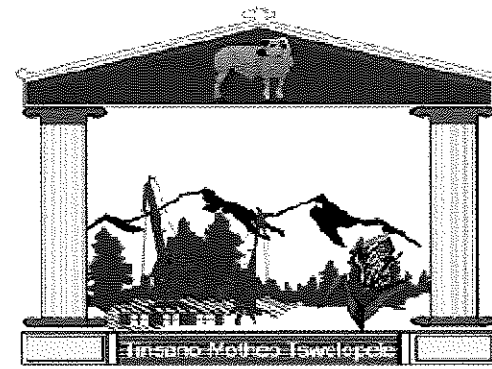


# FETAKGOMO LOCAL MUNICIPALITY



FETAKGOMO LOCAL MUNICIPALITY

## **EXPANDED PUBLIC WORKS PROGRAMME (EPWP) POLICY**

**Council Resolution No**

**C52/2015**

**Dated 29<sup>th</sup> October 2015**

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## ABBREVIATIONS

<b>COIDA</b>	Compensation for Occupational Injuries & Disease Act
<b>DPW</b>	Department of Public Works
<b>EPWP</b>	Expanded Public Works Programme
<b>FTM</b>	Fetakgomo Local Municipality
<b>GG</b>	Government Gazette
<b>OHSA</b>	Occupational Health & Safety Act
<b>UIF</b>	Unemployment Insurance Fund

## GLOSSARY

<b>Beneficiary</b>	A person who has been identified in terms of the municipal Indigent Register, participating in and/or appointed to benefit in the EPWP programme
<b>Indigent</b>	A person whose income or combined household income is R1650.00 or less per month.

## 1. Overview of the EPWP

The Expanded Public Works Programme (EPWP) is a Cabinet endorsed Programme aimed at alleviating poverty and reducing unemployment by creating work opportunities. The Programme is implemented by all spheres of government, including local municipalities, across four (4) defined sectors, namely the Infrastructure, Social, Non-State and Environment and Culture sectors. The Programme's overall coordinator is the National Department of Public Works (DPW).

The programme is primarily aimed at creating work opportunities and skills transfer for the local community within the economically active population referred to as “**beneficiaries**”. For the EPWP to be effective, the Programme needs to be incorporated in all activities of the Municipality. This will require that municipal projects promote EPWP principles. Therefore, it becomes crucial for the Municipality to have an **EPWP Policy** in place which will guide the implementation of the programme. Therefore, this policy is prepared for the entire FTM and in particular EPWP workers with the intention to ameliorate the gaps and challenges identified on the implementation of EPWP. The policy echoes a growing conceptual emphasis to “**beneficiaries**” rather than “**employees**” in tune with the purpose of the programme – to alleviate poverty. It is common cause that this Policy must be read consistently with the Basic Conditions of Employment Act: Ministerial Determination 4: Expanded Public Works Programme (GG no 35310) issued by the Department of Labour, determinations of this kind being amended and/or updated from time to time by the Department of labour.

## 2. EPWP Policy Objectives

The objective of this Policy document is to provide a framework within which the FTM and its departments and Units implement the EPWP. This policy document is aimed at providing an enabling environment for the Municipality to increase the implementation of EPWP, through the re-orientation of its line

budgets and channelling a substantial amount of the overall annual budget allocation and human resources towards the implementation of EPWP.

### **3. Legislative and Policy Frameworks**

The development of this policy is informed and guided by the following legislative and policy prescripts:

- Constitution of the Republic of South Africa (1996);
- Integrated Development Plan (2011/12 – 2015/16);
- Local Government: Municipal Finance Management Act (Act 56 of 2003);
- Division of Revenue Act (depending on the applicable year);
- Local Government: Municipal Systems Act (Act 32 of 2000);
- Basic Conditions of Employment Act (Act 75 of 1997);
- Skills Development Act (Act 37 of 2008);
- 2003 Cabinet Memo which approves the implementation of EPWP;
- EPWP Phase 2: Consolidated Programme Overview, 2009;
- Ministerial Determination 4: Expanded Public Works Programme, No. 35310 Gazetted 4 May 2012;
- Code of Good Practice for employment and conditions of work for Expanded Public Works Programme, no 34032, gazetted 18 February 2011;
- Expanded Public Works Programme (EPWP) Institutional Arrangement Framework, (2012);
- Intergovernmental Relations Framework Act (no. 13 of 2005)
- National Development Plan 2011; and
- New Growth Path 2010.

### **4. Beneficiary Recruitment Procedure**

The process of recruiting beneficiaries shall be the responsibility of the accounting officer. The municipal **Indigent Register** is to be utilized for the identification of destitute households or individuals within the

villages/wards. The municipality's Budget and Treasury Department shall ensure continuous updating of the Indigent Register.

## **5. Beneficiary Appointment**

The identified eligible beneficiaries shall sign the Contract of Employment (CoE) and will be paid a daily rate as determined by the Municipal Council from time to time. The EPWP beneficiaries will be employed under the conditions of employment stipulated in the Ministerial Determination and Code of Good Practice for EPWP. The Municipality will ensure that its projects fully comply with Labour Legislations such as Unemployment Insurance Fund (UIF), Compensation of Injuries and Diseases Act (COIDA), and Occupation Health and Safety Act (OHSA). The employer (FTM) will contribute to Unemployment Insurance Fund (UIF) and Compensation for Occupational Injuries & Disease Act (COIDA) as per the prescripts of Department of Labour. Both the Municipality and the beneficiary (worker) shall on monthly basis contribute to UIF and COIDA.

## **6. Beneficiary Training and Capacity Building**

This section deals with the capacity building and/or skills development of the EPWP beneficiaries. The applicable and/or relevant training aligned to the National Qualifications Framework will be considered to enhance the placement of beneficiaries beyond the EPWP projects. Empowerment sessions through workshops shall be facilitated by the municipal LED Unit for beneficiaries with prospects to undertake business ventures.

## **7. Beneficiary Replacement Procedure**

A beneficiary shall be have a one (01) day paid sick leave which shall be paid upon notification and submission of a doctor's note and/or other relevant documentation. In the case where a beneficiary is ill for more than one (01) day, he/she may request another beneficiary to work on his/her

behalf until the beneficiary is fit to come back to work. This should be on written mutual agreement and/or a letter signed by both parties (i.e the replaced party and replacing party) reflecting a replacement agreement and witnessed by a supervisor.

Should a beneficiary not report for work for **three (03) consecutive days** without written or any proven notification of the supervisor, he/she is automatically considered out of work and the accounting officer shall then commence with the process of replacing the beneficiary.

## **8. Roles and Responsibilities**

### **8.1 The Political Head: The Mayor**

In line with the EPWP institutional framework the Mayor will provide leadership and direction in the implementation of the EPWP within the Municipality. The Mayor may appoint at least three (3) or more members of the Council to champion and lead the EPWP in the following Sectors in the Municipality:

- Infrastructure Sector;
- Development Planning;
- Community Service;
- Budget and Treasury Department; and
- Corporate Services.

The appointed members must ensure that EPWP is established firmly within the Municipality and its key policies and programmes.

### **8.2 The Administrative Head: The Municipal Manager**

The Municipal Manager as the administrative head is responsible for the overall coordination of EPWP in the Municipality from the administrative

governance point of view. As part of institutional arrangements, the Municipal Manager in his/her capacity may:

- appoint a coordinator for each EPWP sectors at least at the Strategic Management level;
- review and monitor the EPWP reporting at the management level;
- ensure that EPWP is incorporated in the IDP of the Municipality;
- Monitor the Municipality's performance with regard to its performance on the incentive;
- monitor that EPWP coordinators brand and profile EPWP projects;
- address implementation challenges across the sectors; and
- identify corrective measures especially in terms of the Municipality not reaching their targets and compliance concerns.

### **8.3 The appointed Sector Coordinators will be responsible for:**

- reporting progress of the implemented projects or change of beneficiaries on monthly basis.
- ensuring that appointed contractors adheres to required EPWP specified conditions in the contracts.
- monitoring, evaluating and reporting on sector specific key performance indicators to the Municipal Manager.
- identifying projects which are suitable for inclusion in the Municipality's learnership programmes.
- providing regular feedback on the performance of the Municipality in terms of the programme.

## **9. Terms of Employment**



Beneficiaries on an EPWP are on a temporary or contract basis for a period not exceeding 24 months within a circle of 5 years. The purpose is to afford other prospective, eligible beneficiaries to also benefit, thereby maximising the effects of the Programme. Unless a good cause is shown on exceptional circumstance(s) for retention following assessment on the condition of the beneficiary to the extent that the condition is dire, presenting a material need for retention - the new beneficiaries shall be identified upon the lapse of the period identified in the first sentence of this paragraph.

#### **10. EPWP Coordination & Institutional Arrangements**

EPWP cuts across all the Departments and Units of the Municipality. Each Department must make a systematic effort to target the unskilled and unemployed and develop a plan to utilise their budgets to draw significant numbers of the unemployed into productive work, in such a way that workers are given an opportunity to gain life and job specific skills while they work to increase their chances of getting out of the marginalised pool of unemployed people. The Municipal Manager shall appoint an overall EPWP Champion of the programme from Administration side and the Mayor shall appoint an EPWP champion from the political side.

## **11. Endorsement of the Policy**

The policy must be endorsed by the Council to ensure that it is binding and everybody complies.

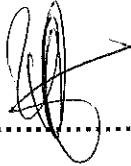
## **12. Policy Review**

The policy will be reviewed annually and/or as and when required.

### **Policy Adoption/Approval:**

**Council Resolution No. : C52/2015**

**Date : 29<sup>th</sup> October 2015**



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**Mayor**