



APPOINTMENT IN AN ACTING CAPACITY POLICY

1. PREAMBLE

- 1.1 The policy applies to all employees of the Dihlabeng Local Municipality. It must where applicable, be read together with Career Pathing and Succession Planning Policies

2. DEFINITIONS

All terminology used in this policy shall bear the same meaning as in the applicable legislation.

3. LEGAL FRAMEWOK

- Labour Relations Act 66 of 1995
- Municipal Finance Management Act 56 of 2003
- Municipal Structures Act 117 of 1998

4. SCOPE

- 4.1 The policy applies to all employees of the Dhlabeng Local Municipality. The Line Manager will decide who acts and in which position within the department or section.

5. POLICY CONTENTS

- 5.1 All employees are contractually bound to flexibility including multi-skilling, multi-tasking and mobility, subject to reasonable and prior consultation. Acting allowances are not paid for flexibility as such, but only where an employee operates for a defined minimum period in a position more senior to their normal role.
- 5.2 The Line Manager will decide who acts and in which position. Under no circumstances should an acting employee have expectations to be confirmed to a post at which he or she acts.
- 5.3 Before an employee commences with his or her duties in an acting position, a letter must be issued by the Line Manager to the acting employee detailing the acting individual's roles and clarifying responsibilities.
- 5.4 An employee who acts in a position shall be expected to do duties of his or her post including the post at which he or she will be acting. Such acting shall not justify the employee to neglect duties of his or her post to focus on an acting post.
- 5.5 Such acting in another position shall not be construed as a promotion or creating a legitimate expectation to be appointed in that acting position or post.

- 5.6 The DLM shall not unnecessarily prolong the acting of an employee to an acting position. Where the position is vacant the DLM will invoke its Recruitment, Selection and Appointment Policy to fill the post.
- 5.7 The DLM shall ensure that the acting duration shall not exceed a period of three (3) months unless in exceptional circumstances that justifies acting beyond this period with the approval of the Municipal Manager.
- 5.8 An employee who acts in the position of the Municipal Manager or a Section 57 post will be entitled to an acting allowance which includes a salary, cell phone limit and transport allowance, if applicable, provided such an employee acts for at least fifteen (15) working days at a time. In the case of all other acting appointments, such a period will be fifteen days (15) working days at a time.
- 5.9 When the qualifying period is broken by absence from duty for a period of one day or more, and the Municipal Manager is satisfied that such absence has been caused by circumstances beyond the control of the acting employee, the qualifying period shall not be regarded as having been broken if the acting employee in the aggregate acted from no less than three (3) days.

6. PAYMENT OF AN ACTING ALLOWANCE

- 6.1 In determining the amount of acting allowance to be paid, it is also taken into account that the appointment to act in a position higher than that which the employee currently occupies, offers an opportunity to enhance training and development at a higher level and should be regarded as an exercise of succession planning.

- 6.2 For the period of acting, an acting allowance will be based on the salary pay difference between the employee's salary and the minimum salary grade of the position in which the employee is acting as well as the difference of monthly transport allowance in the case of transport bearing posts.
- 6.3 If applicable, the overtime rate for an acting employee during the acting period shall be based on their remuneration exclusive of the acting allowance.
- 6.4 No employee will act in a higher position for a continuous period exceeding six (6) months unless authorized by the Municipal Manager as the case may be.
- 6.5 No Acting allowance will be payable if there is no letter of appointment for acting.

9. POLICY REVIEW

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

10. AUTHORITY

Formulation Policy	:	Director Corporate Services
Authorisation Policy	:	Council
Ownership & Maintenance Manager	:	Deputy Director: Corporate Services