



agriculture &  
rural development  
Department  
Agriculture and Rural Development  
North West Provincial Government  
REPUBLIC OF SOUTH AFRICA





# **DIRECTORATE: HUMAN RESOURCE MANAGEMENT**

## **EMPLOYMENT POLICY**

**NOVEMBER 2025**



<b>Organisation</b>	<b>Department of Agriculture and Rural Development</b>
<b>Directorate</b>	<b>Human Resource Management</b>
<b>Policy</b>	<b>Employment Policy</b>
<b>Policy Ref No.</b>	<b>3/6/P</b>
<b>Compiled by</b>	<b>Human Resource Management</b>
<b>Approved by</b>	<b>Head of Department :</b>  <b>Signature</b> 
<b>Date of effect</b>	

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## **1. INTRODUCTION**

- 1.1 The Department of Agriculture and Rural Development is committed to achieve a workforce that is broadly representative of the South African people and to utilise employment practices that are based on competence, objectivity and fairness as well as principle of equality to address the need to redress the imbalances of the past.
- 1.2 Therefore, the department provides through this policy, a framework for managing employment in the department.
- 1.3 It is hereby acknowledged that due to the nature of the service delivery mandate of the Department, special measures must be utilised to ensure that the workforce becomes representative of the demographical statistics of the people of the province.
- 1.4 The department is committed to fight discrimination in the workplace by holding managers accountable and ensuring that employees are managed in an enabling and supportive environment, especially those who have been most disadvantaged, i.e women and people with disabilities.

## **2. ABBREVIATIONS AND DEFINITIONS**

**Department** : Department of Agriculture and Rural Development.

**Probation** : A trial period which is given to an employee to prove his/her capabilities for appointment in a permanent capacity.

## **3. PURPOSE AND OBJECTIVES**

3.1. To provide a framework to manage the employment within the Department of Agriculture and Rural Development.

## **4. PRINCIPLES**

4.1 The Department is committed to utilise employment practices that are based on competence, objectivity and fairness as well as principle of equality.

## **5. LEGISLATIVE FRAMEWORK**

5.1 Constitution of RSA, 1996

5.2 Public Service Act, No.103 of 1994 (as amended)

5.3 Public Service Regulations, 2016 as amended

5.4 Labour Relations Act, 1995

5.5 Employment Equity Act, 1998

5.6 Basic Conditions of Employment Act, 1998

5.7 Skills Development Act, 1998

5.8 Promotion of Access to Information Act, 2000

5.9 Promotion to Administration Justice Act, 2000

5.10 Protection of Personal Information Act, 2013

5.11 Public Service Coordination Bargaining Council (PSCBC) Resolutions

5.12 SMS Handbook

5.13 Ministerial Handbook

## **6. SCOPE OF APPLICATION**

6.1 The policy is applicable to all employees and prospective employees of the Department of Agriculture and Rural Development.

## **7. POLICY STATEMENT**

7.1 The department is committed to implement good employment practices that are non-discriminatory and that will enhance productivity and efficiency.

## **8. POLICY PROVISIONS**

### **8.1. APPOINTMENT**

#### **8.1.1 Conditions of appointment**

- a) All applicants should fully complete the prescribed application forms (new Z83 form) obtainable from any Department within the Public Service website.
- b) The application form must be accompanied by a recently updated, detailed Curriculum Vitae including the names of three referees and a copy of ID document.
- c) The certified supporting documents will be required from the shortlisted candidates only. The applicants, who are in possession of foreign qualifications, should ensure submission of an evaluation certificate of their foreign qualifications from the South African Qualifications Authority (SAQA).
- d) Non-South African citizens/ permanent residency holders must attach certified copies of their permanent residence permits/ work permits and those with foreign qualifications, should ensure that their applications are accompanied by certified copies of the qualifications and evaluation by the South African Qualifications Authority (SAQA).

- e) Section 10.1 (b) of the Public Service Act 1994, and the Public Regulations 2016 as amended, Chapter 2, Part 2, Regulation 11 - 14 requires that any person to be appointed in the public service should be of a good character.
- d) All applicants who are non-South African citizens have the responsibility to obtain the visa, work and residence permits, (whichever is applicable), as well as a security clearance from the country of origin. The obtaining and renewal of these permits is the responsibility of the applicant.
- e) Non-South African citizens who have acquired permanent residence permits may be considered in the recruitment of staff in the same way as South Africa citizens.
- f) In terms of the Public Service Regulations 2016 as amended, Executive Authority or his /her delegate:
  - i. May not appoint any person under the age of 15 years.
  - ii. May, where the employment is temporary appoint an employee under a special contract, on a casual or on a seasonal basis.
  - iii. Shall appoint employees either full time or part time or temporarily, on short or fixed term contracts. Short terms employment contracts will be for a minimum of three months and a maximum of 12 months, whilst the fixed term employment contract will be for a minimum period of three years.
  - iv. May appoint a current serving employee beyond 65 years on a contract not exceeding two (2) years, but only in highly exceptional circumstances or in that of scarce skills and the relevant directorate must indicate in its motivated request the reasons as well at the period for such contract appointment.
  - v. Shall determine the health requirements for incumbency of a post, in any case where it is in the requirements of the post.
  - vi. Shall subject an employee or candidate for employment to personnel suitability checks.
  - vii. Shall ensure that each employee upon appointment is provided with a the written particulars of employment, including the terms, and conditions of her or his service.

- viii. May within available budget and at a salary level linked to the grade of the post, determined through job evaluation or as determined by OSD, employ persons additional to the establishment where temporary increase in workload occurs or it is necessary for any other reason to temporarily increase the staff of the department.
  - ix. The employment of a person additional to the establishment shall not exceed 12 months unless otherwise approved by the Executive Authority
  - x. Shall not, with due regards to section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with the advertising and selection processes.
  - xi. Shall satisfy himself/ herself that the person qualifies in all respects for the position and that his/her claims in his/ her application for the position have been verified.
- g) The Executive Authority or his/ her delegate may also fill a post through any of the listed methods without following the normal recruitment processes:
- i. From the ranks of employees who have been declared in excess and are on the salary level linked to the grade of that post.
  - ii. The appointment of an employee who was appointed under an affirmative action program (subject to meeting requirements).
  - iii. Filling of the post through a transfer of an employee in terms of section 12 (3) and 14 of the Public Service Act, 103 of 1994 as amended.
  - iv. The post falls within an occupation category of employees as directed by the minister.

### **3.1.2 Appointment of staff serving in the office of the Executive Authority**

- a) Appointments in line with Section 9 of the Public Service Act, 1994 as amended and Guide for Members of Executive. The appointment of staff in the Private Office of the MEC will be linked to the term of office of the incumbent MEC which will terminate at the end of the month after the month in which the term of office of that MEC terminates for any reason.
- b) The process will comply with the Guide for Members of Executive, the Financial Manual and the Public Service Regulations, 2016 as amended.

### **8.1.3 Employment of Head of Department**

- a) The Executive Authority shall appoint the Head of Department as prescribed in terms of section 12 of the Public Service Act 103 of 1994, as amended.
- b) The contract between the Executive Authority and the Head of Department shall comply with the Public Service Regulations and any other DPSA Directives issued in this regard. The contract must specify the main delegation or authorization to the Head of Department necessary to manage his/her department.

### **8.1.4 Assumption of duty on appointment**

- a) All appointed employees will assume duty within four (4) weeks of receipt of the appointment letter unless otherwise permission has been granted and the date of assumption of duty has been mutually agreed upon.
- b) Assumption of duty must preferably be on the first (01<sup>st</sup>) day of the month and where the first (01<sup>st</sup>) of the month is a public holiday or falls within the weekend, the assumption of duty should be immediately on the first (01<sup>st</sup>) working day following the public holiday or a weekend.
- c) All outstanding documents or information should be submitted to Human Resource Management component.

### **8.1.5 Re-appointment of former employees.**

- a) An executive authority shall not re-appoint a former employee if that employee left the public service:
  - i. earlier on the condition that he or she would not accept or seek re-appointment; or
  - ii. due to ill-health and cannot provide sufficient evidence of recovery.
- b) An Executive Authority may appoint such former employee in a post if:
  - i. no other suitable candidate could be recruited in terms of the regulation.

- ii. the appointment made shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.

### **8.1.6 Prohibition on re-employment of former employees dismissed for misconduct.**

8.1.6.1 A former employee dismissed in terms of section 17 (2) (d) of the Act for misconduct shall not be re-appointed in the public service for the applicable period from the date of dismissal in relation to the kind of misconduct committed as outlined below:

a) ***Prohibition on re-employment for five (5) years*** for following act of misconduct:

- i. Offering and receipt of undue gratification or facilitating of such offering or receipt or committing theft or fraud.
- ii. Conducting business with an organ of state or being a director of a public or private company conducting business with an organ of state or misconduct resulting from criminal conviction where an employee has been sentenced for two or more years imprisonment, without the option of a fine.

b) ***Prohibition on re-employment for four (4) years*** for following act of misconduct:

- i. Sexual harassment
- ii. Unfair discrimination against others based on race, gender, disability, sexuality or other ground prohibited by section 9 (3) of the Constitution.

c) ***Prohibition on re-employment for three (3) years*** for following act of misconduct:

- i. Financial misconduct as contemplated in section 81 or 82 of the Public Finance Management Act; or
- ii. Misconduct resulting from a criminal conviction where the employee has been sentenced for less than two (2) years imprisonment, without an option of a fine.

d) ***Prohibition on re-employment for two (2) years*** for following act of misconduct:

- i. Contravention of any provision of regulation 11 to 13 of Chapter 2 of the Public Service

Regulation other than misconduct referred to in item (a) – (c) above.

- e) If an employee has been dismissed for more than one act of misconduct, the prohibition on re-appointment shall run concurrently.
- f) An employee who is deemed to have been dismissed in terms of section 17(3)(a) of the Act and who is not reinstated in terms of section 17(3)(b), shall not be re-appointed in the public service for a period of one year after the effective date of his/ her deemed dismissal.

### **8.1.7 Determination of commencing salary**

- a) The commencing salary of an employee will be set at the minimum notch of the salary range attached to the relevant grade, or as determined by the relevant Occupational Specific Dispensation. The salary attached to a post shall be determined by the results of Job Evaluation.
- b) The commencing salary of part-time, seasonal or temporary employee should be proportional to the salary of an equally graded full-time employee and should be set at the minimum notch of the appropriate salary range.
- c) In determining the salary of an employee, the Executive Authority may consider any of the following:
  - i. Relevant Collective agreements
  - ii Available funding / budget
  - iii. Results of Job Evaluation
  - iv. Employee performance
  - v. A need to recruit and retain personnel with critical and scarce skills
- d) Part-time, seasonal, temporary and employees on fixed term contract do not qualify for service benefits. The Executive Authority or his /her delegate may provide the equivalent of benefits received by permanent employees.

- e) Commencing salary may be set above the minimum notch of the salary range indicated by the job evaluation if an employee with the necessary competencies cannot be recruited or retained with the salary indicated by the job evaluation.
- f) The awarding of a salary notch above the minimum of a salary range should not exceed the salary level of the post and this should at least be the last resort, and the Executive Authority or his/ her delegate must approve such awarding of a higher salary notch. The reasons why the salary indicated by the job weight was insufficient must be recorded.
- g) A higher salary notch must be awarded and not the higher salary range and the awarding of higher salary notch solely applies to the individual employee and not the post.

## 8.2. **Job Orientation / Induction**

- 8.2.1. All newly appointed / transferred employees shall undergo a job orientation session and induction programme.
- 8.2.2. Job-related orientation shall be the responsibility of individual managers/supervisors, while the Directorate Human Resource Development shall be responsible for facilitating induction programme on an on-going basis with the assistance of all support functions within the Department.
- 8.2.3. Induction programme to be conducted within three (3) months from the date of assumption of duty.

## 8.3. **Probation**

- 8.3.1. All appointments, except those not exceeding one year, shall be made on probation and the probation period shall not be less than 12 calendar months.
- 8.3.2. If a probationer is transferred or promoted to another post, he or she may serve a lesser period of probation in the new post which together with the period of probation served in the former post shall total at least 12 months.

8.3.3. The period of probation of an employee shall be extended by the number of days leave taken by him/her during the period of probation or per agreement with the relevant supervisor based on reason of performance.

8.3.4. All managers/ supervisors shall ensure that the following takes place in terms of probation:

- a) The probationer, at the commencement of the probationary period has a Job Description, Performance Agreement, Work plan and Personal Development Plan
- b) On quarterly basis, the probationer receives written feedback on his/ her performance and compliance with other requirements.
- c) The probationer to receive in-service training and mentoring as measures of assistance during the probation period.
- d) The probationer shall receive written confirmation at the end of probationary period.
- e) The termination of probation period shall be made with due regard of the Public Service Act 103 of 1994 as amended and the schedule 8 of the Labour Relations Act.

#### 8.4. **Employee Records**

8.4.1 The Head of Department or his/ her delegate shall keep each employee's records/ personal information, as provided, in compliance with the Protection of Personal Information Act 4 of 2013 (POPIA), and the information/ records shall be treated with the utmost confidentiality and used solely for purposes intended for. The privacy and data security of employee's records are of paramount importance to the department

8.4.2 The department shall keep the records of each employee reflecting, as a minimum, the following particulars with regard to the employee:

- a) Form Z83
- b) Curriculum Vitae (CV's)
- c) Certified copy of Matric Qualification
- d) Certified copy of Tertiary Qualifications
- e) Certified copies of Training and Development Certificates

- f) Certified copy of SAQA Evaluation Certificate (non-SA Qualifications)
- g) Certified Copy of Identity Document
- h) Certified copy of Driver's Licence if applicable
- i) Certified copy of Passport/Work Permit/ Permanent Residence Permit (non-RSA Citizens)
- j) Appointment Letter
- k) Acceptance Certificate
- l) Banking Details Form
- m) Service Bonus Choice Form
- n) Proof of Tax Registration (SARS - PAYE)
- o) Copy of Assumption of duty letter
- p) PERSAL Verification Form
- q) Nomination of Beneficiary form **(WP1002) Obtainable from all HRM Offices**
- r) Pension (GEPF) Admission Form
- s) Certified copy of Marriage Certificate or Decree of Divorce (if applicable)
- t) Certified copy of Dependants Birth Certificates/Identity Documents
- u) Declaration of confidentiality
- v) Appointment letter to any committees

8.4.3 The Directorate Human Resource Management shall be responsible for ensuring that only authorized persons gain access to the personal records.

8.4.3 Employees may gain access to their personal records subject to the authorization by the Departmental Information Officer or Deputy Information Officer and in compliance to Promotion of Access to information Act.

8.4.4 The personnel records of employees shall be kept manually and on the PERSAL system.

## **8.5 Acting in higher posts**

8.5.1 The department shall in line with the Public Service Act, 1994 as amended and Public Service Regulations 2016 as amended, implement acting appointment in higher posts subject to such conditions as may be prescribed as follows:

- a) The Executive Authority or the Head of a Department or delegate may direct an employee under his/ her control temporarily to perform any functions other than those ordinarily assigned to the employee or appropriate to his/er her grade or post.
- b) An employee may be directed in writing to act in a funded vacant post for a period of six weeks and more subject to approval by the Head of Department for all posts levels 1-10 and Executive Authority for posts levels 11 - 14.
- c) An employee who is directed to act in a vacant funded post must meet minimum requirements of the post in question and should have the necessary competencies for the post to which he/she is appointed to act.
- d) Direction to an employee to act in another post should not create legitimate expectations for his/ her permanent appointment into the post as and when the post is advertised for filling on a permanent basis.
- e) A Head of Department may only compensate an employee for acting in a higher vacant post in terms of a determination of the Minister of Public Service and Administration made through the collective bargaining process.
- f) The Executive Authority or his/ her delegate may appoint more than one employee to act as a result of a single vacant and funded post, however eligibility for payment of acting allowance will only be applicable to one employee who is acting in a vacant and funded post. The other employee, who acts in the post that is not vacant as a result of its incumbent acting in a higher post, will not be eligible for payment of acting allowance.
- g) An employee shall not act in a higher vacant post for an uninterrupted period exceeding 12 months.
- h) The General Public Service Sectoral Bargaining Council Resolution 1 of 2002 provides a procedure which shall be implemented in the department as follows:
  - i. The need for acting appointment shall be determined when a funded post becomes vacant

- ii. The period of acting appointment must be uninterrupted and longer than six (6) weeks, in a vacant, funded post for the acting official to be eligible for acting allowance
  - iii. The employee shall be appointed in writing to act in a higher post, by an official duly authorized in line with the departmental Human Resource delegations
  - iv. The employee shall accept the acting appointment in writing before the acting period starts.
  - v. No employee shall act in a higher vacant post for an uninterrupted period of more than 12 months.
  - vi. Employees should not act in positions without formal appointments and approval.
  - vii. An employee appointed to act in funded, vacant post and who is eligible to receive acting allowance, will be remunerated monthly (with the first payment due within the month following completion of the six weeks period).
  - viii. Only a maximum of two employees will be permitted to act as a result of a single vacancy however, eligibility for payment of acting allowance will only be applicable to one employee who is acting in a vacant and funded post.
- i) Acting appointments for a period of less than six (6) weeks to be made in writing as follows:
    - i. Head of Department to appoint for salary levels 13 and 14
    - ii. Chief Directors to appoint for salary levels 09 -12
    - iii. Director to appoint for salary levels 08 and below
  - j) The acting appointments in term of paragraph (i) above to be made only if the substantive post incumbent cannot physically be at his/ her workstation.
  - k) An appointment in an acting position will not automatically result in a permanent appointment in acting position and that the appointment does not create a right or legitimate expectation to be appointed when the vacant position is advertised.
  - l) If due to the employer's service delivery requirements, an SMS member is required to act beyond the prescribed six months period, the Executive Authority must grant written permission to do so.

- m) No retrospective appointments shall be allowed for purposes of an allowance, acting may only commence after approval by the duly authorized person
- n) Acting appointment will be terminated if the appointed employee is on prolonged leave of absence.
- o) Acting appointment will be terminated automatically when the period of appointment reaches the end period as per the acting appointment letter or twelve (12) consecutive months whichever comes first.
- p) When the employee terminates appointment in an acting position, he or she will be required to prepare a hand-over report to the appointing manager.

## **9. GENERAL MEASURES**

- 9.1 All employee's records/ personal information, as provided, in compliance with the Protection of Personal Information Act 4 of 2013 (POPIA),
- 9.2 The appointment of an employee in a higher vacant position shall be done in line with the Human Resource Management Delegations
- 9.3 Human Resource Personnel will provide interpretation and enforce compliance as well as the implementation of the policy. Verify the correctness of documents and process the acting allowance on the PERSAL System at the end of each month following the initial uninterrupted period of six (6) weeks.
- 9.4 Human Resource Personnel shall keep proper records of employment and acting allowance appointments including allowance claims.

## **10. MONITORING, EVALUATION AND REVIEW**

- 10.1. The Human Resource Management shall monitor and ensure adherence to all provisions of this policy.
- 10.2. This policy is subject to review every five years or when necessary to ensure that it is aligned to current legislation and working conditions. When this policy is amended, the amended policy will therefore supersede this one.

## **11. RELATED POLICIES**

11.1. The policy should be read together with all other relevant Human Resource policies. Ministerial directives will take precedence over any provision of this policy should there be any contradiction.

## **12. COMMENCEMENT OF THE POLICY**

12.1. This policy shall be implemented by the Department with effect from the date of approval and signature by the Head of Department

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