



Province of the

EASTERN CAPE

SOCIAL DEVELOPMENT
& SPECIAL PROGRAMMES

RESETTLEMENT POLICY

Policy Registration No: 2012-310

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DEFINITIONS AND TERMS

In this policy, unless the context indicated otherwise, the following definitions shall apply:

- i. **Employer** - The Department of Social Development and Special Programmes
- ii. **Employee** – Means everyone employed by the Department under the Public Service Act, 1994
- iii. **Employee's immediate family** – means the employee's parent, adoptive parent, grandparent, child, adoptive child, grandchild or sibling. The employee's cultural responsibilities must be taken into consideration. E.g. dependent relative(s) who live with the employee.
- iv. **Accommodation expenditure** – Means expenditure in respect of lodging, meals, non-alcoholic beverages taken with meals, dry-cleaning, laundering and parking.
- v. **Interim accommodation** – Means a temporary place to stay while an employee is actively looking for permanent accommodation.
- vi. **Personal effects** – means the movable property of an employee and of his or her household which is normally to personal use, including vehicles, but excluding livestock, domestic animals and pets.
- vii. **Subsistence and Travel costs** - S&T allowance payment designed to reimburse an employee for reasonable living and transport expenses necessarily incurred by him or her whilst absent from his/her headquarters on departmental duty, over and above his or her normal living and transport expenses at his home.
- viii. **New employee** - An incumbent that has just been employed after recruitment, selection and interview and has not been in public service before or does not have a personal number / ID.
- ix. **Transfer** – An employee transfer from National or Provincial government or any other provincial department in terms of the Public Service Act.
- x. **Laundry** – washing and the ironing of clothes and bedding including dry cleaning.
- xi. **Reasonable actual costs** – the most economical rate.
- xii. **Previous headquarters** – the headquarters where the employee was stationed prior to the transfer.
- xiii. **Remains** – the body of the deceased.
- xiv. **Head quarter** – means a work place (Head Office, District, Area and Service Offices)

LEGISLATIVE FRAMEWORK

For purpose of this policy, unless otherwise stated, the following pieces process of legislation shall apply:

- i. Public Service Act, Proclamation 103, of 1994 (as amended).
- ii. Public Service Regulation of 1999 as amended.
- iii. Basic Conditions of Employment Act, 75 of 1997.
- iv. Part XV of PSCBC Resolution 3 of 1999.

1. PREAMBLE

- 1.1 The employer shall meet within reason, the actual resettlement costs incurred by an employee and her or his immediate family as result of official duties e.g. recruitment, state initiated secondment, transfer or in some cases termination of service or death.
- 1.2 This policy will provide measures and guidelines for the employer to meet, the actual resettlement costs incurred by an employee and his or her immediate family as result of resettlement due to a transfer from one place to a new place or in some cases on termination of service resulting from death.

2. PURPOSE

- 2.1 The purpose of this policy is to outline the Department's 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 may expect to be paid by the Department upon resettlement.
- 2.2 Liabilities 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.

3. SCOPE OF APPLICABILITY

This policy is applicable:

- 3.1 to full-time public service employees including SMS members who: Physically relocate and the additional distance between their residence and new workplace via the shortest route, is 60 km or more one way single trip due to being transferred to any new work location due to an appointment or due to being a successful candidate for an advertised post in the Department or an employer initiated transfer.
- 3.2 to employees who wish to relocate as soon as they have terminated their services as a result of retirement,
- 3.3 where the employer terminates the contract of a contracted employee and resettlement privileges are part of an employees contract,
- 3.4 where an employee dies and the immediate family request,
- 3.5 to newly appointed employees from outside the public service and
- 3.6 on relocation of headquarters

4. PRINCIPLES AND VALUES

- 4.1. The employer may generally meet, up to a **reasonable amount**, the actual resettlement trans-national costs within the Republic or outside the Republic where the Department is involved in approved trans-national projects, incurred by an employee and his or her immediately family as a result of official duties.
- 4.2. The department shall seek to find the **most cost effective way** of meeting its obligation within reasonable measures at all times.
- 4.3. The spirit of this policy is to compensate an employee who, in the **interest of the State and at State expense**, is transferred or appointed or, due to certain requirements, or is located on termination of service within the framework of the provisions and the measures and guidelines set out in Chapter 15 of Resolution 3 of 1999.

5. POLICY STATEMENT

- 5.1. Resettlement compensates employees expenses incurred on account of such a transfer or appointment and is not a means of enriching the employee hence the most cost-effective arrangement should be taken. The Department would cover reasonable costs for resettlement in respect of an employee upon resettlement for the following reasons:

5.1.1. COSTS ASSOCIATED WITH TRANSFER IN THE INTEREST OF STATE

If the employer requires an employee to be transfer to a new place of work, the employer may assist the employee with the associated costs, as provided below:

(i) **Travel and Subsistence costs**

The Employer may meet the reasonable actual costs of employee incurred for travel and subsistence during:

- (a) One visit by an employee or a member of her or his immediate family to the new place of work before the date of the transfer,
 - (b) The visit shall not last more than four days,
 - (c) If for any reason the employee decides not to take up the position, he or she will have refund all costs to the Department.
 - (d) The Department shall pay for the most economical means of transport of the employee to the new place of work, and should he/she be allowed to travel with his or her own car he/she will be reimbursed as per approved state tariff determined by the engine capacity of the vehicle.
- (ii) Transportation and storage of household and personal effects**
- (a) For households and personal effects of the employee and his or her immediate family, the employer may meet reasonable actual costs of transport to the new permanent accommodation, storage, packing and unpacking and insurance cover.
 - (b) Three quotations from equitable transport companies should be obtained through the Supply Chain Management Unit of the Department, based on a full inventory of the employee's furniture and other possessions.
 - (c) The removal of household and personal effects should take place within 6 months after the date of transfer but not before the Department has accepted a quotation.
- (iii) Interim Accommodation**
- (a) If the employee and her or his immediate family must unavoidable rent interim furnished accommodation at the old or new place of work, the employer may meet reasonable actual costs
- (iv) New school books, uniforms and related costs**
- (a) An employer must cover expenses for the above items for the school children of the employee, in case of relocation to the new workplace through transfer in the interest of state and the new appointment. On a quarterly basis, the Minister of Public Service and Administration shall determine the adjustment of tariffs in this regard.
- (v) Travel expenses of dependent school children**
- (a) If members of employee's immediate family must remain in a school near the employer's former place of work, the employer may, for a maximum of one year, cover the most economical reasonable mode of travel to the new place of work at the beginning and end of the school and for holidays.
- (vi) Transfer fees on accommodation**
- (a) The employer may pay reasonable actual transfer fees if the employee purchases a dwelling or a building site at the new place of work. The expenses in this regard refer to the cost of conveyance of property, transfer duty and mortgage costs. Documentary proof of all costs will be required before a request for the payment of these fees can be considered.
 - (b) If the transfer fees or part of the fees are included in the mortgage bond, the payment of all or the relevant portion of the fees will be paid into the employee's bond and not to the employee directly.
 - (c) To qualify:
 - (i) the employee must own or has a dwelling at his previous headquarters that is or was registered either in his or her own name, his spouse's name or both their names and was normally occupied by the employee and his or her dependents,
 - (ii) The employee must be purchasing another dwelling at his or her new headquarters, or purchased a building site and has a dwelling erected on it, in which event such dwelling must be registered and occupied. The mortgage on the dwelling must be registered at a financial institution,
 - (iii) The dwelling at the previous headquarters should not have been sold prior to the date of written notice of the transfer,
 - (iv) The dwelling should not have been purchased or erected at the new headquarters prior to the date of the written transfer, and

(v) There must be evidence for a claim at all instances.

5.1.2. TRANSFER AT OWN REQUEST DUE TO INTEREST OF HEALTH OF THE APPLICANT

(a) An employee may apply for a transfer due to ill - health. Department has no obligation of paying any type of relocation costs even if the transfer is approved. The employee is entitled to a vacation leave for arranging packaging of his or her personal effects and arranging the new head - quarters.

5.1.3. PRIVILEGES FOR NEW APPOINTEES

(a) The employer may pay the reasonable actual costs of relocation of a newly appointed public servant, recruited within the public service or private sector to her or his place of work. This expenditure may include reasonable actual costs of:

(i) Travel by employee and her or his immediate family, and

(ii) Transport, packing, unpacking, insurance and one month's storage for personal and household goods

(b) If the employee cannot move into permanently rented or bought accommodation immediately upon transfer, the employee and his or her immediate family shall be allowed to utilize the most reasonable, appropriate furnished interim accommodation at Departmental cost for a period of one month and may on request and subject to the approval of the HOD be extended, but not exceeding three months. The cost of accommodation shall include breakfast, lunch and dinner and two non- alcoholic beverages per day. Laundry and packing will also be paid for by the Department.

(c) The employee shall agree in writing to repay the employer's expenditure for relocation if she or he should leave the public service a year or less.

(d) If an employee is recruited from abroad, her or his Executive Authority may provide a once-off payment equal to the employee's monthly salary on the date of assumption of duty before he/she received her or his first salary payment.

5.1.4. PRIVILEGES ON TERMINATION OF SERVICE DUE TO DEATH, RETIREMENT OR END OF CONTRACT

(a) If an employee dies or retires or the employer terminates the contract of an employee, the employer shall meet, at the request of the employee or her or his immediate family, as provided in paragraph (b)

(b) The employer may meet the costs of transporting home the remains of an employee who died on official duty away from her or his place of work, employee retired and intended to relocate to his or her place of origin or employer terminate the contract of an employee and resettlement arrangements form part of his or her contract

7.1.5 DESIGNATED STRUCTURE WHICH HAS THE AUTHORITY TO APPROVE, ADJUST AND REVIEW THE POLICY

(a) Head of Department and the MEC have the responsibility to approve this policy. Policy Development Forum has the authority to adjust and review this policy.

6. ADMINISTRATION OF THE POLICY

6.1. General Manager: Corporate Services is responsibly for effective and efficient administration and management of this policy.

6.2. Employee applying for resettlements costs should use S&T claim forms accompanied by the following documents:

6.2.1. Appointment letter in case of new appointee or transfer letter

6.1.2. Assumption of duty signed by Supervisor,

6.1.3. Acceptance of appointment or of transfer,

6.1.4. Lease agreement or affidavit from land lord,

6.1.5. Affidavit from the nearest police station confirming period claimed for accommodation to the new headquarters,

6.1.6. Three quotations from different service providers in case of claiming transportation of goods.

7. ACCOUNTABILITIES AND RESPONSIBILITIES

7.1 Line Managers

7.1.1 To provide confirmation of the employee's commencement date, assumption of duty letter.

7.2 Human Resource Administration

7.2.1 To ensure the effective and efficient implementation of this policy.

7.2.2 To check accuracy of calculations and to process payment, this is subject to the approval of the Head of Department.

7.3 District Office

7.3.1 To collect application forms from claimants.

7.3.2 To ensure precision of application forms and forward them to the Provincial Office.

8. PROCEDURES FOR IMPLEMENTATION

8.1 This policy will be implemented in line with the provisions of Public Service Act, Proclamation 103, of 1994 Public Service Regulations of 1999, Basic Conditions of Employment Act 75 of 1997, Resolution 3 of 1999 and Minister of DPSA revised circular on allowances.

9 MONITORING ARRANGEMENTS

9.1 HoD shall be responsible for the monitoring of this policy. The policy will be communicated to all departmental employees through awareness campaigns. Monthly, quarterly, half - year and annual reports as well as Persal exceptional reports will be used to evaluate the impact.

10 COMPLIANCE TO THE POLICY

10.1 Non-compliance to this policy will be dealt with in terms of the relevant prescripts.

11 REVIEW OF THE POLICY

11.1 This policy will be reviewed after three years but if there's a strong need for the Department or a directive or resolution from EXCO, National Department or DPSA the policy can be reviewed as per that regard before expiry of the three year period.

12 POLICY RECOMMENDATION & APPROVAL

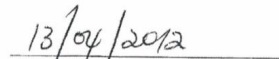
COMMENTS

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Recommended/ ~~Not Recommended~~



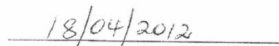
Head of Department: Dept. of Social Development & Special Programmes


Date

Approved/ ~~Not Approved~~



MEC: Dept. of Social Development & Special Programmes


Date

Annexure A

Relevant forms & Documentation

- A. Subsistence & Travelling Claim (S&T) form
- B. Relocation/Resettlement attachments
 - i Appointment letter
 - ii Assumption of duty letter
 - iii Acceptance letter
 - iv Lease agreement or affidavit from landlord
 - v Affidavit from nearest Police Station by claimant
- C. Transportation of goods and household
 - i Above mentioned attachments
 - ii Three quotes from different service providers
 - iii Invoice of service delivered
- D. School uniform and books
 - i Release letter from previous school
 - ii Letter of acceptance from current school
 - iii Receipt of school fees
 - iv Copy of birth certificate/s of child/ren