



ACTING ALLOWANCE POLICY

DATE:
APPROVED:

25 OCTOBER 2022

COUNCIL
RESOLUTION **E7**
(DC NO):

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1. INTRODUCTION - DEFINITIONS

- a. "employee" means -
- i. any person, excluding an independent contractor, who works for another person or for the State and who receives, or is entitled to receive, any remuneration; and
 - ii. any other person who in any manner assists in carrying on or conducting the business of an employer.

(According to the Basic Conditions of Employment Act, 75 of 1997)

- b. "acting allowance" means –
- i. An acting allowance equal to the difference between the employee's pensionable salary and the commencing notch of the salary scale of the acting post shall be paid to the employee for the period of acting.

2. LEGAL FRAMEWORK

- 2.1 Basic Conditions of Employment Act, 1997 (chapter one)
- 2.2 SALGBC agreement (12 months)
- 2.3 Skills Development Act, 1998
- 2.3.1 *"training and development are long term investments in an organization. Employees should be exposed to relevant training courses on identified training needs. Practices that promote staff development include self-development, training, career development, job rotation, mentorship, coaching, and job enrichment"*.
- 2.4 Internal acting allowance agreement.
- 2.5 Conditions of service for appointment of senior manager's promulgated 17 January 2014, publishing government gazette no 37245.
- 2.6 Local Government: Municipal Systems act 23 of 2000

3. PURPOSE OF THIS POLICY

- 3.1 The purpose of this policy is to adopt an acting allowance policy for Garden Route District Municipality.

4. SCOPE OF THIS POLICY

- 4.1 This policy is applicable to all officials.

5. POLICY

- 5.1 An employee is entitled to an acting allowance when he/she is requested by written instruction by his/her superior for approval by HOD, prior to acting taking place in terms of council's Delegation Policy to act in a higher post for a period of at least ten consecutive working days.
- 5.2 An acting allowance equal to the difference between his/her pensionable salary and the commencing notch of the salary scale of the post in which he/she is acting shall be paid to the employee for the period of acting.
- 5.3 Where an employee's salary is higher than the commencing notch of the salary of the post in which he/she is required to act, an acting allowance amounting to five percent of his/her pensionable salary shall be paid.
- 5.4 If an employee is requested to act in terms of clause 5.1, the employer shall not unreasonably stop or interrupt the acting period of the employee resulting in the non-payment of an acting allowance.
- 5.6 Council, subject to the local government: Municipal Systems Act, 2000 and in consultation with the municipal manager, may resolve that an employee should act in a section 56 post in terms of clauses 5.1 and 5.3, in which case the following shall apply:
- 5.6.1 The employee shall in addition to his salary receive an acting allowance for the period of acting.
- 5.6.2 The salary component for determining the acting allowance will be 60 percent of the remuneration package of the post in which the employee is acting.

- 5.7 Subject to clause 5.1 an employee will not be paid an acting allowance whilst he/she is on any form of leave or any other absence during the acting period.
- 5.8 If an employee has acted for a continuous period of three months or longer, he/she will qualify for an acting allowance while on paid leave.
- 5.9 The acting period referred to in clause 5.8 must not exceed nine consecutive working months, where-after the post must be advertised and filled on a competitive basis. This is only applicable to acting as from the date of the commencement of this agreement.
- 5.10 Every municipality shall determine a delegation policy for the purposes of clause 5.1. Where there is no such policy in place, any written instruction by a superior to act in a higher post shall qualify as an instruction for the purposes of clause 5.1. Such a policy must be communicated to all employees.
- 5.11 Before any employee is considered to act in a specific post, the relevant head of department must be satisfied and confident that such an employee has the potential and abilities to perform the key performance areas (job content) with utmost diligence and success. "Suitably qualified" shall include:
- 5.11.1. Formal qualifications (Diploma/Degree must be attached)
 - 5.11.2. Appropriate/relevant prior learning
 - 5.11.3. Relevant experience (in accordance with Recruitment & selection Policy)
- 5.12 Acting appointment (Municipal Staff Regulations)
- 5.12.1 An acting appointment may be made to a funded post in order to ensure that the disruption of services is minimized.
 - 5.12.2 Unless indicated otherwise in the appointment to the acting post, a staff member of a municipality who is acting in a higher post in the same municipality must continue to perform the duties of the post that the staff member ordinarily occupies during the acting period.
 - 5.12.3 A person acting in a higher post has no right to expectation to be appointed to that post, except as otherwise provided in these Regulations.

5.12.4 A staff member may only act in a post that is equivalent to or one grade higher than the post that the staff member ordinarily occupies.

5.12.5 The appointment to act in a post must be –

- a) with the consent of the staff member;
- b) in writing; and
- c) authorized by the municipal manager or the person to whom this function is delegated.

5.12.6 The staff member appointed to act in a post must have the requisite competencies to be able to perform the duties associated with the post.

5.12.7 In selecting a person to act in a post, the following must be considered:

the relevant requirements of the post and that person's performance;
the municipality's developmental needs; and
the municipality's employment equity policy and plan.

5.12.8 A person may only be appointed in an acting position for a period not exceeding three months.

5.12.9 Despite sub-regulations (5.12.8), the municipal manager, or his or her delegate, may extend the period in sub-regulation (5.12.8) for a further period of three months, if there is a justifiable reason to do so.

5.12.10 Any further extensions made under sub-regulations (5.12.9) shall not exceed a period of nine consecutive months, where-after the post must be advertised and filled on a competitive basis.

6. PROCESSES

6.1 The supervisor of the employee must first request the employee to act in a specific post and complete an acting agreement form which is attached and must be recommended by the supervisor and approved by Head of Department prior acting takes place.

6.2 Before any employee is considered to act in a specific post, the relevant head of department must be satisfied and confident that such an employee has the potential and abilities to perform the key performance areas (job content) with utmost diligence and success. "Suitably qualified" shall include:

- 6.2.1 Formal qualifications (Diploma/Degree must be attached)
- 6.2.2 Appropriate/relevant prior learning
- 6.2.3 Relevant experience (in accordance with Recruitment & selection Policy)

7. POLICY REVIEW

This policy should be reviewed annually.

8. ACKNOWLEDGEMENT AND APPROVAL

**This document was signed at on the day.....
of 20.....**

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**MR M STRATU
MUNICIPAL MANAGER**