

the denc

Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

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DEPARTMENT OF ENVIRONMENT AND NATURE CONSERVATION

POLICY ON RESETTLEMENT COSTS

HUMAN RESOURCE
10 October 2011
FINAL VERSION

A PROSPEROUS AND EQUITABLE SOCIETY LIVING IN HARMONY WITH OUR NATURAL RESOURCES



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VERSION 2

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1. CONCEPTUAL BACKGROUND

In terms of the Public Service Co-ordinating Bargaining Council Resolution 3 of 1999 and the Public Service Regulations 2001, as amended, departments were given the mandate to develop policies and programmes which would enhance their managerial actions especially in respect of their human resource matters. The effect of the aforementioned is that departments are capacitated to develop their own policies and guidelines which will suit their needs, and with this added advantage those departments have greater autonomy in the day-to-day management of their human resource matters.

It can also be mentioned that in 1999, the then Director General for the province indicated that it was necessary to develop universal policies for the province, especially in those areas which are considered transversal. Although the then Director General had the intention to develop provincial policies for transversal issues, such intentions never materialized. For this reason, departments are still dependent on themselves to develop even those transversal policies until such time that provincial policies are developed.

1.1 INTRODUCTION

There is a need to provide clear policy in the Department of Tourism, Environment and Conservation on the actual resettlement costs that the Department may pay on behalf of employees who have relocated.

The purpose of this policy is to outline the Department's financial obligation in terms of relocating an employee from one place of work to another and to clearly and specifically set out the type and scope of expenses that an employee can expect to be paid by the Department upon resettlement, where there is a need for resettlement.

Liability of the Department in respect of resettlement costs is limited to authorized and necessary expenditure resulting from the most cost-effective arrangement. Additional expenditure, which results from personal preferences or arrangements made in own interest, will not be incurred by the Department but by the relevant employee.

To allow newly appointed and transferred employees the opportunity to be accommodated with family members if it should result in a cost saving to the Department- i.e. measures to be put in place to accommodate employees (i.e. S&T daily tariffs to be used).

1.2 DEFINITIONS

<u>New Employee</u>	: a person who has been recruited and appointed outside the public Service
<u>Serving employees</u>	: person employed by the Government prior to their transfers.
<u>Furnished accommodation</u>	: accommodation with basic and essential furniture other than that belonging to an employee.



- Unfurnished** : a property, which the employee rents or buys and occupies with his/her own furniture.
- Head of Department (HOD)** : the Head of or any person with the delegated authority to approve benefits on behalf of the HOD.
- Household** : is defined in this policy to include the
- (a) spouse
 - (b) minor children;
 - (c) relative
 - who lives with the employee, and
 - who relies on the employee for the bulk of her or his subsistence.
- Interim accommodation** : means furnished accommodation occupied temporarily e.g. hotel.
- School year** : first date of the first school term to the last day of the fourth school term according to the school calendar.

1.2 LEGISLATIVE REQUIREMENTS

- Public Service Act [No. 103 of 1994]
- PSCBC Resolution 3 of 1999



2. POLICY STATEMENT AND APPLICATION SCOPE

2.1 OBJECTIVES

The goal of the policy is to:

- Provide policy principles on when it is necessary to pay resettlement costs to facilitate an employee accepting employment with or transfer to the Department.
- Ensure the consistent application of this benefit.
- Set resettlement expenditure limits.

2.2 PRINCIPLE

- The employee may generally meet, up to a reasonable amount, the actual resettlement costs within the Republic by an employee and his/her immediate family.
- The Department shall seek to find the most cost effective way of meeting its obligation within reasonable limits at all times.
- The spirit of this policy is to compensate a person who, in the interest of the State and at State expense, is transferred or appointed or, due to certain service requirements, is utilized at a place other than his or her headquarters, or is transferred on termination of service within the framework of the provisions and the measures and guidelines set out in Chapter 15 of Resolution 3 of 1999. (Includes transfer).
- Employees who are transferred at their own request do not fall within the scope of this policy.

2.3 POLICY PROVISIONS

a. Transfer on own request

The Department is not liable for resettlement cost upon transfer to another station at an employee's own request.

b. Liability for Resettlement Costs

The Department will cover reasonable costs for resettlement in respect of an employee upon resettlement for the following reasons:

- (i) Appointment in the Department;



- (ii) Transfer in the interest of the Department;
- (iii) Appointment in the Department due to scarce skill (headhunted)
- (iv) Retirement due to under-mentioned grounds:
 - i. Retirement due to ill-health
 - ii. Discharge as a result of attainment of the pensionable age on the grounds of old age.
 - iii. Discharge as a result of early retirement (voluntarily requested by employee).
 - iv. Discharge as a result of redundancy, abolition of a post or reorganisation.
 - v. Compulsory retirement in terms of section 15(4) of the Public Service Act, 1994 as amended.
 - vi. Discharge with the view to promote efficiency or economy or economy or in the interest of the Public Service.
 - vii. Discharge in terms of section 17(4) of the Public Service Act, No. 103 of 1994.
 - viii. Retirement in terms of section 16(6) (a) of the Public Service Act, No. 103 of 1994.
 - ix. Accommodation expenditure for a maximum of 1 month will be covered in a case where an official must vacate official housing due to operational requirements.

c. Resettlement Expenses Payable from State Funds

Resettlement costs are being paid by the Department in terms of this policy, when an employee's services are terminated.

When Employee is Transferred or headhunted	When Employee is Appointed	When Employee Retires
Travel & Subsistence The employer shall meet the following actual expenses that an employee incurs:	Travel & Subsistence The employer shall meet the following actual expenses that an employee incurs:	Travel & Subsistence Traveling and subsistence expenses for the maximum period of one month.

<ul style="list-style-type: none"> • One visit by an employee or a member of her/his immediate family to the new place of work before the date of the transfer. The visit is restricted to a maximum of two night's accommodation at the new place. • The move of the employee and her/his immediate family to the new place of work. Only one trip is allowed per member of the household 	<ul style="list-style-type: none"> • One visit by an employee or a member of her/his immediate family to the new place of work before the date of the appointment. The visit is restricted to a maximum of two night's accommodation at the new place. • The move of the employee and her/his immediate family to the new place of work. Only one trip is allowed per member of the household. 	
<p>Transport</p> <ul style="list-style-type: none"> • If an employee and her/his immediate family members travel by land the most cost effective fare will be paid. • For employees and their immediate family members travelling by car, the Department will reimburse the employee according to prescribed kilometre tariffs as approved by the National Department of Transport. • If dependents of the employee's immediate family must remain in a school near the employee's former place of work, the employer may, for a maximum of one school year, cover the most economically reasonable mode of travel to the new place of work at the beginning and end of the school year and for school holidays. 	<p>Transport</p> <ul style="list-style-type: none"> • If an employee and her/his immediate family members travel by land the most cost effective fare will be paid. • For employees and their immediate family members travelling by car, the Department will reimburse the employee according to prescribed kilometre tariffs as approved by the National Department of Transport. 	<p>Transport</p> <p>None</p>
<p>Transportation and storage of household and personal effects</p> <ul style="list-style-type: none"> • The Department shall meet the actual expenses for transporting, storage, packing and unpacking and insurance 	<p>Transportation and storage of household and personal effects</p> <ul style="list-style-type: none"> • The Department shall meet the actual expenses for transporting, storage, packing and unpacking and insurance 	<p>Transportation and storage of household and personal effects</p> <p>The Department shall meet the actual expenses for transport expenses and insurance costs of the personal effects of an employee</p>

<p>cover for household goods.</p> <ul style="list-style-type: none"> The period for storage of personal effects will be limited to three months. <p>Interim Accommodation</p> <ul style="list-style-type: none"> If the employee and her or his immediate family must unavoidably rent interim accommodation at the old and/or new place of work, the employer may meet reasonable actual costs to a maximum of two months. <ul style="list-style-type: none"> <u>Approved expenses whilst staying in a hotel</u> Expenditure that may be defrayed from State funds, include the following: <ul style="list-style-type: none"> Accommodation and meals (according to S&T tariffs) Washing and ironing of clothing (not dry cleaning) Parking Non-alcoholic drinks 	<p>cover for household goods.</p> <ul style="list-style-type: none"> The period for storage of personal effects will be limited to one month. Should a valid reason exist to extend this period, the employee can apply to extend the storage to a maximum of two months. Approval must be obtained from the HOD in writing before the end of the 1st month. <p>Interim Accommodation</p> <ul style="list-style-type: none"> If the employee and her or his immediate family must unavoidably rent interim accommodation at the new place of work, the employer may meet reasonable actual costs to a maximum of one month. An agreement should be met with the newly appointed personnel that she\he should remain in the employ of the Public Service for one year, failing to do so, will result in the repayment of the resettlement expenditure. <ul style="list-style-type: none"> <u>Approved expenses whilst staying in a hotel</u> Expenditure that may be defrayed from State funds, include the following: <ul style="list-style-type: none"> Accommodation and meals (according to S&T tariffs) Washing and ironing of clothing (not dry cleaning) Parking Non-alcoholic drinks 	<p>and/or her\his household for a period of one month.</p> <p>Interim Accommodation None</p>
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<p>Only reasonable actual expenses can be reimbursed on the basis of acceptable documentary proof.</p> <p><u>The Department will not pay for the following expenses;</u></p> <ul style="list-style-type: none"> ➤ Private telephone calls ➤ Newspapers ➤ Tips ➤ Alcohol ➤ Room Service ➤ Magazines ➤ Movies ➤ Meals that are included in hotel expenses <p>School books, uniforms and related costs</p> <ul style="list-style-type: none"> • For each dependant school child of the employee who changes schools, the Department will make a once-off payment as prescribed by the Department of Public Service Administration. The amount will cover costs of schoolbooks, uniforms and other related requirements. • The Minister of Public Service and Administration revises the amount on a quarterly basis in accordance with the CPIX for clothing and footwear. <p>To claim the benefit mentioned above, the following documents must accompany the claim:</p> <ul style="list-style-type: none"> • A transfer letter from the previous school as well as an admission letter from the current school. <p>Transfer fees on the erection of a dwelling</p>	<p>Only reasonable actual expenses can be reimbursed on the basis of acceptable documentary proof.</p> <p><u>The Department will not pay for the following expenses;</u></p> <ul style="list-style-type: none"> ➤ Private telephone calls ➤ Newspapers ➤ Tips ➤ Alcohol ➤ Room Service ➤ Magazines ➤ Movies ➤ Meals that are included in hotel expenses <p>School books, uniforms and related costs</p> <p>None</p> <p>Transfer fees on the erection of a dwelling</p>	<p>School books, uniforms and related costs</p> <p>None</p> <p>Transfer fees on the erection of a dwelling</p>
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<ul style="list-style-type: none"> • The employer may pay reasonable actual fees if the employee purchases a dwelling or a building site at the new place of work. • The expenses are limited to a maximum of the transfer costs. 	None	None
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2.4 SUNDRY COSTS

This benefit does not apply to newly appointed employees.

The Department will pay the following amounts to meet incidental costs associated with establishing a new place of residence:

- 25 % of the employee's basic monthly salary that she/he receives on the date of resettlement, if the employee occupies furnished accommodation, or
- the employee's basic monthly salary that she/he receives on the date of resettlement, if an employee occupies unfurnished accommodation.

The above amount is intended to cover the following costs amongst other things

- replacement of curtains
- telephone, water, electricity connection

2.5 APPLICATION SCOPE

This policy will apply to all officials of the Department of Environment and Nature Conservation; except for casual and temporary employees.



3. POLICY FRAMEWORK

3.1 IDENTIFICATION AND CONSULTATION OF STAKEHOLDERS

This policy document was distributed to staff members within the department and their feedback and inputs are included where changes were suggested and motivated. Information sessions were also held as part of the consultation process. The recognized Labour Unions are not excluded in the process as they do have shop stewards within the department, and them being part of the departmental staff, thus had the opportunity to participate in the process. Furthermore, it needs to be mentioned that the department cannot negotiate with the Unions (Organized Labour) as a separate entity on this policy. Especially, because there are matters of mutual interests that must be dealt with in the formal structures created for this purpose, such as the Provincial Bargaining Council.

3.2 TIMEFRAMES

In August 2007 a draft of this policy was reviewed by the departmental legal services and policy unit who submitted their comments on the policy. After incorporating those comments a second draft was sent to the policy and planning unit on the 14-18 February 2008 to align and re-check the policy. 02- 14 April 2008, the policy unit used the soft copies of this policy to align it with the provincial template. This policy was analysed by the policy development unit on the 10 March 2011.

3.3 IMPLEMENTATION STRATEGY

It is the responsibility of each Head of department to ensure that this policy is carefully followed within the department. All managers should make members of their employees aware of the obligation to familiarize themselves with and follow this policy.

An implementation plan will be drafted which will outline how and when this policy will be implemented. The plan will be drafted two months after the implementation date of this policy. In order to ensure adequate implementation of this policy the human resource unit will compile an infrastructure investment (in terms of human capital) and policy management plan. The plan will be updated on an annual basis and will contain details on future guidelines for this policy. The financial implications if any will be indicated on the plan in order to ensure that funds are available or availed.

The implementation date for this policy is 1 November 2011

3.4 FINANCIAL IMPLICATIONS

This policy will be funded by all Directorates.

3.5 COMMUNICATION

This policy should be communicated through the respective directorates. However, the most important unit to contact would be Human Resources.

3.6 COMPLIANCE, MONITORING AND EVALUATION (M&E)



DELEGATIONS

The powers described in this policy are delegated to various positions. (See Annexure A).

3.7 POLICY REVIEW

This policy will be reviewed when the need arises or in case of the occurrence of extenuating circumstances (political mitigation, or pronouncement by legislation and/ or regulations). The contact person for this policy will be required to submit all relevant information pertaining to this policy in conjunction with a signed memo with all amendments (addition or omission) during the third quarter annually.

The exception, the Policy development unit will be conducting all extenuating reviews throughout the year, therefore it is paramount that any new information received be submitted to this unit, in order to coordinate the review process of this policy.

3.9 INTERIM MEASURES

This is an interim policy document for this Department until such time that a provincial policy has been developed.

A handwritten signature in black ink, appearing to be 'SAA', located in the bottom right corner of the page.

DELEGATION OF RESETTLEMENT MATTERS AND LOWEST LEVEL OF DELEGATED POWER OF DISPOSAL

1. Deviation from measures/circumstances not provided for (MEC).
2. Transfer at own request (Head of Department).
3. Visit to new Headquarters before transfer (Head of Directorate).
4. Travelling time considered official service/leave in excess of minimal travel time (Head of Directorate).
5. Subsistence (approval of claim for compensation of subsistence) (Deputy Director and equal ranks).
6. Interim Lodging Expenditure (Assistant Director and equal ranks).
7. Travelling expenses, conveyance and travelling classes (Deputy Director and equal ranks).
8.
 - (a) Postponement for the transfer of Household/Personal Belongings/Division of household (To grant approval that the household may be divided because of the school interests of children/ (Head of the Directorate).
 - (b) Postponement for the transfer of Household/Personal Belongings/Division of Household (To grant approval that the transfer of the household and/or personal belongings of a transferred ex-employee may be postponed for a further period of at most 4 months/ (Head of Department).
 - (c) Postponement for the transfer of Household/Personal Belongings/Division of Household (To approve that the transfer of the household and/or personal effects of an ex-employee be postponed to at most, 24 months after retirement) / (Head of Department).
9. Transport and Insurance of Personal Effects (Head of Directorate).
10. Storage of personal effects (to approve that personal effect may be stored/) (Assistant Director and equal ranks).
 - (a) Storage of personal effects (to approve that a transfer personal effects may be stored for a period of more than 2 months (Head of Directorate).
11.
 - (a) Gathering and Approval of Tenders (To approve that the lowest tender may be accepted) / (Senior Administration Officer and equal ranks).
 - (b) Gathering and Approval of Tenders (to approve that a tender other than the lowest tender may be accepted) / (Deputy Director and equal ranks).



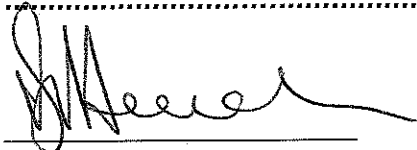
12. (a) Expenditure on School Books, Uniforms and other requirements (to approve that an amount may be paid to an officer) / (Senior Administration Officer and equal ranks).
- (b) Expenditure on School Books, Uniforms and other requirements (to approve that the documentary proof of expenditure be dropped and to determine and approve a suitable amount, / (Head of Directorate).
13. (a) Miscellaneous Expenses (to determine the relevant amount intended and to approve payment of the calculated amount) / (Deputy Director and equal ranks).
- (b) Miscellaneous Expenses (to consider the allocation of an amount higher than the amounts intended in prescript determine a suitable amount on the merit of the case and for approve payment thereof) / (Head of the Directorate).
14. Continued payment of Home Owners Allowance (Assistant Director or equal ranks).
15. Transfer Costs connected with the purchase/erection of a house (Assistant Director or equal ranks).
16. Revenue in respect of the importation of motor vehicles (Deputy Director and equal ranks).
17. Privileges when an officer during official service dies away from his headquarters (Head of Department).
18. Reporting on Resettlement Costs (Head of Directorate).



4. ADOPTION OF POLICY

Approved / ~~Not Approved~~
Comments:

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.....
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D VAN HEERDEN
HEAD OF DEPARTMENT

20111010
DATE



