

POLICY ON TRANSFER OF EMPLOYEES

September 2002

1. INTRODUCTION

One of the key challenges facing the Department of Public Works is the need to attract, develop and maintain capable employees. The Department will consider the process of transfers as part of their recruitment strategy to fulfill the challenge that it is facing.

1.1 Constitution Act

Section 197(4) of the Constitution Act stipulates that: Provincial governments are responsible for the recruitment, appointment, promotion, transfer and dismissal of members of the public service in their administrations within a framework of uniform norms and standards applying to the Public Service.

1.2 The White Paper on Human Resource Management in the Public Service

Human resource planning is essential in order to ensure that an organisation's human resources are capable of meeting its operational objectives. Human resource planning ensures that an organisation:

- Obtains the quality and quantity of staff it requires.
- Makes the optimum use of its human resources.
- Is able to anticipate and manage surpluses and shortages of staff.
- Develops a multi-skilled, representative and flexible workforce, which enables the organisation to adapt rapidly to a changing operational environment.

Human resource planning consists of three main steps:

- An assessment of the human resources which will be required to deliver the operational objectives in the organisation's strategic plan
- An assessment of the organisation's existing human resource capacity
- A plan for how the gap between existing human resource capacity and the future human resource requirement will be filled, within the financial resources available

1.3 Public Service Regulations, 1999

Part VII. Section C.2.5 [c]: an executing authority may fill a vacant post without complying with regulations VII C.2.3 and C.2.4 if the department

plans to fill the post as part of a programme of laterally rotating or transferring employees to enhance organisational effectiveness and skills.

1.4 Public Service Act, 1994

Section 14 : transfers within the public service

- (1) Subject to the provision of this Act, every officer or employee may, when the public interest so requires, be transferred from the post or position occupied by him or her to any other post or position in the same or any other department, irrespective of whether such a post or position is in another division, or is of a lower or higher grade, or is within or outside the Republic.
- (2) (a) The transfer of an officer or employee from one post or position to another post or position may, subject to the provisions of paragraph (b), be made on the authority of the person having the power of transfer.

(b) In the case of a transfer from department to another department the approval of the persons who in respect of each of those departments have the power to transfer, shall first be obtained.
- (3) An officer-
 - (a) shall not upon transfer suffer any reduction in his or her salary or scale of salary without his or her consent, except in accordance with the provisions of section 38 and any collective agreement contemplated in section 18(b) of the Public Service Laws Amendment Act, 1998;
 - (c) who has been transferred to or who is employed in a post which is graded higher than his or her own grade, shall not by reason only of that transfer or employment be entitled to the higher scale of salary applicable to the post;

1.5 Departmental Recruitment Policy

All probationary appointments, transfers or promotions shall be effected in accordance with the provisions of section 13 of the Public Service Act, 1994.

2. PURPOSE

- To place officials correctly according to their skills and competencies and to attend to human resource needs of Directorates by filling vacancies through transfers.
- To establish a fair and transparent procedure for transferring employees interdepartmentally, to other departments and from outside the Department.

3. AUTHORISATION

The Constitution Act, 1996

The Public Service Regulations, 1999 (as amended)

The Public Service Act, 1994 (as amended)

The White Paper on Human Resource Management

The Departmental Recruitment Policy

4. CONDITIONS

The request for transfer will be applicable in the following situations

Interdepartmentally:-

- ◆ From one section / directorate to another section / directorate
- ◆ From one district to another district
- ◆ From district office to head office
- ◆ From head office to district office

From a department to this department

From this department to another department

The following conditions have to be taken into consideration when attending to a request for a transfer:

- ◆ There must be a vacant post
- ◆ The applicant's salary level and the post must be the same / equivalent
- ◆ Only posts from salary level one (1) up to salary level eight (8) can be filled through transfer.
- ◆ Families (wife, husband, children, etc.) may not apply for transfer to work at the same work station, but can in other work stations.
- ◆ No special attention will be given to any application for a transfer as a favour to anybody. It will only be on special circumstances that special attention will be given to such an application
- ◆ Under no circumstances will the applicant or his/her supervisor be allowed to send the application for transfer directly to the HOD / CFO /

his or her delegate for approval. The application must be submitted to Policy & HRM Directorate.

- ◆ A transfer initiated by the Department should take place with the consent of the employee.
- ◆ Directorates or districts must submit the application for transfer, prior to the transfer, to System & Performance Management component for approval by Policy & HRM Directorate.
- ◆ An officer has to spend at least twelve (12) months in a post before his/her request to be transferred to another post will be attended to, unless the special permission of the Head of Department is obtained to the contrary, through a submission from Policy and HRM Directorate.
- ◆ **Head Office must approve any transfer of officers.**

5. DOCUMENTATION

In order for Policy & HRM Directorate to attend to and finalise the transfer, the following documentation must be submitted:

- Letter of application from the applicant
- Covering letter from the current section / Directorate / Department
- Recommendation letter from the officer's supervisor / head of section
- Recommendation letter from the head of the section in which the applicant wants to be transferred to
- Letter of approval for transfer from the current Department (with the officer's files)

6. PROCEDURE

The following steps have to be considered when attending to a request for a transfer

- ◆ Receipt of an application letter of transfer from the applicant
- ◆ The availability of the post is verified.
- ◆ The documents needed are requested if not submitted with the application.
- ◆ Application letter is referred to Directorates/ Districts / Department for consideration
- ◆ Confirmation letter about the availability of the post from Directorates/ Districts / Department
- ◆ The application (with supporting documents) are submitted to the office of the Senior Manager: Policy & HRM for approval (in consultation with the Sub-directorate : Systems and Performance Management).

- ◆ A letter of transfer is provided to the applicant, his/her supervisor and/or the office to where the applicant is being transferred, only after approval has been granted.
- ◆ The receiving Directorate / District must inform the Sub-directorate : System & Performance Management in writing about the date of assumption of duty.
- ◆ The transfer is implemented on the establishment and system.

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SENIOR MANAGER: POLICY AND HRM

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DATE

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HEAD OF DEPARTMENT

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DATE