PROMOTION, DEMOTION AND TRANSFER POLICY

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Date revised
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PROMOTION

1. Purpose of Policy

The purpose of this policy is to:

a. achieve optimum utilisation of employee skills by employing suitable persons in more advantageous positions through post promotions;

b. minimise the effects of job poaching and job hopping by creating a conducive workplace environment in which employees are aware that there are prospects for upward mobility and good incentives for excellent performance;

c. ensure that employees are utilised for the purpose of meeting the human resources needs of the municipality;

d. enhance career development of employees.

2. Application of this policy

This policy will be applicable to all employees of the municipality except the Municipal Manager, Departmental Heads, those employed by the Council of the Municipality in terms of Section 57 of the Municipal Systems Act No. 32 of 2000 and all employees employed by the Municipality on a fixed term employment contract.

3. Definition of Promotion

A promotion means the placement of an employee, after an internal recruitment and selection process in another position in the Council’s service in respect of which the maximum of the salary scale applicable to such other post is higher than that applicable to the post he/she occupied before such recruitment and selection took place.
4. Procedures in Respect of Promotion

a The promotion of an employee shall be undertaken by the Council after the vacant post has been advertised and all recruitment processes are completed in terms of Council’s Recruitment and Selection Policy.

b An employee shall only be promoted to a higher position in the event of a vacant post existing provided that the employee meets the minimum requirements of the position;

c An employee who canvasses support with a view to get promotion in the service of the Council shall be disqualified for such promotion;

d A vacant post which, in the opinion of the Council must be filled, shall be brought to the notice of employees by the Council by way of a notice on the notice boards of the Council and by way of Departmental Circular issued by the Director: Corporate Services;

e A copy of the aforesaid notice and departmental circular shall be forwarded to all representative trade unions;

f In the event of the Council so requiring and/or that no suitable internal candidate can be found, applications may be invited from persons outside the Council’s service;

g All applicants for promotion shall apply for the vacant post by submitting a letter of application together with the CV and required documents;

h An applicant who, in the opinion of the Council, in terms of the post requirements is the most suitable for the vacant post and not necessarily the applicant with the longest service, shall be appointed;

i The Corporate Services Manager shall, in writing, advise an employee promoted in terms of this policy of his/her new post, date of promotion and a copy of such notification shall be sent to the Chief Financial Officer for record purposes. The employee who has been promoted shall be notified by the Corporate Services Directorate by way of a letter.

DEMOTION

1. Purpose of Policy

To provide directions on the circumstances under which an employee may be demoted and the procedure to be followed in connection therewith.

2. Definition of Demotion

Demotion means the placement of an employee in another post in the Council’s service in respect of which the maximum of the salary scale applicable to such
other post is higher lower than that applicable to the post he/she occupies before such placement took place.

3. **Grounds for Demotion**

The Council may demote an employee on the following grounds:

a. Misconduct;

b. Reorganisation;

c. Physical or mental disability.

d. Poor Performance

4. **Procedures prior to Demotion**

An employee shall only be demoted after a full enquiry into the circumstances leading to the need to demote him/her has been held and such employee, assisted by his/her trade union representative, where necessary, has been afforded an opportunity to make representations and be heard in connection with his/her proposed demotion, provided that for the purposes of this clause, an "enquiry" including a disciplinary enquiry is held by the Council in terms of the Conditions of Service.

5. **Rules Applying to Demotion**

5.1 **Misconduct**

In the event of the employee being demoted on the grounds of misconduct, his/her salary/wage shall be adjusted from the first day of the working month/working week, as the case may be, in which the Council decides to demote him/her or, in the event of the Council so deciding, on the first working day of the succeeding working month/working week to such notch of the salary scale of the post to which he/she is demoted as the Council may decide.

5.2 **Reorganisation**

In the event of an employee’s post being declared redundant and the position being abolished as a result of reorganisation of the Council’s service, and such employee being demoted by the Council, he/she shall retain his grouping as applicable before such demotion as “personal-to-incumbent” or “contractual-to-incumbent”, as the case may be.

5.3 **Physical or Mental Disability**

In the event of an employee being demoted by the Council as a result of physical or mental disability as determined by medical professionals, the Council may not adjust such employee’s salary either to the comparative notch, or in the event of there being no comparative notch, to the nearest lower notch of the post to which he/she is demoted, or allow such employee to retain the salary scale
applicable to him/her before the date of demotion as “personal-to-holder” or “contractual-to-holder” as the case may be.

A demotion in terms of the above paragraph shall take effect from the first day of the working month/working week of the relevant employee that follows on the working month/working week in which it is decided to demote an employee.

Where a demotion has the effect on the salary of an employee being adjusted to a notch lower than the maximum of the salary scale of the relevant post, such employee shall retain the incremental date applicable to him/her before such demotion.

5.4 **Poor Performance**

In the event of an employee being demoted as a result of poor, sub-standard or non-performance, an enquiry should be conducted in terms of the provisions of the Labour Relations Act, 66 of 1995.

c. **TRANSFER**

1. **Purpose of Policy**

To provide for the transfer of an employee from one to another department.

2. **Definition of Department**

For the purpose of this policy, “Department” shall mean a Directorate, Department, Division, Section or Operational Unit of the Municipality.

3. **Application of Policy**

This policy will be applicable to all employees of the municipality except the Municipal Manager, Departmental Heads, those employed in terms of Sections 56 and 57 of the Municipal Systems Act No. 32 of 2000 as amended and all employees employed by the Municipality on a fixed term employment contract.

4. **Transfer of an Employee**

a. The **Council Municipal Manager** may, after consultation with an employee and his/her union representative, and subject to his/her consent, transfer an employee from one department to another within the Council’s establishment if the Municipal Manager and/or Departmental Head is of the opinion that such transfer will be to the advantage of the Council’s service, provided that there is a vacancy in the receiving department on the same task grade as the one the employee is being transferred from.
b. An employee requesting a transfer from one department to the other department, should apply and provide valid reasons for the request to his/her Director who will recommend to the Municipal Manager for approval.

c. An employee transferred in terms of this policy shall retain his/her existing salary, fringe benefits, and conditions of service and incremental date.

d. The Municipal Manager Council may, with the consent of the employee, amend the designation of the employee transferred in terms of this policy.

d. **INTERPRETATION**

Any word or expression contained herein shall have the meaning ascribed thereto in Government Notice R905 of 13 May 1994.

e. **DELEGATIONS**

The Council may, by resolution, delegate its authority to transfer an employee to the Municipal Manager, subject to such terms and conditions as the Council may determine. The Municipal Manager is delegated in terms of Section 66 of the Labour Relations Act, 66 of 1995 to deal with staff establishments.