



RHODES UNIVERSITY

POLICY & PROCEDURES **FOR THE EMPLOYMENT OF** **TEMPORARY SUPPORT STAFF**

1. POLICY PARTICULARS

DATE OF APPROVAL BY RELEVANT COMMITTEE STRUCTURE:

Approval by the Support Staffing Committee: June 2010

Administrative Sub-Committee of Council: June 2010

DATE OF APPROVAL BY SENATE: Not applicable.

DATE OF APPROVAL BY COUNCIL: Noted at Council since approved by Admin Sub-Committee

COMMENCEMENT DATE: 1 August 2010

REVISION HISTORY: Nil at the time of approval

REVIEW DATE: 31 December 2013 and thereafter, every three years.

POLICY LEVEL: Heads of Departments/Division/Managers needing temporary staff, and all temporary SUPPORT staff.

RESPONSIBILITY:

- **IMPLEMENTATION & MONITORING:** Human Resources Division, Departments/Divisions.
- **REVIEW AND REVISION:** Human Resources Division

ORGANISATIONAL REPORTING STRUCTURE: Director of Human Resources → Registrar: Finance and Operations (in the case of support staff) → Vice-Chancellor → Council

2. POLICY STATEMENT

2.1 POLICY DECLARATION

Rhodes University pays significant attention to the recruitment and selection of all staff in order to ensure the fair treatment of all applicants and to secure the appointment of persons who are able to contribute towards the success of the University.

Temporary staff members perform a vital service in providing interim relief labour during for example, busy periods or against a vacancy or where the current incumbent is on maternity leave, sick leave etc. Temporary staff may in time be employed as permanent members of staff subject to the usual processes for such employment.

As an ethical employer, the institution does not seek to employ temporary staff in lieu of appointing individuals to permanent positions.

2.2 POLICY OBJECTIVES

The objectives of this policy are to ensure:

- Fair labour practices in employing temporary staff, consistent with the requirements of the Employment Equity Act and the Basic Conditions of Employment Act;
- The fair and equitable as well as efficient filling (recruitment, selection and placement) of temporarily vacant SUPPORT posts, from grades 1 to 17 (old grades 1 to 14)¹.
- Transparency as regards considerations and procedures to recruit, selection and appoint temporary staff;
- Consistency between this policy and any other relevant institutional policies;
- Parameters are clear for the appointment, placement, remuneration and other benefits associated to the employment of temporary staff.

2.3 APPLICABILITY OF THIS POLICY

This policy is only for temporary contracts in the support staff areas. These contracts are predominantly in the grade 6+ posts.

This does not apply to:

- Academic temporary appointments;
- Contract appointments of one year or more;
- Ad hoc, casual appointments of support staff (see Policy for the Appointment of Casual Staff)

This policy also applies to staff appointed in outside funded posts.

¹ The grading system for support staff was changed from July 2009.

2.4 DEFINITIONS

Fair labour practice	In the recruitment and selection process this means ensuring that there is no direct or indirect unfair discrimination taking place. Direct unfair discrimination refers to unfairly discriminating against someone on an arbitrary basis not limited to race, sex, gender, age, HIV status, marital status etc. Indirect unfair discrimination refers to practices that adversely impact one group. In order to avoid unfair discrimination the following practices are utilised: standardised application forms, use of job requirements to select candidates, being able to justify relative to the job requirements why an applicant may be unsuitable and affording the same treatment to all applicants in each part of the selection process.
Foreign national	If an individual does not have South African citizenship or permanent residency, in order to work in RSA, the following is required: <ol style="list-style-type: none">1. Quota work permit;2. Study permit in which case working for 20 hours per week is permitted. If an individual has South African citizenship or permanent residency, they can be employed without the approval of the Department of Home Affairs.
Head or manager	This refers to the Head of Department/Division/Institute/Section/Unit or a manager of such areas.
Support Staff	All staff who are not involved in directing the teaching and learning and research activities of the University. This term refers to all staff on grades 1 and above. The term service staff or junior staff to denote staff on grades 1 to 5 is no longer used and neither is the term senior staff to refer to staff on grades 6 and above.
Partner	This refers to one person with whom the staff member has a committed relationship of at least 2 years in duration, a relationship akin to a marriage based on objective criteria of mutual dependency and a shared and common household, irrespective of the gender of either party.
Temporary contract	Where it is clear that an individual from the temporary database is going to be needed for a fixed period usually of one month or more in a particular post, a contract and letter of appointment will be provided to that individual. The individual receives a monthly salary.
Temporary staff	This refers to any staff member who is employed for a continuous period of time, usually at least one month but where the specific employment contract (please note that this does not refer to consecutive contracts) is for less than one year and who is paid on a monthly basis. Such an individual is usually employed on a temporary basis against a current vacancy or in terms of a short-term operational need e.g. if the permanent staff is away for an extended period or to provide additional capacity at specific times.

3. POLICY IMPLEMENTATION

THE ACTIONS AND PROCESSES BY WHICH THE OBJECTIVES OF THE POLICY WILL BE ACHIEVED:

3.1 NEED FOR TEMPORARY SUPPORT STAFF

- (a) The Human Resources Division will approve the appointment of an individual on a temporary basis within the support staff area, usually in response to the following reasons:
- i. A current vacancy while the recruitment and selection process for filling that post on a permanent basis is taking place;
 - ii. Current staff member is absent due to extended sick leave;
 - iii. Current staff member is absent due to maternity leave;
 - iv. Current staff member is absent due to annual and/or long leave subject to the provisions of the Support Staff leave policy and provisions;
 - v. Operational needs e.g. due to workload increases (e.g. graduation) or special projects.
- (b) Temporary staff will not usually be provided under the following conditions:
- i. Appointments for short periods less than one week. Heads and managers can however, motivate otherwise particularly in situations with lean staffing structures, in high traffic areas, where other staffing difficulties are being encountered or where the work has got to be done and cannot be delayed;
 - ii. Appointment of temporary staff because of permanent staff being on annual leave where the annual leave should not have been granted because of the operational needs e.g. administrative staff in academic departments should usually not be granted annual leave during term time. It is recognised that there may be unusual circumstances where for compassionate reasons such leave would be granted. In these circumstances, the Heads and managers can motivate for temporary assistance;
 - iii. Appointment of temporary staff because of the performance problems of one or more staff in the department/division. Heads and managers can however motivate for temporary assistance where there is clear evidence that the performance problems are being dealt with, that the appointment of temporary staff is an interim solution and there is a need to provide the Head and manager with support to resolve the performance problems;
 - iv. If there is no budget for temporary assistance or monies available as a result of a vacancy; and
 - v. Once the permanent person has been employed unless there is a need for a handover and training of the new individual. Where necessary, no more than 2 days is usually provided for.

3.2 BUDGETS FOR THE EMPLOYMENT OF TEMPORARY SUPPORT STAFF

- (a) In the case of appointment of temporary staff against outside funded posts, the relevant Head or manager must ensure that there are sufficient funds to allow for the appointment of such temporary staff;
- (b) In the case of other temporary appointments, the funds for the employment of temporary support staff shall usually be as follows:
- i. Funds from the vacant post. Please note that the balancing of the annual staff budget predicts a turnover rate for staff and takes into account a certain vacancy savings. This saving is usually the benefit structure (pension, medical aid etc) costs for a post. In practical terms this means that the full budget for a post is not available for the appointment of temporary staff. As a broad benchmark, usually at least 65% of the usual cost of the permanent post would be available for appointment of temporary staff. The HR Division will be able to confirm funds available;

- ii. Temporary assistance budget. Departments or Division who can anticipate in advance of a budget cycle the temporary assistance that will be needed will apply for a temporary assistance budget. Provided the budget application is approved, appointment of temporary staff will then be against this budget;
- iii. Other temporary budgets. Where a department/division has funds budgeted for other areas e.g. overtime or student assistance but wishes to use these funds for the appointment of temporary staff rather than for the original purpose, this is possible subject to approval by the HR Division.

Where there is an urgent and unanticipated need to employ temporary staff and a budget as per above does not exist, the Head or manager can make a special application to the Director: HR. A decision will need to be taken based on the operational need, impact on current staff and costs of employing temporary staff.

3.3 ENSURING A POOL OF SUITABLE TEMPORARY SUPPORT STAFF

The Human Resources (HR) Division is responsible for striving to ensure that there is a pool of competent individuals that are able to be employed on a temporary basis in the relevant departments/sections.

This will be achieved by:

3.3.1 Recruitment for the pool of suitable temporary support staff

The following strategies will usually be followed to recruit individuals for temporary appointments for grades 6+ posts:

- a) Standing advertisement on the Rhodes jobs website calling for applications from those interested in temporary employment in the support staff areas. Via this website, individuals are able to apply;
- b) Engaging with recently appointed permanent staff as regards whether or not their spouse or partner is seeking employment and the kind of work for which they are suitable. Please note that this employment is subject to regulations of the Department of Home Affairs as regards the employment of foreign nationals ;
- c) Engaging with upcoming retirees who are seeking temporary employment;
- d) Advertising work opportunities to students (most likely to be post grad students with flexible work timetables) who are seeking temporary employment via the Rhodes jobs website;
- e) Automatically listing previous Rhodes University Interns who have successfully completed their internship contracts and who are available for employment on the database for temporary staff;
- f) Partnering with managers and supervisors as regards individuals available for employment particularly where a post requires specific job requirements and the temporary staff database does not such individuals available for employment;
- g) Advertising twice a year in the local press calling for individuals interested in temporary employment; and
- h) Advertising twice a year via internal communication media e.g. top-list and hod-list calling for staff to invite interested individuals to apply.

Staff on grades 1 to 5 will only be employed from the casual database as per the Policy for the Employment of Casual staff.

3.3.2 Individuals applying for temporary employment in the support staff area

The following applies:

- a) In all instances, applications are considered throughout the year and the temporary staff database is updated accordingly;
- b) Being placed on the temporary database does not guarantee temporary employment but does allow for consideration of an individual for such employment, subject to the institution's operational needs;
- c) Applicants are required to submit their CV along with an application form, available on the RU jobs Website. Where individuals are employed on a temporary basis and they are listed on the casual staff database (See Policy for the Employment of Casual Staff), there is no need to complete this application.

3.3.3 Database of possible temporary staff for support staff posts

The following applies:

- a) The HR Division maintains a temporary staff database of individuals eligible for temporary employment in the support staff area;
- b) When individuals are first placed on the database, this database will specify the skills set/experience and contact details of each individual on the list. CVs of these individuals will also be available;
- c) Once employed at Rhodes, the database is updated with the past work and performance record of that individual as a temporary employee at Rhodes;
- d) Individuals will be removed from the database for the following reasons:
 - i. The individual has secured permanent employment at Rhodes or elsewhere;
 - ii. The individual has been found to be unsuitable in terms of misconduct or performance concerns while employed at Rhodes University;
 - iii. The individual cannot be contacted telephonically such that they are not available for consideration for temporary employment;
- e) The employment of temporary staff shall only be from this temporary staff database unless there are strong operational reasons for not doing so. In the case of the latter, any deviations must be authorised by the Director: Human Resources or his/her delegate.

3.4 DEPARTMENTAL/DIVISIONAL APPLICATIONS FOR TEMPORARY STAFF

When the Head or manager makes an application for temporary staff, the following will apply:

- (a) No Head or manager may employ a temporary staff member or make a commitment to what the temporary staff member will be paid. Only the Director: HR or delegated authority is allowed to make an offer of appointment;
- (b) No individual may start working within the department/division without a written employment contract due to liability and risks issues. Furthermore, it is important that the individual and the institution have agreed to the terms of employment;
- (c) Employment contracts will not be written retrospectively unless there were circumstances not allowing for this e.g. employment of individual under emergency or crisis situations;
- (d) Renewal of contracts if necessary cannot be assumed and there must be timeous liaison with the HR Division subject to the requirements above; and
- (e) The Head or manager is requested to utilise the standard application form. The application ensures the provision of relevant information to allow the HR Division to facilitate a smooth appointment process. This application form is available on the HR Website.

3.5 SELECTION AND NON-SELECTION OF INDIVIDUALS FROM THE DATABASE

3.5.1 Selection of individuals

In selecting individuals from the updated temporary database, the following will apply:

- a) Individuals appointed shall usually meet the minimum requirements for the post. Only where suitable individuals who meet the minimum job requirements are not available and attempts have been made to source such individuals, will consideration be given to employing staff who do not meet the minimum requirements for a post. Where an individual does not meet the job requirements, this will impact the grading of the post and subsequent remuneration. This decision will be taken by the Director: HR or the delegated authority after consultation with the relevant Head or manager;
- b) Where a post does not exist, the nature of work to be done will be described and an appropriate grade determined. This decision will be taken by the Director: HR or the delegated authority after consultation with the relevant Head or manager;
- c) Bearing in mind the job requirements and skills needed, preference will be given to members of designated groups paying attention to the demographics of the particular occupational category of staff. For example, when appointing an administrator, the demographic profile of the equity occupational category of clerks will be looked at. That this category at this time of writing this policy is predominantly White female would necessitate giving preference to Black applicants, preferably men; and

- d) Bearing in mind point c above, attempts will also be made to fairly spread employment opportunities amongst the temporary candidate;
- e) In terms of the above parameters, the HR Division will make a recommendation to the HoD or manager as regards eligible individuals. The HoD or manager will be able to make the final decision as regards the individual selected; and
- f) All appointments in particular areas will be subject to the Protocol for Managing Close Relationships. Specifically, should a HoD or manager wish to employ anyone to whom there is a familial or close relationship on a temporary basis, this must be authorised by the Director: HR. The Director shall require the HoD to indicate that either this is the only suitable person available or that the individual is the most suitable with other temporary staff applications (those registered with the HR Division) having also been considered.

3.5.2 Ineligibility of applicants for temporary appointment

Certain individuals and/or applicants for temporary employment will not be considered for posts by Rhodes University, as follows:

- a) Any individual where performance problems or misconduct issues have been identified and dealt with (see 3.6.9 below);
- b) Any individual dismissed for misconduct from a previous employer;
- c) Any individual who has resigned from a previous employer in order to avoid disciplinary action which could have resulted in dismissal;
- d) Any individual who has been found guilty of a violent crime in a court of law.

Where an individual has been dismissed for incapacity by a previous employer, the individual will need to indicate what steps have been taken to address the incapacity issues. On the basis of this information, the Director: HR or the delegated authority will make a decision on whether or not to include the individual on the temporary staff database.

3.5.3 Providing false information

Any individual providing false information in the course of their application as a temporary staff member will:

- (a) Have their temporary employment terminated with immediate effect; and
- (b) Will no longer be eligible for any temporary or permanent employment at Rhodes University.

3.6 CONDITIONS OF EMPLOYMENT FOR TEMPORARY STAFF

3.6.1 Authorisation

Only the Director: HR or his/her designate is authorised, on behalf of the Council of the University, to extend this contract and/or to negotiate the terms thereof. No verbal discussion or agreement made between the temporary employee and any other authority will be regarded as binding;

3.6.2 Remuneration of temporary staff

- a) Temporary staff will be paid at the cash rate for the particular grade associated with the work being done;
- b) Where the full requirements of the work is not being done, temporary staff will be paid at the grade associated with the work that is being undertaken;
- c) The cash rate will be excluding any percentage in lieu of long-leave given that temporary staff in the past have never qualified for long-leave.;
- d) For those staff working limited hours, the hourly rate is determined based on (c) above.

3.6.3 Benefits

- (a) Temporary employees will not be eligible for membership of the Rhodes University Pension Fund/Provident Fund;
- (b) Temporary employees will not be eligible for membership of the Rhodes University Medical Aid Scheme or the Group Life Scheme;

- (c) Temporary staff will not receive a pro-rata service bonus in their first year of employment. Where a temporary staff member is on contract for at least one year, they will receive this service bonus provided that they are in the employment of the University.

3.6.4 Leave

- a) Temporary staff employed for less than two months will not be eligible for leave due to the short duration of their contract;
- b) Temporary staff employed for a period of at least two months but less than one year will be eligible for the following benefits:
- i. Annual leave at the rate of 1.25 days per month, granted under exceptional circumstances;
 - ii. Leave accrues but can only be taken after four months of employment. Where necessary and for compassionate reasons, leave may be granted to temporary staff who have worked less than four months;
 - iii. Leave accrued for up to three months but not taken will not be paid out;
 - iv. For contracts of four months or more and where leave is not taken, this will be paid out at the end of the contract;
 - v. Sick leave is available if necessary, at one day per month;
 - vi. Family responsible is available if necessary, pro-rata for the employment period;
- c) Temporary staff employed for a period of more than 12 months, the following conditions apply:
- i. Annual leave is granted at a rate of 2 days per month;
 - ii. Annual leave not used is paid out at the end of the contract;
 - iii. Sick leave is available is at least 10 days per annum (as per the BCEA) pro-rated for the duration of the contract;
 - iv. Family responsibility is available at 3 days per annum;
- d) Leave is approved at the discretion of the employee's manager. Leave forms must be completed;
- e) Annual leave not taken by the end of the employee's contract/s will be paid out to the individual upon termination of employment;
- f) Any previous contracts prior to the current contract and provided that these were consecutive and the annual leave has not already been paid out, this leave will be included in calculating the accrued annual leave;
- g) Sick leave is available at 1 day per month for the first 6 months of employment inconsecutive contracts;
- h) Family responsibility leave is available at 3 days per annum. The University abides by the Basic Conditions of Employment Act in determining what situations constitute Family Responsibility leave.

3.6.5 Access to facilities

Temporary staff for the duration of their contracts will have, subject to the conditions associated with these facilities, access to

- a) Sporting facilities e.g. Rhodes pool, sporting facilities;
- b) Health Care Centre;
- c) Child Care Centre;
- d) University library.

3.6.6 Termination of employment contract

- a) In the case of appointments of less than three months, the temporary staff member may give 2 working days notice. Temporary staff will however be encouraged to provide more notice where feasible; and
- b) In the case of appointments of three months or more, the temporary appointment one calendar month's notice is required.

3.6.7 Rules and Regulations of the University

The temporary staff member shall be subject to the rules and regulations of the University. The only exception is disciplinary action (see point 3.6.8 below).

3.6.8 Disciplinary Action

Disciplinary action will be taken against temporary staff member in terms of the Labour Relations Act and not in terms of the Rhodes University Staff Disciplinary code which applies to permanent staff.

3.6.9 Performance monitoring

To ensure that the pool of temporary staff is meeting the needs of the institution, performance monitoring shall take place. See Appendix 1 for further detail of this.

3.6.10 Eligibility for Permanent Employment

- a) Individuals on the temporary data base are eligible to apply for permanent University posts being advertised externally (i.e. being advertised both outside and within the University);
- b) Individuals who have worked on a temporary basis for at least three continuous months at the time of the closing date of the relevant post, may apply for posts advertising internally;
- c) Individuals who have worked on a temporary basis for at least six months may be screened for the vacant post against which they are employed; and
- d) Where temporary employees are considered for permanent employment, their past performance and conduct as a temporary employee will form part of the selection process.

3.7 ADMINISTRATION OF EMPLOYMENT OF TEMPORARY STAFF MEMBE

Please refer to Appendix 2 for the administrative processes associated with the appointment of temporary members of staff.

4 REVIEW PROCEDURE:

This policy and procedure will be reviewed every three years.

Appendix 1: Performance monitoring processes

- a) After a placement of at least two weeks, the HR Division will ask the relevant HoD or manager to complete a short performance evaluation of the candidate. This will focus on the key competencies for the post;
- b) Where there have been performance difficulties, the HR Division will discuss the matter with the individual;
- c) Should there be specific problems e.g. financial skills, the individual will not be placed in posts with this requirement. Where problems are more generic e.g. lack of accuracy, failure to meet deadlines etc, the individual will be given a further opportunity to address this in their placement;
- d) Where two performance evaluations within a space of 6 months citing the same problems are received, the individual will be removed from the temporary data-base;
- e) In the case where the temporary staff member is in a more long term contract, the HoD or manager is expected to engage with the staff member about their performance, indicate the areas that need attention and provide a reasonable period for improvement. The HoD or manager should appraise the HR Division of this process and seek assistance if necessary. Where performance does not improve, the University will seek to discuss reasons for incapacity as per requirements of the Labour Relations Act; and
- f) In cases of misconduct, the line manager should report immediately to the HR Division who will ensure that the necessary disciplinary action is taken.

Appendix 2: Administrative processes linked to employing a temporary member of staff

- a) Once the temporary assistance has been authorised and when an individual is employed as a temporary staff member for the first time, the following documentation will need to be provided :
 - i. Valid identity document;
 - ii. Bank account, details should be provided;
 - iii. Relevant institutional documentation
- (b) Once this documentation is submitted and processed, the temporary staff member will be provided with access to the Rhodes internet and e-mail facilities via a personal password and login from the IT Division.
- (c) The payment arrangement for temporary employees shall operate as follows:
 - i. The temporary staff member must provide the HR Division with their banking details. This must be done timeously if the individual is to be paid at the same time as other Rhodes staff members;
 - ii. Temporary staff with contracts of a duration of one month or more will be paid at the same time as other Rhodes staff members subject to point (i) above;
 - iii. Temporary staff with contracts of less than one month will either be paid at the same time as other Rhodes staff members or by the end of the month.