

## PAYMENT OF ACTING ALLOWANCE TO PERMANENT EMPLOYEES ACTING IN A SECTION 57 POSITION

Item C-HR (87-2005) CA 14/11/2005	REPORT ON THE PAYMENT OF ACTING ALLOWANCE TO PERMANENT EMPLOYEES ACTING IN A SECTION 57 POSITION ON THE ORGANISATIONAL STRUCTURE OF EKURHULENI METROPOLITAN MUNICIPALITY
--------------------------------------	--

### RESOLVED

1. **That** the contents of the report regarding acting **BE NOTED**.
2. **That** the responsibilities of stakeholders regarding acting allowance **BE APPROVED** and **IMPLEMENTED** as follows:
  - (i) *Responsibility of the Department*
    - Responsible person in the department must give prior approval of acting aligned to the requirements.
    - Official acting allowance form must be submitted to the Human Resource Management and Development Department (Provisioning and Maintenance) timeously within 10 working days after acting has ceased.
    - The department must ensure that the submitted form is approved by the Finance Department (Budget Office).
    - Acting allowance can only be paid within the constraints of the pay office determinations regarding submission dates.
  - (ii) *Responsibility of the Employee*
    - Ensure that time frames are adhered to.
    - Late submissions can be rejected should acceptable motivation not be provided.
    - Submissions will be regarded as late if two (2) months has lapsed since acting.
  - (iii) *Responsibility of Human Resource Management and Development*
    - To keep proper record of acting allowance claims.
    - Ensure that the post is funded, vacant or leave had been approved.
    - Late submissions are acceptably motivated.

- No overlapping of acting takes place.
- Principle of rotation is adhered to where possible unless differently motivated.
- Ensure that no applications, in advance, is processed.
- Ensure that applications received within pay office due dates are processed.

3. **That the following principles for acting BE APPROVED:**

- (i) An allowance is only payable in cases of acting for 10 (ten) working days or longer.
- (ii) Where it is of critical importance that the functions of the post be executed during the absence of an incumbent.
- (iii) Where the incumbent is on vacation leave, sick leave, special leave or maternity leave for a period as determined by the conditions of service as qualifying for acting allowance.
- (iv) Where a critical position is funded and vacant and cannot be filled because of a legitimate reason i.e. close match claim or dispute.
- (v) Acting is only applicable if it can be motivated why the critical functions cannot, as a temporary measure, be distributed amongst other employees or subordinates.
- (vi) Existing conditions of service applicable to the incumbent's conditions of service will be applied until 31 December 2005.
- (vii) As from 1 January 2006 the Ekurhuleni Metropolitan Municipality conditions of service will be applicable (EGSC where the Bargaining Council's Conditions of Employment do not address the issue).
- (viii) Where a Section 57 employee is acting in a higher Section 57 position – 12% of the acting incumbent's basic salary is payable.
- (ix) Where a permanent employee is acting in a Section 57 position – the difference between the basic salary of the acting employee and the basic salary of the employee in which position acting is required is payable. The difference in transport allowance where applicable is also payable, subject to the transport allowance for the Section 57 position being determined in terms of ETAS.

- (x) Where more than one employee acts in a position (rotation of acting) all stakeholders must ensure that no overlapping in acting takes place.
- (xi) Applications should not be submitted in advance but only after acting took place and within time frames.
- (xii) The principle of rotation must at all times be adhered to where possible as it provides a vehicle for building capacity and empowering subordinates.
- (xiii) Employees must take note that acting, even for prolonged periods of time, does not in any way constitute any vested rights or preferential treatment when appointments in the vacant position is considered.