

MBHASHE LOCAL MUNICIPALITY

All correspondence to be directed to the office of the Municipal Manager
454 Streatfield Street, Dutywa, Eastern Cape Province
Tel: 047 489 5864/34 • Email: info@mbhashemun.gov.za
www.mbhashemun.gov.za

NAME OF THE DIRECTORATE: INFRASTRUCTURE (ISD)

POLICY REVIEWAL FORM - 2022

1. PURPOSE OF THE REVIEWAL PROCESS

- There's a need for public to be part of development (projects) to include legislations that talks to public participation.
- There is no standard salary increment remuneration on the policy
- Labour disputes are frequently caused by rate per hour and per day.

2. LEGAL AND OR LEGISLATIVE BACKGROUND

- Basic Conditions of Employment Act, 1997 as amended.
- Labour Relations Act, 1995 as amended.
- Skills Development Act 97 of 1998.
- Municipal System Act, 32 of 2000.
- Municipal Finance Management Act, 56 of 2003.
- EPWP Ministerial determination
- Occupational Health & safety Act 85 of 1993
- Batho Pele Principle
- Institution and Social Development Framework Eastern Cape CoGTA 2012
- Constitution of the republic of South Africa 1996, Chapter 7, section 152

3. REVIEWED POLICIES

- Labour
- Labour rate
- Community Liaison Officer
- Security

4. BACKGROUND EXPOSITION, FACTS AND PROPOSALS

Historically, decisions and policies were formulated by local government without consulting communities and community interest groups and imposed on the community; with the result that implementation was not as effective as anticipated.

The Constitution of the Country adopted on 8 May 1996 envisages a complete transformation of the local government system. In terms of the Constitution, local government is a sphere of government in its own right and no longer a function of national

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and provincial government. Local government has also been given a distinctive status and role in building democracy and promoting socio-economic development. It requires from local government to involve communities and community interest groups in local government matters.

The white paper on local government establishes the basis for a system of "developmental local government" which is centrally concerned with working with local citizens and communities to find sustainable ways to meet their needs and improve the quality of their lives. The definition of developmental local government as contained in Section B on page 17 of the White Paper on Local Government reads as follows:

Developmental Local Government is local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives. In addition, the spirit of community involvement is captured in Council's vision, that is:

The Mbhashe local Municipality has a culture of public participation through efficient, accountable, non-racial and non-sexist municipality that focus on social and sustainable economic development, improving the quality of life of the communities in a safe and secured environment.

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POLICY/P ROCEDURE	SECTION	POLICY IDENTIFIED	GAP	PROPOSED RECOMMENDATION/ ADDITIONS/AMMENDMENT
Community liaison officer	7.2 (7.2.2)Community liaison officer.	No increment indicated on the policy		<ul style="list-style-type: none"> The CLO monthly remuneration from the 01st July 2020 will be an amount payable by the contractor of R3710/ month.
Labour	7.3 7.3.6 and 7.3.7 Labour	The policy does not include weekends and public holidays in case of emergency		<ul style="list-style-type: none"> In instances where work is executed on the weekends, the knock off time is 13:00 pm with full daily payment Workers will be entitled to double payments when the works is executed in public holiday with the knock off time of 13:00pm.
Labour, Security rate and labour rotation	7.4 7.4.1 Labour and 7.4.2 Security rate	No increment indicated on the policy		<ul style="list-style-type: none"> In Mbhashe Local Municipality the standard labour rate for financial year 2020/21 projects as from the 01st July 2020 will be payable amount of R140 per day for the labourers which is within the minimum wage rate according to the Department of labour and EPWP in all MIG implemented projects. Security wage monthly remuneration from the 01st July 2020 will be an amount payable by the contractor of R3710/ month.

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