

**AGENDA of the
Portfolio Committee :Management Services
17 November 2015
(Also the agenda for the Mayoral Committee Meeting :25 November 2015)**

**2.
REVISION: STUDY AID POLICY FOR EMPLOYEES**

4/4/B

**L Bucchianeri
09 October 2015**

(028) 3138120

Corporate Head Office

1. Executive Summary

The purpose of this report is to recommend to Council to approve the reviewed Study Aid Policy for Employees.

2. Service Delivery and Budget Implementation Plan - IGNITE

Directorate: Management Services
Department: Human Resources

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services
Creation and maintenance of a safe and healthy environment

4. Delegated Authority

None

5. Legal Requirements

- Local Government: Municipal Systems Act, 2000 (Act 32 Of 2000) [Systems Act] and;
- Skills Development Act, 1998 (Act 97 Of 1998) [SDA]

6. Background/Discussion

Policies are introduced in the workplace to inform employees of rules of employment relationships and employee practices and also to maintain consistency within the workplace.

The Study Aid for employees Policy was approved by Council on 26 November 2008 and was reviewed by the Human Resources Technical Working Group in order to ensure that the said policy remains current, useful and aligned with applicable legislation and collective agreements.

The following notable amendments have been made to the policy:

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Par (Item) re:	Amendments	
	Delete	Insert
Objectives	[Municipality] Performance Management System	Performance Management Framework
Qualifying requirements		Existing 2.4 is replaced with the following: “The selected field of study should form part of the Skills Development section of the employees Performance Agreement or Performance Development Plan. This should be incorporated as part of the Workplace Skills Plan of the municipality. Consideration for training will only be at the discretion of the Director: Management Services after taking into account each employee’s skills development plan contained in the performance agreement.” The existing 2.4 changed to 2.5
Criteria for allocation for Study Aid		All applications must be assessed. <ul style="list-style-type: none"> • Subject to availability of funds, all studies must be undertaken at an approved institution (within South African Borders), unless otherwise decided by the Municipal Manager.
Application Procedure for Study Aid	4.3 Study aid applications must be recommended for approval by the relevant Manager, via his/her Director, to the Municipal Manager or his/her delegatee.	4.3 “The courses or subjects selected shall be confined to those courses directly linked to operational activities of the Municipality, especially as

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	<p>4.4 Employees will be allowed to simultaneously register for two study courses in the same year.</p>	<p>espoused in the Integrated Development Plan.”</p> <p>4.4 “Study aid application must be properly motivated and be supported by the head of the department for recommendation for the approval by the municipal manager or his/her delegatee.”</p> <p>New 4.5 “Applicable managers must recommend the study aid in terms of the qualifying requirements.”</p> <p>New 4.6 “Managers must furthermore take into account the implication of recommended study aid in terms of service delivery.”</p> <p>Original 4.3 deleted and replace with 4.7 “Study aid applications must be recommended for approval by the relevant Manager, via his/her Director, to the Municipal Manager or his/her delegatee. New Approval must be obtained at least two weeks prior to the closing date for submission. No late applications will be accepted after the closing date.”</p> <p>Original 4.4 deleted and replace with 4.8 “Employees will be allowed to simultaneously register for two study courses in the same year.”</p>
Study Aid		Insert 5.5 “Such an employee

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	<p>will qualify only once more for financial assistance in respect of the specific subject/module. If an employee fails the subject/module for a second time, financial assistance for the specific subject/module will be totally withdrawn and the employee must repay to Council the cost of the subject/module that he/she had failed.”</p> <p>Insert 5.6 “Council will only reimburse where the employee has a legal obligation towards the employees, with regard to training.”</p> <p>New 5.7 Exemption cost will not be paid by Council where employees who enrolled for a recognised course at a university and who must pay exemption fees for subjects/modules that were passed at another university.</p> <p>New 5.8 Assistance to study for approved qualifications will be awarded to employees for a total period of not more than five years per qualification (two years per grade in respect of school studies; two years in respect of Baccalaureate/ Honours degrees, Higher/Advance Diplomas; three years in respect of Master’s/Doctor’s degrees). This period may be decreased or extended at the discretion of the relevant Director, acting on recommendation of the Municipal Manager or his/her</p>
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	<p>delegatee. The number of years for which assistance will be granted will be determined at the commencement of the course, unless the Director: Management Services waives this requirement. However, if an employee has been granted "leave of absence" by his/her academic institution, or if he/she decides to postpone his/her studies, the study aid period may be extended by a corresponding period, at the discretion of the Municipal Manager or his/her delegatee. No financial assistance will be provided in the period of postponement or "leave of absence"</p> <p>New</p> <p>5.9 If in the first two years of study if an employee does not pass at least two subjects in respect of a course leading to a university degree or diploma, or four subjects in respect of any other diploma / certificate course, assistance in terms of the study aid policy will be withdrawn and the employee will be required to repay the registration, class and examination fees that Council has paid on his / her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegatee.</p> <p>5.9 (i) If in the first two years of study if an employee does not pass at least two subjects in respect of a course leading to a university degree or diploma, or</p>
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	<p>four subjects in respect of any other diploma / certificate course, assistance in terms of the study aid policy will be withdrawn and the employee will be required to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate.</p> <p>5.9 (ii) If an employee has to suspend enrolment for any particular year of a course, application for approval of such suspension must be made, together with the reasons for the request, for the discretion of the municipal manager or his/her delegate.</p> <p>5.9 (iii) If an employee has suspended enrolment for any particular year of study, without obtaining approval as per paragraph 5.9 (ii), the employee will have to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate.</p> <p>5.9 (iv) If an employee has at any stage aborted studies in order to complete a qualification for which financial assistance has been received, the employee will have to repay the registration, class and examination fees that Council</p>
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		has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate. Unless the discontinuing was considered and approved at the discretion of the Municipal Manager or his/her delegate.
Employee Obligation		Insert 7.3 "If an employee leave Council service for any reason whatsoever after assistance has been given and before the period within which he/she is required to remain in Council service as expired (including dismissal, but excluding death or legal inability to carry out duties), he/she will be liable for the immediate total repayment of the registration, class and examination fees that Council has paid on his/her behalf in terms of the study aid policy."
Dispute Resolution		Change from 7.5 to 8.1

7. Financial Implications

None

8. Staff Implications

None

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9. Comments from other Departments, Divisions and Administrations

The policy was discussed by the local Human Resources Technical Working Group. This item also served before the Local Labour Forum on 09 October 2015 for cognisance and was supported by management and organised labour.

10. Annexures

Annexure A: Study Aid Policy for Employees

RECOMMENDATION TO THE COUNCIL:

that the reviewed Study Aid Policy for Employees **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

01 DECEMBER 2015

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4/4/B

**L Bucchianeri
09 October 2015**

(028) 3138120

Corporate Head Office

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
17 NOVEMBER 2015, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

that the reviewed Study Aid Policy for Employees **be approved.**

RESPONSIBLE OFFICIAL :

L BUCCHIANERI

TARGET DATE FOR IMPLEMENTATION :

01 DECEMBER 2015

OVERSTRAND MUNICIPALITY

STUDY AID POLICY FOR EMPLOYEES

1. OBJECTIVES

The Overstrand Municipality's **Study Aid Policy for Employees** is aimed at enabling full-time municipal employees to, by means of financial assistance in the form of study aid, undergo formal part-time study or training in order to enable such employees to better qualify themselves for posts on the Municipality's staff establishment.

This policy must be read concomitant with the Municipality's

- Performance Management Framework;
- Succession Planning Policy;
- Employment Equity Plan and
- Workplace Skills Plan.

2. QUALIFYING REQUIREMENTS

2.1 In the normal course of events the Municipality shall recognise only qualification standards that are recognised by the South African Qualifications Authority [SAQA] or which are compulsory in terms of legislation and are presented by recognised educational or academic institutions. However, the Municipal Manager may approve qualifications that are not recognised by SAQA but which are in the Municipality's general interest.

2.2 Recognised educational or academic institutions referred to in clause 2.1 shall be government and or SAQA approved institutions such as:

- a South African University;
- a South African University of Technology;
- other degree/diploma granting institutions within South Africa;
- a South African College; or
- correspondence College
- a government / SAQA approved institution, and / or
- any other appropriate institution as approved the Municipal Manager.

2.3 The courses or subjects selected for study shall be confined to the Municipality's working environment as well as the functional and career development activities of a specific employee.

2.4 The selected field of study should form part of the Skills Development section of the employees Performance Agreement or Performance Development Plan. This should be incorporated as part of the Workplace Skills Plan of the municipality. Consideration for training will only be at the discretion of the Director: Management Services after taking into account each employee's skills development plan contained in the performance agreement.

2.5 Should the request for study aid by an employee not comply with clause 2.3 above, such an employee will be required to submit a motivation for career change, supported by his/her Manager and Director, via the Director: Management Services, to the Municipal Manager and the latter will only favourably consider the application if such career change is in the interest of the Municipality.

3. CRITERIA FOR ALLOCATION OF STUDY AID

All applications must be assessed/prioritised according the following criteria:

- Subject to availability of funds, all studies must be undertaken at an approved institution (within South African Borders), unless otherwise decided by the Municipal Manager.
- *Priority Number One*
Employees who are current study aid holders and must still complete their studies.
- *Priority Number Two*
As determined in the Workplace Skills Plan, Integrated Development Plan and Employment Equity Plan.
- *Priority Number Three*
Employees who must obtain a qualification in order to meet the requirements
 - of the post which they currently occupy; or
 - to address developmental gaps for purposes of career pathing.
- *Priority Number Four*
Employees who want to study towards their first qualification up to and including Grade 12.
- *Priority Number Five*
Employees who already have tertiary qualifications but who are studying for self-development within the context of local government.

4. APPLICATION PROCEDURE FOR STUDY AID

- 4.1 Study aid applications must be submitted on the prescribed form obtainable from the Department: Human Resources.
- 4.2 Applications must be accompanied by a statement/certificate by the educational institution that the employee complies with the entrance requirements for the course concerned.

- 4.3 The courses or subjects selected shall be confined to those courses directly linked to operational activities of the Municipality, especially as espoused in the Integrated Development Plan.
- 4.4 Study aid application must be properly motivated and be supported by the head of the department for recommendation for the approval by the municipal manager or his/her delegatee.
- 4.5 Applicable managers must recommend the study aid in terms of the qualifying requirements.
- 4.6 Managers must furthermore take into account the implication of recommended study aid in terms of service delivery.
- 4.7 Study aid applications must be recommended for approval by the relevant Manager, via his/her Director, to the Municipal Manager or his/her delegatee. Approval must be obtained at least two weeks prior to the closing date for submission. No late applications will be accepted after the closing date.
- 4.8 Employees will be allowed to simultaneously register for two study courses in the same year.

5. STUDY AID

- 5.1 The term "study aid" shall be deemed to be study fees for purposes of registration, class and examination fees, matriculation exemption fees and thesis fees but will not include any penalties imposed by the educational institution or membership of any student body.
- 5.2 The study fees shall be paid by the Municipality in full directly to the educational institution.
- 5.3 The employee must submit documentary proof, by means of a statement, account or invoice on which the study fees are fully specified and defined.
- 5.4 If an employee has paid the fees directly to the educational institution, he/she may claim reimbursement on submission of documentary proof of the said amount. Reimbursement claims may not be submitted later than six calendar months after passing the examinations of the said subject/course.
- 5.5 Should an employee fail a subject/module, he/she must repay the fees in respect of the subject/module failed within a maximum period of 12 (twelve) months in equal monthly payments to the Municipality. Such an employee will qualify only once more for financial assistance in respect of the specific subject/module. If an employee fails the subject/module for a second time, financial assistance for the specific subject/module will be totally withdrawn and the employee must repay to Council the cost of the subject/module that he/she had failed. The employee may however, after the subject/module was obtained at his/her own cost, claim reimbursement for the relevant fees in respect of said subject/module.

- 5.6 Save for an annual amount determined by the Municipal Manager to be paid towards prescribed book fees, prescribed text books and class notes forming part of the curriculum or studies which is all inclusive in the study/class fees, the Municipality will make no contribution in respect of other prescribed books, equipment, stationery, class notes, travel and subsistence costs or tools. The provisions of this clause are not applicable on compulsory training of employees in terms of legislation. Council will only reimburse where the employee has a legal obligation towards the employees, with regard to training
- 5.7 Exemption cost will not be paid by Council where employees who enrolled for a recognised course at a university and who must pay exemption fees for subjects/modules that were passed at another university.
- 5.8 Assistance to study for approved qualifications will be awarded to employees for a total period of not more than five years per qualification (two years per grade in respect of school studies; two years in respect of Baccalaureate/Honours degrees, Higher/Advance Diplomas; three years in respect of Master's/Doctor's degrees). This period may be decreased or extended at the discretion of the relevant Director, acting on recommendation of the Municipal Manager or his/her delegatee. The number of years for which assistance will be granted will be determined at the commencement of the course, unless the Director: Management Services waives this requirement. However, if an employee has been granted "leave of absence" by his/her academic institution, or if he/she decides to postpone his/her studies, the study aid period may be extended by a corresponding period, at the discretion of the Municipal Manager or his/her delegatee. No financial assistance will be provided in the period of postponement or "leave of absence"
- 5.9 If in the first two years of study if an employee does not pass at least two subjects in respect of a course leading to a university degree or diploma, or four subjects in respect of any other diploma / certificate course, assistance in terms of the study aid policy will be withdrawn and the employee will be required to repay the registration, class and examination fees that Council has paid on his / her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegatee.
- (i) If in the first two years of study if an employee does not pass at least two subjects in respect of a course leading to a university degree or diploma, or four subjects in respect of any other diploma / certificate course, assistance in terms of the study aid policy will be withdrawn and the employee will be required to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegatee.

- (ii) If an employee has to suspend enrolment for any particular year of a course, application for approval of such suspension must be made, together with the reasons for the request, for the discretion of the municipal manager or his/her delegate.
- (iii) If an employee has suspended enrolment for any particular year of study, without obtaining approval as per paragraph (ii), the employee will have to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate.
- (iv) If an employee has at any stage abort studies in order to complete a qualification for which financial assistance has been received, the employee will have to repay the registration, class and examination fees that Council has paid on his/her behalf in respect of the study course concerned over a period as determined by the Municipal Manager or his/her delegate. Unless the discontinuing was considered and approved at the discretion of the Municipal Manager or his/her delegate.

6. EXAMINATION RESULTS

Employees will be obliged to submit their examination results to the Department: Human Resources within one month of receiving the said results failing which it shall be deemed that the subjects/modules were failed and in which case clause 5.5 shall apply.

7. EMPLOYEE OBLIGATIONS

- 7.1 Employees must enter into study aid agreements with the Municipality in terms of which the contractual relationship in terms of this policy is set out.
- 7.2 An employee will be required to remain in the Municipality's service for a period of one year for each year for which study aid was granted. This required period will come into effect annually on the date on which the last examination for that year was written. Where no examination was taken but a Master's thesis was submitted, the employee will be required to remain in the Municipality's service for one year after his/her thesis has been finally accepted.
- 7.3 Should an employee leave the Municipality's service within the timeframes mentioned in clauses 5.5 or 7.2 for whatever reason, the employee must pro rata repay the amount of study aid to the Municipality in full. If an employee leave Council service for any reason whatsoever after assistance has been given and before the period within which he/she is required to remain in Council service as expired (including dismissal, but excluding death or legal inability to carry out duties), he/she will be liable for the immediate total repayment of the registration, class and examination fees that Council has paid on his/her behalf in terms of the study aid policy.

7.4 Should it be necessary to institute legal action to recover money in terms of clause 7.3, the employee will be liable for all such costs on a scale of attorney and client including interest at the current prime rate from the date on which such monies are due to the Municipality.

8. DISPUTE RESOLUTION

8.1 Any dispute referral can be dealt with in terms of the Bargaining Council Grievance Procedure.

Policy section	Human Resources
Current update	25 November 2015
Previous review	25 June 2014
Approval by Council	25 August 2010