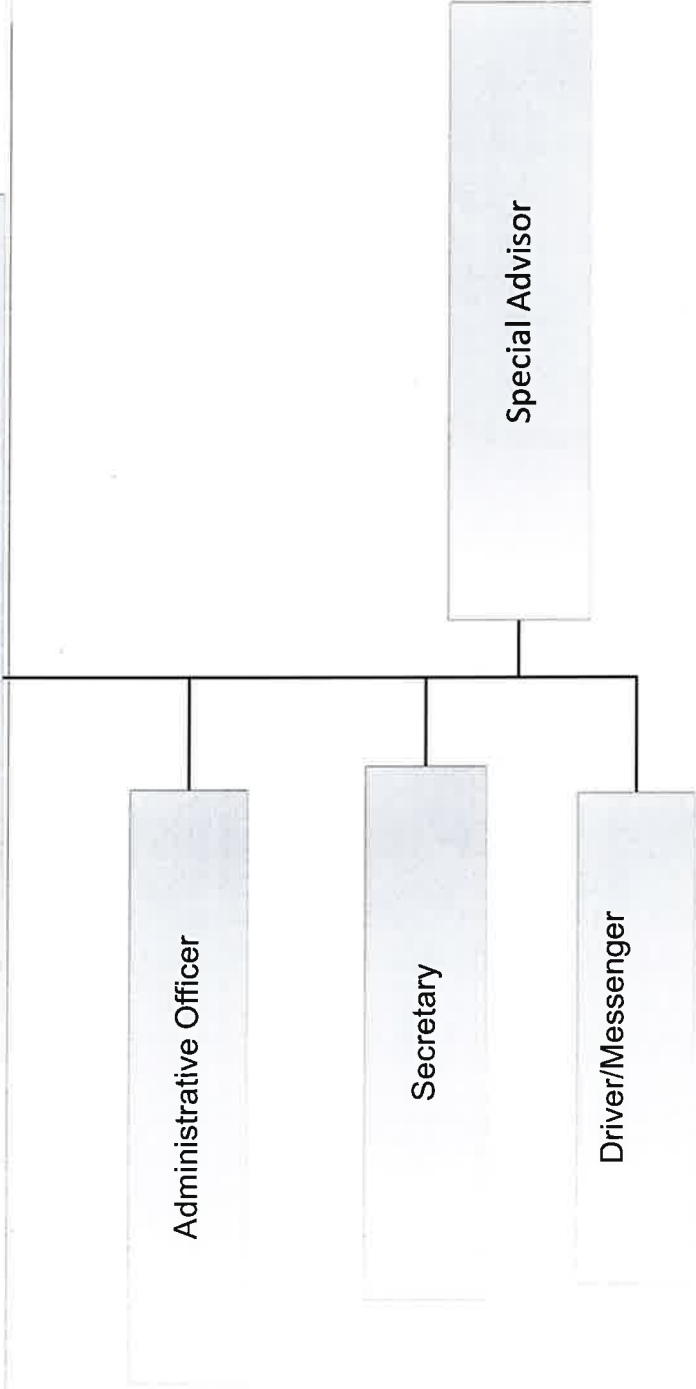
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OFFICE OF THE DEPUTY EXECUTIVE MAYOR

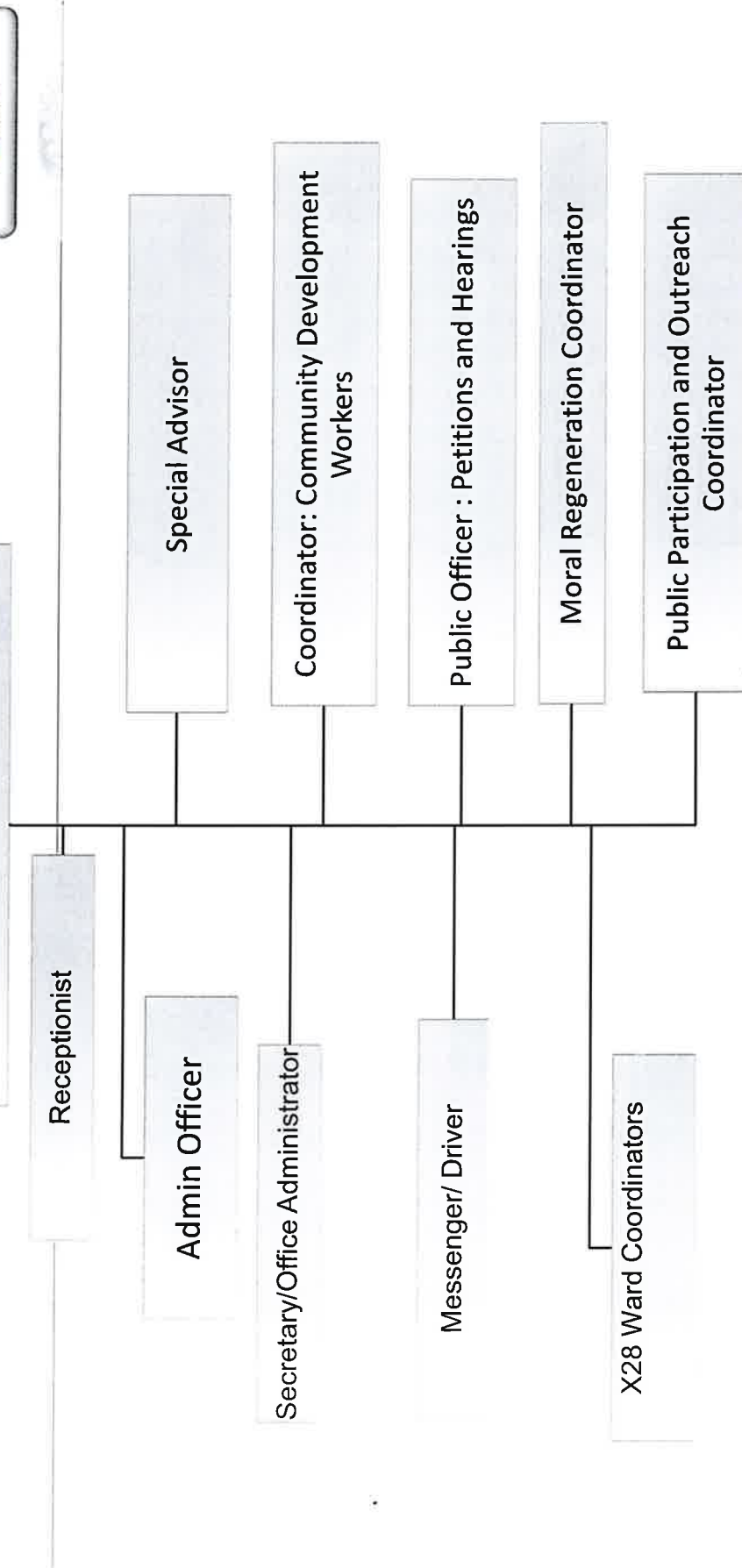
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OFFICE OF THE SPEAKER



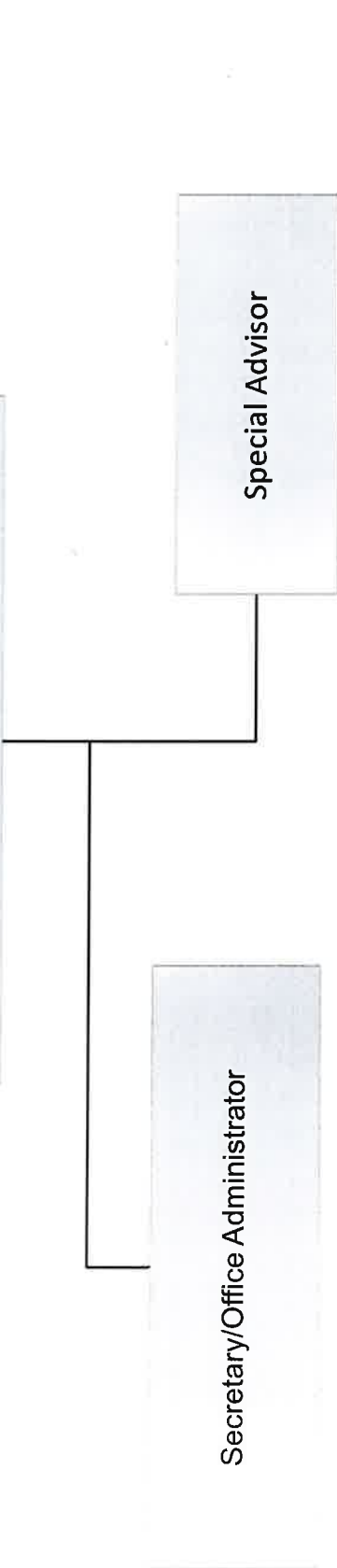
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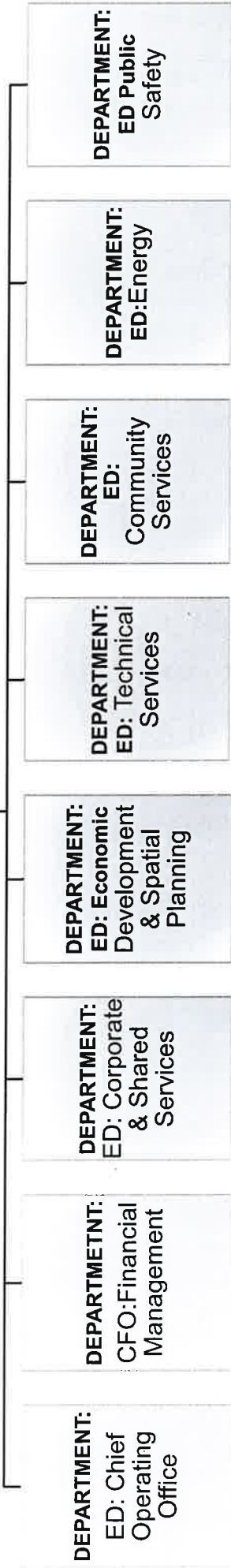


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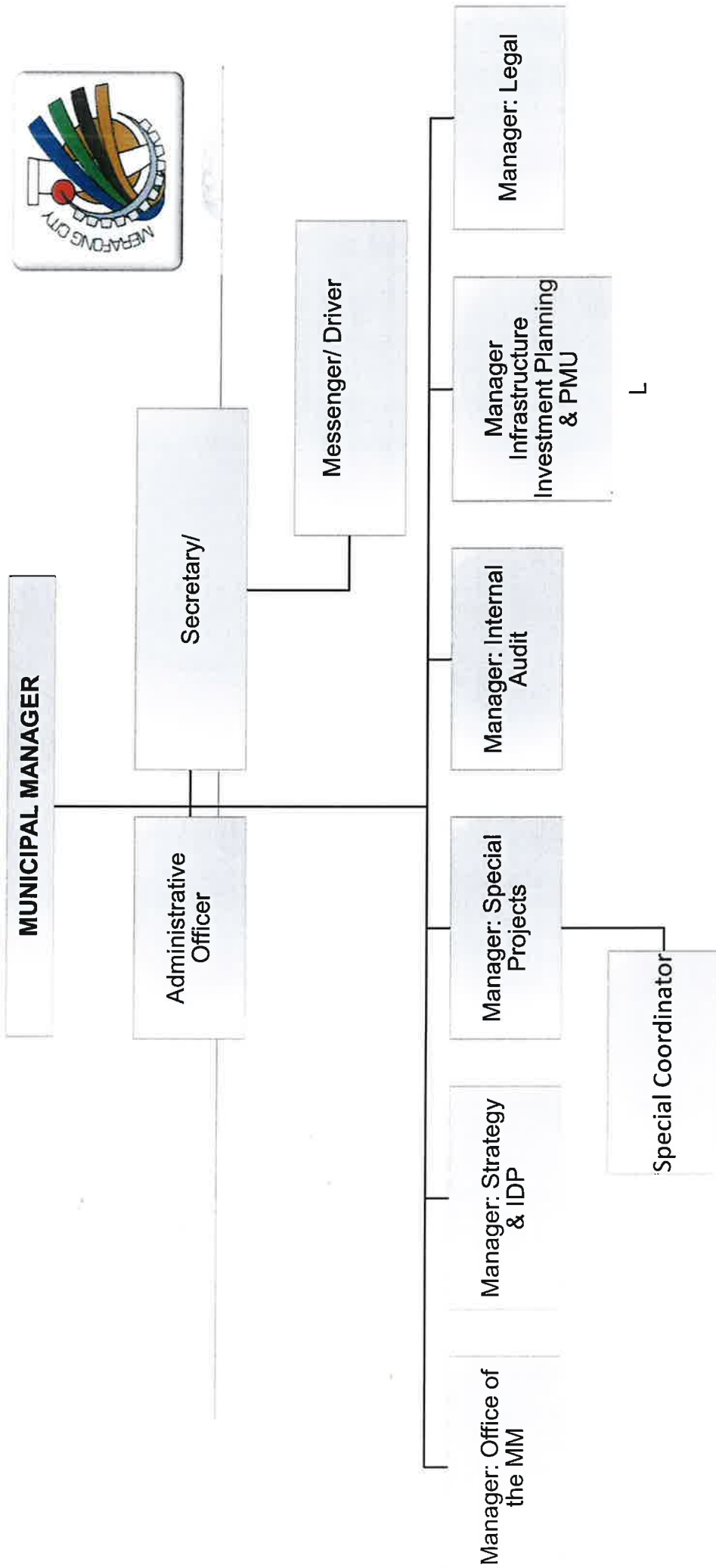
DEPARTMENTS



MUNICIPAL MANAGER



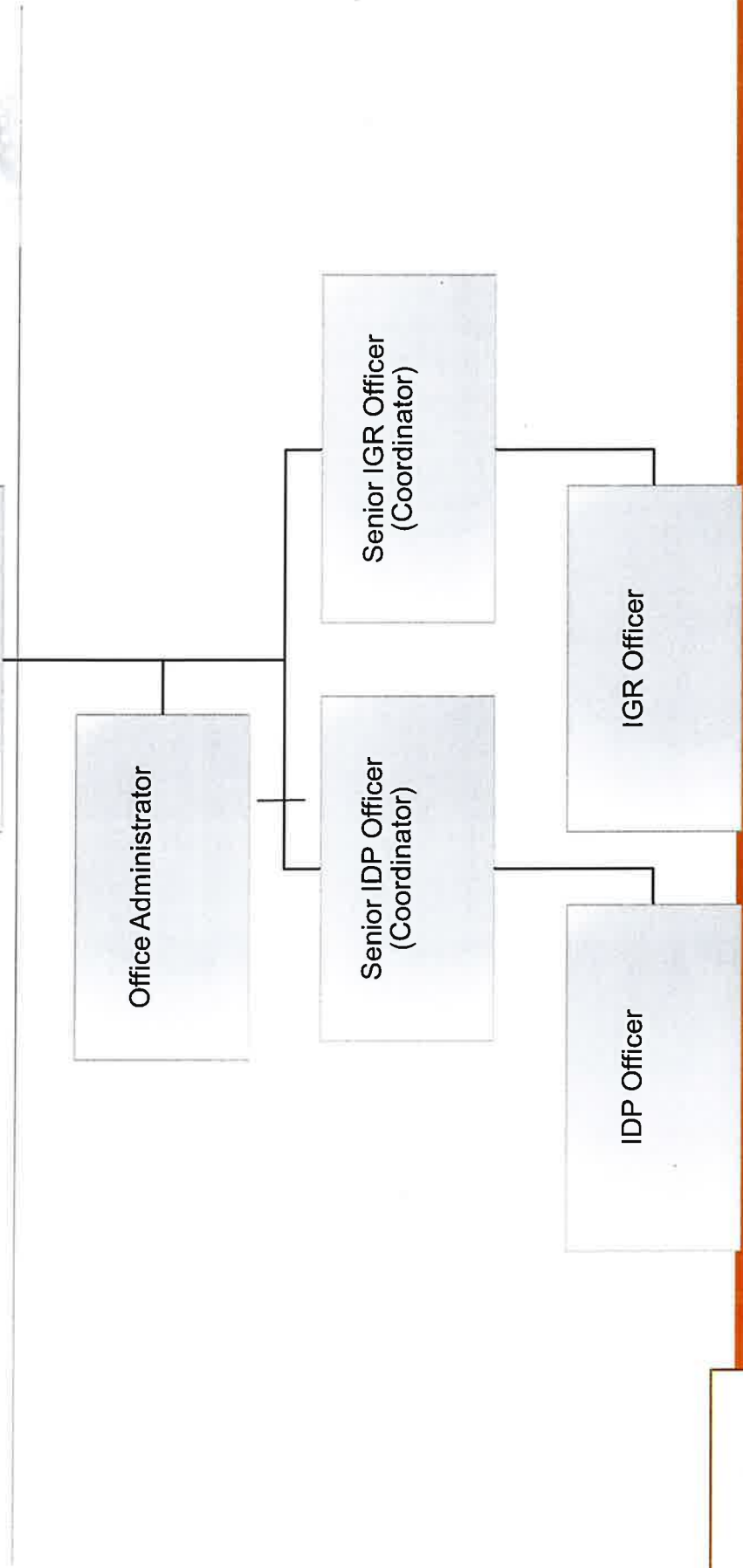
56
Compliment: 8





SECTION: STRATEGY & IDP

MANAGER: STRATEGY & IDP



58
Compliment: 5

SECTION: INTERNAL AUDIT



CHIEF AUDITOR EXECUTIVE
(MANAGER) RENAME

Office Administrator
(New)

Assistant Manager
Internal Auditor

X4 Internal Auditor

Assistant internal Auditor
(Rename) (Audit Clerk) x2

59
Compliment: 8

**SECTION: INFRASTRUCTURE
INVESTMENT PLANNING & PMU**



**MANAGER: INFRASTRUCTURE
INVESTMENT PLANNING & PMU
L1**

Data Capturers
x 2

Office
Administrator

Senior Engineering Planning
Design & Construction

Project Liaison & OHS
Officer

Project Technician
Water and Sanitation

Project Technician:
Roads and Stormwater

Project Administrator

Project Financial
Administrator

Project Technician : Structures

SECTION: LEGAL



MANAGER: LEGAL

Office Administrator

Senior Legal Advisor: Commercial, Criminal & Forensic

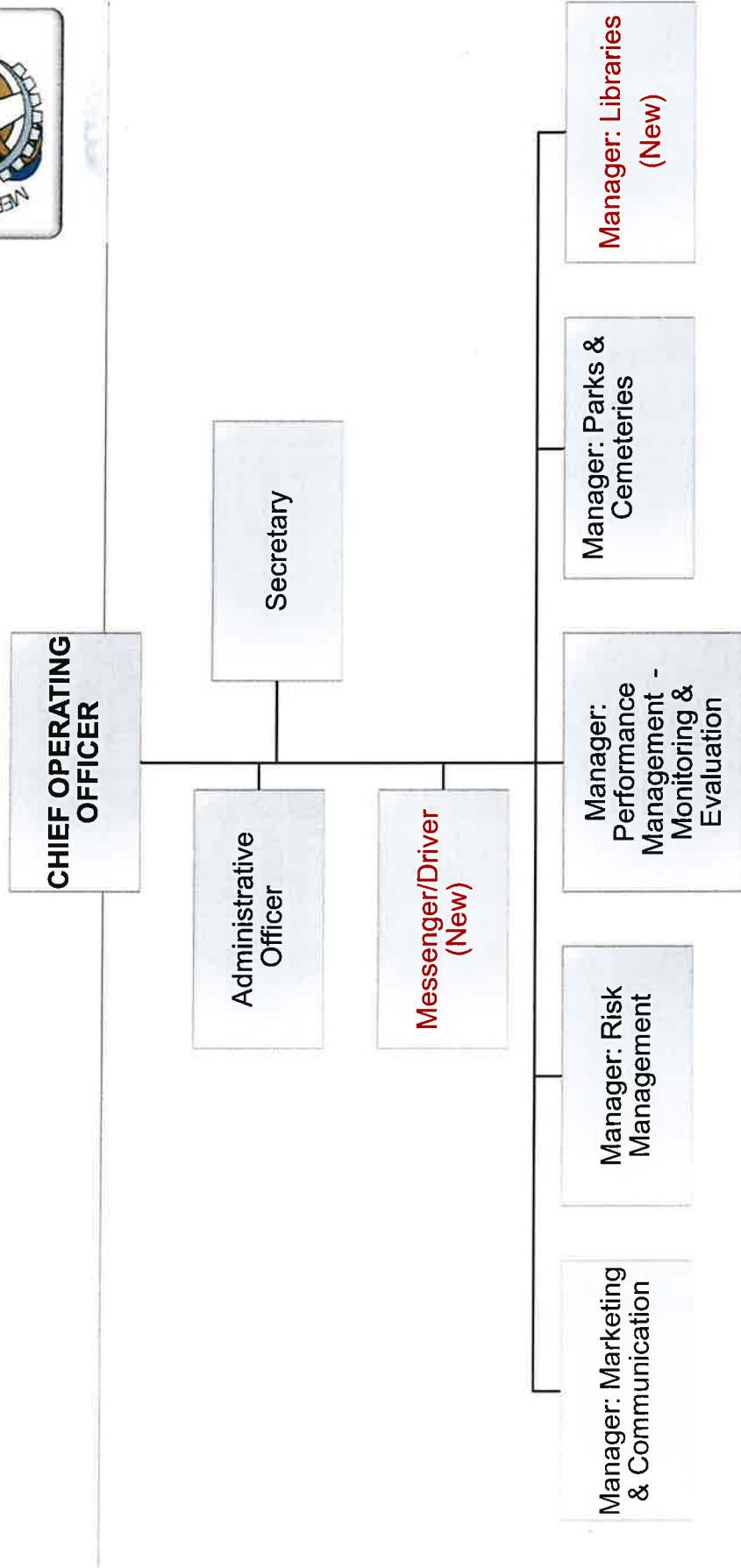
Senior Legal Advisor: Contract Management

Legal Advisor

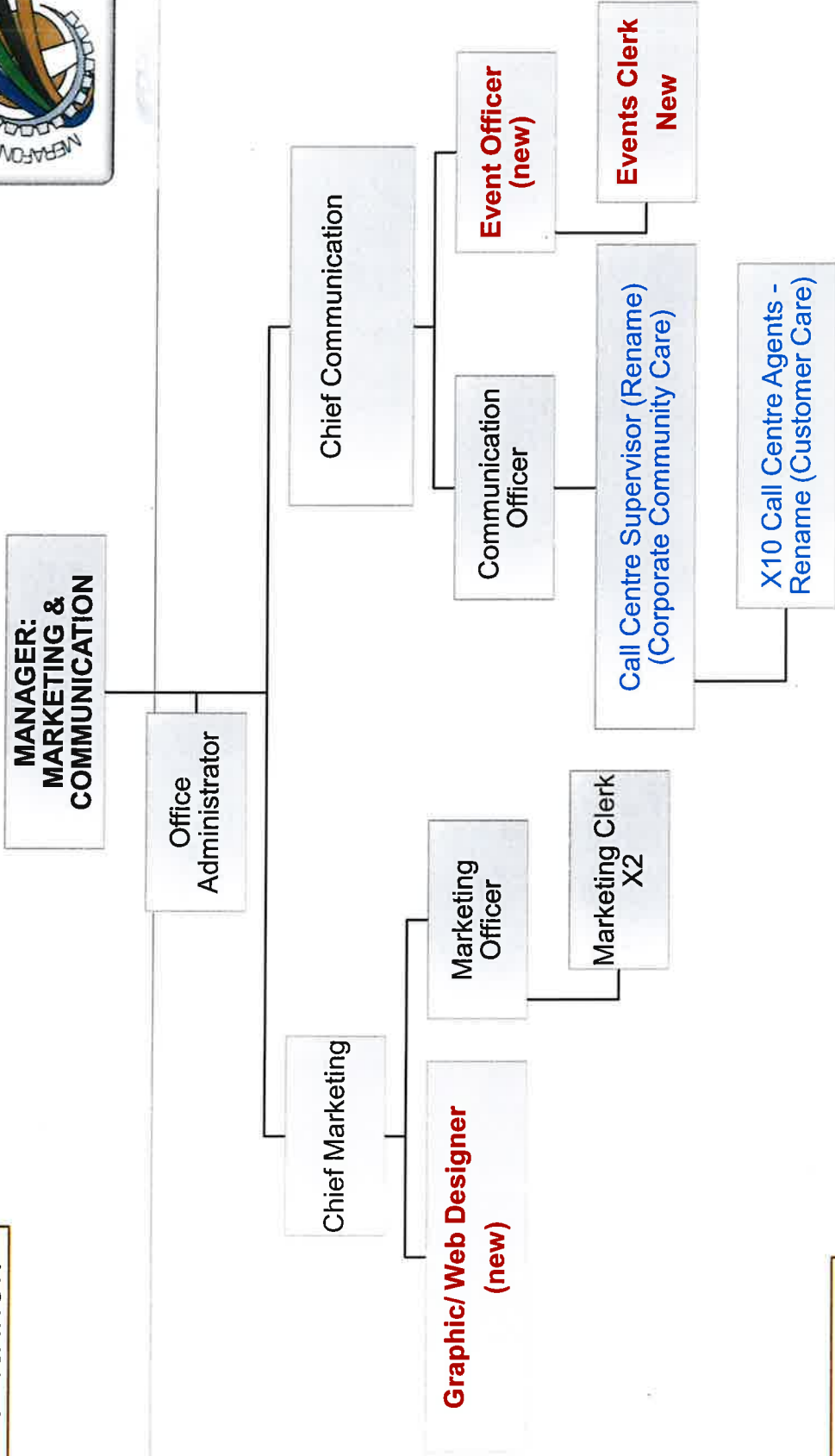
Legal Advisor



CHIEF OPERATING OFFICE

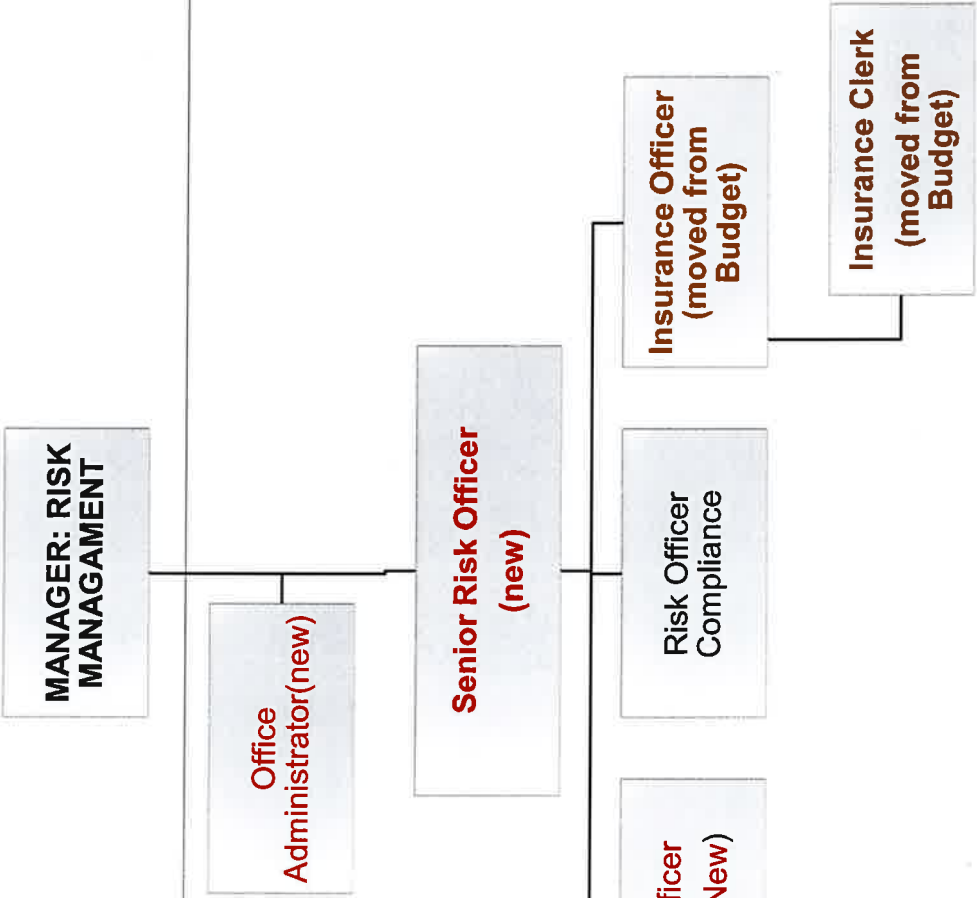


SECTION: MARKETING & COMMUNICATION



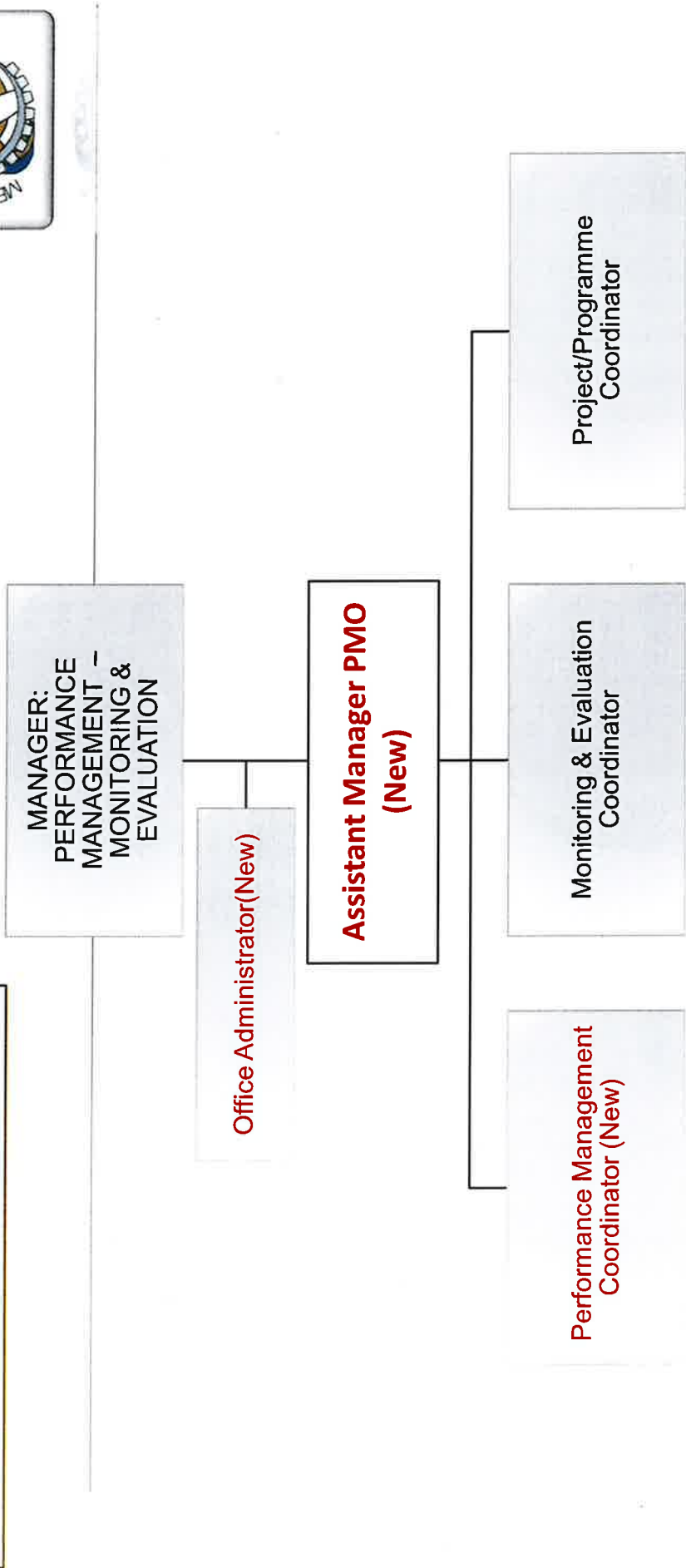


SECTION: RISK MANAGEMENT



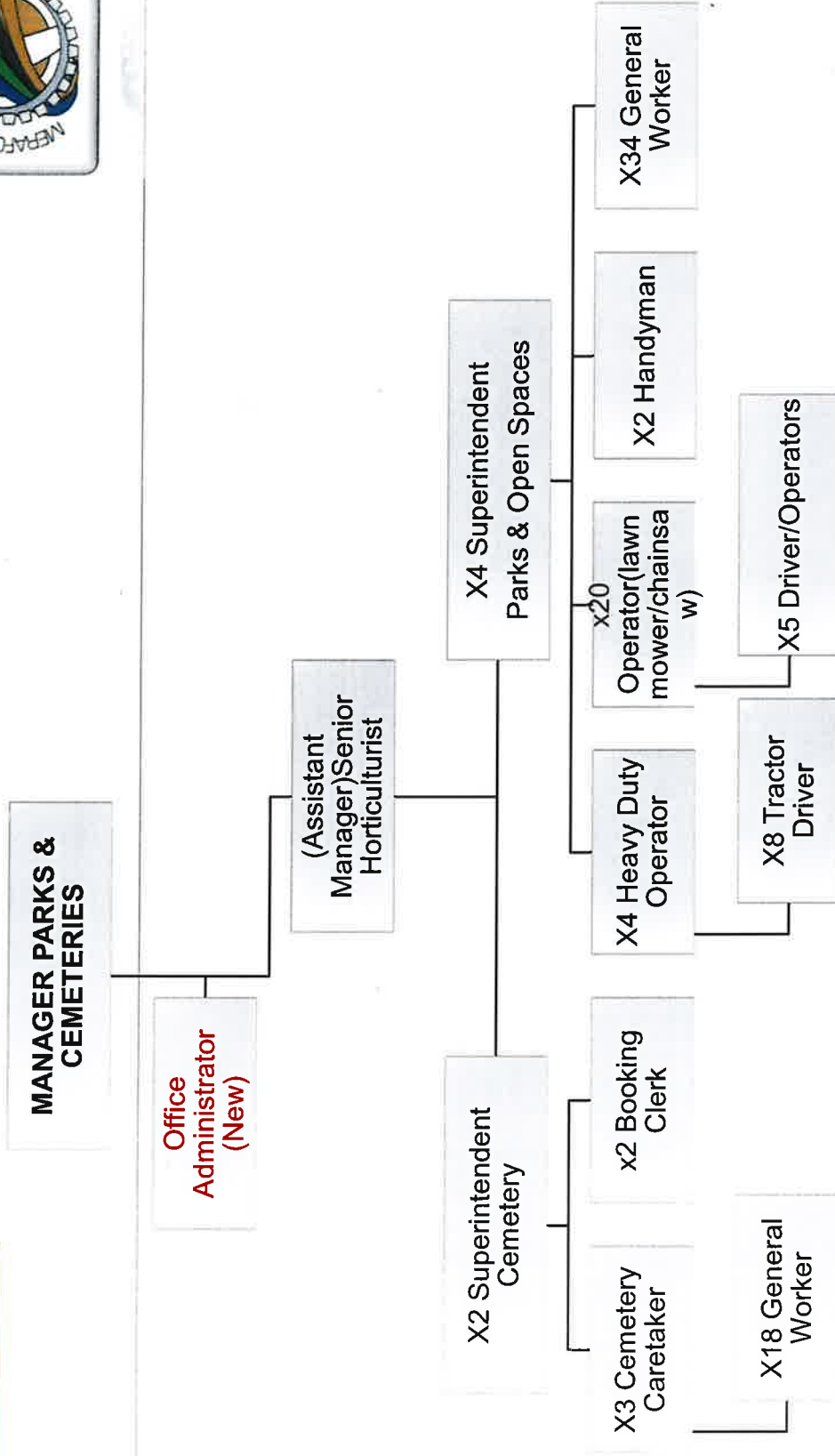
65 Compliment: 6

SECTION: PERFORMANCE
MANAGEMENT – MONITORING &
EVALUATION

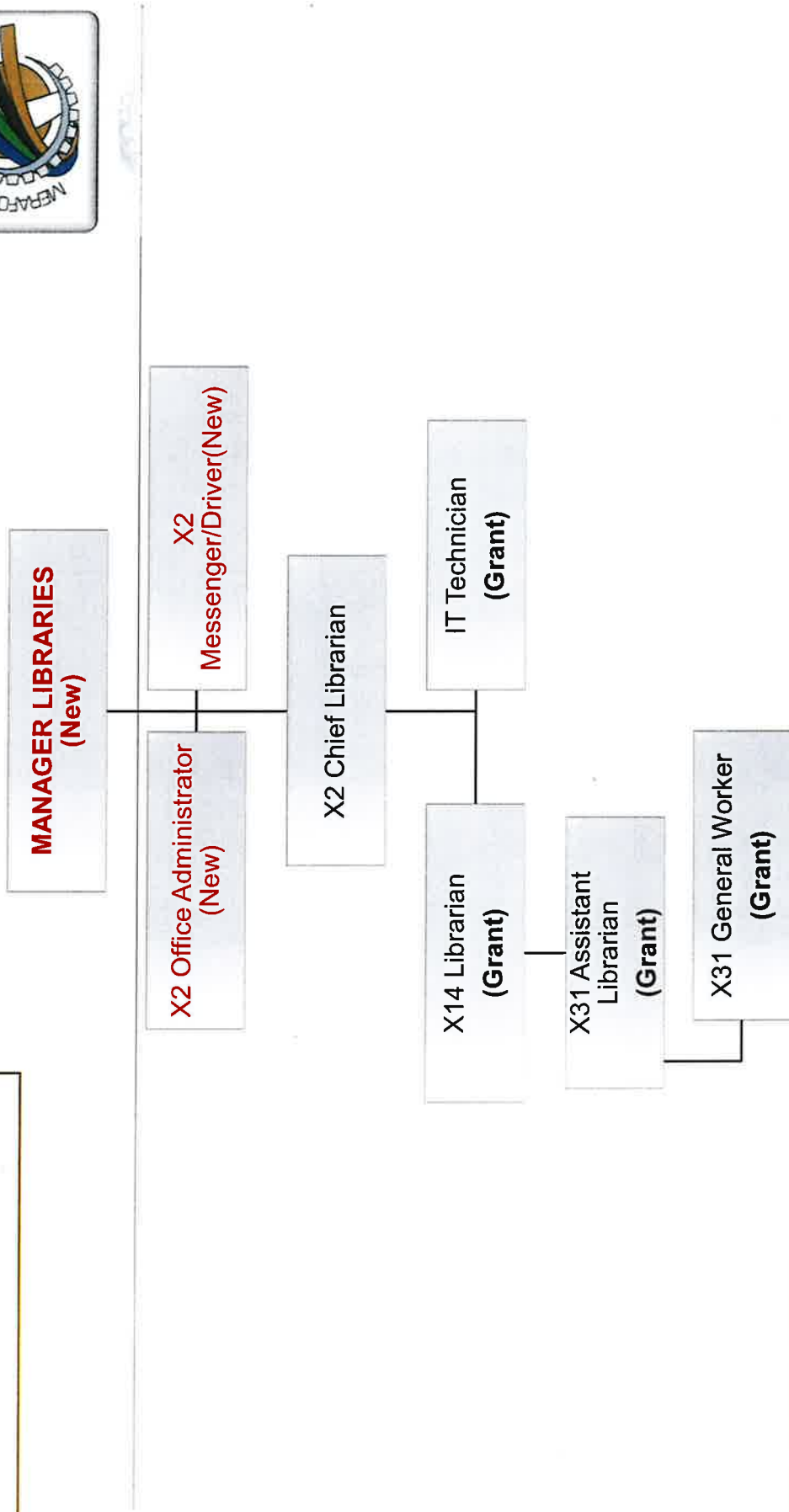


66 Compliment: 5

SECTION: PARKS & CEMETERIES



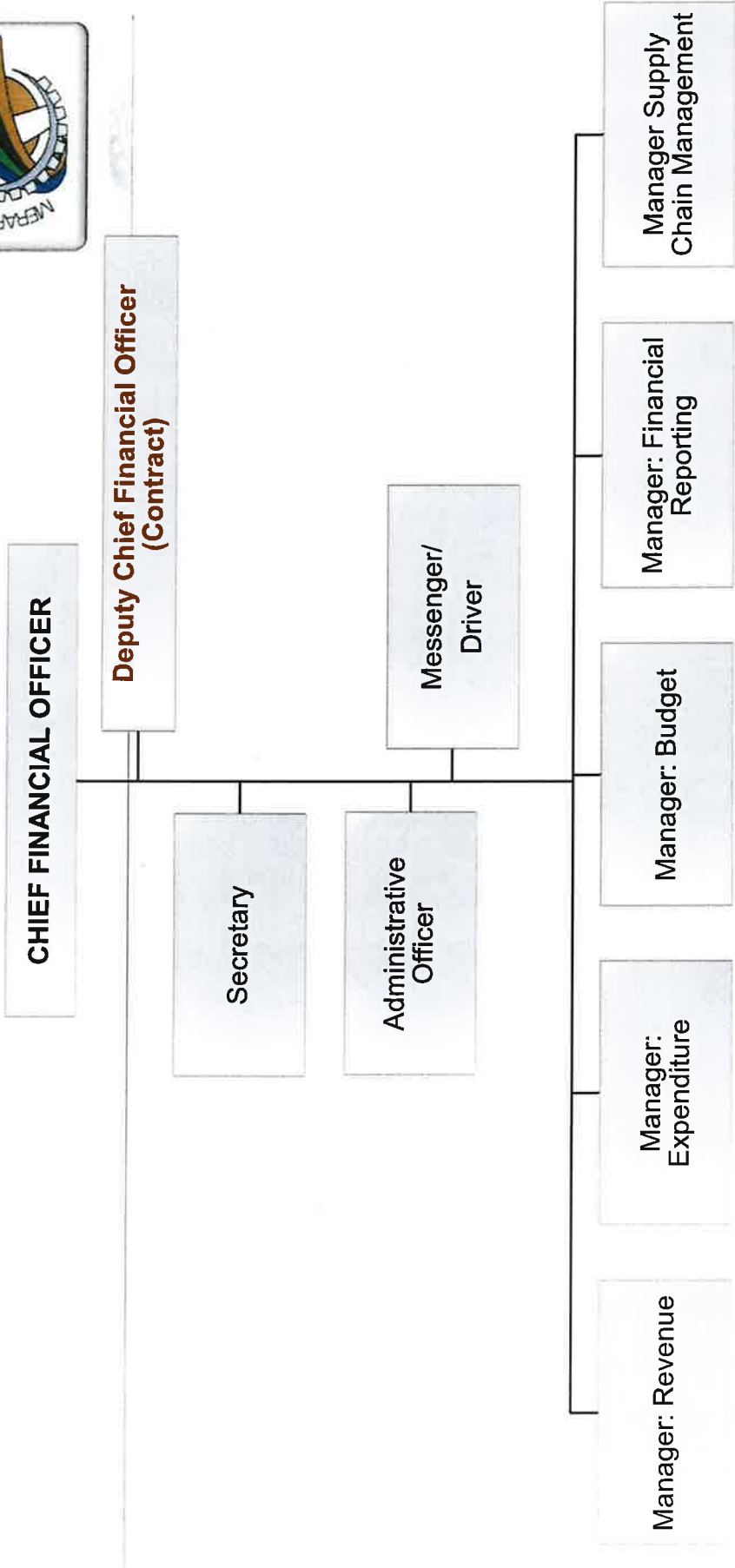
SECTION: LIBRARIES



68 Compliment: 82

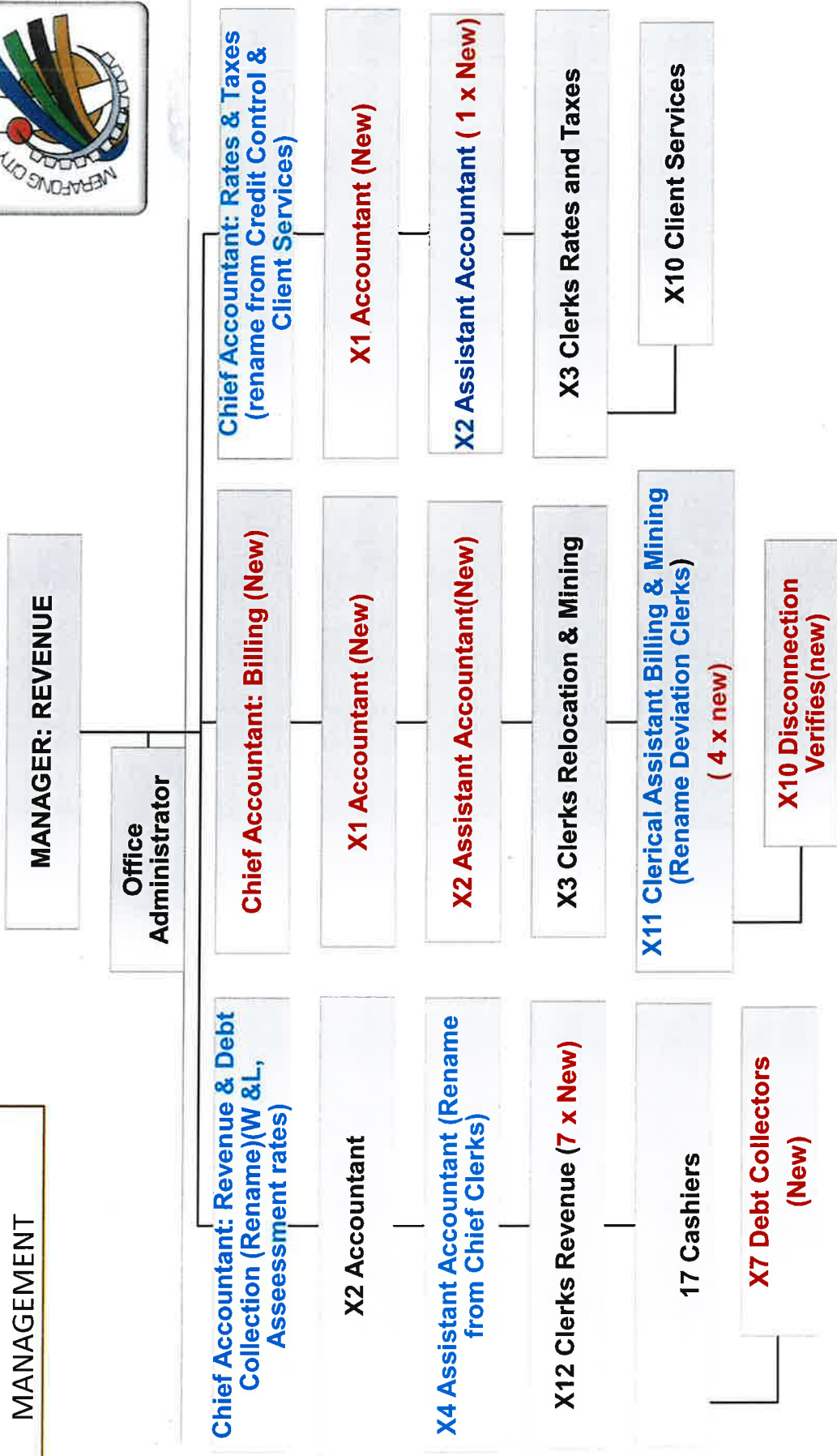


FINANCE



70
Compliment: 9

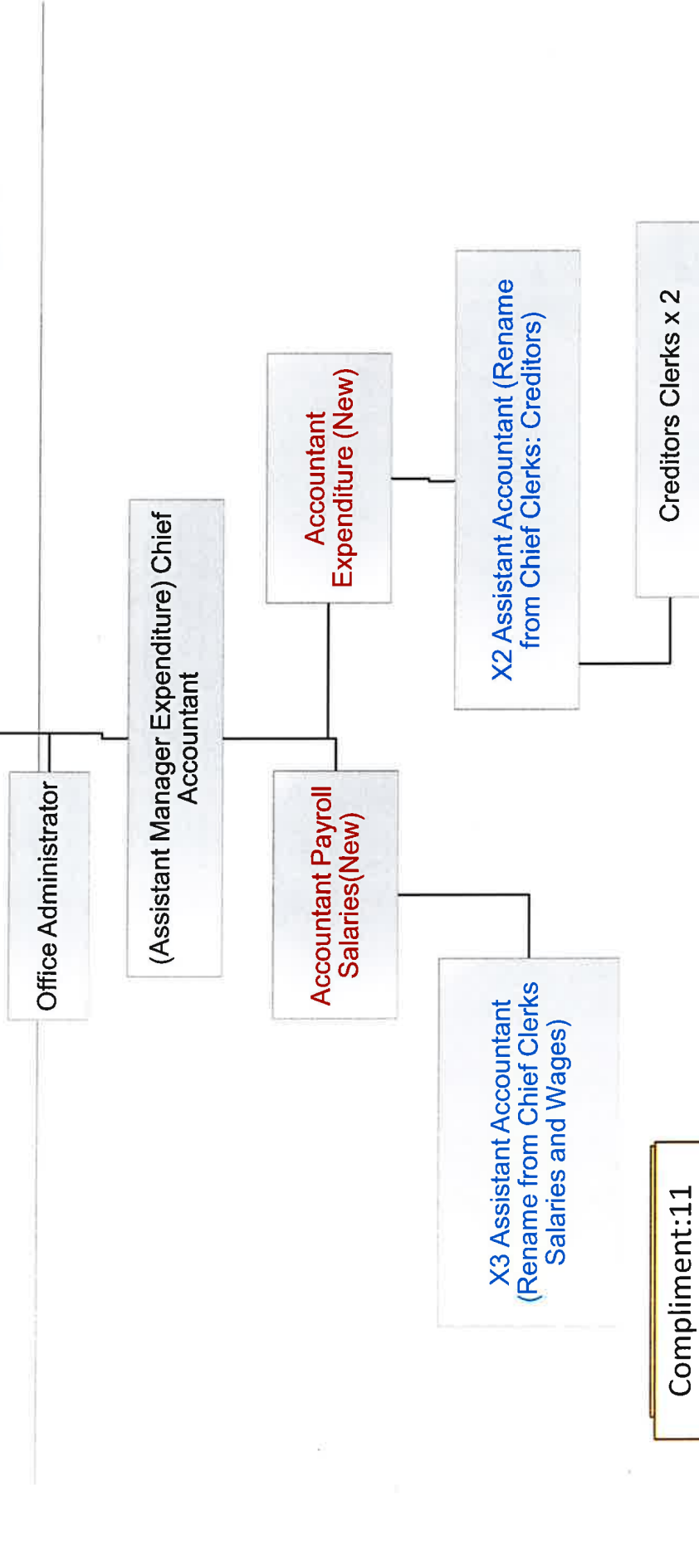
**SECTION: REVENUE
MANAGEMENT**





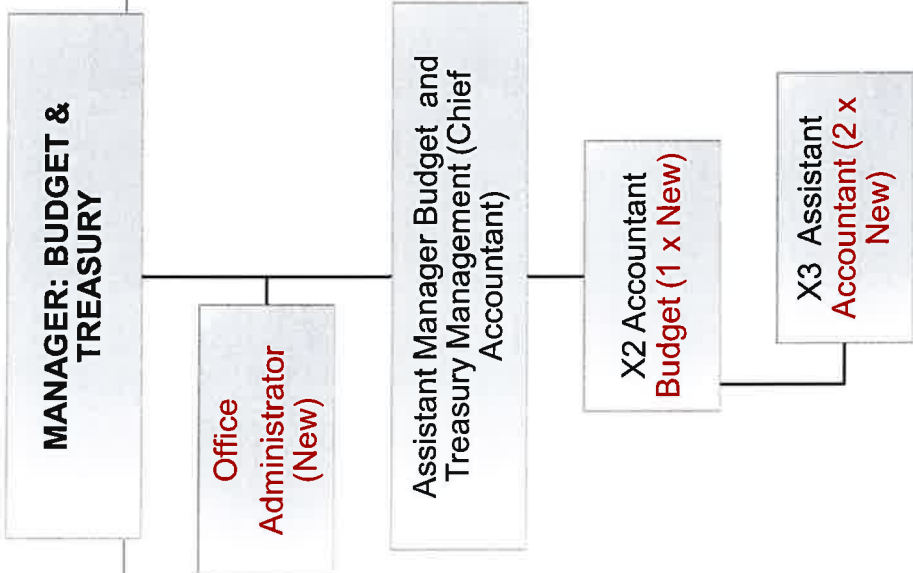
SECTION: EXPENDITURE

MANAGER:
EXPENDITURE



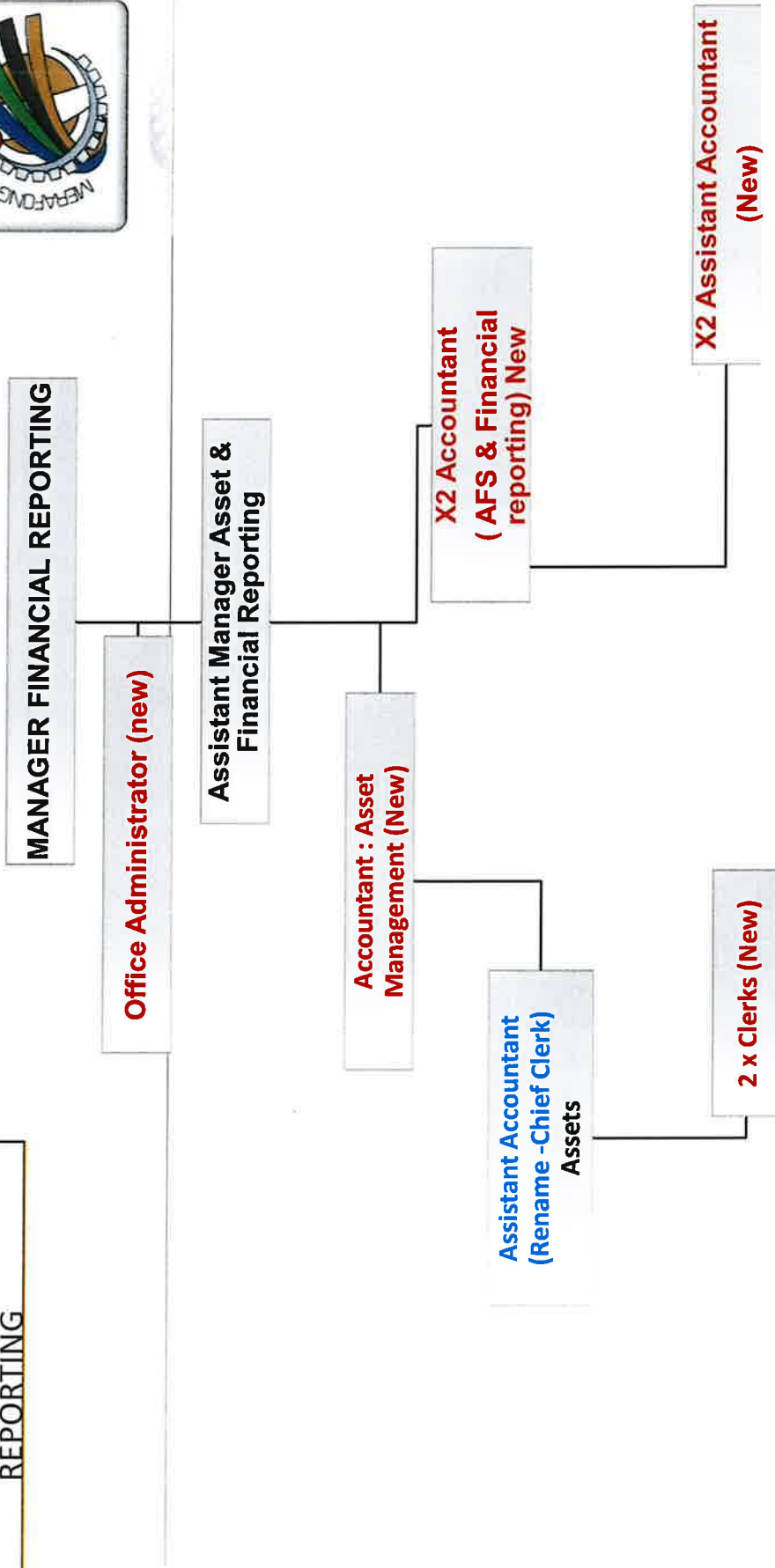
Compliment:11

SECTION: BUDGET & TREASURY



73 Compliment:6

SECTION: FINANCIAL REPORTING

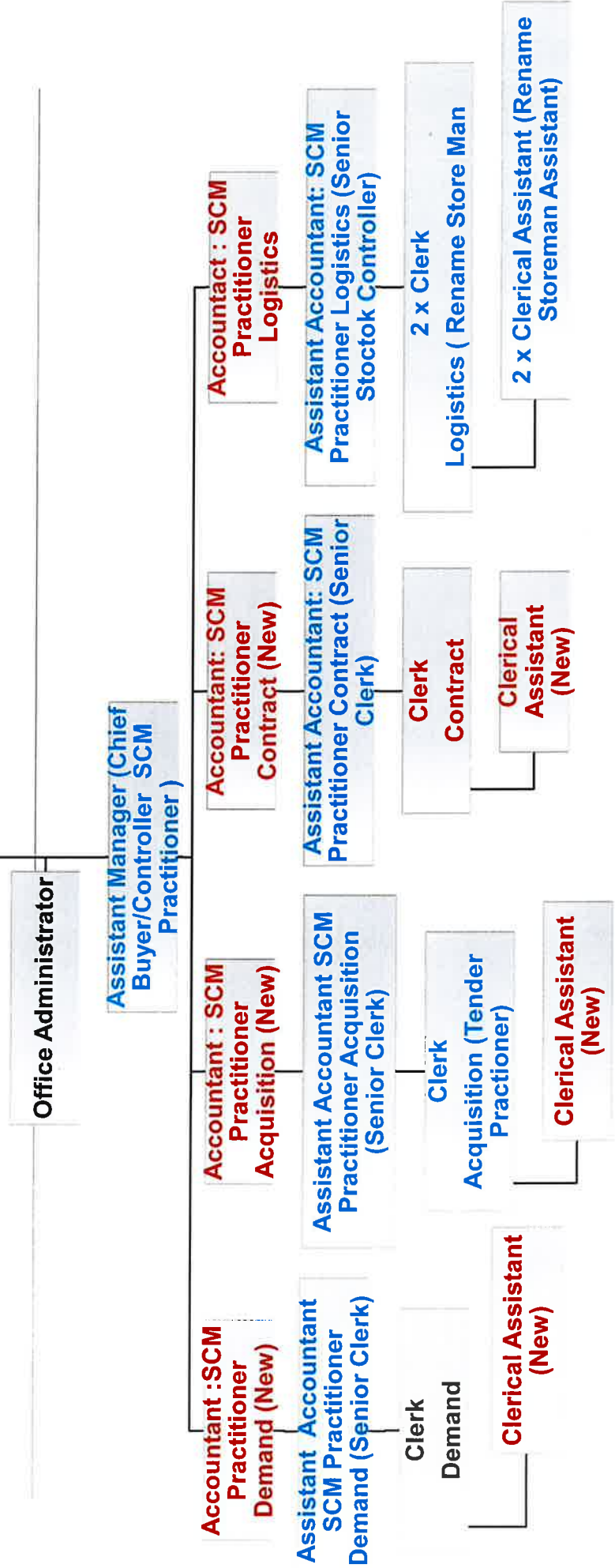


Compliment: 10

SECTION: SUPPLY CHAIN MANAGEMENT



MANAGER: SUPPLY CHAIN MANAGEMENT



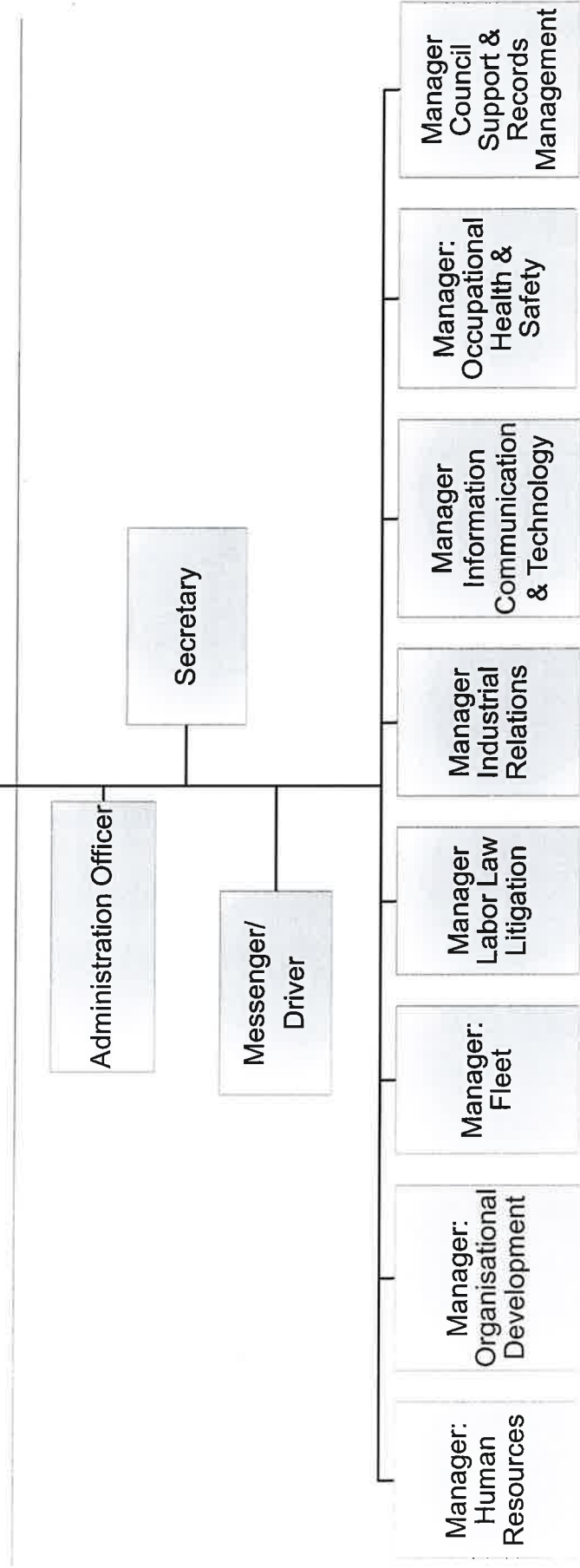
Compliment:20



CORPORATE & SHIARED SERVICES



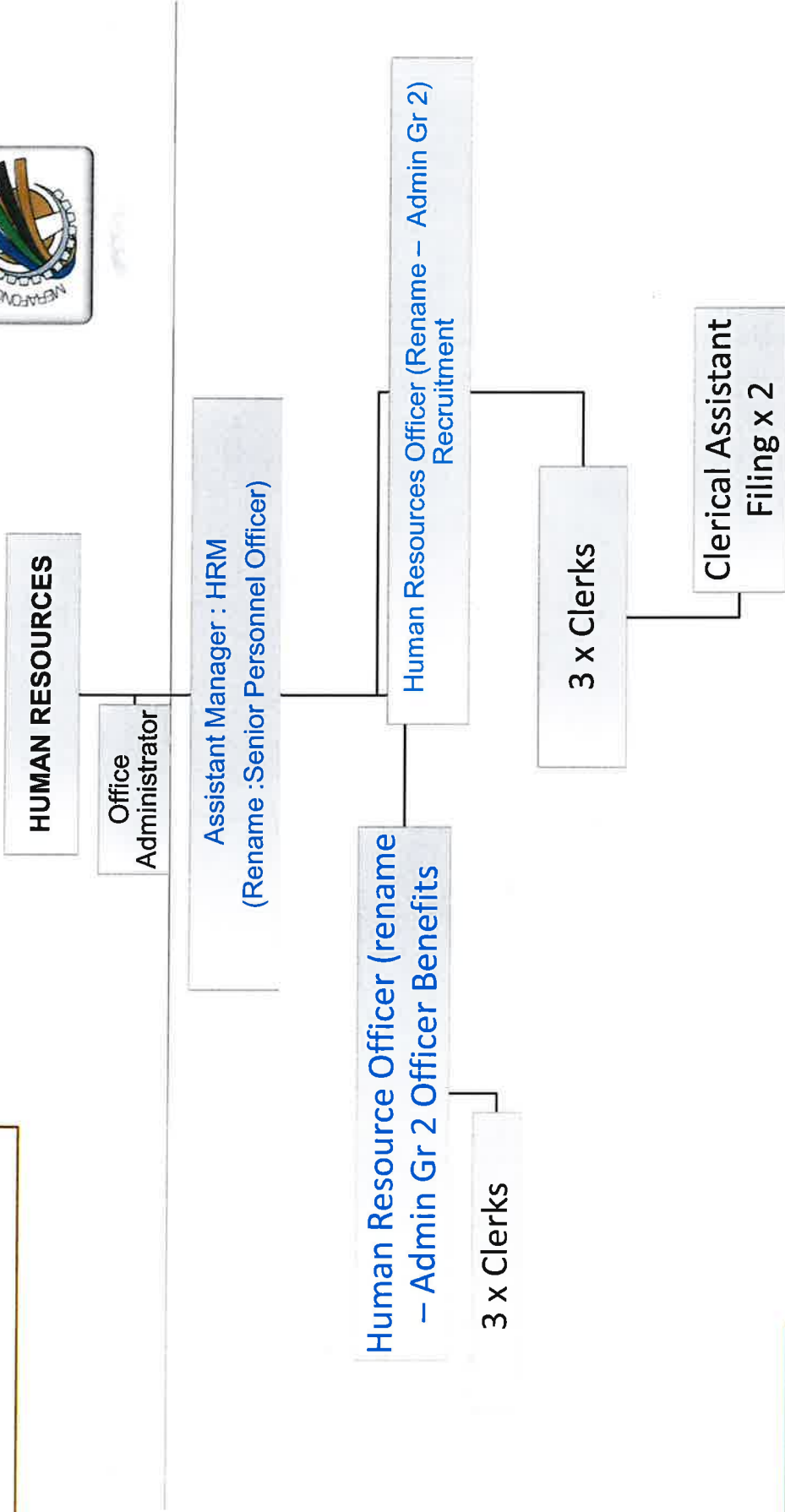
**EXECUTIVE MANAGER
CORPORATE & SHARED
SERVICES**



Compliment: 11



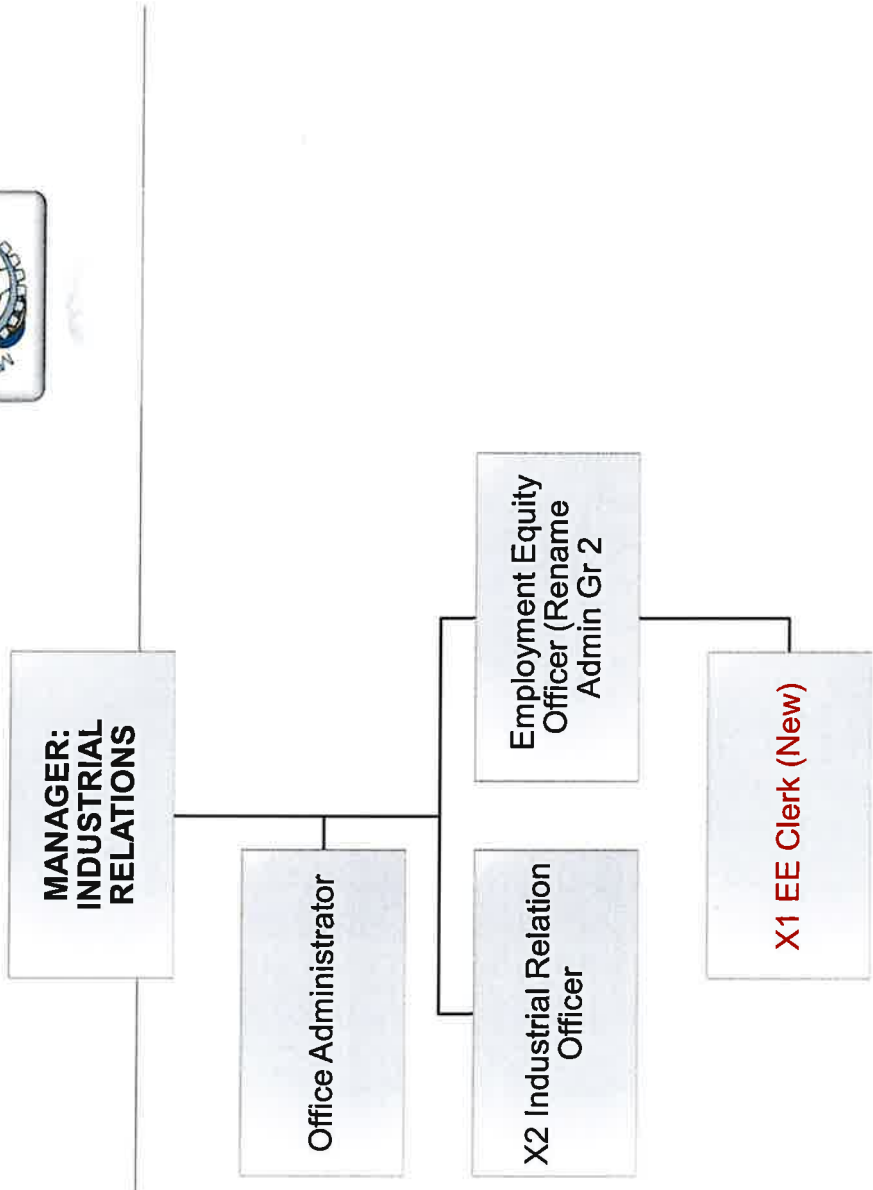
SECTION: HUMAN RESOURCES



Compliment: 12

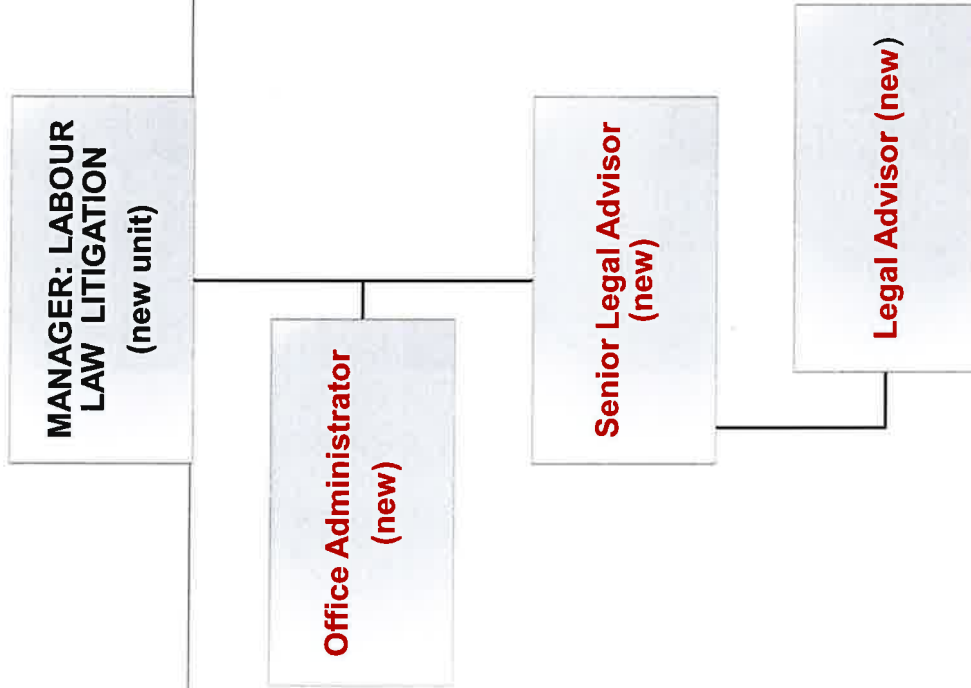


SECTION: INDUSTRIAL RELATIONS

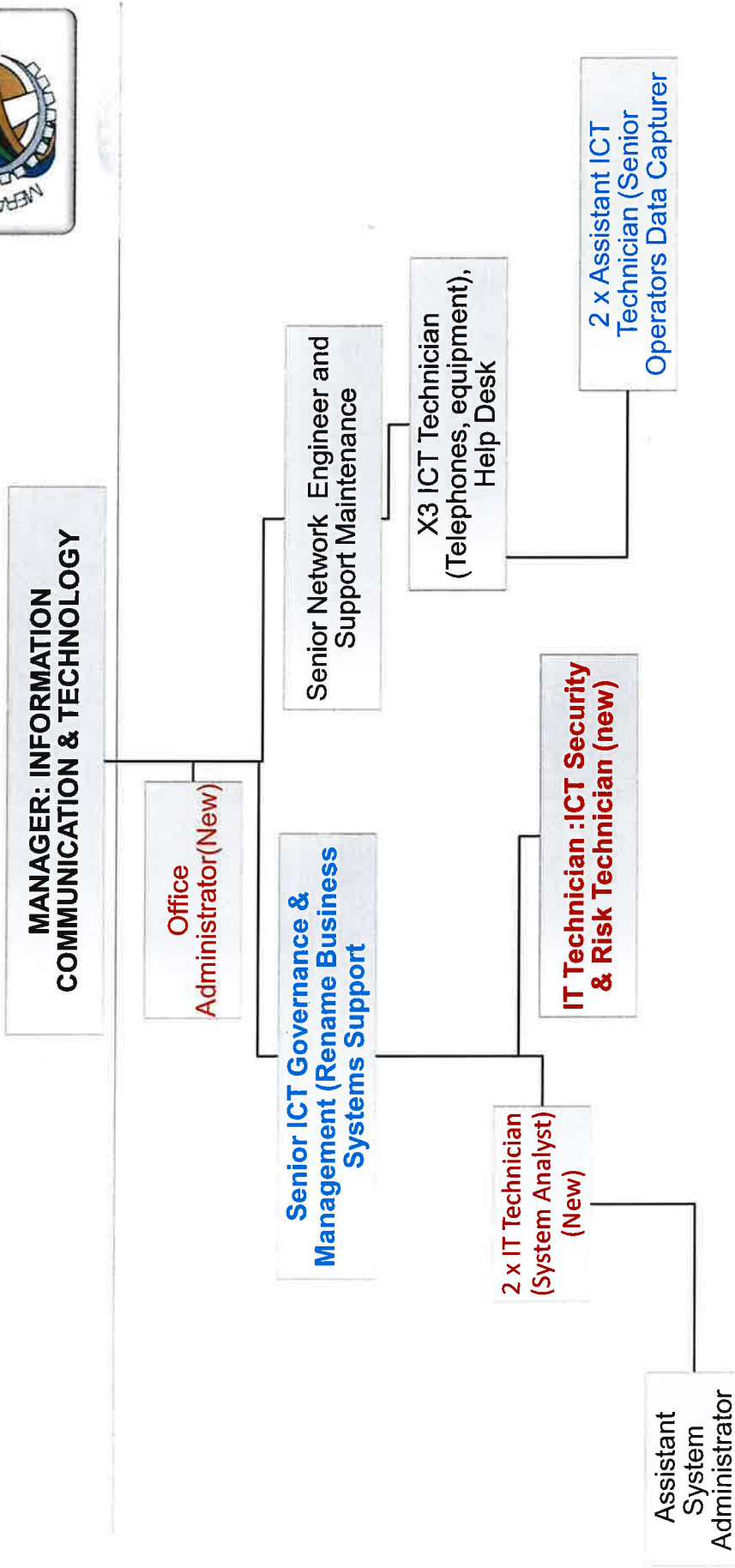


Compliment: 5

SECTION: LABOUR LAW LITIGATION

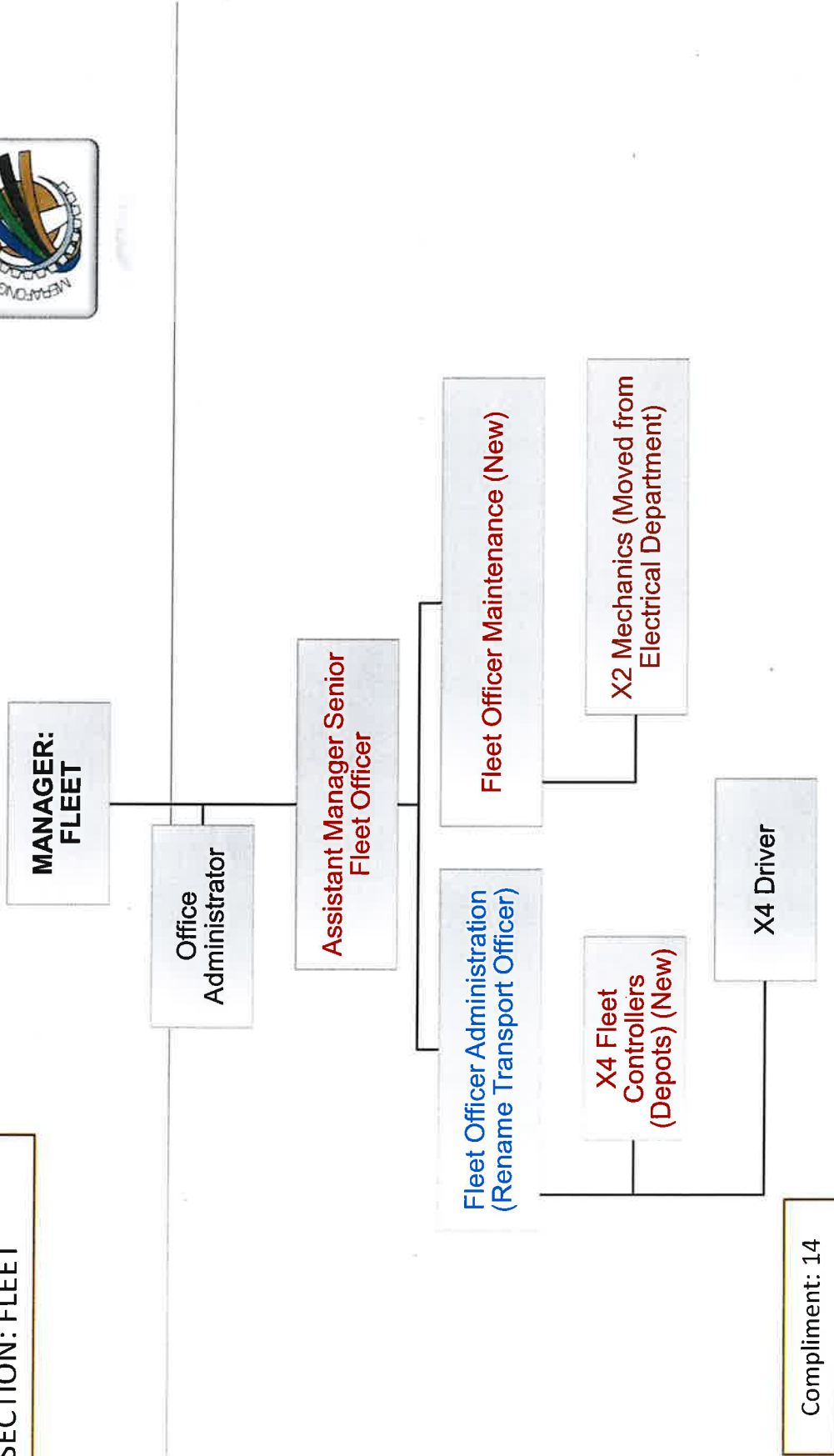


SECTION: ICT





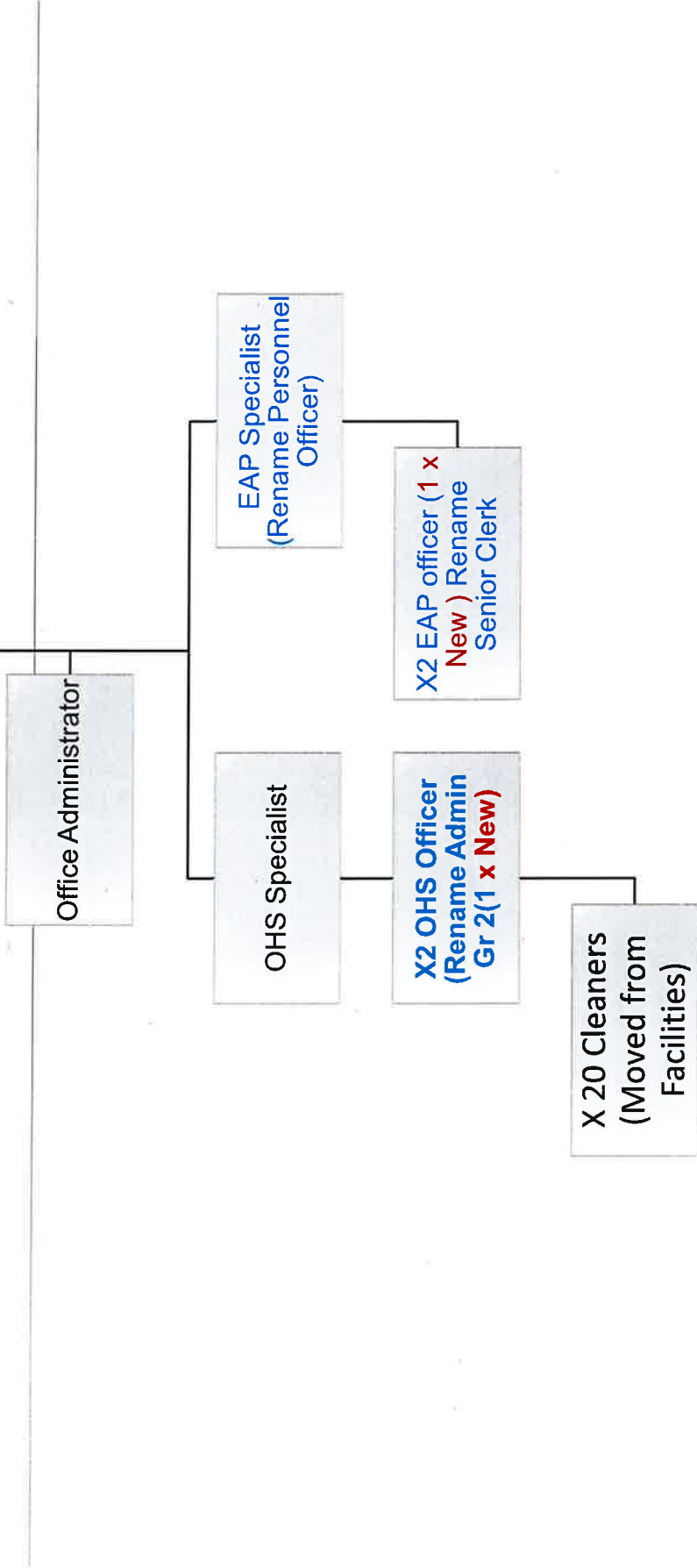
SECTION: FLEET



SECTION: OCCUPATIONAL
HEALTH & SAFETY



MANAGER: WELLNESS
AND OCCUPATIONAL
HEALTH & SAFETY

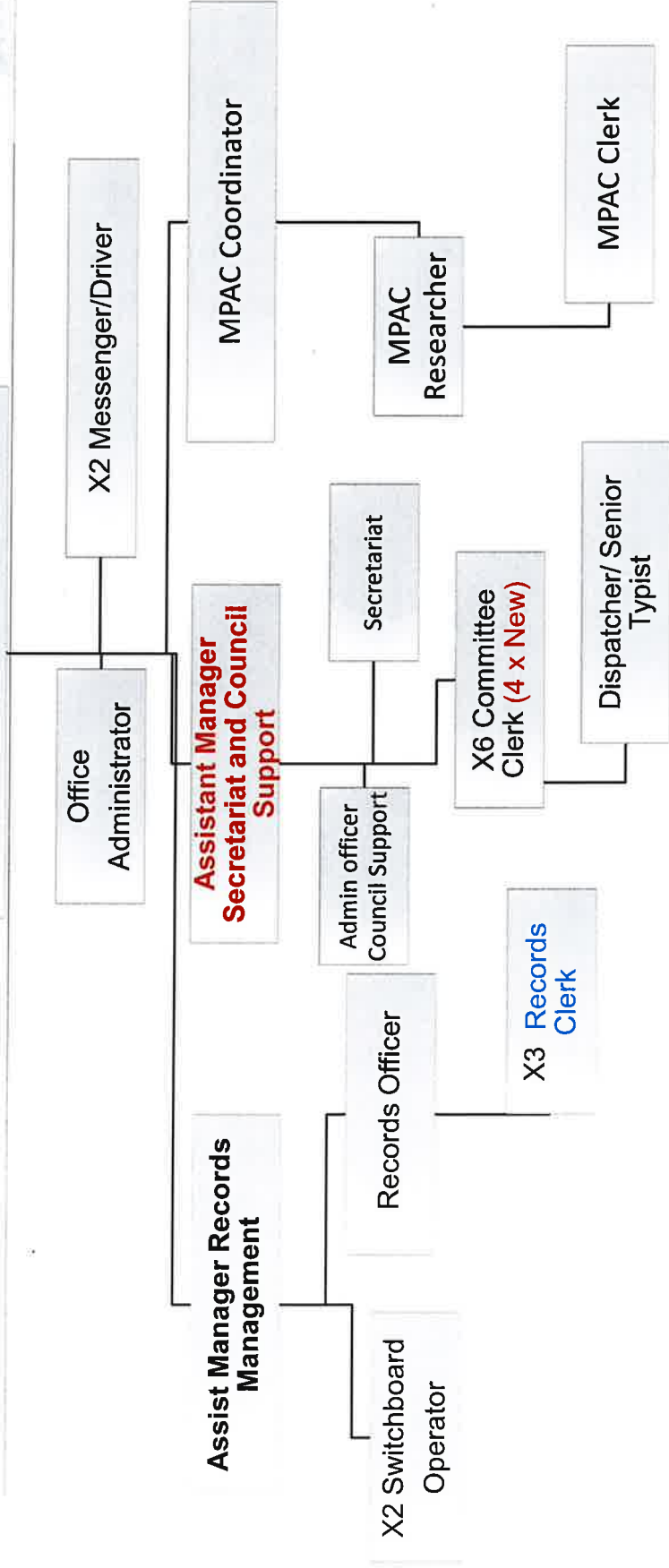


Compliment:27

**SECTION: COUNCIL SUPPORT
& RECORDS MANAGEMENT**



**MANAGER: SECRETARIAT &
RECORDS MANAGEMENT**



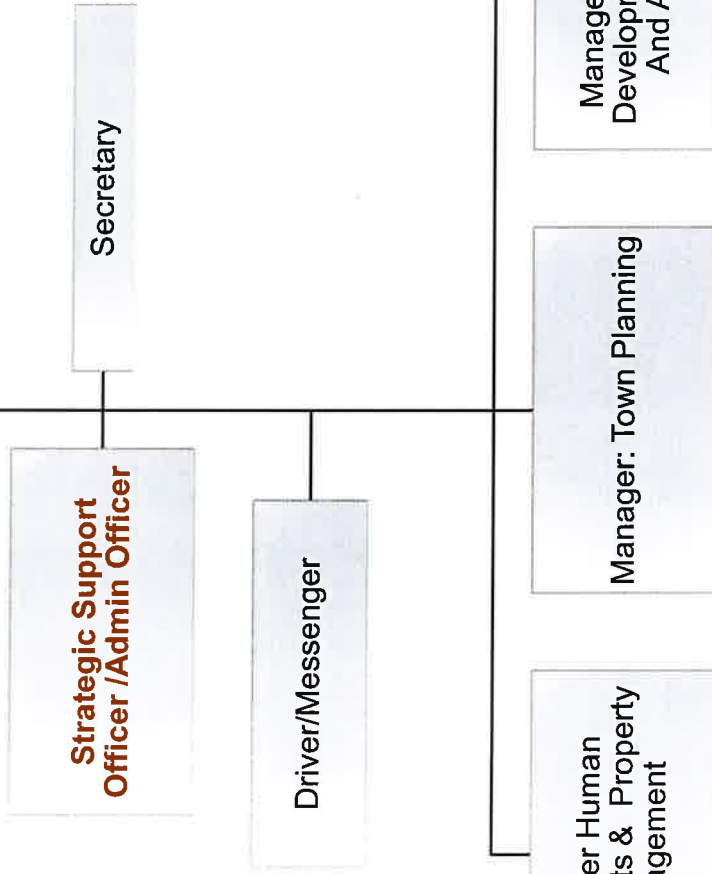
Compliment: 21



ECONOMIC DEVELOPMENT & URBAN PLANNING

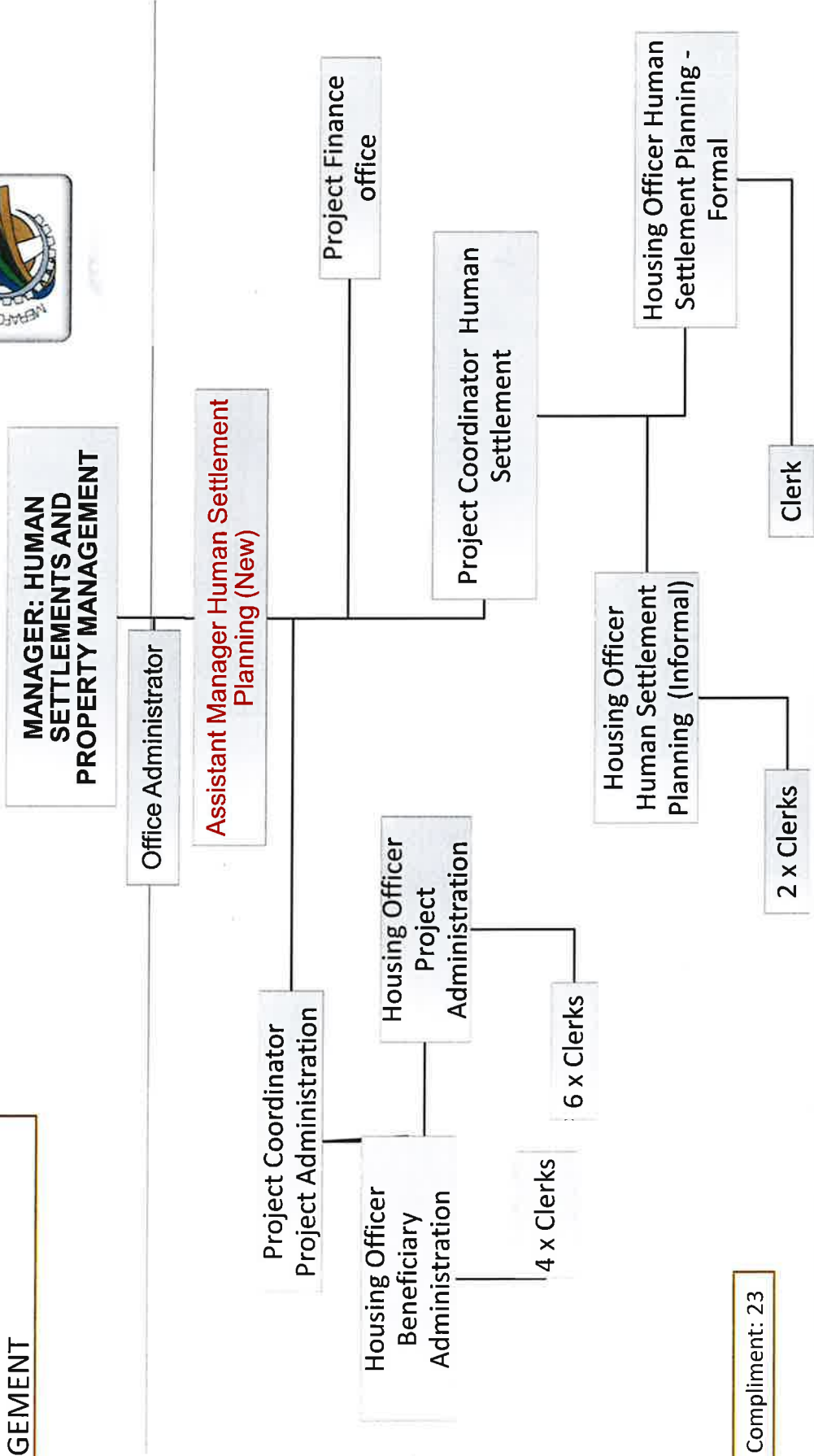


**EXECUTIVE MANAGER
ECONOMIC DEVELOPMENT &
URBAN PLANNING**



Compliment: 6

SECTION: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT

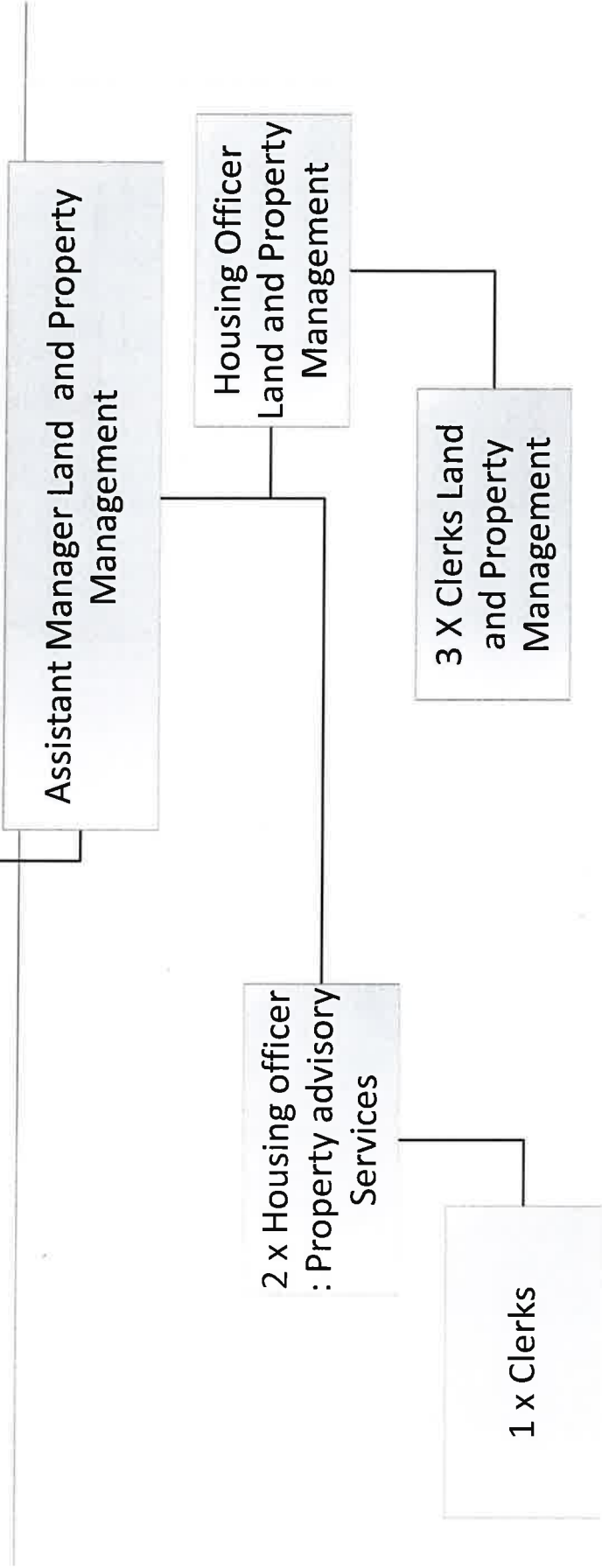


Compliment: 23



SECTION: HUMAN SETTLEMENTS & PROPERTY MANAGEMENT

MANAGER: HUMAN SETTLEMENTS AND PROPERTY MANAGEMENT

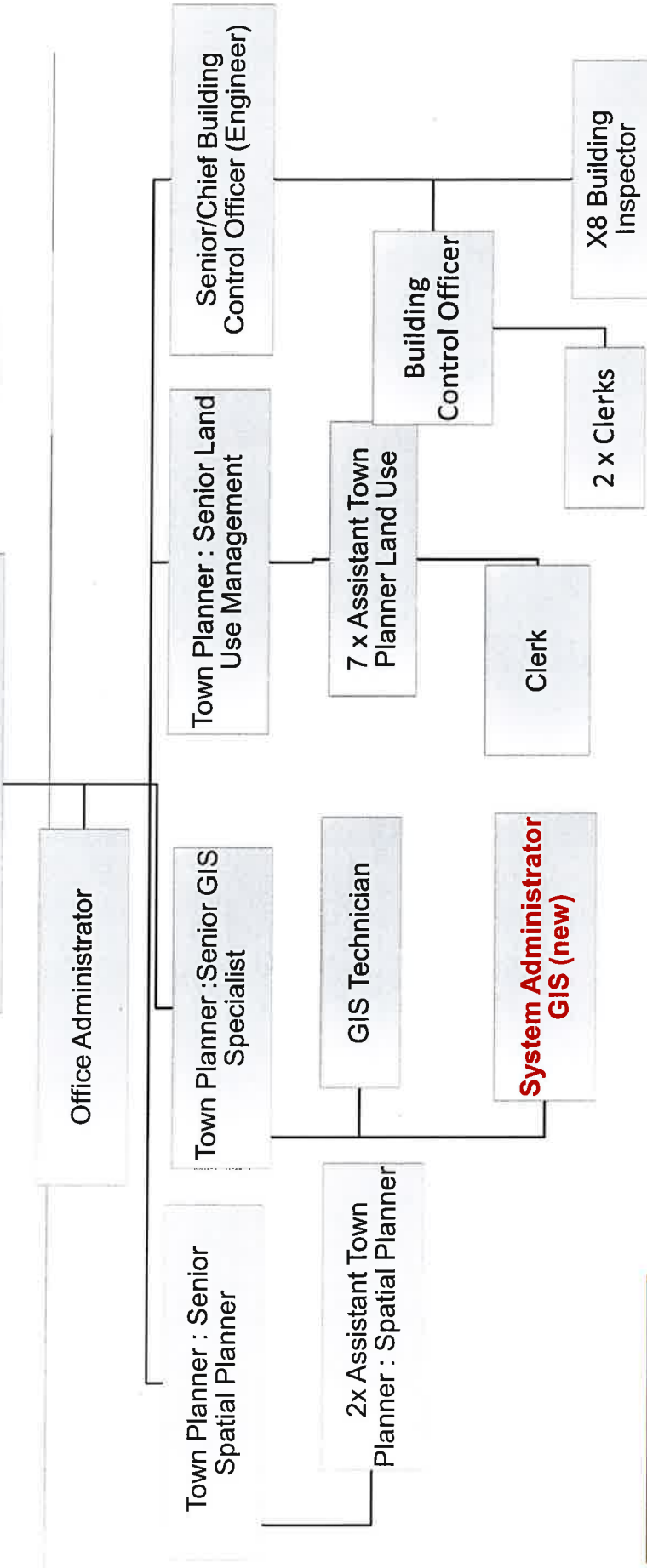


Compliment: 8

SECTION: TOWN PLANNING



MANAGER: TOWN PLANNING



Compliment: 28

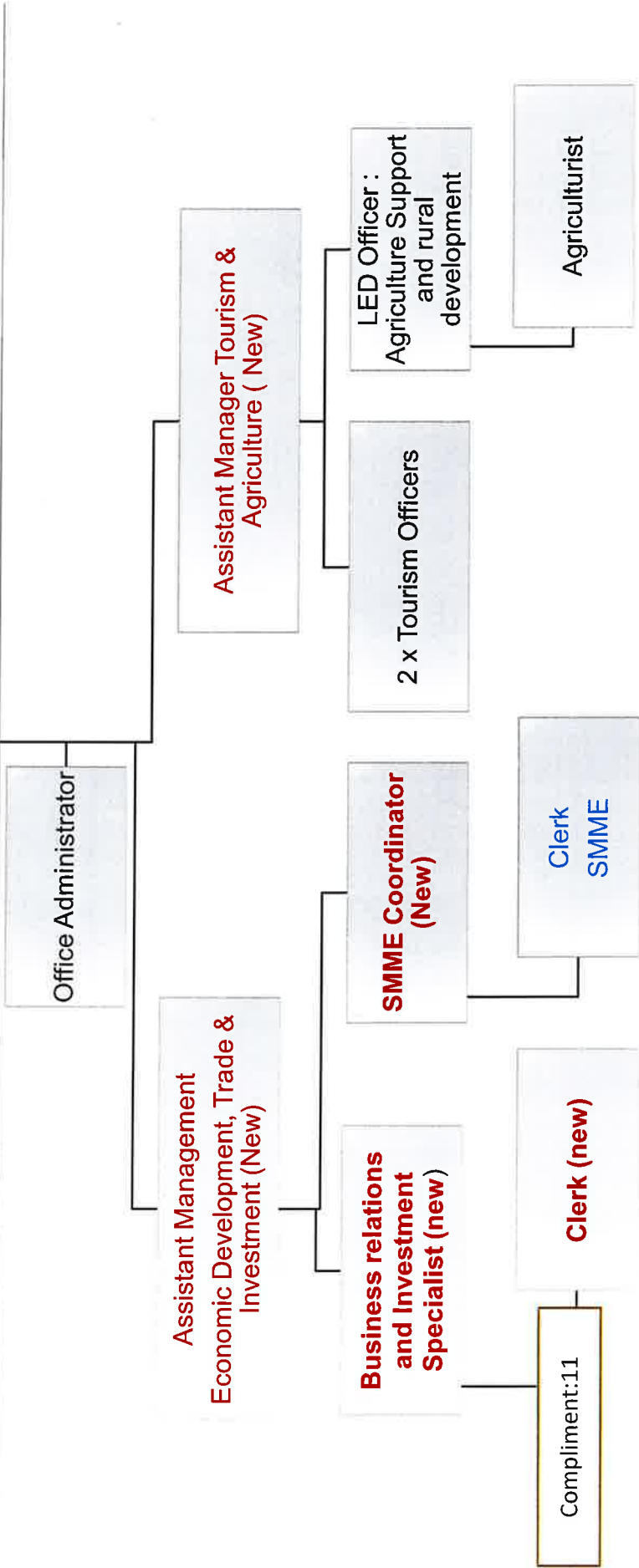
BLO If Environment is moved to Energy and only three managers will report to Executive Manager

Boitumelo Lamberl, 2024-05-16T03:01:52.424

SECTION: ECONOMIC DEVELOPMENT, TOURISM & AGRICULTURE



MANAGER: ECONOMIC DEVELOPMENT, TOURISM & AGRICULTURE

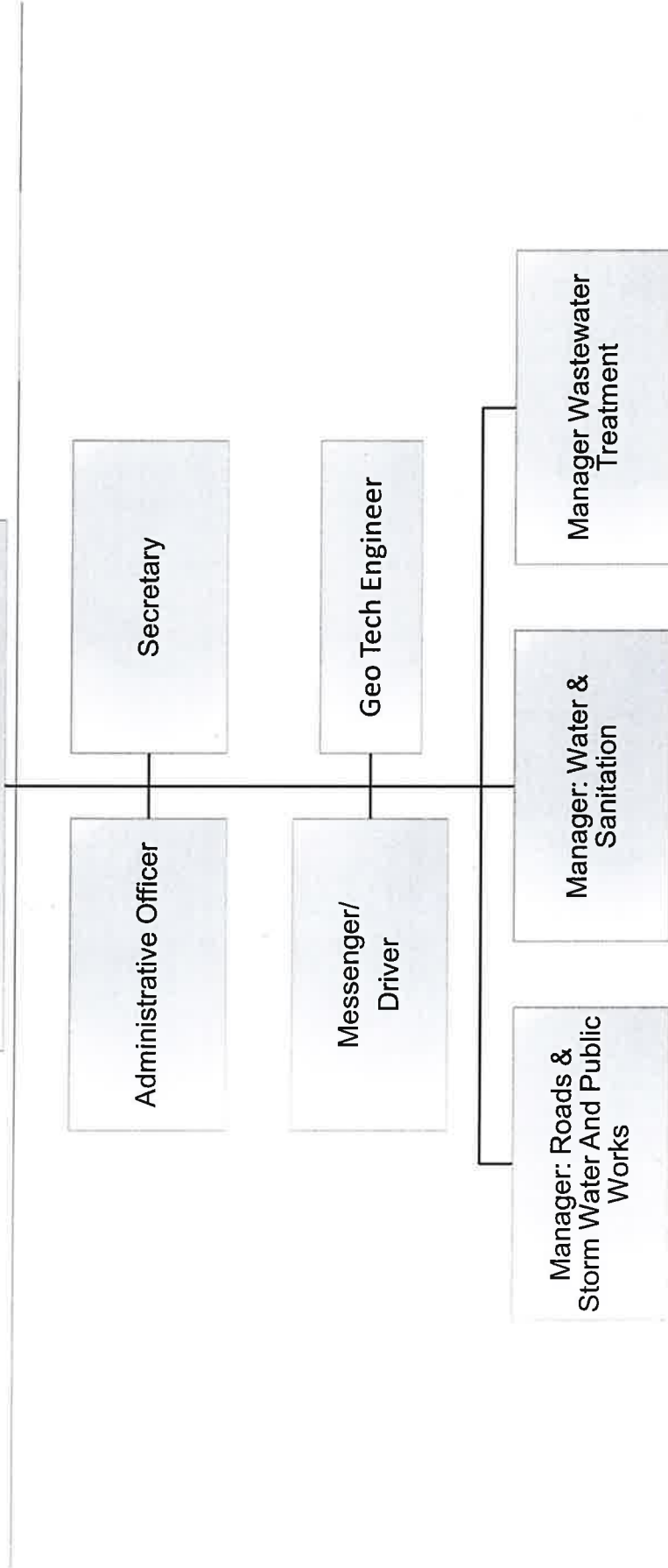




TECHNICAL SERVICES



EXECUTIVE MANAGER: TECHNICAL SERVICES

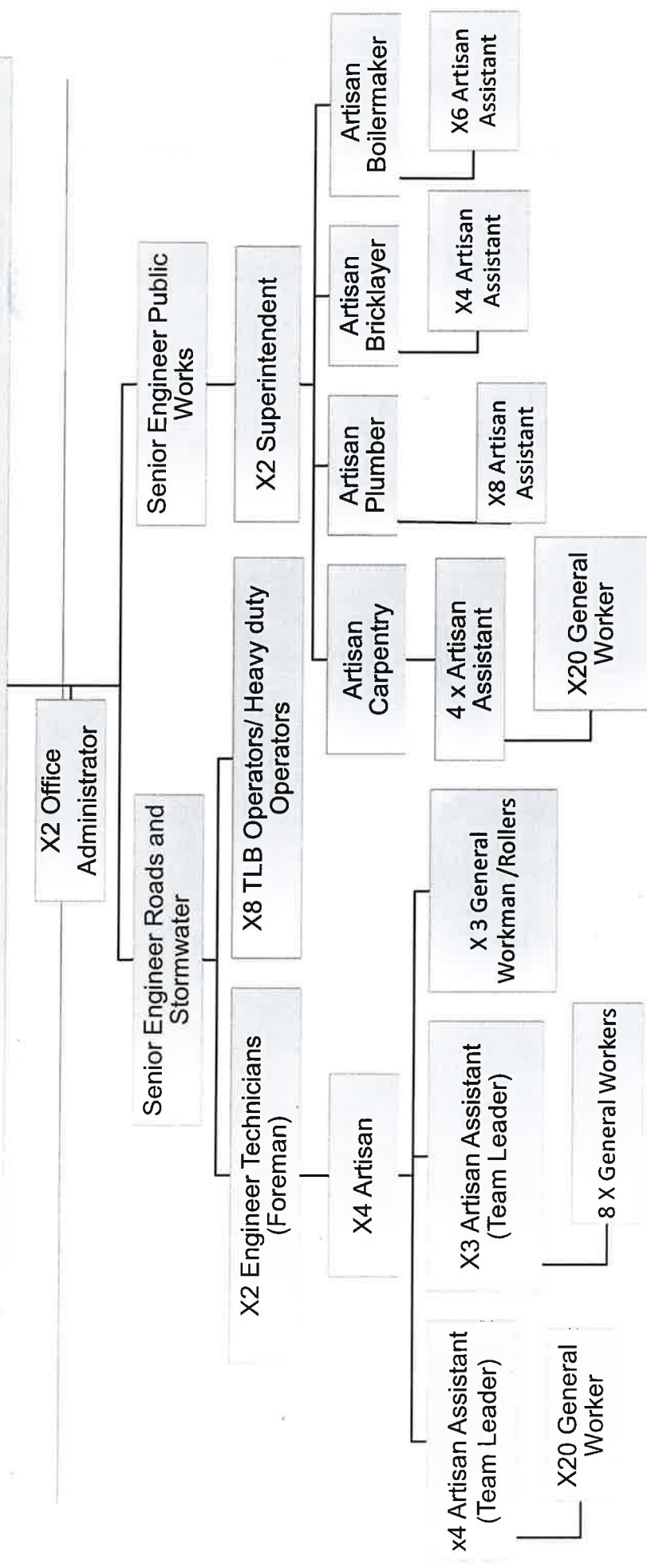


Compliment: 6

SECTION: ROADS & STORMWATER & PUBLIC WORKS



MANAGER: ROADS & STORMWATER AND PUBLIC WORKS

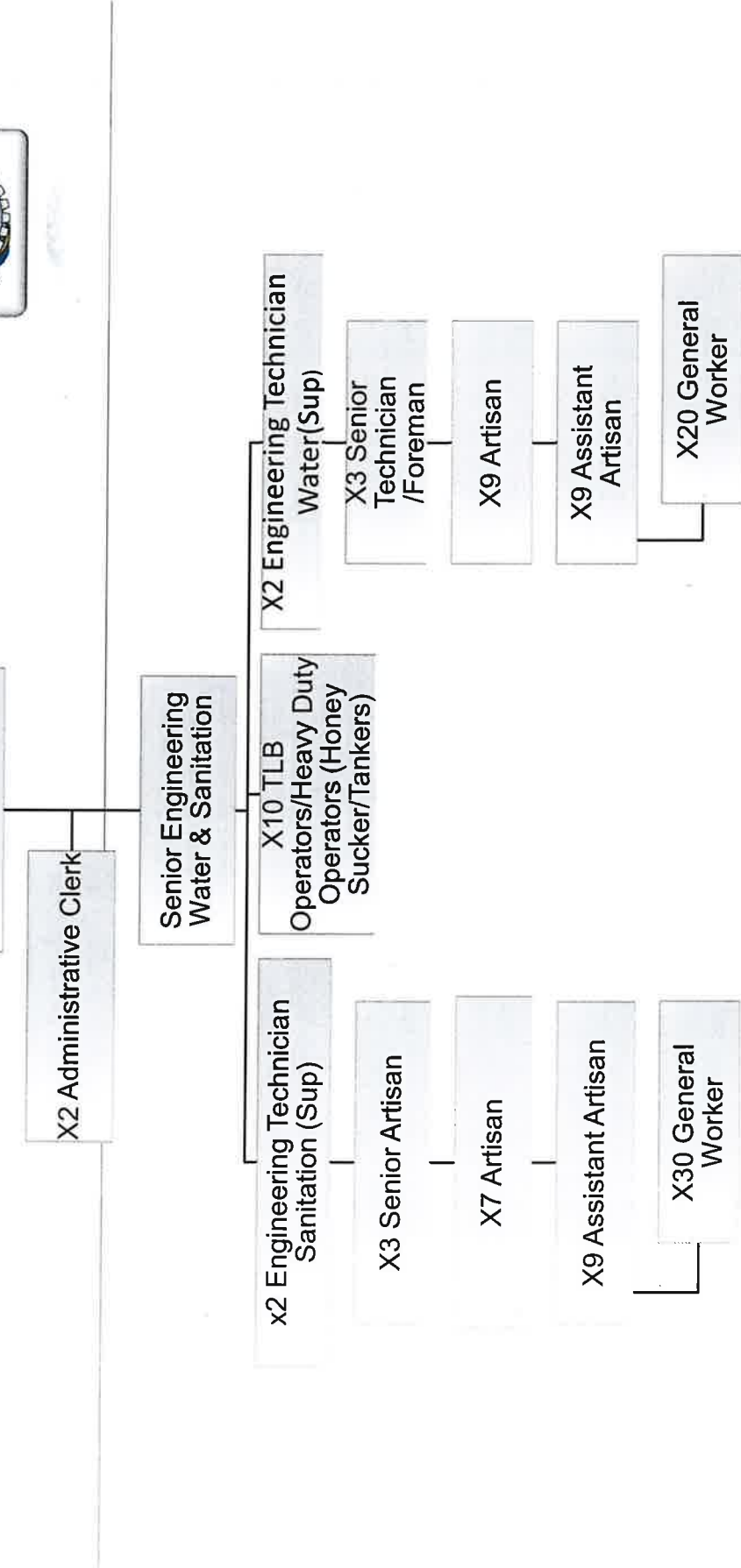


Compliment: 109

SECTION: WATER AND SANITATION



MANAGER: WATER & SANITATION



SECTION: WASTEWATER TREATMENT



Manager water and sanitation

SENIOR ENGINEERING TECHNICIAN (WWT)

X2 Office Administrators

X2 Superintendent (Water Care Works and Operations)

Project Technician (New)

X5 Senior Operator/Senior Process Controller

X5 Artisan Assistant / Jnr Process Controller (team Leaders)

X60 General Worker (Process Controller)(x17 **New**)

Electrician (New)

X2 Artisan Assistant (Millwright)

X4 General Workman

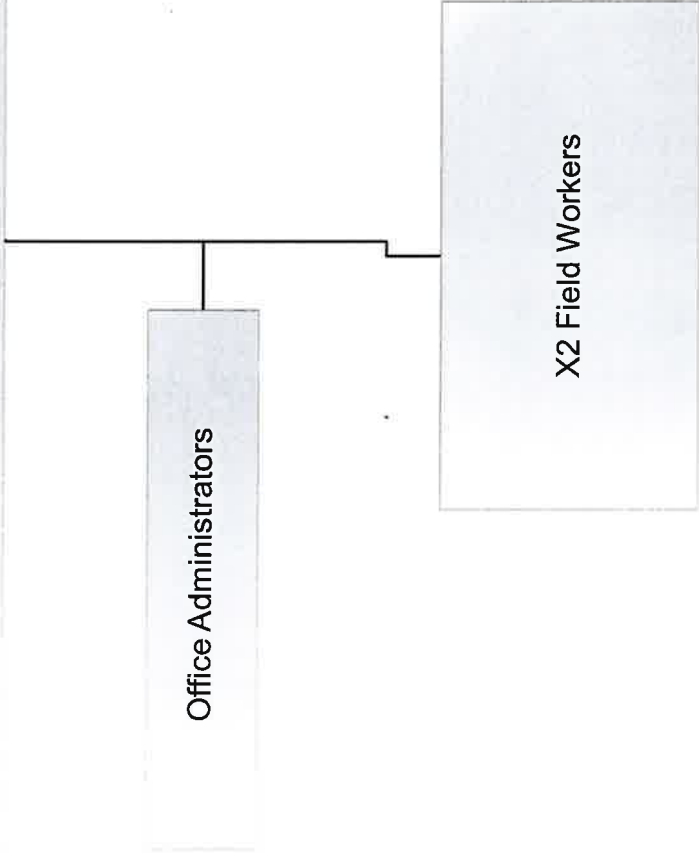
Water Quality Assurance Scientist /Technician

Lab Technician



SECTION: GEO TECH

SENIOR ENGINEERING TECHNICIAN (GEO TECH ENGINEER)

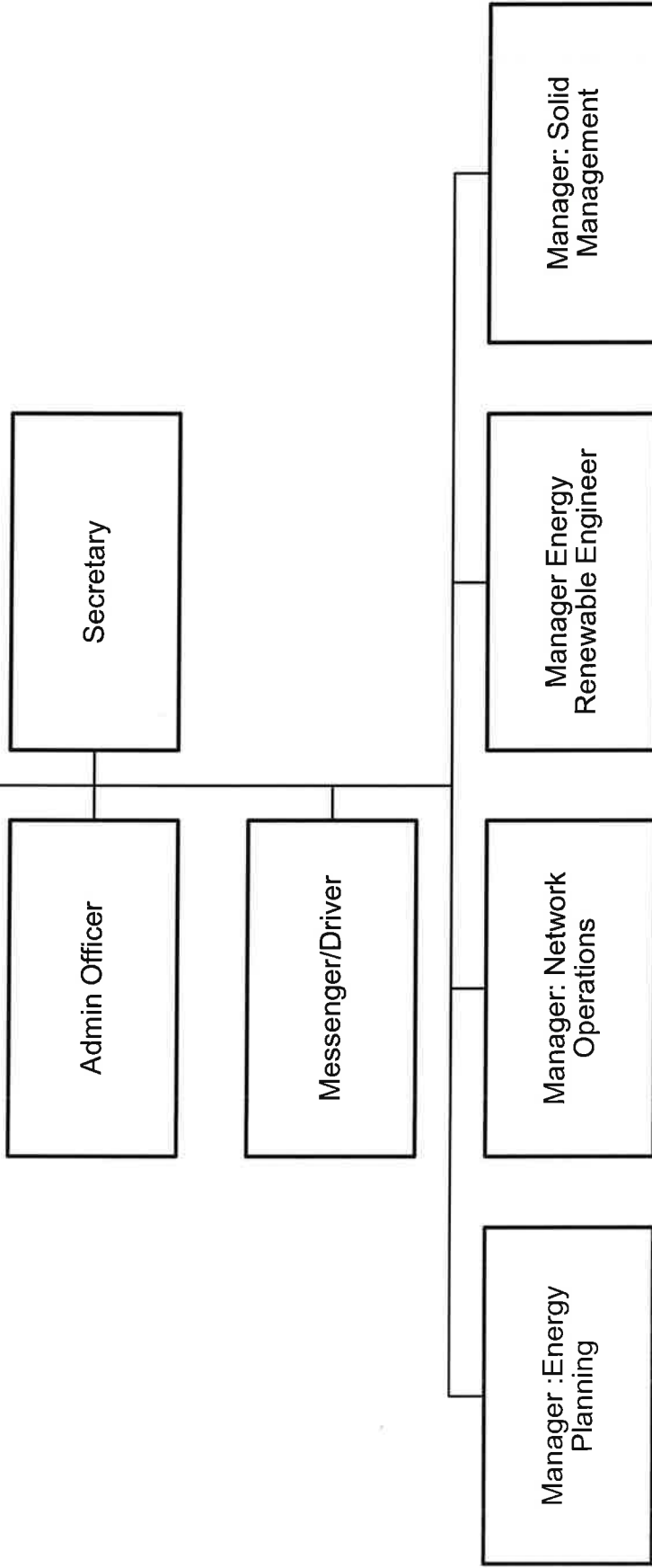




ENERGY



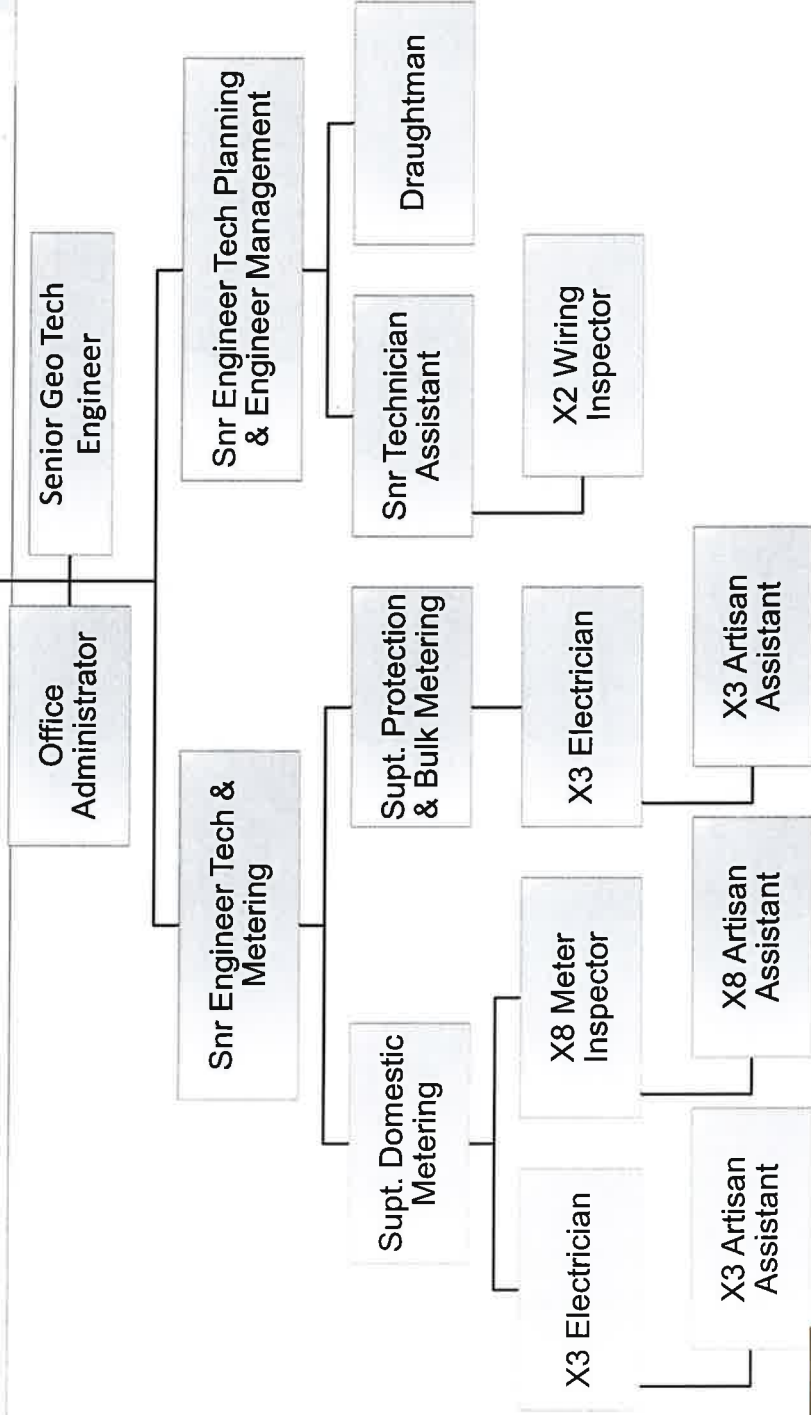
**EXECUTIVE MANAGER:
ENERGY**



SECTION: ENERGY PLANNING



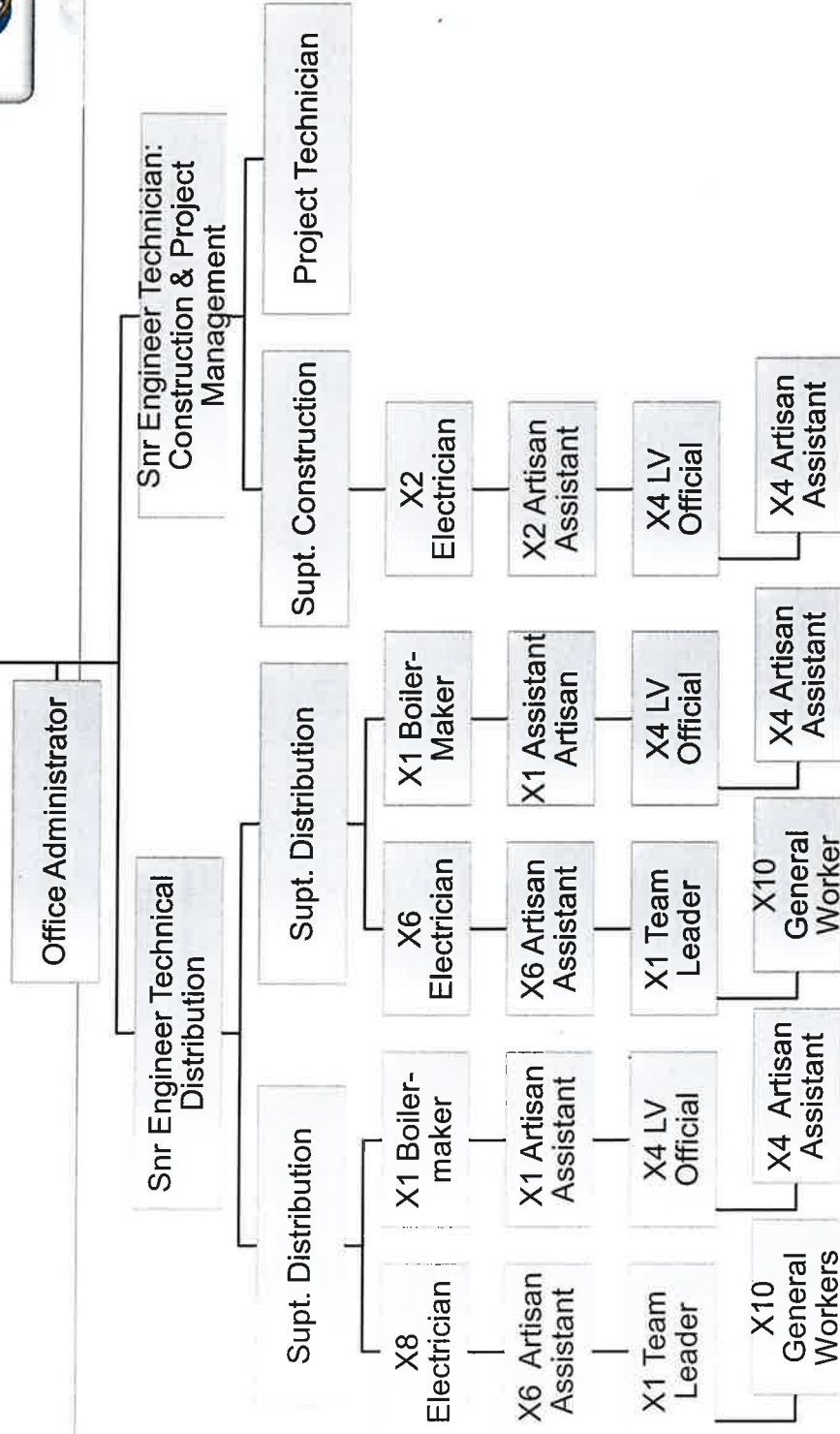
MANAGER: ENERGY PLANNING



SECTION: NETWORK OPERATIONS



MANAGER: NETWORK OPERATIONS



102

IMPLIMENT: 87

SECTION: RENEWABLE
ENGINEER



MANAGER
RENEWABLE
ENGINEER (new unit)

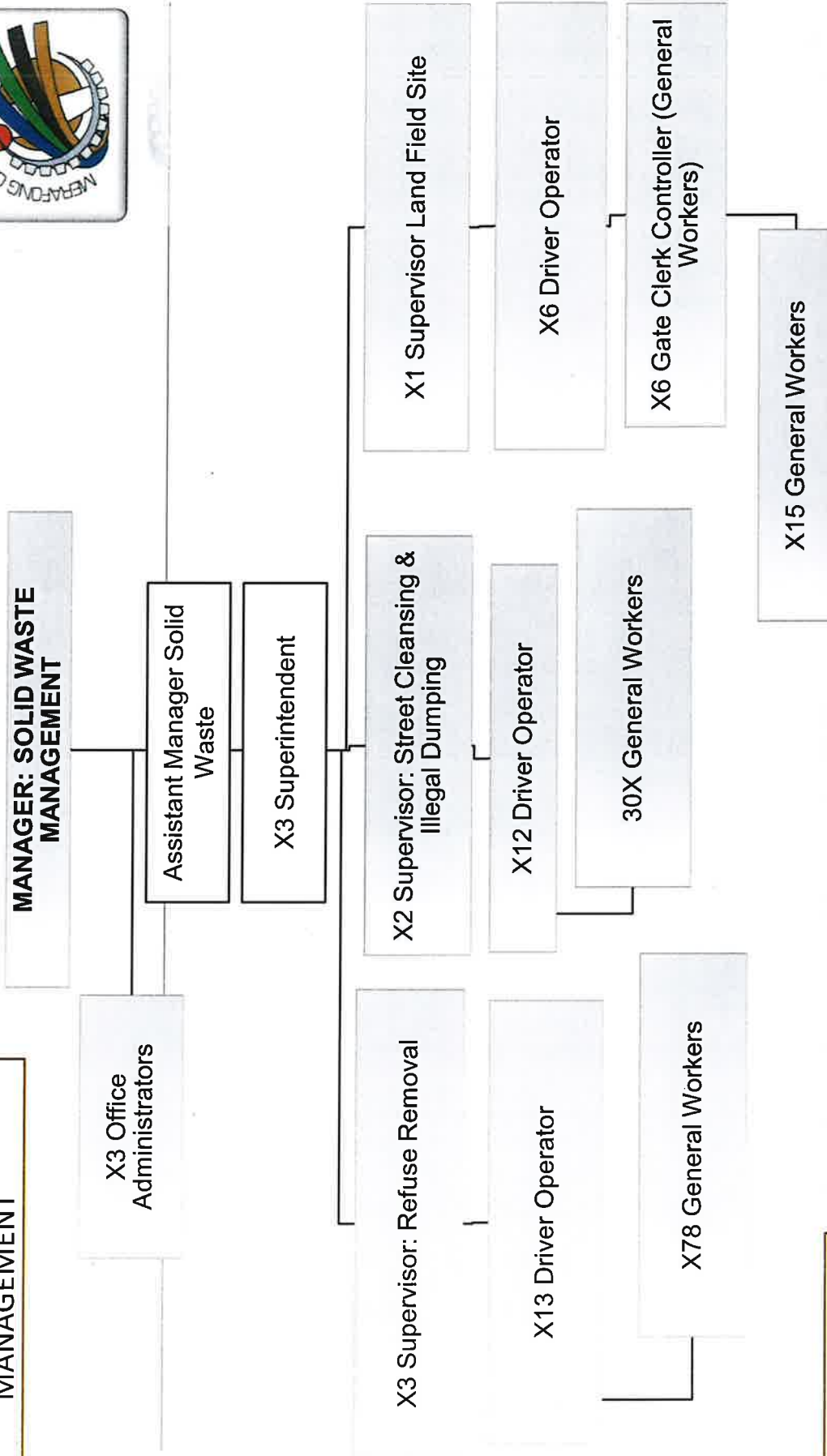
Office Administrator(New)

Senior Engineer (New)

X3 Technician (New)

103 COMPLIMENT: 5

SECTION: SOLID WASTE MANAGEMENT

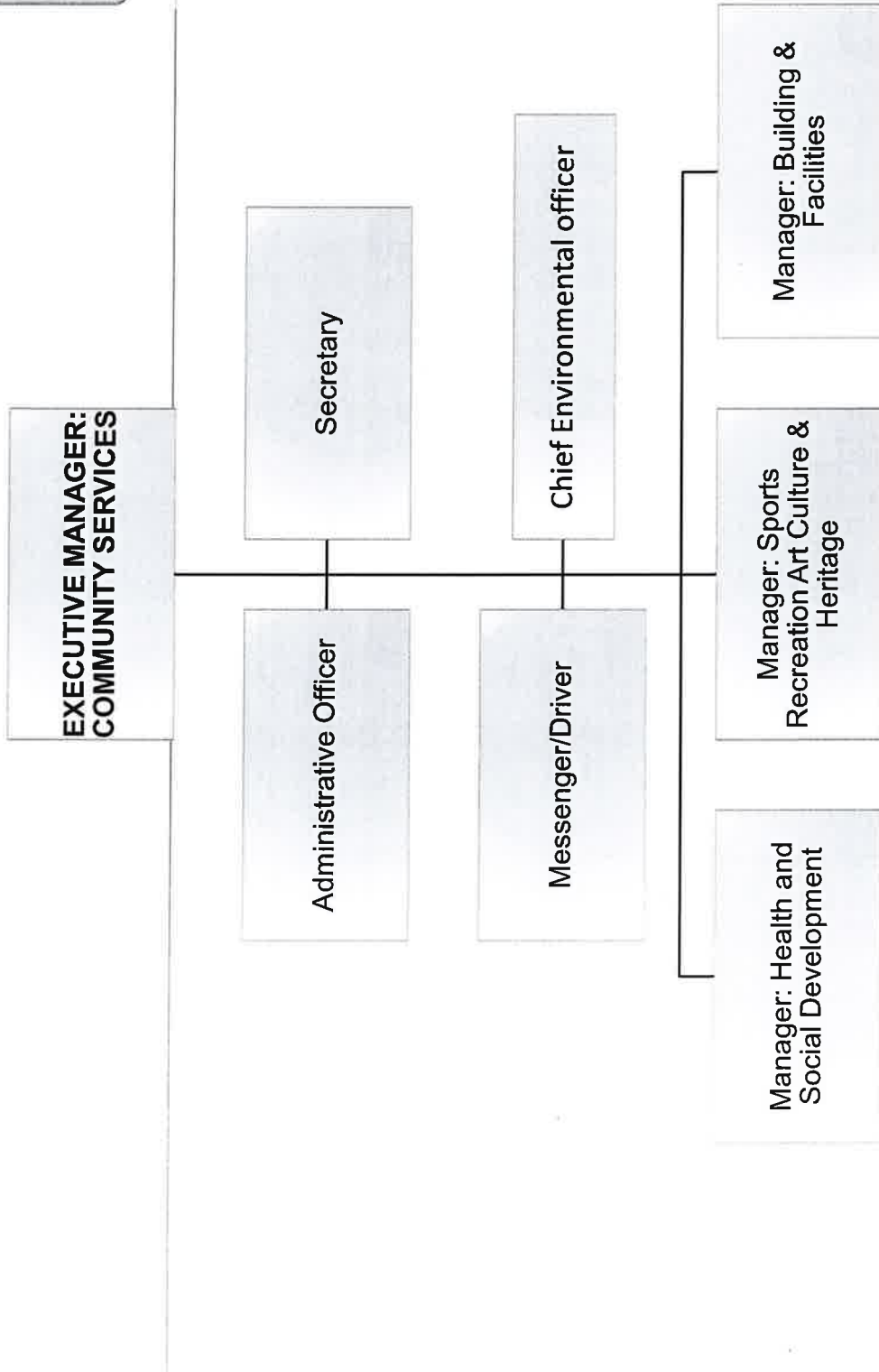


104

COMPLIMENT: 173



COMMUNI TY SERVICES



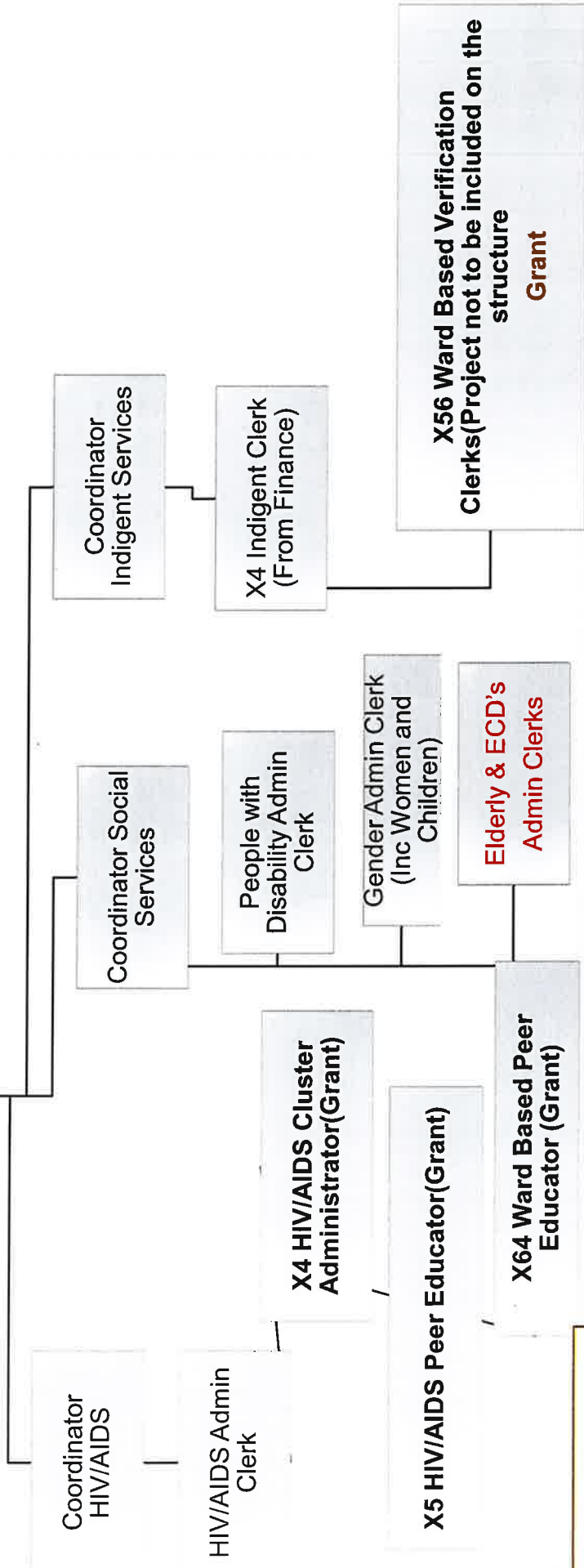


SECTION: SOCIAL DEVELOPMENT & HEALTH

MANAGER: SOCIAL DEVELOPMENT & HEALTH

Assistant Manager Social Dev. Health

Office Administrator



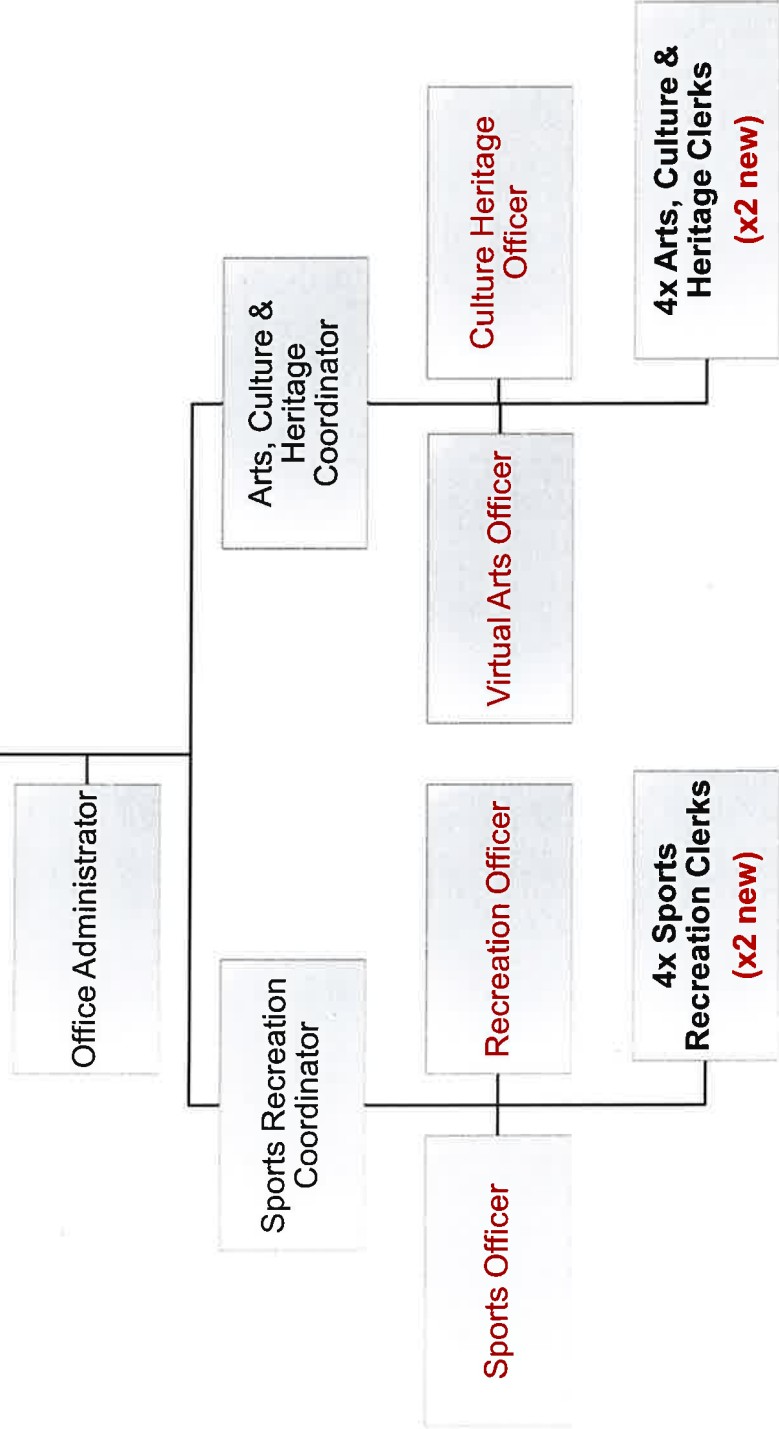
197

COMPLIMENT: 143



SECTION: SRACH

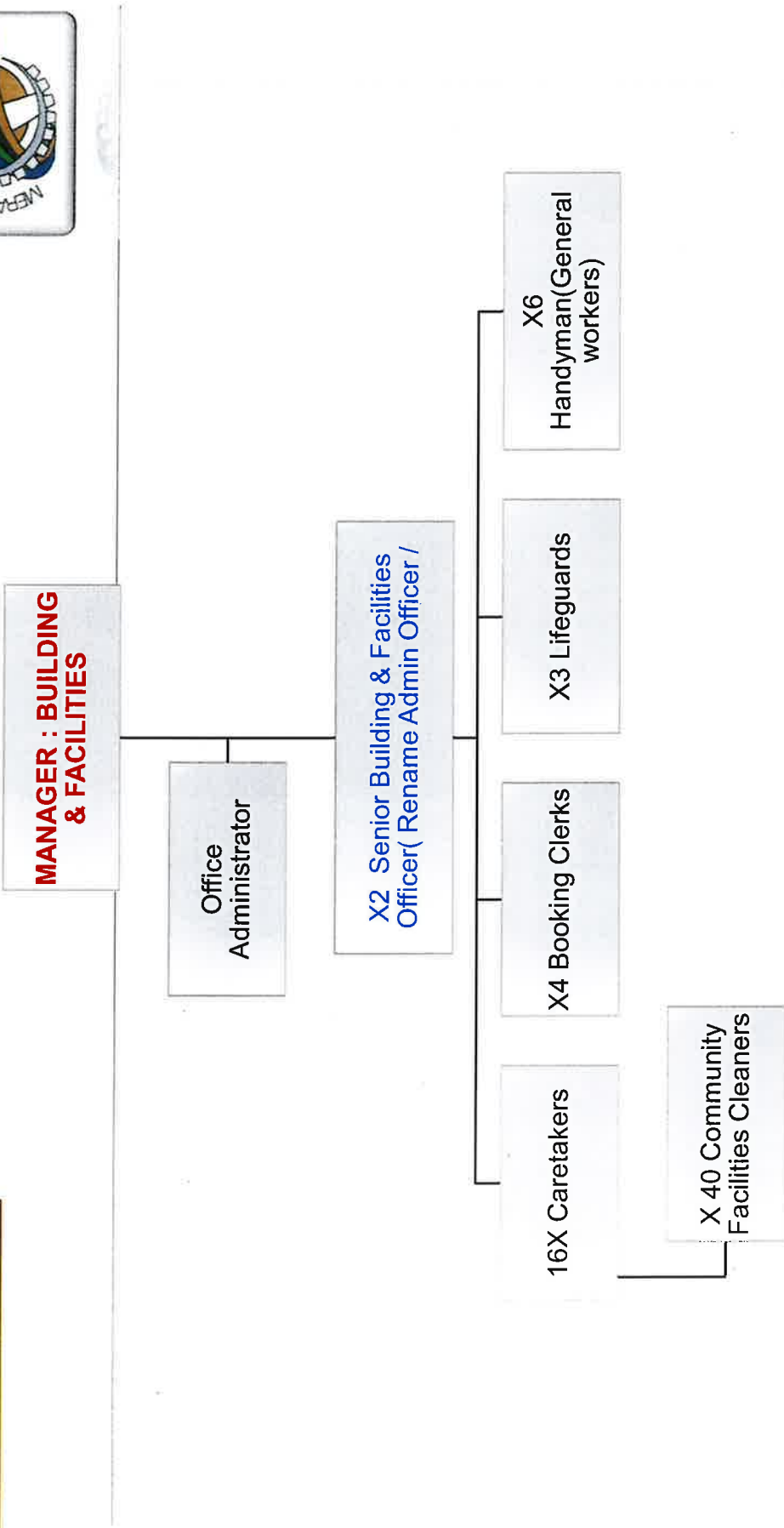
MANAGER: SRACH



108

COMPLIMENT: 15

SECTION: BUILDING & FACILITIES



109

COMPLIMENT:72



SECTION: ENVIRONMENTAL
MANAGEMENT

CHIEF ENVIRONMENTAL OFFICER

Office Administrator

X2 Environmental Officer

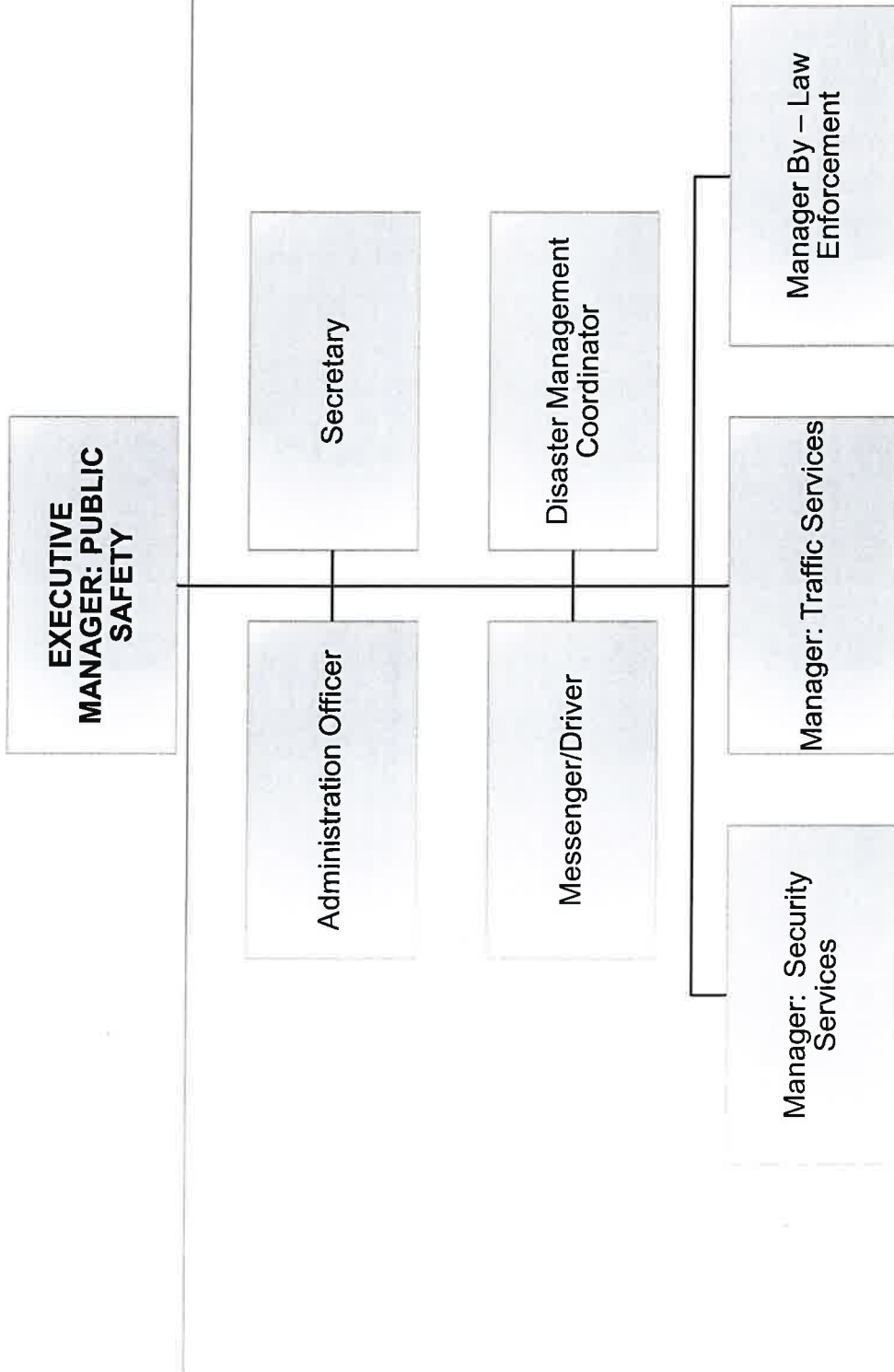
Environmental Compliance &
Enforcement Officer

110

COMPLIMENT:4



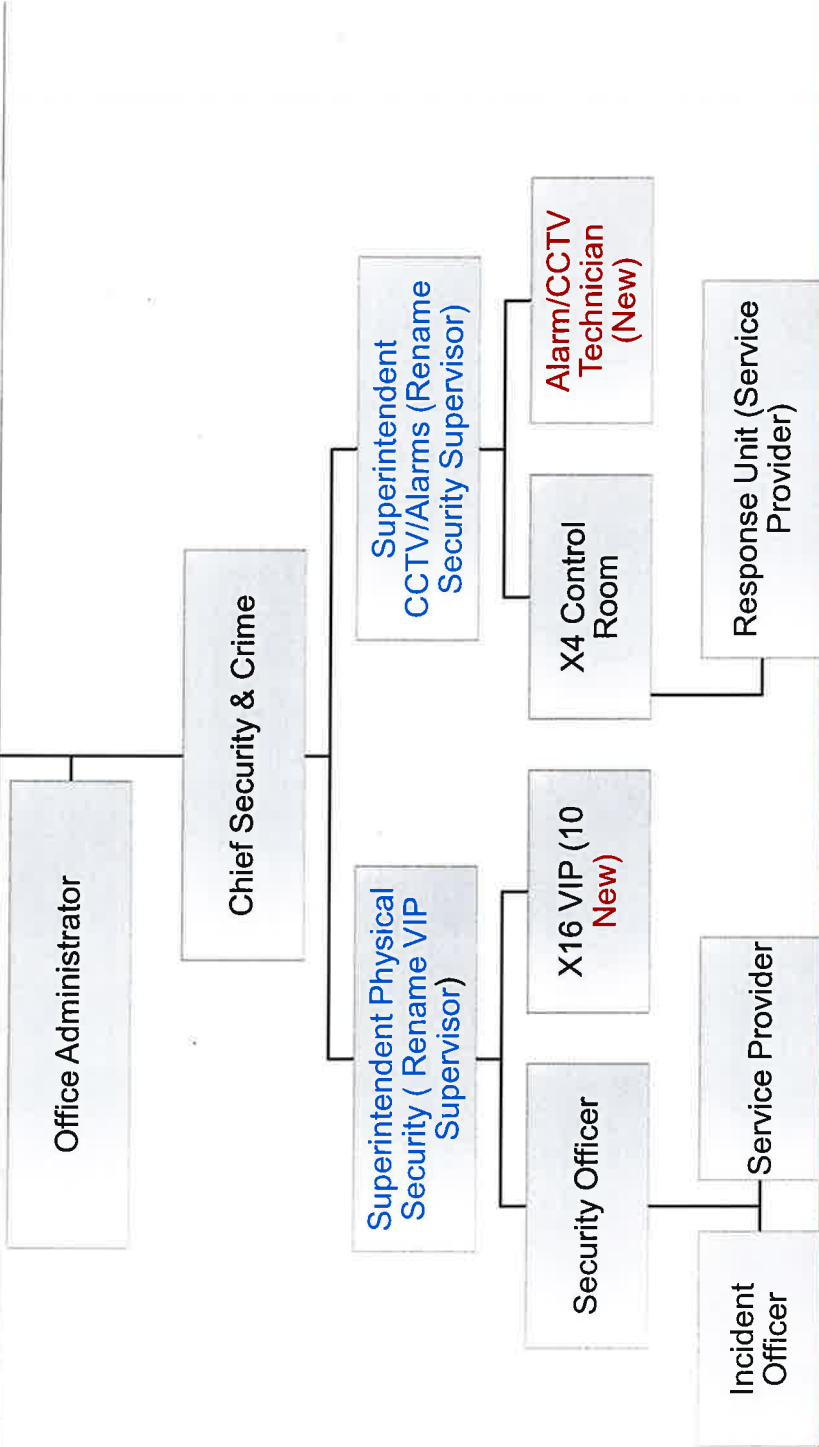
PUBLIC SAFETY





SECTION: PUBLIC SAFETY & SECURITY
(BY-LAW ENFORCEMENT)

MANAGER: SECURITY SERVICES



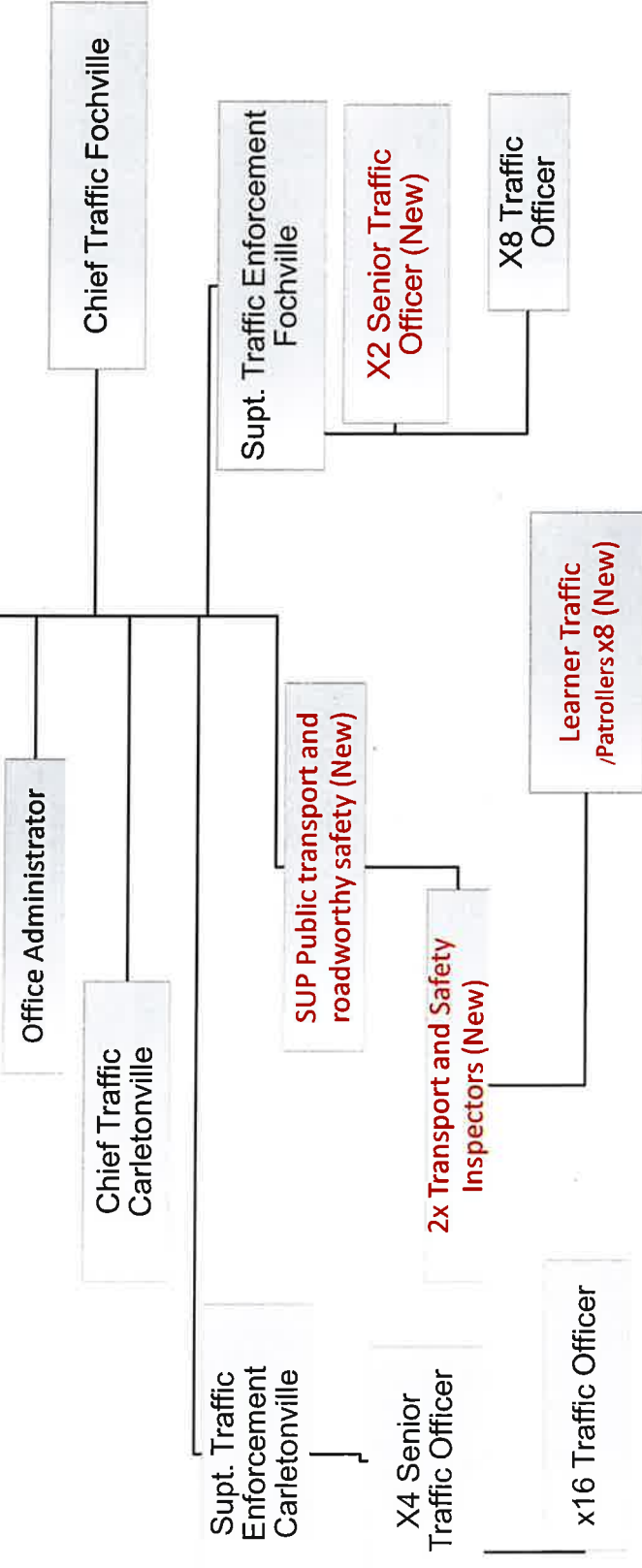
COMPLIMENT: 31



MANAGER TRAFFIC MANAGEMENT

SECTION: TRAFFIC ROADS & SAFETY

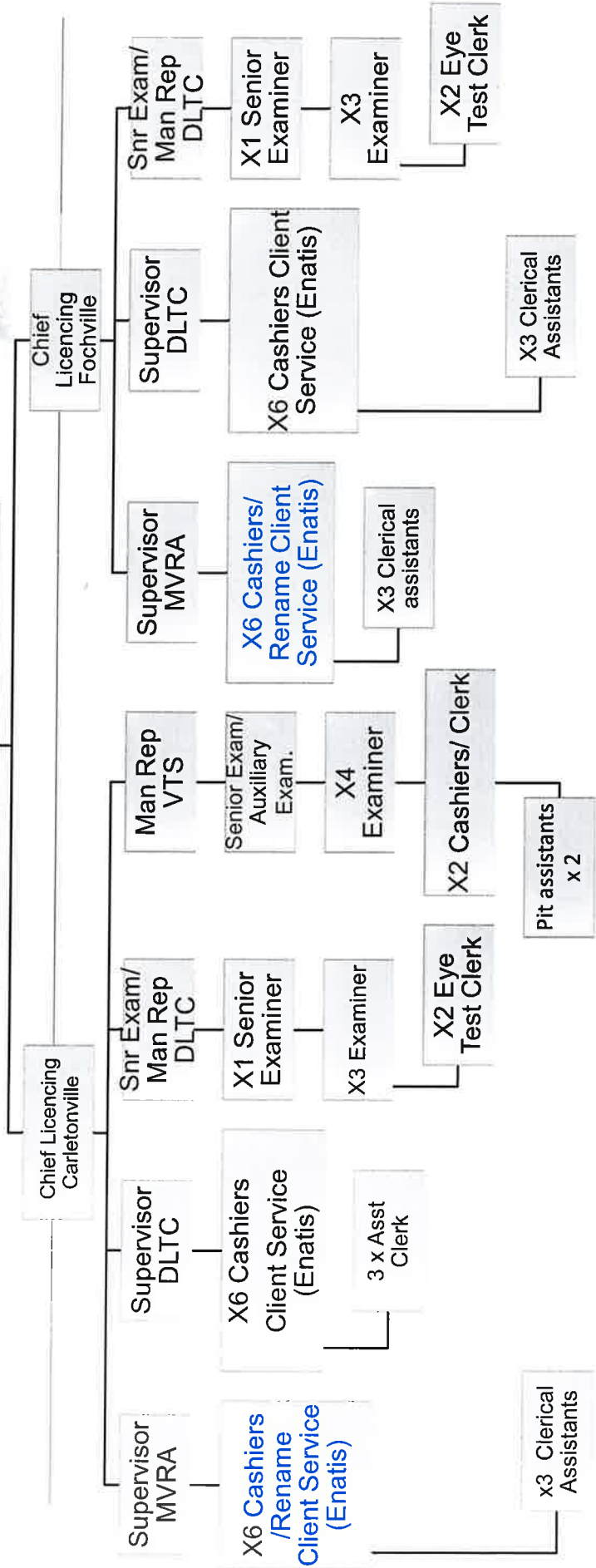
**ASSISTANT MANAGER
Traffic and Licencing (New)**





LICENCING & TRANSPORT

ASSISTANT MANAGER Traffic and Licencing (New)





SECTION: PUBLIC SAFETY & SECURITY
(BY-LAW ENFORCEMENT)

MANAGER: BY LAW - ENFORCEMENT

Office Administrator

**Chief (By-law
Enforcement) (New)**

**X2 Superintendent By-law
Enforcement**

CFS Coordinator

**X15 Municipal By-laws
Enforcement (Warden
Officer)**

COMPLIMENT: 20

Enquiries: Zwe Ndlala

E-mail: zndlala@salga.org.za



Physical:
Block B, Menlyn Corporate Park,
175 Corobay Ave, Waterkloof
Glen Ext II, PRETORIA 0181

Postal: PO Box 2094,
PRETORIA 0001

CIRCULAR No.8 / 2024

FROM : CHIEF EXECUTIVE OFFICER (ACTING)

TO: EXECUTIVE MAYORS / MAYORS
SPEAKERS, POLITICAL HEADS OF CORPORATE SERVICES PORTFOLIO
COMMITTEES
CITY / MUNICIPAL MANAGERS
CORPORATE SERVICES DIRECTORS/ HUMAN RESOURCES DIRECTORS AND
MANAGERS
EMPLOYMENT/ LABOUR RELATIONS MANAGERS AND PRACTITIONERS

DATE : 31 MAY 2024

IMPLEMENTATION OF REVISED TASK JOB EVALUATION GUIDELINES AND MASTER LIST OF ALL EVALUATED JOBS

1. PURPOSE OF THE CIRCULAR

The purpose of this circular is to:

- 1) Inform municipalities about the Master List of all jobs evaluated in the sector;
- 2) Share the Revised TASK Job Evaluation (JE) Guidelines for implementation in municipalities;
- 3) Introduce new contractual arrangements between SALGA and Deloitte.

2. BACKGROUND & CONTEXT

SALGA undertook a review of the Master List and JE Policy Guidelines as means of providing a clearly articulated process flow, standardised job descriptions and enhanced governance of the TASK job evaluation that will ensure successful implementation of job evaluations in municipalities. In order to achieve this, SALGA appointed a suitably qualified and competent service provider to develop a Master List on the following objectives:

- a) *Analyse the information available on the job catalogues and the Municipal Staff regulations.*
- b) *Develop and execute a methodical audit approach to ensure effective fulfilment of the project objectives. This methodical audit approach must respond to the following key requirements:*
 - i. *Identify and differentiate between the jobs on the job catalogue and the Municipal Staff regulations to align job requirements with the Municipal Staff regulations.*
 - ii. *Develop a comprehensive Master List in line with the unique jobs identified in the job catalogue that consist of a job title, minimum requirements, a module task grade, and a job description/s.*

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- c) Peruse the number of all evaluated jobs across various Provincial Audit Committees (PACs) and retrieve supporting documents for collation purposes.
- d) Sort all evaluated jobs according to their TASK Grades and Job Classifications and to
- e) Submit a comprehensive Master List to SALGA.

3. DISCUSSION

3.1. THE JOB EVALUATION MASTER LIST

Since the inception of TASK Job evaluation more than **41000 jobs** have been evaluated and uploaded on the system. SALGA appointed a service provider to develop a Master List of all evaluated jobs as a reference point for all municipalities. The final Master List that was compiled, took into consideration results as provided by different Provincial Audit Committees, the provisions of the Staff Regulations and other best practices. The appointed service provider, through their extensive experience, classified jobs into job families and provided job descriptions that were in the acceptable format. Job description quality has been a major cause for the delay in job evaluation for many years and to date in some instances, municipalities cannot finalize their TASK Job Evaluation due to the inability of writing job descriptions or poor quality of job descriptions to enable Job Evaluation Committee members to measure the weight of jobs through the TASK Job Evaluations System.

The Master List was developed placing all jobs into **job families** for ease of finding relevant jobs. The Master List has a total of 760 unique jobs which have been categorized into job families. The 760 unique jobs in the Master List have the following information available:

- i. Job Title is in the first column.
- ii. The second column indicates the job purpose to make it easier for the users of the
- iii. master list to identify the relevant job.
- iv. The third column will be the Uniform Job Designations.
- v. The fourth column will contain the Job Grade.
- vi. The last column will provide the Job Description.

The Master List is a useful tool for assisting municipalities to adopt Jobs and Job descriptions that appear on the Master List. It is also helpful for Job Evaluation Units and Provincial Audit Committees to ensure standardization and benchmarking of jobs.

3.2. GUIDELINES ON THE USE OF THE MASTER LIST:

- a) Use the **search function** on Excel to identify a job that correlate with the job to be evaluated and that match the job description.
- b) Identification of the Tabs i.e. the Job Families/ Departments at the bottom of the Spreadsheet.
- c) **Different municipalities use different Job Titles.** Hence their specific Job Title may not be the same as per the JE Master List. They will have to find a close match job title that matches the Job Purpose on the JE Master List. For example, a Laboratory Cleaner Job Description may be the same as an Office Cleaner and the Job Grade values will be the same.
- d) Users must also check the **reporting relationships** and compared to their Organizational Structure especially with regards to Supervision, and also Supervision on the same Skill level. The JE Master List thus caters for the supervisory function in that there will be two JDs (one with supervision and one without) with different job grades.
- e) Users must be advised to check for **Integrated functions** as these are indicted under the comments section of the JE Master List.

4. REVISED JOB EVALUATION GUIDELINES

With developments since the inception of TASK Job Evaluation, the Policy guidelines have been revised and a revised Policy Guideline has been developed by a task team consisting of representatives from SALGA, TASK job experts from PACs and Deloitte representatives.

The development of the master list assessed gaps in terms of the guidelines and aimed to breach these gaps as identified prior to the development of a Master List. The final Master List was shared with provinces for inputs and thereafter, minor changes were made and integrated into the guidelines. Subsequently, the Guidelines were revised and were tabled and approved at the National Working Group meeting of 20 March 2024. The JE Guidelines outline the process and structures with clear roles and responsibilities of different structures. As an annexure to the guidelines, a process flow and job description template has been developed as further information. The **copies of both the Master List and Revised Job Evaluation Guidelines** are attached for ease of reference.

5. CONTRACT BETWEEN SALGA AND DELOITTE

With the developments to ease TASK Job Evaluation in the sector as well as the capacity building programme for all Job Evaluation Units (JEUs) and Provincial Audit Committees (PACs), SALGA is confident that the sector is now capable, self-sufficient and in a position to self-sustain the job evaluation process in municipalities. Given the financial constraints experienced in municipalities, the on-going training has not been included as part of the services being offered by Deloitte. With the availability of TASK Job Evaluation in the sector, SALGA requested Deloitte to provide ad-hoc training in the form of a **train-the-trainer** sessions whereby these newly trained experts will take responsibility to train additional Job Evaluators where a need arises. Apart from a train-the-trainer session, SALGA engaged Deloitte to renew the contract for purposes of obtaining the license for the use of the TASK System only and forego any project fees and on-going training which have been the costliest part of the arrangement. The contract is being finalised.

The SALGA National Capacity Building and Institutional Resilience Working Group, at its meeting of 20 March 2024, approved that the Job Evaluation Master List is the best solution towards the implementation of job evaluation in municipalities. To this end, it has been decided that the proportional repayments for the TASK License be retained at the same rate as per the last Circular, as indicated below:

MUNICIPAL SIZE	NUMBER OF MUNICIPALITIES	YEAR 1 (2024)	YEAR 2 (2025)	YEAR 3 (2026)
LARGE MUNICIPALITIES (Category 6 and Above)	28	12 502.00	13 415.00	14 315.00
SMALL MUNICIPALITIES (Category 5 and Below)	229	7 205.00	7 705.00	8 250.00
TOTAL	257	2 000 001.00	2 140 065.00	2 290 070.00

It is anticipated that only “**unique**” jobs in the individual municipalities that are not part of the Master List will be subject matter for further evaluation and grading. Such jobs will be thoroughly scrutinised by our JE Units and PACs to avoid any further confusion. All the perennial challenges of municipalities with no Job Descriptions have now been answered. This serves as a lasting solution to a four-decade long challenge which confronted our municipal sector regarding job evaluation, a normal HR function.

It is trusted that you'll find the above in order. Please do not hesitate to contact our Mr Zwe Ndlala at zndlala@salga.org.za or our Mr Johan van Zyl at jvzyl@salga.org.za should you require any further clarity in this matter.

Yours truly



LANCE JOEL
CHIEF EXECUTIVE OFFICER (ACTING)

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POSTAL: PO Box 2094, Pretoria 0001

www.salga.org.za

**SOUTH AFRICAN LOCAL GOVERNMENT
BARGAINING COUNCIL (GAUTENG DIVISION)**

(Hereafter referred to as **"SALGBC"**)

**COLLECTIVE AGREEMENT ON THE MIGRATION AND PLACEMENT OF
STAFF**

Made and entered into by and between the

SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION

(Hereinafter referred to as **"SALGA"**)

AND

The INDEPENDENT MUNICIPAL AND ALLIED TRADE UNION

A Trade Union duly registered in terms of the provisions of the Labour
Relations Act (hereinafter referred to as **"IMATU"**)

AND

The SOUTH AFRICAN MUNICIPAL WORKERS' UNION,

A Trade Union duly registered in terms of the provisions of the Labour Relations
Act (hereinafter referred to as **"SAMWU"**)

SPK





TABLE OF CONTENTS

1. PREAMBLE	3
2. SCOPE OF APPLICATION	3
3. LEGAL FRAMEWORK	3
4. DEFINITIONS	3
5. STATEMENT OF INTENT	5
6. DURATION AND PERIOD OF OPERATION OF THIS AGREEMENT	5
7. MIGRATION AND PLACEMENT CRITERIA	6
8. PLACEMENT COMMITTEE	8
9. NOTIFICATION AND IMPLEMENTATION OF DECISIONS	9
10. CATEGORIZATION OF POSTS	9
11. DATE OF PLACEMENT	10
12. DISPUTE RESOLUTION PROCEDURE	10
13. MONITORING OF IMPLEMENTATION OF AGREEMENT	12
14. AMENDMENT	12

STIC



ANNEXURE "A"

DISPUTE RESOLUTION PROCESS FLOW

- STEP 1: Placement committee
- STEP 2: Placement letter
- STEP 3: Declaration of dispute
- STEP 4: Internal dispute prevention process
- STEP 5: Dispute resolution committee
- STEP 6: Determination of dispute

STK



STK





1. PREAMBLE

Whereas the legislative dispensation governing municipalities regulates the review of the Staff Establishments on a periodic basis.

Whereas the review of the Staff Establishments of municipalities may result in the need for the migration and placement of employees from disestablished/abolished Staff Establishments to new Staff Establishments.

2. SCOPE OF APPLICATION

This agreement shall be applicable in respect of all permanent employees of the municipalities who fall under the auspices of the SALGBC Gauteng Division.

3. LEGAL FRAMEWORK

This agreement is underpinned by the following legal imperatives:

- Constitution of the RSA
- Municipal Systems Act
- Municipal Structures Act
- Labour Relations Act
- Basic Conditions of Employment Act
- Employment Equity Act
- Skills Development Act
- SALGBC Main Collective Agreement
- And any other relevant pieces of legislation and/or collective agreements
- Applicable Resolutions of Municipal Councils

4. DEFINITIONS

- **'Abolished organogram'**, in the context of this agreement and in relation to the permanent employees, shall refer to the Staff Establishments as approved by the relevant Municipal Council
- **'Approved organogram'**, in the context of this agreement and in relation to the permanent employees, shall refer to new Staff Establishments as reviewed by way of Municipal Council resolutions
- **'Council'** shall refer to the Municipal Council as defined in the Municipal Structures Act
- **'Day'** means Monday to Friday, excluding public and municipal holidays



- **'DPMC'** shall refer to a Dispute Prevention and Mediation Committee as provided for in this agreement
- **'DRC'** shall refer to the Dispute Resolution Committee constituted by a panel of the SALGBC Gauteng Division
- **'Employee follows function'** means an employee performs functions where the functions are required to be performed
- **"Employee not worse off"** means the employee shall not be adversely impacted by the migration and placement in relation to their conditions of service
- **'Job content'** means the current functions of the position as listed in the Job Description of the position
- **'Job Family Dispute'** means a consolidation of similar disputes of employees relating to a post category, e.g. Accountants
- **'Migration'** means the process of moving employees from the abolished organogram to the approved organogram in terms of the current functions they perform for the Municipality
- **'Permanent Employee'** means a current staff member of a municipality who has an open ended contract of employment on the approved organogram
- **'Placement'** means the placement of staff members from the abolished organogram to same or similar positions on the new approved organogram approved by Council based on the principle of close match, which takes into account Job Descriptions on the abolished organogram and compare to the same or similar one on the approved organogram
- **'Placement Committee'** shall be a Committee established by the Local Labour Forum of a municipality for the purposes of performing the function of reviewing the placement conducted by the departments on the approved organogram, as stated in Clause 8.1 of this agreement
- **'Reasonable alternative position'** means a position where an employee is placed in an alternative position on the approved organogram in circumstances where: i) the employee could not be matched on the approved organogram or ii) there are more employees close matching positions than there are available positions, as per Clause 7.13
- **'Trade Union'** shall refer to IMATU and SAMWU, which are the two recognised trade unions in municipalities and are parties to this agreement.

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5. STATEMENT OF INTENT

The parties agree that: -

- 5.1 Arising from Municipal Council resolutions on Staff Establishments that are adopted from time to time in workplaces falling under the auspices of the SALGBC Gauteng Division.
- 5.2 The terms and conditions of employment of a placed employee shall not be less favourable than his/her current terms and conditions of employment which subsisted in the abolished organogram, prior to placement.
- 5.3 A municipality shall, in instances where an employee cannot be placed on the same or similar position as his/her current position, place such employee on a reasonable alternative position at the same or similar level of authority, having regard to previous experience (job content) and qualifications of the employee relevant to the alternative position.
- 5.4 The migration and placement of staff shall be done in a manner that is consistent with the Labour Relations Act, Basic Conditions of Employment Act, Skills Development Act, Employment Equity Act, Municipal Systems Act and any other relevant law and/or applicable Collective Agreements and/or applicable Council Policies or Resolutions.
- 5.5 No employee shall be worse off by the implementation of this agreement.

6. DURATION AND PERIOD OF OPERATION OF THIS AGREEMENT

The migration and placement process is a two stage process comprising of the migration and placement of employees in the new organogram being the first stage and the dispute resolution processes being the second stage.

- 6.1 This agreement, in respect of the migration and placement of employees (first stage), shall become effective from the date of signature and shall remain in force until the 30 June 2027 or upon completion of the migration and placement of all employees (whichever occurs first), subject to the provisions of Clause 12.



- 6.2 This agreement in respect of the dispute resolution process (second stage) shall be the basis of adjudication of all disputes that arise therefrom in terms of the Dispute Resolution mechanisms stipulated herein.
- 6.3 This agreement shall replace all existing agreements that are operative in the municipalities, in respect of the matters that are dealt with herein, and that are covered by the scope of application. The dispute resolution procedures contained herein shall apply to placement disputes and objections that are pending in the various municipalities within the Gauteng Division.

7. MIGRATION AND PLACEMENT CRITERIA

The parties agree to the following criteria: -

- 7.1 The principle of an "employee follows functions" shall apply.
- 7.2 In instances where a geographical move of a function cannot be avoided, the use of mechanisms like technology and other management tools (where possible) should be used in mitigating against the geographical relocation of an employee. Where there is geographical relocation, the Employer shall use its internal policies and operational arrangements to ensure that the employee is not made worse off.
- 7.3 The parties are committed to ensure continuity of employment and every attempt will therefore be made to ensure that no retrenchment or redundancy will occur.
- 7.4 In the event that there is no same or similar position in terms of job content in the new organogram, the employer shall reskill and/or offer suitable training to an employee to achieve the required competency level to perform the functions of the major changed position.
- 7.5 The close-match principle shall be the primary mode of placing employees into the new organogram. In close matching a post, the job content of the old post shall be compared with the job content of the new post. The employee having the closest match in respect of the job content is then the successful employee to be placed.

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- 7.6 In instances where there are more possible matches to a job, the match must be done on the most matched job content. The focus shall be on the core functions of the job.
- 7.7 This close match principle shall apply to unchanged and minor changed posts.
- 7.8 Where there is a major change in a job content of a post, employees can still be placed provided that the provisions of 7.4 shall apply.
- 7.9 The salary and qualifications of an employee shall play no role in the migration and placement of an employee, unless Clauses 5.3 and 7.10 are applicable.
- 7.10 Where more than one employee can be close matched to a post and there are more employees that can be close matched than there are posts, in terms of the close match principle and subsequent to the provisions of Clause 7.6, all of the following secondary criteria, in no chronological order, shall be used:
- 7.10.1 Employee's representativeness in terms of employment equity; and
 - 7.10.2 Years of experience in the role in question; and
 - 7.10.3 Length of service in the municipality
 - 7.10.4 Qualifications (added for instances where the employees to be placed meet the first three criteria equally and the relevant qualifications would then be used as a deciding factor).
- 7.11 When an employee is placed in a post such placement shall be final, unless there is a pending dispute.
- 7.12 When an employee does not match a position in terms of the criteria stipulated in Clauses 7.1. to 7.11, the Employer shall submit reasonable alternative positions to the Placement Committee.
- 7.13 The reasonable alternative position shall, where necessary, include a reskilling/retraining plan designed to ensure the appropriate capacitation of the employee to perform in the reasonable alternative position without being worse

off.

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- 7.14 The employee shall receive a Placement Letter stipulating that he/she is placed in the reasonable alternative position.
- 7.15 The employee, who is placed in a reasonable alternative position, shall have the right to invoke the provisions of Clause 12 should he/she dispute the placement in the said reasonable alternative position.
- 7.16 The period it shall take to reskill or retrain the employee concerned shall be determined by a designed retraining / reskilling plan agreed to by the employee.
- 7.17 The migration and placement of employees shall be based on the substantive positions they held in the abolished organogram and it is specifically recorded that acting does not entitle an employee to placement on the position that an employee acted in or was seconded to.

8. PLACEMENT COMMITTEE

- 8.1. Placement of employees shall be considered by a Placement Committee, hereby established by the LLF, in line with the provisions of this agreement, provided that the Committee is composed of not more than twelve persons (6 from Organized Labour and 6 from the Employer). Should a meeting of the Placement Committee not form a quorum within 60 minutes from the time it is scheduled to commence, the meeting shall be postponed for a period of not more than for 48 hours.
- 8.2. The Placement Committee, for purposes of migrating and placing employees into the new organogram, shall have the following terms of reference:-
- 8.2.1. Shall consider placement presentations from the Employer, which shall be inclusive of compliance with the provisions of Clause 7 in respect of the Migration and Placement criteria of employees.
- 8.2.2. The presentations of the Employer shall be distributed to the members of the Placement Committee at least 14 days prior to the scheduled sitting of the Committee.
- 8.2.3. The classifications from the Employer shall be submitted to the Placement Committee in the following three categories:
- 8.2.3.1. Unchanged posts

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8.2.3.2. Minor changed posts

8.2.3.3. Major changed posts

8.2.4 The Placement Committee shall strive to reach consensus on the categories and classification of posts and staff placements and where consensus cannot be reached, the Employer's proposed placement shall be published.

8.3 In exceptional circumstances that are informed by obvious errors or operational challenges, an employee who has submitted a placement dispute shall remain in his previous substantive position pending the resolution of the dispute in line with the provisions of Clause 12 hereunder.

8.4 The Chairperson of the Placement Committee shall be elected in the meeting by the Parties.

9. NOTIFICATION AND IMPLEMENTATION OF DECISIONS

9.1. A letter shall be sent to each employee informing him or her of their placement on the Organizational Structure, by the Employer, no later than 15 working days from the date of the decision of the Placement Committee.

9.2. All employees shall sign acknowledgement of receipt of the Placement Letter. Proof of receipt shall be filed in the employee's record by the Employer.

10. CATEGORIZATION OF POSTS

10.1. New Posts

These mean funded posts whose functions did not exist in the abolished organogram and that came about as a result of the new organogram.

These also include funded posts whose functions existed in the abolished organogram and have been numerically increased in the new organogram.

10.2. Unmatched Post

These mean posts whose functions existed in the abolished organogram and no longer exist in the new organogram due to the operational requirements of the Employer. The employees affected in this category shall be dealt with through the provision of reasonable alternative positions.



These are posts in the new organisation structure that have had no change to their job description as they appeared in the abolished organogram.

10.3 Unchanged posts

These are posts in the new organisation structure that have had no change to their job description as they appeared in the abolished organogram.

10.4 Minor changed posts

These are positions in the new organisation structure whose core functions when considered holistically, have changed by at least thirty percent (30%) in terms of the Job Description applicable to the post.

10.5 Major changed posts

These are positions in the new organisation structure which, when considered holistically, the core functions have changed by at least 60% in terms of the Job Description applicable to the post.

11. DATE OF PLACEMENT

For purposes of dispute resolution procedures as contained in this agreement, date of placement shall be the date the employee received the Placement Letter.

12. DISPUTE RESOLUTION PROCEDURE

12.1 An employee and/or Trade Union, on behalf of its members, has the right to lodge a dispute against the published placement decision of Employer. A trade union may, in order to avoid duplication of disputes, lodge a job family dispute on behalf of its members.

12.2 In line with Clause 8.3, the employee shall remain in position until the dispute is resolved.

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- 12.3 The dispute must be lodged within 10 days of the date of receipt by the individual employee of the Divisional decision. The computation of the days shall exclude municipal holidays.
- 12.4 The process flow attached to this agreement as **Annexure "A"** shall be the basis of handling the dispute resolution processes in terms of this agreement.
- 12.5 Any dispute lodged will be dealt with in terms of the following procedure:

12.5.1 INTERNAL DISPUTE RESOLUTION PROCEDURE

12.5.1.1 Each Local Labour Forum shall establish a Special Sub-committee referred to as the Dispute Prevention and Mediation Committee. The terms of reference of the Sub-committee shall be:

12.5.1.1.1 To perform the function of conciliation/mediation of the objections/disputes referred by employees in terms of this agreement.

12.5.1.1.2 To seek a resolution of the objections/disputes referred by employees through implementation of the provisions of Clause 7 of this agreement.

12.5.1.1.3 To refer matters that cannot be resolved at the DPMC to the Regional Secretary of the SALGBC for resolution in terms of Clause 12.5.2.3 hereunder.

12.5.1.2 The DPMC shall be convened as per the LLF processes in a municipality to handle all disputes that have been declared by employees within the Municipality.

12.5.2 DISPUTE RESOLUTION COMMITTEE

12.5.2.1 The Executive Committee of the SALGBC Gauteng Division shall establish a Specialized Panel of Arbitrators to conduct placement dispute resolution functions as per the provisions of this agreement.

12.5.2.2 The Regional Secretary of the SALGBC Gauteng Division shall enter into a Service Level Agreement with the Special Panel of Arbitrators that will regulate the performance of the dispute resolution functions, inclusive of the determination of the rates that will be applicable.



- 12.5.2.3 The disputes shall be handled through arbitration proceedings in terms of the Labour Relations Act 66 of 1995 (as amended).
- 12.5.2.4 The placement of an employee into a position on the Organizational Structure must be given effect from date of placement.

13. MONITORING OF IMPLEMENTATION OF AGREEMENT

- 13.1 The Executive Committee of the SALGBC Gauteng Division must ensure adherence and compliance with this agreement as well as monitoring thereof, through the submission of progress reports by the Regional Secretary to the Executive Committee.

14. AMENDMENT

- 14.1 This agreement constitutes the entire agreement between the parties and any amendments to this agreement shall be effective only if it is reduced to writing and signed by the parties thereto.
- 14.2 No party shall have any claim or right of action arising from any undertaking, representation or warranty not included in this agreement.



SIGNED THIS ON 06th OF APRIL 2022 BY THE PARTIES AND WITNESSED IN THE
SALGBC GAUTENG DIVISION:

SIGNATORIES




SALGA – T. NXUMALO

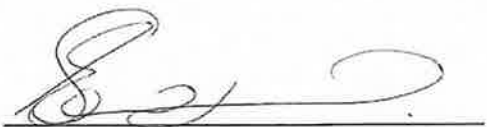
Signed by Themba Nxumalo as delegated by the Provincial Director of
Operations



IMATU- T. MOEKETSI - REGIONAL CHAIRPERSON



SAMWU- S. KWANYANA- PROVINCIAL CHAIRPERSON



SALGBC REGIONAL SECRETARY- E.L SEKGWELEO



ANNEXURE "A"

DISPUTE RESOLUTION PROCESS FLOW

STEP 1: PLACEMENT COMMITTEE

- i) The Placement Committee reviews the Placement presentations as presented by the Employer.
- ii) The presentations must be done by the affected department assisted by the relevant Human Resources officials.
- iii) Placement Committee reviews the presentations and ensure compliance with the provisions of Clause 7 of the agreement.

STEP 2: PLACEMENT LETTER

- i) A Placement Letter is issued by the Employer (HR) not later than 15 days from the date of the Placement Committee having decided on the placement of the Employee.
- ii) The Employee must sign acknowledgment of receipt which will be filed in the Employee's record.
- iii) The Placement Letter must state the position, level and notch into which the Employee is placed on the organizational structure of the Municipality.

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STEP 3: DECLARATION OF DISPUTE

- i) The Employee shall have the right to declare a dispute against the Placement that has been implemented.
- ii) The Employee must submit his/her dispute, either directly or via the trade union (as defined herein), not later than 10 days from date of receipt of the Placement Letter.
- iii) The dispute shall be referred using the Placement dispute referral forms or on the explicitly written document.
- iv) The dispute shall be submitted to the relevant office of the Employer that schedules LLF processes in the municipality.

STEP 4: INTERNAL DISPUTE PREVENTION PROCESS

- i) The LLF secretariat shall convene the Dispute Prevention and Mediation Committee (the DPMC), a sub-committee of the LLF, not later than 10 working days from the date of submission of the placement dispute by the Employee(s).
- ii) At the DPMC the employee shall have the right to represent him/herself or through a fellow employee or through a trade union representative or trade union official.
- iii) The DPMC shall mediate the disputes referred to it by the LLF Secretariat and attempt to resolve them.
- iv) The DPMC shall be tasked with the obligation of minimizing the number of disputes that get referred to arbitration resulting from the Migration and Placement processes.

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STEP 5: DISPUTE RESOLUTION COMMITTEE

- i) All disputes that have not been resolved by the DPMC shall be referred, by the employee/union, to the Regional Secretary of the SALGBC Gauteng Division not later than **30** days from the date of the finalization of the mediation by the DPMC.
- ii) The DRC shall operate in terms of the Service Level Agreement entered into by the Regional Secretary with the Special panel of arbitrators of the SALGBC Gauteng Division.
- iii) The DRC shall proceed with the matter as an arbitration in terms of the Labour Relations Act.

STEP 6: DETERMINATION OF DISPUTE

- i) The DRC shall issue an arbitration award not later than 14 days from the date of its last sitting to deal with the dispute of the Employee.
- ii) The arbitration award shall be final and binding on the parties.

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