



ACTING ALLOWANCE POLICY

2024/25

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1. PRINCIPLES

Mandeni municipal Council acknowledge that from time to time an employee, due to certain circumstances (such as death, resignation, leave, etc) may not be in a position to execute his/her duties and responsibilities in terms of his/her contract of employment. The Council further recognizes that from time to time there would be a need to appoint another employee to execute the duties of that particular employee in their absence, hence the need to enter into an acting arrangement and acting allowances.

- (a) An employee is deemed to be acting in another post when he/she is duly appointed by the Municipal Manager to do so.
- (b) An employee who acts in another post must also be required to execute his/her original duties, functions and powers.

2. OBJECTIVES

- 2.1 To ensure that the efficiency of the Municipality is maintained during the absence of the incumbent.
- 2.2 To promote on-the-job experience and exposure to other employees.
- 2.3 To provide a policy guideline for the handling of acting arrangements in various positions within Council.
- 2.4 To provide a policy guideline within which acting arrangements can occur.

3. DEFINITIONS

"Council" means the municipality

"Acting" *this refers to where an employee by written approval of the council or Municipal Manager or Manager reporting to the Municipal Manager act in a higher post;*

4. APPLICATION OF THE POLICY

This policy is applicable to:

All permanent employees of Mandeni Municipality including fixed term contract employees.

All section 54A & 56 employees of the municipality in terms of the Systems Act No 32 of 2000.

5. ACTING ARRANGEMENTS

The parties acknowledge that acting is regulated in the following legislation and collective agreement:

5.1 Local Government Municipal Systems Act no 32 of 2000.

5.2 Divisional Conditions of Service Collective Agreement dated 17 September 2013.

5.1 MUNICIPAL MANAGER

5.1.1 In the absence of the Municipal Manager any other Section 56 employee shall be appointed by the Council to act as Municipal Manager.

5.1.2 Any person appointed to act as Municipal Manager must at least have skills, expertise, competency and qualifications as prescribed.

5.1.3 A person appointed to act may do so for a maximum period of 3 months and with permission of the MEC for a further 3-month period.

5.1.4 Any acting appointment contrary to the Municipal Systems Act is null and void

5.1.5 The Mayor must authorize the payment of an acting allowance to an employee who acts as Municipal Manager during his/her absence.

5.1.6 An acting allowance is only payable when an employee acts as a Municipal Manager for a minimum of 10 uninterrupted consecutive working days.

5.1.7 The Section 56 employee that acts in the post of the Municipal Manager will be paid an acting allowance of 12% of total cost of employer remuneration of the Municipal Manager.

5.1.8 The acting allowance payable in terms of this policy shall be fully taxable and included in the monthly salary of the acting employee and be paid on the pay day of the month following the conclusion of the acting period.

5.1.9 Before an acting allowance is payable in terms of this policy, the Mayor must certify that the acting employee performed all the duties of such an employee in respect of whom he/she acted satisfactorily and such certificate shall be filed in the personal file of the employee who acts in terms of this policy.

5.2 DIRECTORS REPORTING TO THE MUNICIPAL MANAGER

- 5.2.1 In the absence of the Director then the Municipal Council must appoint an employee to act in the post of the Director reporting to the Municipal Manager.
- 5.2.2 Any person appointed to act the Director must at least have skills, expertise, competency and qualifications as prescribed.
- 5.2.3 A person appointed to act may do so for a maximum period of 3 months and with permission of the MEC for a further 3 month period.
- 5.2.4 The Municipal Manager must authorize the payment of an acting allowance to an employee who acts as the Director during the absence of the Director concerned.
- 5.2.5 Acting allowance shall only be payable when an employee acts as the Director for a minimum of 10 uninterrupted consecutive working days.
- 5.2.6 The acting allowance payable where a permanent employee acts in the post of an Director reporting to the Municipal Manager shall be non-pensionable acting allowance of 12% of total cost of employer remuneration of the Director's remuneration.
- 5.2.7 The acting allowance payable in terms of this policy shall be fully taxable and included in the monthly salary of the acting employee and be paid on the pay day of the month following the conclusion of the acting period.
- 5.2.8 Before an acting allowance is payable in terms of this policy, the Municipal Manager in the event where the post is vacant, must certify that the acting employee performed all the duties of such an employee in respect of whom he/she acted satisfactorily and such certificate shall be filed in the personal file of the employee who acts in terms of this policy.

5.3 OTHER PERMANENT EMPLOYEES ACTING

- 5.3.1 Acting refers to where an employee, by written approval of the Municipal Manager or his nominee, acts in a higher post.
- 5.3.2 An acting allowance shall be paid to an employee acting in higher post subject to:
 - 5.3.2.1 Written confirmation of acting appointment by Municipal Manager or his nominee prior to acting.

- 5.3.2.2 The employee acting in a post for a continuous period of 10 working days.
- 5.3.3 The acting allowance will be a non-pensionable amount payable to be difference between the current salary of the employee acting and the minimum notch of the salary scale pertaining to the post in which the employee is acting or 12% of basic salary of post in which employee is acting whichever is the greater.
- 5.3.4 An employer shall not require an employee to act for longer than 6 months in the post unless an application for exemption is made by the municipality to the KZN Division of SALGBC. During the period of the application for exemption the employee will continue to receive an acting allowance.
- 5.3.5 Any acting appointment does not guarantee a permanent appointment to that particular position.
- 5.3.6 Any employee permanently employed on an indefinite contract that acts in a post of a section 54A and 56 employees shall be paid an acting allowance of 12% of total cost of employer remuneration of Section 54A and 56 employees.
- 5.3.7 There may be compelling circumstances where employees who are appointed to act on positions equivalent to theirs may be granted by the Municipal Manager in writing an overload allowance of 12% of the basic salary for the specified period not exceeding 6 months.
- 5.3.8. An employee will not be paid an acting allowance for the period that He /She is on any form of leave should such leave exceed period of five (5) consecutive calendar days during the acting

6. GENERAL

- 6.1 The powers of Council and the Municipal Manager in terms of this policy may be delegated to the Executive Committee or any Manager subject to the terms and conditions as Council or the Municipal Manager may determine.
- 6.2 Any acting appointment must be in writing to act in a higher post, by a person duly authorized to do so and that official must accept the acting appointment in writing before the acting commences.
- 6.3 An official who has been appointed to act in accordance with the provisions of this Policy may only act in a higher post for the maximum periods permissible and under the conditions stipulated in the policy after which the arrangement shall be reviewed. The person to be appointed to act should generally be the next in line in terms of seniority and council must try and avoid to appoint employees lower in line unless valid reasons exist for such appointments.

- 6.4 An official acting in a vacant position should not expect to be automatically appointed permanently when the position is advertised.
- 6.5 Acting allowance will be paid in the month following the period in which the acting took place.
- 6.6 An employee reporting directly to the incumbent may only fill a position in an acting capacity.
- 6.7 To minimize the payment of Acting Allowance and to ensure that the post is filled immediately when the incumbent leaves, (e.g. in cases of resignations, retirements, medical boarding, etc.) the responsible managers are encouraged to start the recruitment process immediately after receiving a letter indicating such.
- 6.8 In cases of death, the vacant position must be advertised within a week from the date of receiving such notification.

7. COMMENCEMENT

This policy comes into force on the date which it is adopted by Council.

PREPARED BY: MANAGER HR AND ADMINISTRATION
DATE OF ADOPTION BY COUNCIL: 10 JULY 2024
COUNCIL RESOLUTION NO:C01


MUNICIPAL MANAGER
S.G. KHUZWAYO

11/07/2024
Date