



Department:
Community Safety & Transport Management
North West Provincial Government
REPUBLIC OF SOUTH AFRICA

RESETTLEMENT POLICY

**NORTHWEST PROVINCE:
DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT
HUMAN RESOURCES POLICY**

**POLICY NO : HR2014/001
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PREAMBLE

The purpose of this policy is to outline the Department's financial obligation in terms of relocating an employee from one headquarter to another and to clearly and specifically set out the type and scope of expenses that an employee shall 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 interests, would not be incurred by the Department but by the relevant employee out of his/her own pocket.

The employer shall generally meet within reason, the actual resettlement costs incurred by an employee and his/her immediate family as a result of official duties or in some cases on transfer or secondment or death.

1. PURPOSE AND OBJECTIVES

1.1 The purpose of this policy is to:

- (a) Assist the Department in determining the actual costs incurred by an employee and his/her immediate family as a result of employer initiated transfer/secondment and or death,
- (b) Compensate and reimburse an employee who in the interest of the department is transferred due to particular service requirement and is utilized at a place other than his/her place of appointment or residence,
- (c) Outline limits on expenditure, maximum period of compensation, the quantity and kind of personal effects covered as well as the transfer costs that the department shall pay out,

2. SCOPE OF APPLICATION

The policy is applicable to all permanent employees and or prospective employees of the Department of Community Safety and Transport Management appointed in terms of the Public Service Act, as amended as well as their immediate family members.

Employees who for one reason or another are horizontally transferred to the Department (self-initiated transfers) are not covered by the provisions of this policy.

3. LEGISLATIVE FRAMEWORK

- 3.1** Constitution of the Republic of South Africa, No. 108 1996;
- 3.2** Public Finance Management Act, No. 1 of 1999;
- 3.3** Resolution No. 3 of 1999;

- 3.4 Public Service Act, No. 103 of 1994, as amended;
- 3.5 Public Service Regulations 2001 (Part (V) (E2) (b));
- 3.6 Resettlement Provisions policy of North West Provincial Administration;
- 3.7 Directives issued by the Minister for Public Service and Administration;
- 3.8 Financial Manual for Purposes of the Calculation and Application of Allowances and Benefits;
- 3.9 Labour Relations Act, No. 66 of 1995;

4. ABBREVIATIONS

- 4.1 **PSCBC** "Public Service Commission Bargaining Council;

5. DEFINITIONS

- 5.1 **Department** means" the Department of Community Safety and Transport Management;
- 5.2 **Head of Department** "means the Head of the Department, him/herself or his delegated authority or his/her designated office;"
- 5.3 **Employee** "means all employees of the Department employed in terms of the Public Service Act of 1994, the Basic Conditions of Employment Act of 1998, as amended;
- 5.3 **Furnished accommodation**" means, a dwelling with furniture;
- 5.4 **Unfurnished accommodation** "means a dwelling with no furniture;
- 5.5 **Dwelling** "A house, simplex, duplex, duet or flat;
- 5.6 **Interim accommodation** "Accommodation temporarily provided to an employee whilst still awaiting his/her family and should be for a maximum period of three (3) months.
- 5.7 **Transfer at own expense** "Transfer initiated by an employee from one station to the other or from one department to the other within the Republic of South Africa.
- 5.8 **Transfer at State expense** "means the transfer of an employee (including an employee who is transferred and appointed, without any break in service, in terms of section 15(1) of the Public Service Act, 1994 as amended from one station to the other or one department to the other in the Republic of South Africa, whereby the department requests the employee to relocate;
- 5.9 **Subsistence** "means payment of accommodation, meals(breakfast, lunch and supper), one non-alcoholic drink per meal, laundry, transportation and daily allowance expenditure;
- 5.10 **Legally married** "means a person who is legally married according to civil rites, including persons who are joined in marriage under a customary law;
- 5.11 **Life partner** "means a person who takes the position of a husband/wife and has a registration certificate but commonly not married lawfully to qualify as a spouse.
- 5.12 **Minor child** " means a minor dependent legally/adopted child under the age of 18 years;

- 5.13 Resettlement** "means the movement of an employee, his/her immediate family and personal belongings from his/her current workstation to the new workstation;
- 5.14 Headquarter** "City or town where the normal place of work is situated;
- 5.15 Legally adopted child** " The child permitted by law as your own,

6. PRINCIPLES

- 6.1 PSCBC Resolution No. 3 of 1999, Part XV, stipulates that the employer shall generally meet, within reason, the actual resettlement costs within the country incurred by an employee and his/her immediate family as a result of appointment, transfer or secondment or death.
- 6.2 Sub-section 1.2 of Resolution No. 3 of 1999 further provides that for the purpose of resettlement, an employee's immediate family includes only an employee's:
- (a) Spouse,
 - (b) Minor child or legally adopted child,
- 6.3 Employees whose services are terminated as a result of misconduct or who resign as a result of pending cases of misconduct, Interns, Temporary employees and Contract workers are not covered in this policy.
- 6.4 Such claims excluding costs for bond registration shall be submitted within a period of three (3) months from the date of resettlement.
- 6.5 Any delays shall be motivated by the employee's Directorate and must be authorized by the Head of the Department before any payments could be effected.
- 6.6 No expenditure in respect of an employee's transfer on his/her own request shall be paid. Any absence from duty as a result of such a transfer must be covered by vacation leave.

7. POLICY STATEMENT

The Department of Community Safety and Transport Management recognizes the fact that employees within its employment or prospective employees shall at one stage or another be transferred or resettled from their current workstation or residence/home to a new workstation.

8. AUTHORITY TO APPROVE AND DEVIATIONS FROM POLICY

- 8.1 The power to approve resettlement expenditure rests with the Head of the Department as provided for in the PFMA.
- 8.2 Cases not addressed specifically and/or any deviations from this policy shall be dealt with by the Head of the Department or Delegated Authority on the recommendation of the relevant Directorate.

9. STATUTORY AUTHORIZATION

(a) The PSCBC Resolution 3 of 1999, Part XV Section 2.1 indicates that the Executing Authority shall establish and where appropriate negotiate written policies on resettlement, including among others:

- limits on expenditure,
- maximum periods of compensation,
- restrictions on the quantity and kind of personal effects covered, and costs of property transfer

(b) The Public Service Act 1994, Chapter IV section 14 (2)(a) indicates that the transfer of an employee from one post/position to another shall be on the authority of the person having the power of transfer.

10. POLICY PROVISIONS

10.1 TRANSFER OF AN EMPLOYEE (EMPLOYER INITIATED TRANSFER)

10.1.1 Any costs associated with transfer of employees shall be paid in accordance with the provisions of PSCBC Resolution 3 of 1999.

10.2. SUBSISTENCE AND TRAVEL

10.2.1 The Department shall pay an employee actual costs incurred for S&T(travelling and accommodation) during:

- (a) One visit by an employee or his/her immediate family to the new place of work before the date of transfer and also on the actual date of transfer.
- (b) The move of the employee and his/her immediate family to the new place of work.
- (c) The claim must be submitted in accordance with the departmental/provincial policy on allowance, supported by authentic documentation like proof of toll fees, parking fees, air tickets and accommodation if none is provided by the Department and meals (breakfast, lunch and dinner).

10.2.2 Such claims should be submitted supported by authentic documentation/proof of expenditure like toll fees, air tickets and meals (breakfast, lunch and supper).

10.2.3 The Department shall compensate an employee actual S &T costs associated with resettlement as a result of transfer or secondment or death as indicated in 9.2.2 above.

10.2.4 For this purpose, an employee's immediate family includes only an employee's:

10.2.4.1 Spouse,

10.2.4.2 Minor child, and or legally adopted child;

10.3 TRANSPORTATION AND STORAGE OF HOUSEHOLD AND PERSONAL EFFECTS

- 10.3.1 The Department shall bear reasonable costs incurred by an official and his/her immediate family for the transportation of household and personal effects to the new permanent accommodation, or employee's place of birth in the event of death.
- 10.3.2 The household and personal effects of an employee shall be stored for a minimum of one month and to a maximum of three (3) months subject to approval by the Executing Authority.
- 10.3.3 The employees shall agree in writing to pay back to the Department all resettlement expenses paid out to them should they leave the Department within a period of a year or less.
- 10.3.4 Expenses regarding the transportation of the transferred employees and that of his or her immediate families or dependant's personal effects must be claimed by the transferred employee within a period of three (3) months calculated from the date of submission of the claim. The transferred employee/s shall seek three (3) quotations for him or herself and submit to the Sub-Directorate Human Resource Administration who shall then choose a lesser quotation and submit to the SCM for approval as per processes in place.
- 10.3.5 In case of any deviation pertaining to the stipulated period of three (3) months as per 9.3.4 above, the Head of Department must be approached for necessary approval.

10.4 INTERIM ACCOMODATION

- 10.4.1. If the employee and his/her immediate family must unavoidably rent interim furnished accommodation at the old and/or new place of work, the employer shall meet reasonable actual costs.
- 10.4.2 The Department shall provide interim accommodation and meals for an employee who is recruited within the department from any government department within and outside the Province for a maximum of two (2) months including weekends extended to three (3) months from the date of assumption of duty and a motivation for HOD's approval must be advanced for any extension.
- 10.4.3 The department shall not pay for laundry services, private telephone bills, alcoholic beverages and entertainment and gratuity costs incurred by the employee during this period.

10.5. NEW SCHOOL BOOKS, UNIFORM AND RELATED COSTS

- 10.5.1 For each school child who must change school and who is a dependant of the employee, the employer shall provide a once-off amount of **R1098.00** per child with effect from **01 April 2013**.
- 10.5.2 On a quarterly basis, the Minister shall revise the amount of **R 1098.00** as described in the Financial Manual chapter 12 for resettlement expenditure for new books, uniforms and related costs, for purposes of the calculation and application of allowances and benefits.

- 10.5.3 In terms of the applicable collective agreement on resettlement part XV of the PSCBC Resolution 3 of 1999, the Minister shall revise the amount in accordance with the Consumer Price Index (CPI) for clothing and footwear on quarterly basis.
- 10.5.4 The new resettlement allowance in **9.5.1** and **9.5.2** above is **R 1128.00** with effect from **01 January 2014** as per circular from the DPSA dated **31 January 2014**.

10.6 TRAVEL EXPENSES OF DEPENDANT SCHOOL CHILDREN

- 10.6.1 If members of the employee's immediate family must remain in a school near the employee's former place of work, the Department shall pay for a maximum period of a year the most economical reasonable mode of transport to the new place of work at the beginning and end of the school term.

10.7 TRANSFER FEES OF FIXED PROPERTY

- 10.7.1 The Department shall pay reasonable actual transfer fees if the employee purchases a dwelling or a building site at the new place of work.

10.8 SUNDRY COSTS

- 10.8.1 To meet incidental expenses the Department shall pay the following:
- 10.8.1.1 25% of employee's basic monthly salary on the date of resettlement if an employee occupied furnished accommodation at the new place of work. It happens when the employer has provided the employee with accommodation.
- 10.8.1.2 100% of the employee's basic monthly salary on the date of resettlement if an employee occupied unfurnished accommodation at the new place of work. It happens when the employee has provided himself or herself with accommodation.

10.9 PRIVILEGES FOR NEW APPOINTEES INTO THE PUBLIC SERVICE

- 10.9.1 The Department shall pay the actual costs of relocation of a newly appointed public servant to her or his place of work. These expenditures shall include reasonable actual costs of:
- 10.9.1.1 Travel by the employee and her or his immediate family, and
- 10.9.1.2 Transport, insurance and one month's storage for personal and household goods.
- 10.9.2 The employee shall agree in writing to pay back to the Department all resettlement expenses paid out to them should they leave the Department within a period of a year or less.
- 10.9.3 The employee shall claim the resettlement expenses within a period of a year (12 months) from the date of the resettlement or transfer. Claims beyond a period of year shall not be approved.

10.10 PRIVILEGES ON TERMINATION OF SERVICE AS A RESULT OF DEATH

10.10.1 The employer shall meet the costs of transporting home the remains of an employee who died on official duty away from his or her normal place of work.

11. DISPUTE RESOLUTION

11.1 The aggrieved employees shall refer a dispute to the General Public Service Sectoral Bargaining Council as per the provisions of the Labour Relations Act, No. 66 of 1995 as amended.

12. MONITORING, EVALUATION AND REVIEW

The Department's Human Resources Administration Sub-Directorate is responsible for communicating the provisions of this document within the Department and all manager and supervisors are responsible for the implementation thereof.

13. POLICY AMENDMENT

This policy shall be amended as and when a need arises to ensure that it is aligned to the prevailing legislations and conditions of employment.

14. RELATED POLICIES

Effective implementation of this policy requires that it be read with Resettlement Provisions Policies of the North West Provincial Administration and the Directives issued by the Minister of Public Service Administration.

15. EFFECTIVE DATE

This policy shall come into operation from the effective date i.e. the date upon which it has been approved and signed off by the Accounting Officer.

APPROVED

BDT MAHLAKOLENG (MR)
HEAD OF DEPARTMENT

SIGNED THIS DAY 01 **OF** 09 **2014**