



VICTOR KHANYE

LOCAL MUNICIPALITY – PLAASLIKE MUNISIPALITEIT

INCAPACITY: DUE TO POOR WORK PERFORMANCE POLICY

Policy Number: I:PWP - 01	Approved by Council: 01 August 2013
Resolution No: 36/07/2013	Review Date:

Purpose of this policy

The purpose of this policy is to establish a policy and procedure for managing incapacity due to poor performance at the Victor Khanye Local Municipality (VKLM) in line with the requirements of the Labour Relations Act. This will assist managers/supervisors to identify the reasons for the non-performance and to provide a structured and consistent system of assisting the employee to improve his/her performance to the required standards within a reasonable period of time.

THE POLICY

1. PREAMBLE

The Labour Relations Act (Act 66 of 1995 as amended) sets out certain guidelines in handling incapacity. The following is a recommended guideline in dealing with incapacity (distinct from incapacity due to ill-health) where an employee has a lack of training, experience or education.

2. DEFINITIONS

Incapacity due to poor work performance is the inability or failure of an employee to meet the required standard(s) or output(s) for the position in which he/she is employed. Ill-health incapacity matters are dealt with in terms of the incapacity/ill-health injury policy. Poor work performance could include:

- Less than expected output poor quality;
- Failure to meet set targets;
- Work requiring rework/repair;
- Unnecessary material wastage;
- Any non-conformance to reasonable or agreed standards;
- Time wasting

Incapacity means the inability of an employee to perform his or her duties to satisfactory levels.

3. LEGAL FRAMEWORK

- Labour Relations Act (Act 66 of 1995)

4. SCOPE AND APPLICATION

This policy shall apply to all employees of the Victor Khanye Local Municipality.

5. OBJECTIVES OF POLICY

The purpose of this policy is to establish a policy and procedure for managing incapacity (poor performance) at the VKLM in line with the requirements of the Labour Relations Act.

This will assist managers/supervisors to identify the reasons for the non-performance and to provide a structured and consistent system of assisting the employee to improve his or her performance to the required standards within a reasonable period of time.

6. POLICY CONTENT

Clear and objective standards should be discussed with the employee. These Job-related standards should be fair and reasonable in that the employee has sufficient training and knowledge to perform at a particular level. Management must ensure that the standards are known to the employee.

Performance standards must be set in consultation with the employee.

Factors which have hindered an employee from reaching the set standards must be taken into consideration.

The employee must be addressed in terms of how he/she has not met set standards, as well as given an opportunity to challenge the performance appraisal. The employee and the manager must discuss ways in which performance can be improved.

Management must assist and support the employee as far as possible. This assistance can take place by regular report-backs, refresher courses, training and counseling.

A reasonable time period to improve performance must be given, subject to the requirements of the job.

All communication between immediate supervisor and the employee must be confirmed in writing.

In summary, representation of management and the employee must work together in order to correct the poor performance of the individual. It is the manager's responsibility to evaluate, instruct, train, guide, and coach the employee with the aim of overall improved performance.

Once the manager has established that the employee's performance is unsatisfactory in spite of the support, training and the period given for improvement, and that there is no other way, short of dismissal, to remedy the matter, the appropriate steps may be taken to discipline the employee. The appropriate steps could include a hearing in which both management and the employee and/or his/her representative could be called to give reasons as to why the employee's poor performance is evident. Appropriate measures could be decided upon at this hearing. The steps must be in accordance with items 8 & 9, Schedule 8 of the LRA.

6.1 Probation Period

Provision must be made for dealing with poor performance during an employee's probation period (see employment practice policy).

During the probation period, management should give relevant evaluation feedback, instruction, training and guidance to the employee in an attempt to meet the required standards. The guidelines above also apply in the event of the employee still not reaching the required standard of performance. The employee's contract of employment may be terminated or the probation period may be extended where appropriate.

7. IMPLEMENTATION AND MONITORING

This policy will be implemented and effective once recommended by the Local Labour Forum and approved by Council.

8. COMMUNICATION

This policy will be communicated to all municipal employees using the full range of communication methods available to the municipality.

9. POLICY REVIEW

Notwithstanding the review date herein, this policy shall remain effective until such time approved otherwise by Council and may be reviewed on an earlier date if necessary.

10. BUDGET AND RESOURCES

The financial and resource implication/s related to the implementation of this policy should be qualified and quantified.

11. ROLES AND RESPONSIBILITIES

It is the responsibility of the Municipal Manager by delegating powers to managers reporting directly to him at the Victor Khanye Local Municipality to manage performance and ensure that:

- Job descriptions and clear performance standards are communicated to and consulted with employees.
- Appropriate instructions, training and guidance are provided to employees.
- Employees are given a reasonable period, depending on seniority of the post, to capacitate themselves on the content of their jobs.
- Feedback, counseling and where appropriate, retraining are provided to employees to enable them to perform to standards.

All documentation and correspondence emanating from or related to this policy will be kept on either personal and/or record files as dictated by the nature of the issue.

12. PENALTIES

Non compliance of any of the stipulations contained in the policy will be regarded as misconduct and will be dealt with in terms of the municipality's Disciplinary Code.

13. DISPUTE RESOLUTION

The dispute resolution procedures as provided for in terms of the SALGBC dispute resolution procedures, must be followed, where disputes arises in terms of this policy.



VICTOR KHANYE LOCAL MUNICIPALITY

DEPARTMENT: _____

CONFIDENTIAL

MONTHLY REPORT FOR SALARIED EMPLOYEES ON PROBATION

NOTE: This report must be submitted **before the 5th of each month.**

Full Names	
Employee No.	
Unit	
Designation	
Employment Date	

End of Month: (Mark with an X next to an appropriate number)

MONTH 1	
MONTH 2	
MONTH 3	
MONTH 4	
MONTH 5	
MONTH 6	

MONTH 7	
MONTH 8	
MONTH 9	
MONTH 10	
MONTH 11	
MONTH 12	

Work on which engaged at the time of the report:

Performance Rating – (to be indicated by an "X" in the appropriate column)

Knowledge of work: or ability to acquire it	Needs frequent instruction, even on routine jobs; or, lacks ability to understand instructions	Fair knowledge but needs more training; or, has some difficulty in understanding instructions	Has good all round knowledge of the work, or, understands instructions without difficulty	Well informed on all phases of the work, or quick at understanding instructions	Has extremely good knowledge of the work and all related matters or, exceptional ability in acquiring full knowledge of the work
Quantity of work: Volume of work based on recognised standards of performance	Consistently low	Fair, amount should be increased	Steady procedure, regularly meets recognised standards	Always turns out more than average	Usually high output
Quality of work: Accuracy and thoroughness with which work meets recognised standards of performance	Below standard. Needs constant checking	Usually acceptable, but must be checked occasionally	Meets accepted standards regularly. Needs very little checking	Uniformly accurate and thorough	Maintains highest quality
Sense of responsibility, punctuality, compliance with instructions, dependability under varying conditions	Undependable . Needs constant follow up	Fairly dependable but requires more than normal supervision	Dependable with normal supervision	More than normal dependability. Requires minimum supervision	Highly dependable without supervision
Initiative: Resourcefulness, independent thinking, versatility and adaptability	Frequently clashes with others, creates an unfavorable impression	Gets along reasonably well. Relations with others are not quite what they should be	Normally makes a satisfactory impression	Well liked and respected	Has an extraordinary aptitude for gaining goodwill and co-operation
Overall job performance					

Is this employee properly placed in his/her present position? If not, where his or her services could be utilized to the greatest advantage:

Reporting Officer's Remarks:

Employee's Remark:

Signature of Employee

Signature of Reporting Officer

Date

Designation

Reviewing Officer's Report:

(After interview with employee, if considered necessary)

Signature of Reviewing Officer

Designation

Date

Senior Manager's Remarks:

(Where he did not himself act as Reviewing Officer)

Signature

Designation

Date

SUGGESTED CHECKLIST FOR MANAGING POOR WORK PERFORMANCE

(Always keep written records of discussions, action plans, etc.)

No.	Activities	Yes/No
1	Identify substandard performance	
2	Review standards to ensure they are reasonable	
3	Arrange interview with employee. Also inform employee	
4	Inform employee of your dissatisfaction with his/her performance	
5	Establish if employee is aware of performance standard. If employee unaware, spell out standards and indicate to employee that performance will in future be monitored	
6	If employee is aware of standard, enquire into reason for poor performance	
7	Consider your employee's reasons, If satisfactory, end the session	
8	If not or if indications are that further action is required, stress the need for standards to be maintained.	
9	Discuss with employee possible ways of addressing the problem e.g. training, assistance, transfer, etc.	
10	If agreement is reached on an action plan, secure employee's commitment to it.	
11	If no agreement is reached, spell out your own action plan. Be clear on standards required as well as time allowed for performance to improve. Make sure that it is reasonable.	
12	In both cases inform employee that he/she will be monitored and that failure to comply with performance standards may lead to dismissal.	
13	Assure employee of support – and give it.	
14	Thereafter monitor progress.	
15	If problem persists, arrange for formal incapacity hearing. Employee is entitled to representation. Enquire about reasons for failure to improve and, if reasons are acceptable, decide on further assistance. If reasons are unsatisfactory, terminate services on notices.	
16	Inform the employee of the right to refer any disagreement about termination to review by a more senior level of management.	
17	If the review is unsuccessful, inform the employee about his/her right to refer the matter externally.	
18	Attend to administrative issues, e.g. UIF and Certificate of Service	
19	Always keep accurate record of interview, action plans, etc.	

Checked by : **Date :**
(in print)

Signature :

VICTOR KHANYE LOCAL MUNICIPALITY

PROGRESS REPORT

Name of employee	Staff Number	Job Designation	Post Level
Directorate	Unit	Date of Appointment	
MINIMUM REQUIREMENTS FOR THE POSITION			
KEY RESPONSIBILITIES			

LEVEL OF WORK	
COMPLEXITY	KNOWLEDGE
INFLUENCE	PRESSURE

MANAGEMENT CONTENT (IF APPLICABLE)	
PLANNING	ORGANISING

DIRECTING / SUPERVISING	MONITORING / CONTROL

JOB HOLDER CHARACTERISTICS (Select where applicable)
(State personal characteristics of the job holder that are inherent job requirements)

Integrity – Job requires being honest and ethical

Leadership – Job requires a willingness to lead, take charge, and offer opinions and direction.

Initiative – Job requires a willingness to take on responsibilities and challenges.

Stress Tolerance – Job requires accepting criticism and dealing calmly and effectively with high stress situations.

Achievement/Effort – Job requires establishing and maintaining personally challenging achievement goals and exerting effort toward mastering tasks.

Dependability – Job requires being reliable, responsible and dependable, and fulfilling obligations.

Independence – Job requires developing one’s own ways of doing things, guiding oneself with little or no supervision, and depending on oneself to get things done

Persistence – Job requires persistence in the face of obstacles

Adaptability/Flexibility – Job requires being open to change (positive or negative) and to considerable variety in the workplace.

Cooperation – Job requires being pleasant with others on the job and displaying a good-natured, cooperative attitude.

Responsibility – Exerts a high level of effort and perseveres towards goal attainment.

Self-esteem – Believes in own self-worth and maintains a positive view of self.

Sociability – Demonstrate understanding, friendliness, adaptability, empathy

and politeness in group settings.

Self-management – Assesses self accuracy, sets personal goals, monitors progress, & exhibits self-control

Other Information Pertinent to Job Holder's Position (select where applicable)

Skills / Competencies Required:

Basic Skills:

Active Learning – Understanding the implications of new information for both current and future problem-solving and decision-making.

Active Listening – Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.

Critical Thinking – Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

Learning Strategies – Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things.

Mathematics – Using mathematics to solve problems.

Monitoring – Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.

Reading Comprehension – Understanding written sentences and paragraphs in work related documents.

Science – Using scientific rules and methods to solve problems.

Speaking – Talking to others to convey information effectively.

Writing – Communicating effectively in writing as appropriate for the needs of the audience.

Complex Problem Solving – Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Resources Management Skills:

Management of Financial Resources – Determining how money will be spent to get the work done, and accounting for these expenditures.

Management of Material Resources – Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work

Management of Personnel Resources – Motivating, developing, and directing people as they work, identifying the best people for the job.

Time management – Managing one’s own time and the time of others.

Social Skills:

Coordination – Adjusting actions in relation to other’s actions.

Instructing – Teaching others how to do something.

Negotiation – Bringing others together and trying to reconcile differences.

Persuasion – Persuading others to change their minds or behavior.

Service Orientation – Actively looking for ways to help people.

Social Perceptiveness – Being aware of other’s reactions and understanding why they react as they do.

Systems Skills:

Judgment and Decision Making – Considering the relative costs and benefits of potential actions to choose the most appropriate one.

Systems Analysis – Determining how a system should work and how changes in conditions, operations, and the environment will affect outcomes.

Systems Evaluation – Identifying measures or indicators of system performance and the actions needed to improve or correct performance, relative to the goals of the system.

ASSESSMENT OF PERFORMANCE

1st REPORT 2 MONTHS	2nd REPORT 4 MONTHS	3rd REPORT 6 MONTHS
Performance	Performance	Performance
Further Training Required	Further Training Required	Further Training Required

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EMPLOYEE

Date

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EMPLOYEE

Date

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EMPLOYEE

Date

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SUPERVISOR

Date

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SUPERVISOR

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SUPERVISOR

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DIRECTOR

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DIRECTOR

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DIRECTOR

Date

RECOMMENDATION TO BE APPOINTED PERMANENTLY	YES	NO
IF NOT, MOTIVATE:		

SUPERVISOR

DATE