



Department of Public Works, Roads and Transport  
**Mpumalanga Provincial Government**

**TRAINING AND DEVELOPMENT POLICY**

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Issue.....04  
Date.....  
Responsible Section..... HRU &CD

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## ABBREVIATIONS

CETA	Construction Education Training Authority
CFO	Chief Financial Officer
CIP	Compulsory Induction Programme
CORE	Code of Remuneration
DPSA	Department of Public Service and Administration
HRU&CD	Human Resource Utilization and Capacity Development
MOU	Memorandum of understanding
MPHRDS	Mpumalanga provincial human resource development strategy
NQF	National Qualification framework
NSG	National School of Governance
OFO	Organisational framework occupation
OSD	Outcome Specific Dispensation
PDP	Personal development plan
POE	Portfolio of evidence
PMDS	Performance management development system
PSETA	Public service Education training authority
PWR&T	Public works roads and transport
QCTO	Quality Council Trade and occupation
RPL	Recognition of prior learning
SAQA	South African Qualification Authority
SCM	Supply Chain Management
SDA	Skills Development Act, 1998 (act no 97 of 1998)
SDF	Skills development Facilitator
SETA	Sector Education Training Authority
TETA	Transport Education training authority
WSDC	Workplace skills development committee
WSP	Workplace Skills Plan



## DEFINITIONS

Accounting Officer	Means	A person mentioned in section 36 of the public finance management Act, 1999 ( Act 1 of 1999) and includes any person acting as the accounting officer
Competency Assessment	Means	A process by which the learners knowledge and attitude are measured against the goal of the educational programme
Department	Means	Mpumalanga Department of Public Works, Roads and transport
Employees	Means	Anyone, other than an independent contractor, who works for another person or who assists in conducting the business of an employer ( sec 213 of LRA)
Occupation Specific Dispensation	Means	Revised salary structures that are unique to each identified occupation in the Public Service
Outsourcing	Means	An on-going transfer of the management and execution of one or more complete training processes to an external service provider
Public Institutions	Means	A school college ,university that's run for public use backed through public funds and controlled by the state
Technical Training	Means	Geared at equipping employees with technical skills that are crucial to the nature of operations in the department and
Training	Means	A learning process that involves the acquisition of knowledge, sharpening of skills , concepts, rules, or changing of attitudes and behaviours to enhance the performance of employees

## **1. INTRODUCTION**

Training and Development initiatives form an integral part of the departmental strategic imperatives that ensure the stability of intellectual capital that is vital in ensuring the future prosperity, quality service delivery, competitiveness and achievement of the department's vision and mission. It is therefore of critical importance that all employees are developed to their full potential.

Training and Development is viewed as an investment and shall ensure that the Department has the required skills to satisfy its customer needs. The Training and Development interventions is need based and guided by the Provincial Human Resource Development Strategy, Workplace Skills Plan and the Department's strategic objectives and service delivery priorities.

## **2. OBJECTIVES**

The purpose of this policy is to:

- 2.1 Invest in human capital by providing financial assistance, depending on Training and Development, depending on the availability of funds, to employees in line with the approved Departmental Workplace Skill Plan (WSP), Mpumalanga Provincial Human Resource Development Strategy (MPHRDS) and the National regulations: and
- 2.2 Establish the training climate where all role players accept a shared responsibility Training and Development interventions.

## **3. REGULATORY FRAMEWORK**

- 3.1 Constitution of the Republic of South Africa, 1996
- 3.2 Basic Condition of employment Act, 1997 (Act no.75 of 1997)
- 3.3 Departmental Procurement of Goods and services policy
- 3.4 Employment equity Act, 1998 (Act no1 of 1998)
- 3.5 Labour Relations Act, 1995 (Act No66 of 1995)
- 3.6 Mpumalanga Provincial Human Resource Development Strategy



- 3.7 National skills Development strategy for South Africa
- 3.8 National Qualification Framework
- 3.9 Occupational Health & safety Act, 1993 (Act No.85 of 1993)
- 3.10 Organizational Framework of Occupation
- 3.11 Public Finance Management Act, 1994 (Act No.1 of 1999)
- 3.12 Public Service Act, 1994 (Act No.103 of 1994)
- 3.13 Skill Development Levies Act, 1999 (Act No.9 of 1999)
- 3.14 Skills Development Act, 1998 (Act No.97 of 1998)
- 3.15 South African Qualification Authority Act, 1995 (Act No.58 of 1995)
- 3.16 White Paper on Transformation of the Public Services, 1997
- 3.17 White Paper on Public Service Training and Education, Notice 1428 of 1998
- 3.18 White Paper on human Resource Development, 1998
- 3.19 White Paper on Human Resource Management 1997
- 3.20 Workplace Skill Plan
- 3.21 Mpumalanga Economy Growth Path

#### **4. SCOPE OF APPLICATION**

This policy shall be applicable to all employees of the Department.

#### **5. POLICY STATEMENT**

The Department shall create a conducive, learning environment, in which employees develop their full potential through continuous access to education and training opportunities,

##### **5.1 Principles**

Training and Development shall be guided by the following principles:

- 5.1.1. Culture of lifelong learning
- 5.1.2. Ongoing and meaningful opportunities for education, Training and Development.
- 5.1.3. Retrain, refresher training on CIP and new developments/initiatives
- 5.1.4. Multi-skilling
- 5.1.5. Accelerate and intensify skills programme; and
- 5.1.6. All education training and development initiatives shall be in accordance with the National Qualification Framework and shall further more comply with SAQA and QCTO requirements.

## **5.2 PROVISION OF TRAINING**

- 5.2.1 Public institutions shall be given first preferences in providing training;
- 5.2.2 In case where training needs have been identified and the training programme cannot be offered internally or through NSG or by public institutions or where specialized training is required, then training may be outsourced to external accredited service providers.
- 5.2.3 Selection of public institution shall be based on the course content and needs analysis
- 5.2.4 The selection of external service providers by the HRU&CD Director /SDF must be endorsed by the CFO in line with the Supply Chain Management processes.
- 5.2.6 The Department may grant financial assistance to employees to attend courses that are NQF aligned.

## **5.3 Non- attendance and non-completion of training**

- 5.3.1. Non-attendance of training by employees should immediately be reported to the supervisor and line managers of the relevant programme.
- 5.3.2. On the completion of the course it is expected that the employee should provide feedback, such as certificates, evaluation forms on the course contents to HRU&CD sub-programme.
- 5.3.3. There will be no training interventions without prior recommendations by HRU&CD and approval by relevant programme.

## **5.4 Disciplinary Action**

The Department reserves the right to take disciplinary action, in accordance with the Labour Relations Act, 1998 (as amended) and resolution 2 of 1999 as amended by the Resolution 1 of 2003, against any person who violates any provisions of this policy.

## **5.5 FUNDING**

- 5.5.1. The Department shall budget a minimum of 1% of its total wage bill for Skills Development.
- 5.5.2. It is the responsibility of relevant Programmes and Sub-Programmes to fund their own

- attendance of conferences, workshops symposiums, summits and seminars;
- 5.5.3. The arrangements such as bookings, accommodation and transport are also the responsibility of the relevant programme unless otherwise stated by the HRU&CD.
- 5.5.4. OSD employees who meet statutory requirements as determined by the relevant council, such employees would have to pay for their own registration fees.

## **6. ROLES AND RESPONSIBILITIES**

### **6.1 Accounting Officer shall be responsible for:**

- 6.1.1. Ensuring allocation of resources in accordance with Skills Development Levies Act, 1999 (Act no 9 of 1999);
- 6.1.2. Sign the WSP before submission to Sector Education and Training Authorities (SETA); and
- 6.1.3. Appoint Workplace Skills Development Committee (WSDC) members in line with Skills Development Act, 1998 (Act no 97 of 1998).
- 6.1.4 The effective and efficient implementation of this policy as part of internal controls within the Department.

### **6.2 The Head HRU&CD/SDF shall be Responsible for:**

- 6.2.1. The smooth Administration of Departmental Training interventions.
- 6.2.2. Select external training service providers with the endorsement of the CFO in line with the Supply Chain Management procedures.
- 6.2.3. Coordinate plans for training and development as well as ensuring that these plans are executed, monitored and reviewed regularly.
- 6.2.4. Facilitate compliance with the SDA and related Skills Development Policy Framework
- 6.2.5. Approval and endorsement of all training and development interventions, together with other role players that are involved in the WSP and;
- 6.2.6. Ensure that the Department is registered with the relevant line function SETAs

### **6.3 The line manager/supervisors are responsible to:**

- 6.3.1 Nominate employees for training, this must be done in relation to the training and developmental needs contained in the employees PDPs and WSP;
- 6.3.2 Complete nominations / pre course assessment forms and send it to HRU&CD for implementation before the commencement of the course.



6.3.3 Notify the HRU&CD sub-programme at a reasonable time before the course commencement regarding the nominees withdrawal from the course, alternatively an employee with similar training needs can be nominated as a substitute in consultations with the HRU&CD.

6.3.4 Budget and funds the transportation and accommodation costs;

6.3.5 Encourage employees to participate in digital training space and interventions.

#### **6.4 THE TRAINEE / EMPLOYEES ARE RESPONSIBLE TO:**

6.4.1 Accept responsibility and take initiatives for their training and development.

6.4.2 Take full advantage of the training and development opportunities available for him/her

6.4.3 Ensure that all trainings attended are recommended by supervisor's/line manager except compulsory induction programme (CIP).

#### **6.5 WORKPLACE SKILLS DEVELOPMENT COMMITTEE**

6.5.1 The committee shall be informed by the WSDC guidelines.

6.5.2 The committee shall be responsible for the overall coordination of training within the department and ensure that all funds are allocated for that purpose.

6.5.3 Provide guidance of the skills development process.

### **7. TRAINING ABROAD**

All applications for training abroad shall be approved by the Executive Council in line with the DPSA guidelines.

### **8. MONITORING AND EVALUATION**

The HRU and CD sub-Programme monitors and evaluate the implementation of this policy.

### **9. POLICY TERMINATION AND REVIEW**

9.1 The review of this policy shall be necessitated by a need to factor in changes in legal frameworks, organisational development, political and economic trends.

9.2 Outcomes of monitoring and evaluation.

9.3 This policy shall be reviewed every after three years from the date of approval as per 9.1. above.

**10. DEVIATION**

Any deviation from this policy shall be subjected to the approval of the Accounting Officer.

**11. IMPLEMENTATION DATE**

Policy shall come into effect from the date of approval by the Accounting Officer.

**12. APPROVAL**



**MC MOROLO**  
**HEAD: PUBLIC WORKS ROADS AND TRANSPORT**

DATE : 03/06/2024.



**DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT**  
**MPUMALANGA PROVINCIAL GOVERNMENT**

**RESEARCH POLICY**

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Issue: .....2.0  
Responsible Section.....Policy Development and Research  
Approval Date.....None

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## ABBREVIATIONS

- DPME : Department of planning, monitoring & Evaluation
- PFMA : Public Finance Management Act of 2002
- PPP : Public Private Partnerships
- MSTF : Medium Term Strategic Framework

## DEFINITIONS

<b>Accounting Officer</b>	Means	a person mentioned in Section 36 of the Public Finance Management Act, 1999 (Act No.1 of 1999) and includes any person acting as the Accounting Officer;
<b>Chief Directorate</b>	Means	Constitutes of more than one directorate and refers to a sub-programmes e.g. Integrated Planning
<b>Commissioned research</b>	Means	Research implemented on request
<b>Department</b>	Means	Mpumalanga Provincial Department of Public Works, Roads and Transport;
<b>Chief Director</b>	Means	A person responsible for more than one directorate, in the context of this policy refers to Integrated Planning
<b>Director</b>	Means	The strategic head of directorate and synonymously referred to as a Director
<b>Deputy Director</b>	Means	A person responsible for sub-directorate for a certain output within a directorate and in the context of this policy coordinates research work.
<b>Pro-active research</b>	Means	Research conceptualized by a researcher with the purpose of improving service delivery
<b>Researcher</b>	Means	The official collecting data in the field, analysing data and writing research reports
<b>Research unit</b>	Means	A sub-directorate responsible for research work.

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## **1. INTRODUCTION**

The research policy seeks to coordinate the development of research services through commissioned and proactive research work that is reliable, timely and credible data information and various types of evidence required to facilitate informed decisions.

Research is a systematic investigation of a problem with the aim of producing new knowledge or understanding. Localizing the MTSF in the context of research refers to the process of taking into account the National, provincial and local context in sourcing, generating and assembling research evidence to support the implementation and achievement of the MTSF.

## **2. OBJECTIVES**

- 2.1 To provide quality research to clients that will result in effective interventions in ensuring quality service delivery
- 2.2 To analyze policies through research methods with the purpose of improving their effectiveness
- 2.3 Provide data and information to the Department to improve outputs,
- 2.4 To align research directorate's plans to the current MTSF and Government priorities
- 2.5 To build links between researchers and policy makers
- 2.6 To enable access to key research and knowledge products to inform policy; and
- 2.7 Refine the evidence dissemination strategy with the objective of improving an overall knowledge sharing culture

## **3. REGULATORY FRAMEWORK**

- 3.1. Infrastructure development act, 2014 (Act no. 23 of 2014)
- 3.2. National land transport Act, 2009 (Act no. 5 of 2009)
- 3.3. Promotion of Access to Information Act, 2000 (Act no.2 of 2000)
- 3.4. Government Immovable Asset Management Act, 2007 (Act no.19 of 2000)
- 3.5. Public service act, 1994
- 3.6. Public Finance Management Act, 1999 (Act no.29 of 1999)
- 3.7. Mpumalanga Roads Act, 2008 (Act no.1 of 2008)
- 3.8. Research and knowledge management strategy (DPME) 2020-2025

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#### **4. SCOPE OF APPLICATION**

The policy shall be applicable to all client sections within the department and all local government structures in Mpumalanga where Memorandums of understanding are entered into on transport and public works matters,

#### **5. POLICY STATEMENT**

##### **5.1 Proactive Research**

- 5.1.1 Proactive research shall be research that is conceptualized and initiated by an individual Researcher,
- 5.1.2 Proactive research shall be undertaken to monitor, or evaluate programs, projects or policies of the Department,
- 5.1.3 Proactive research proposals shall be approved by the Director,
- 5.1.4 A researcher shall undertake one or more proactive research during a financial year,

##### **5.2 Commissioned Research**

- 5.2.1 Commissioned Research shall be research requested by other sections within the Department,
- 5.2.2 In commissioning research the client shall fill in the Research Commission Forms as per **annexure B**,
- 5.2.3 A section shall not commission more than two research projects during a Financial year,

##### **5.3 Research Project Categories**

- 5.3.1 Research that does not exceed a year shall be categorized as a short term research project,
- 5.3.2 Research that is planned to be between a year and three years shall be categorized as a medium term research project,
- 5.3.3 Research that is planned to exceed three years shall be categorized as a long term Research project,

##### **5.4 Partnerships with the Private Sector**

- 5.4.1 The private sector shall be encouraged to fund research projects that will help build research capacity of young people in the province.
- 5.4.2 The private sector shall be mobilized to avail resources for research projects in rural areas to facilitate infrastructure development,

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- 5.4.3 Service providers shall be sought only where the research project requires technical skill and resources to undertake a technical research study,
- 5.4.4 Service providers shall be obligated to impart their expertise to researchers in the Department,
- 5.4.5 Procurement of research work shall be in accordance with the Department's supply chain policies.

## **5.5 Confidential Research**

- 5.5.1 Confidential research classified by the Accounting Officer shall be treated as such.

## **5.6 Intellectuality**

- 5.6.1 The Research unit shall continuously strive to inculcate and maintain an intellectual organizational sub-culture within its respective business unit,

## **5.7 Ethics**

- 5.7.1. Respondents shall be informed of the purpose of any research in which they Participate,
- 5.7.2 All departmental research work shall be based on informed consent from the participants
- 5.7.3 Doctoring of data shall be regarded as an offence,
- 5.7.4 Respondents shall not be coerced in participating in research projects but requested to partake on voluntarily basis,
- 5.7.5 Where responses are classified as confidential the research findings thereof shall be filed and published as per the advice of the Accounting Officer of the Department,
- 5.7.6 Research methods shall not perpetuate racism, tribalism or sexism.
- 5.7.7 Women and people with disability shall not be stigmatized through data collection techniques or any other research concept,
- 5.7.8 During field work researchers shall not wear any material symbolizing or representing a particular political party and neither do work for such a party,

## **6. ROLES AND RESPONSIBILITY**

### **6.1 The Accounting Officer**

- 6.1.1 The Accounting Officer shall approved the research report.

### **6.2 The Chief Director: Integrated Planning**

- 6.2.1 The Chief Director shall be responsible to support and endorse research report.

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**6.3 The Director shall be responsible of the following:**

- 6.3.1 Establish and manage academic partnerships.
- 6.3.2 Draft a research Agenda after each MTSF period,
- 6.3.3 Facilitate the review of this Research Policy,
- 6.3.4 Provide theoretical guidance to researchers and on conference or seminar papers,
- 6.3.5 Advice on the theoretical paradigms to be applied on research report
- 6.3.6 Represent the Department in National and International forums or organizations.
- 6.3.7 Ensure that all research proposals are approved for the research work undertaken.

**6.4 The Deputy Director shall be responsible of the following:**

- 6.4.1 Manage operational processes of projects,
- 6.4.2 Ensure compliance of project expenditure to be compliant with the PFMA,
- 6.4.3 Proof read proposals and final reports,
- 6.4.4 Edit research proposals and reports,
- 6.4.5 Advise researchers on the appropriate methodologies to be used,
- 6.4.6 Represent the Research Unit in Provincial forums,
- 6.4.7 Manage the orientation of data collectors in administrating questionnaires,

**6.5 The Researcher shall be responsible of the following:**

- 6.5.1 Manage data collectors and collect data,
- 6.5.2 Write commissioned and proactive research proposals and reports,
- 6.5.3 Analyse policies through research or narrative methods,

**7. MONITORING AND EVALUATION**

The Policy Development and Research Unit shall monitor and evaluate the implementation of this policy.

**8. POLICY REVIEW**

The policy shall be reviewed every three years or as and when there are changes in legal framework, organisational development, political and economic trends.

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## ANNEXURE A

### STRUCTURE OF THE PROPOSAL AND FINAL REPORT

A research proposal and a final research report with the exclusion of an audio visual research shall be similarly or structured into the following titles or chapters,

- *Introduction*
- *Background*
- *Problem Statement*
- Purpose and Objectives
- *Hypothesis* if applicable
- *Methodology*
- *Data Codification*
- *Analysis* if applicable
- *Limitations and Delimitations*
- *Recommendations and Conclusion*



**9. DEVIATIONS**

Any deviation from this policy shall be subject to the approval of the Accounting Officer

**10. IMPLEMENTATION**

This policy shall come into effect from the date of approval of the Accounting Officer

**11. APPROVED**



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**MC MOROLO**  
**HEAD: PUBLIC WORKS, ROADS AND TRANSPORT**

DATE: 03 | 06 | 2024.



# Department of Public Works, Roads and Transport Mpumalanga Provincial Government

## REMUNERATED WORK OUTSIDE PUBLIC SERVICE POLICY

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Issue.....1.0  
Responsible Section.....Risk Management  
Date of Approval:.....

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## ABBREVIATIONS

**RWOPS** : Remunerated Work outside Public Service

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## DEFINITIONS

<b>Accounting Officer</b>	means	a person mentioned in Section 36 of the Public Finance Management Act, 1999 (Act No.1 of 1999) and includes any person acting as the Accounting Officer;
<b>Act</b>	Means	the Public Service Act, 1994 (Proclamation 103 of 1994)
<b>Chief Risk Officer</b>	Means	the Head of the Risk Management Sub-Directorate;
<b>Delegated Authority</b>	Means	the Chairperson of the Ethics Committee
<b>Department</b>	Means	Department of Public Works, Roads and Transport;
<b>Executive Authority</b>	means	the Member of Executive Council responsible for the Department as contemplated in the Act;
<b>PMDS</b>	Means	the Employee Performance Management and Development System of the Department
<b>GPSSBC</b>	Means	General Public Service Sector Bargaining Council
<b>HRM</b>	Means	the Human Resource Management Unit in the Department
<b>Official</b>	Means	a person appointed in terms of the Act, educators, including office-based educators, appointed in terms of the Employment of Educators Act; and excluding a person appointed as a special advisor in terms section 12A of the Act.
<b>Remunerative work</b>	Means	remunerative work outside of the public service as contemplated in section 30 of the Act. Remunerated work refers to any work which an employee performs and receives remuneration for, outside his or her official employment for example selling products, lecturing, pastoral work, practicing as lawyer, etc.

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## 1 INTRODUCTION

In terms of section 30(b) of the Public Service Act, 1994 (Proclamation 13 of 1994), officials must ensure that they place all their time at the disposal of the employer to perform the work they have been appointed for in compliance with their Performance Agreements. Provisions exist for an official to perform remunerative work outside the public service; however, the performance of such must be monitored and controlled.

The Department of Public Works, Roads and Transport shall therefore manage applications for remunerative work by officials outside the Public Service in a consultative and non-discriminatory manner, in order to meet the specific and distinct needs of different officials.

Officials shall apply to the Executive Authority for approval to conduct such remunerative work outside the public service, and to enhance uniformity, professionalism and confidence in the public service.

All officials in the public service who received permission to perform other remunerative work, and who are designated as a category to disclose their financial interests, are required in terms of the PSR, 2016 (Chapter 2, Part 2, Regulation 19) to disclose on the e-Disclosure system all income-generating assets, benefits or remuneration received from trusts, directorships and partnerships, remunerated work outside the official's employment in his or her department, benefits derived from consultations and retainerships, value of sponsorships, ownership or other interests in immovable property and details of vehicles.

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## **2 OBJECTIVES**

The objectives of this policy provide measures to be utilized in regulating and considering applications or requests by officials to perform remunerative work, and aims to:

- 2.1 Inform officials on what is expected of them when undertaking remunerative work;
- 2.2 Enhance uniformity and transparency in the processing of applications for remunerative; and
- 2.3 Ensure conformity to the norms and standards prescribed by the Act, the Regulations promulgated in terms thereof and the Code of Conduct.

## **3 REGULATORY FRAMEWORK**

Remunerative work is governed by

- 3.1 The Public Service Act;
- 3.2 The Basic Conditions of Employment Act, (Act No. 75 of 1 997)
- 3.3 The Public Finance Management Act, (Act No. 1 of 1999) and regulations;
- 3.4 The Employment Equity Act, (Act No. 55 of 1998);
- 3.5 The Labour Relations Act, (Act No. 66 of 1995);
- 3.6 Public Service Regulations, 2016
- 3.7 The Public Service Amendment Act, 2007 (Act No. 30 of 2007)
- 3.8 The Senior Management Service Handbook; and
- 3.9 GPSSBC Collective Agreement No. 2 of 1999.
- 3.10 Public Administration Management Act, No 1 1 of 2014
- 3.11 Constitution of the Republic of South Africa, 1996
- 3.12 Guide on managing other remunerative work in the Public Service, June 2020.

## **4 SCOPE OF APPLICATION**

This policy shall be applicable to all employees and officials in the Department of Public Works, Roads and Transport.

## **5 POLICY STATEMENT**

A more productive, innovative and efficient Department requires a focused approach to managing other remunerative work in the Public Service.

## 5.1 PERFORMANCE OF REMUNERATIVE WORK

Unless otherwise provided for in the conditions of employment of an official:

- (a) Each official must place the whole of his or her time at the disposal of the Department;
- (b) No official may perform any remunerative work without prior authorization of the Executive Authority. Authorization should be obtained well before other remunerative work is conducted. There is no process that allows for post facto authorization for other remunerative work conducted by an official outside his or her employment in the Department.
- (c) Approval will be effective from date of signature of approval by the Executive Authority.
- (d) No official may be given time off to attend to remunerative work during official working hours, whether it is for political party-related matters or not;
- (e) No official may claim additional remuneration in respect of any official duty or work performed voluntarily unless such is dealt with by the PMDS Policy;
- (f) Any additional remuneration, allowance or other reward received by an official in connection with his or her work in the public service, other than in accordance with the Act or this Policy, must be paid into the Provincial Revenue Fund, provided that where the remuneration, allowance or reward does not consist of money, the value thereof, as determined by the Head of the Department, may be recovered from the official by the way of legal proceedings, or in such a manner as the Provincial Treasury may approve; and
- (g) Any unauthorized salary, fee, bonus, or honorarium, which may be payable in respect of the services of an official working at the disposal of any other government institution, council or body must be paid into the Provincial Revenue Fund.



## 5.2 CONDITIONS FOR PERFORMANCE OF REMUNERATIVE WORK

The following will be taken into consideration prior to granting authority to perform remunerative work and in any subsequent evaluation of the permission granted:

- (a) The work shall not be performed with any organ of State, for example, supplying the Department with Coal;
- (b) The nature and extent of the business interest of the official concerned, which may not hamper the performance of the official duties;
- (c) The remunerative work shall be performed entirely outside of prescribed hours of duty;
- (d) The remunerative work may not be of such nature that it negatively affects the Department;
- (e) There will be no conflict of interest between the work that will be performed outside the public service and the person's duties within the public service. If conflict of interest is discovered after the granting of permission for the remunerative work outside the public service, the permission shall be withdrawn immediately;
- (f) The remunerative work may not rely in any way on the Department's resources or Government property or equipment, or require the utilization of such;
- (g) The maximum remunerative time to be worked by the applicant per week including normal working hours, overtime and RWOPS may be prescribed by the Executive Authority, with due consideration to the possible impact on the official's duties and overall performance in the Department.
- (h) The granting of permission will be subject to compliance with any legislative provisions that may regulate the additional remunerative work, e.g. maximum hours of overtime per day/ week;
- (i) The applicant agrees that his/her first commitment is to meet the operational objectives of the Department.



## 5.3 APPLICATION PROCEDURE

- 5.3.1 Officials applying for authority to perform remunerative work shall:
- (a) Complete the application form attached hereto as Annexure A;
  - (b) Submit the completed form to his or her Responsibility Manager for a recommendation; and
  - (c) Submit the completed form to the Ethics Office for processing.
- 5.3.2 The Ethics Office should issue an acknowledgement letter to the applicant upon receipt of the application.
- 5.3.3 The outcome of the application shall be made known within 30 days of receipt of the application.
- 5.3.4 The date on which the official submits the completed form to the Ethics Office marks the start of the thirty (30) day period to obtain permission from the Executive Authority.
- 5.3.5 The Ethics Officer shall liaise with necessary role players to obtain all relevant details about the application of the official. Once the Ethics Officer has gathered all relevant facts, the application together with a report containing the Ethics Officers recommendations will be submitted to the Executive Authority for a decision.
- 5.3.6 The Executive Authority, guided by the recommendation of the Ethics Officer, will decide on the application within fifteen (15) days of receiving the Ethics Officer's report.
- 5.3.7 The Ethics Officer shall formally communicate the decision to the applicant, with reasons being furnished for an unsuccessful application and an approval certificate being issued for a successful application.
- 5.3.8 The certificate shall state the nature of work that was approved, the period of approval (i.e.: twelve (12) months) and the conditions attached to the approval. **Important to note that** only upon the certificate being issued may the official commence with the other remunerative work.

*[Handwritten mark]*

- 5.3.9 The approval will also be linked to the official's post at that point in time, meaning when an official is promoted or transferred, his or her permission to perform other remunerative work terminates.
- 5.3.10 Should a decision not be made within the thirty (30) day period, the official automatically receives permission to perform other remunerative work (called "deemed approval"). In this case, the Ethics Officer shall also provide the official with an approval certificate, but only after assessing that the deemed approved work will not contravene Section 30(2) of the Public Service Act, 1994. If a contravention is indicated, the Ethics Officer shall submit a request to the Executive Authority to withdraw the approval.
- 5.3.11 If approval is granted by default, permission shall still be evaluated and can be withdrawn at any time when a conflict of interest or any other disqualifying criterion is detected.
- 5.3.12 All approved applications shall be captured on PERSAL.
- 5.3.13 A renewal application shall be submitted to the Ethics Office at least thirty (30) days before expiry of the existing approval.
- 5.3.14 The performance of remunerative work is linked to the financial year, provided that-
- (a) Newly appointed officials shall apply to perform remunerative work within 30 days of assuming duty; and
  - (b) Existing officials who wish to commence remunerative work shall apply and receive permission before commencing any remunerative work.

#### **5.4 GRANTING AUTHORITY**

The granting of authority to perform remunerative work is subject to the performance of the official as contemplated in the PMDS policy, and such authority may be revoked in the event that the additional work has a negative effect on the health and/or work performance of the official.

## **5.5 CESSATION OF REMUNERATIVE WORK**

Where an official ceases to perform remunerative work before expiry of the approved period, the said official must submit written notice to the HRM indicating the date on which remunerative work ceased, for submission to the Ethics Officer before it is returned to HRM for recording in the personal file of the relevant official

## **5.6 REVOCATION OF PERMISSION**

Permission already granted will be revoked in the following instances:

- (a) If the official to whom permission was granted is found to be performing RWOPS during official working hours.
- (b) If the RWOPS being performed is affecting the official's performance in terms of their official duties.
- (c) If the official is promoted or transferred to another position.

## **5.7 IMPLICATIONS OF NON-COMPLIANCE WITH THE POLICY**

Officials who contravene any provision of this Policy will be subject to disciplinary proceedings in accordance with the Disciplinary Code and Procedures contained in GPSSBC Collective Agreement No.2 of 1 999, and the Senior Management Service Handbook.





## 6 ROLES AND RESPONSIBILITIES

### 6.1 Employee / Applicant

The Official will ensure that he/ she-

- 6.1.1 Completes, in full, an application form requesting permission to perform other remunerative work
- 6.1.2 Submits the completed application form to their Responsibility Manager for recommendation.
- 6.1.3 Submits the completed application form with the recommendation of the Responsibility Manager to the Ethics Office.
- 6.1.4 Starts performing other remunerative work only after permission has been granted.
- 6.1.5 Informs the Ethics Officer when he / she is promoted, transferred, ceases to perform the remunerated work or there are other changes in conditions relating to the permission granted Honour the conditions of approval and not venture into performing other activities for which permission was not obtained.
- 6.1.6 If necessary, apply for renewal of the application to perform remunerative work outside the public service prior to the expiration of the existing approval.

### 6.2 The Responsibility Manager

- 6.2.1 The Responsibility Manager shall furnish comments and recommendations with due consideration to the following:
  - (a) The performance of the official.
  - (b) Whether the performance of the additional remunerative work would have any negative effect on any other official.
  - (c) Whether the performance of the official would be adversely affected by the remunerative work.



6.2.2 The Responsibility Manager shall also ensure that:

- (a) The official seeking permission to perform remunerative work is reminded that he/she may not commence such work prior to obtaining the required authority.
- (b) He / she monitors the official who has been granted permission to perform other remunerative work, especially for possible abuse of state resources, other contraventions of the Code of Conduct and negative impact on performance,
- (c) He / she brings any abuse of state resources, other contraventions of the Code of Conduct and / or negative impact on performance to the attention of the Ethics Officer.

### 6.3 Ethics Officer

The Ethics Officer shall ensure that-

- 6.3.1 The system relating to remunerative work performed by officials outside their employment in the Department is adequately managed.
- 6.3.2 He / she submits the completed assessment, supported by all relevant information, to the Executive Authority / Delegated Authority for a decision.
- 6.3.3 He / she assesses all applications for perceived, potential or any actual conflict of interest.
- 6.3.4 He / she makes recommendations to the Executive Authority / Delegated Authority based on the assessment of the application and includes any information relating to conflict of interest that is detected.
- 6.3.5 All steps in the approval process are captured on PERSAL.
- 6.3.6 A register is kept, and applications are monitored / reviewed for any conflict of interest, and any conflict of interest that is detected is reported to the Ethics Committee.
- 6.3.7 The Ethics Committee is kept informed on the other remunerative work process, such as the number of applications received, the identified



conflicts of interest, the outcome of the application process and the number and nature of monitoring reports completed.

#### **6.4 HRM**

The HRM will ensure that-

- 6.4.1 Performance information, such as performance agreements, work plans, and any other relevant information in the personnel file, that may be needed to guide the Executive Authority / Delegated Authority in deciding on an application is provided to the Ethics Officer in report format, upon request.
- 6.4.2 Prospective officials are informed during the recruitment phase that they would be required to request permission to perform other remunerative work, if they successfully join the public service.

#### **6.5 Ethics Committee**

The Ethics Committee will act as an advisory body to the Executive Authority / Delegated Authority.

#### **6.6 Executive Authority / Delegated Authority**

The Executive Authority / Delegated Authority shall ensure that:

- 6.6.1 A decision to grant or refuse permission for an official to perform other remunerative work is made within thirty (30) days from the date of receipt of an application.
- 6.6.2 He / she signs the certificate when permission has been granted.
- 6.6.3 He / she considers revoking permission based on reports of the Ethics Officer outlining conflicts of interest or a violation of the conditions under which permission had been granted.



- 6.6.4 He / she bases the decision to grant or refuse permission on the criteria outlined in section 30 of the Public Service Act, 1994 and be guided by the comments of the Responsibility Manager and the recommendations of the Ethics Officer.
- 6.6.5 The full reason/s for refusal of permission must be provided so that the Applicant may be informed accordingly.

## **7. MONITORING AND EVALUATION**

The Ethics Office will continuously monitor officials' performing other remunerative work to detect any conflict of interest or deviation from the certificate of approval. The monitoring process shall be recorded using the reporting format provided.

When a conflict or deviation is detected, a report shall be compiled and submitted to the Executive Authority / Delegated Authority to revoke the approval to perform other remunerative work.

The Ethics Office must inform the Ethics Committee on a quarterly basis of the number of applications received, the identified conflicts of interest, the outcome of the application process and the number of monitoring reports completed.

The Head of Department is the custodian of this Policy and is supported in its implementation, monitoring and evaluation by HRM and all Responsibility Managers.

## **8. POLICY TERMINATION AND REVIEW**

- 8.1 The policy shall be reviewed every three years or as and when there are changes in legal frameworks, organizational developments, political and economic trends.
- 8.2 When there are changes on the envisaged outputs of the Medium Term Expenditure Framework as well as outcomes of monitoring and evaluation.

**9. DEVIATION**

Any deviation from this policy shall be subject to the approval of the Accounting Officer.

**10. IMPLEMENTATION DATE**

This policy shall come into effect from the date of the approval of the Accounting Officer.

**11. APPROVAL**



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**MC MOROLO**  
**HEAD: PUBLIC WORKS, ROADS AND TRANSPORT**  
**DATE: 03/06/2024.**