

Staff Selection, Appraisals Development & Promotion policy & Procedure

• LEARNEX GRATIA realizes that the quality and success of staffing and related staff development are fundamental to the quality and success of the organization as a whole. Therefore the organization will implement procedures for Staff Selection, Appraisal and Development, which will include requirements for Recruitment, Selection, Appointment, Promotion and Termination of Services. The LEARNEX GRATIA will ensure that the structure, level and type of staffing is appropriate for the Education and Training services provided.

- Competencies required of all staff to contribute to the organization's objectives and do their jobs effectively will be identified and will be reflected in Job Descriptions and in recruitment, selection, and job allocation practices. All jobs will be unit standard based job descriptions.

- All newly recruited staff will go through an induction process.

- Staff will be assigned to specific activities and tasks on the basis of being competent in relation to their roles and responsibilities, i.e. to manage and carry out all aspects of the LEARNEX GRATIA operations and to meet the demands of Contracts and the number of Learners enrolled. Specific activities, tasks and roles and responsibilities will be included and described in The LEARNEX GRATIA Quality Systems Procedures.

- Competency will be determined on the basis of applicable Education, Training, Skill and/or Experience.

- Team and individual training and development needs will be regularly reviewed and analyzed and funding made available for identified staff training needs. Individual action plans will be constructed for all staff and will take into account prior achievement, identify goals and development needs, and describe agreed arrangements for meeting those needs.

- Staff will be encouraged to gain further qualifications particularly as assessors and moderators. Management responsibilities for staffing will be clearly allocated and evidence of systematic review of staffing arrangements will be maintained.

- The LEARNEX GRATIA will maintain comprehensive records of Education, Training, Qualifications, Skill and/or Experience for all full time and, part time and contracted staff.

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1. Purpose

1.1 The purpose of this procedure is to detail requirements for staff selection, appraisal and Development in order to ensure that the structure, level and type of staffing are appropriate for the Education and Training services provided.

2. Scope

The scope of procedures includes the following Human Resources activities.

2.1 Staff Selection:

- Identifying new The LEARNEX GRATIA staff needs
- Recruitment Policy
- Recruitment and Selection
- Appointment and Staff Contracts

2.2 Appraisal and Development

2.3 Job Descriptions

2.4 Job Induction Process

2.5 Staff Records

2.6 Staffing Review

2.7 Terminations of contracts

3. References

3.1 Basic Conditions of Employment Act, 1997 3.2 Employment Equity Act, 55 of 1998

4. Definitions

4.1 Appraisal – See how well performance is done.

5. Responsibilities

5.1 The responsibility for staff selection, appraisal and development will lie solely with the Managing Member.

6. Procedure

6.1 Staff Selection

6.1.1 Identifying new The LEARNEX GRATIA Staff needs

All placements will be demand led. The LEARNEX GRATIA will strive to be an Employment Equity representative company and will therefore attempt to fill all future positions with this in mind.

A job description will be drawn up and a suitable candidate sought to fill it.

6.1.2 Recruitment Policy

Employment Equity Act

No person may unfairly discriminate, directly or indirectly, against an applicant on one or more grounds, including race, gender, pregnancy, marital status, family responsibility, ethnic or social origin, color, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture and language.

It is, however, not unfair discrimination to promote affirmative action in keeping with LEARNEX GRATIA Equity Plan, or to prefer or exclude any person on the basis of inherent job requirement.

Job Posting Procedure

Draw up an advertisement giving an accurate job specification based on the relevant job description. The job specification should clearly detail the nature of the work, duties, responsibilities and the applicant requirements. Particular attention must be paid to the inherent requirements of the job. Also included should be the years experience and the skills and / or training applicants must have in order to apply for the position. Research has shown that detailed job specifications result in fewer and better applicants, fewer rejections and less chance of employee resentment.

All advertisements should be checked and signed off by the Managing Member.

Interviewing

Interviewing must be conducted strictly in accordance with the Labour Relations Act (LRA), as follows: Acceptable Questions 1. Language proficiency 2. Name 3. Address 4. Educational qualifications (NOT name of university / institute) 5. Previous positions and employers 6. Experience/ Prior Learning 7. Names of referees

Unacceptable Questions

1. Family Status – you may not question this. If, however, once you have explained the inherent needs of the job, someone is unable to meet that criterion due to family demands, and they tell you, then you may record the information. At no other time should such information be written down. 2. Marital Status – do NOT question. 3. Age – do NOT question. An ID number can only be requested from shortlist applicants for reference purposes.

4. Gender, race and medical history may be asked on a separate section entitled "Specific Inherent Requirements" (i.e. for Equity Purposes or Statistical Purposes. The reason for these questions should be fully explained to the applicant. This is an area to be very wary of. 5. University / educational institution – do NOT ask where the applicant studied. Only short listed applicants can be asked for reference purposes.

Disqualifying Factors

1. Working conditions (e.g. bad lungs in an asbestos factory)
2. Unable to meet inherent requirements of job.
3. Lack of statutory requirements (e.g. driver's license)
4. Unable to get security clearance (e.g. banking/ financial position).
5. Physical restrictions (bearing in mind that to discriminate on the basis of disability is unfair).
6. Working hours
7. Can do factors (the candidate must be able to do the tasks for the job).
8. Will do factors (the applicant will do the task as part of the job).

It is important to note that it is up to the employer to disprove an allegation of discrimination.

It is not up to the applicant to prove it.

No indication must be given at all times that there is a second interview (directly or indirectly) i.e. the applicant must have no expectation.

NB: Should it be decided by the CCMA that discrimination has taken place, this could result in the employer paying a maximum of 24 months salary to the "employee" even if the person has never worked a day in his life at the company.

Interviewing Procedure

All interviews must only use questioning techniques based on historical behaviours and skills, and not on theoretical responses. (i.e. "what did you do" and not "what would you do")

Make use of the following behavioural related questions:

1. When (background)
2. What (action)
3. How (result)
4. Outcome (satisfaction)

For example: Tell me about a time when you were required to handle a conflict situation. When did this happen? Why did you have to do so? What did you do? What was the outcome?

Question Selection

Tell me about a time when you had to deal with an extremely difficult customer. What happened, how did you deal with it, and what was the outcome?(Customer Service). • Have you ever found yourself in the situation where a customer had been promised something by your company, only to be let down? Tell me about it.(Customer Service). • Targets are very important to sales people. When last did you find yourself in a position where you were unable to achieve your target, and what did you do about it?(sales). • Give me an example of a time when you were in a conflict situation with one of your colleagues. How did you handle it?(Handling conflict). • Tell me about a time when you had a number of important tasks to do, and it was necessary for you to prioritize. (Handling Pressure).

Making the Decision

It is important that selection is made strictly according to the inherent requirements of the job. However, selection must also be according to The LEARNEX GRATIA Employment Equity Plan.

All appointments must be performed on a merit basis. However, where the gap between two possible candidates is small, preference should be given to employees of designated groups. (EE Plan). This rule will also apply in cases where minimal training for the candidates from designated groups will close the skills gap in a short period of time.

Should a suitable applicant from a designated group not be found, the Managing Member of The LEARNEX GRATIA may make an alternative selection.

Reference Checking

Reference checks may only be conducted on short listed applicants. Questions asked during the reference check must relate to the inherent requirements of the job. Personal questions and questions detailed in the "unacceptable questions" under the interviewing section may not be asked.

Questions that may be asked include:

- What position did the applicant hold in the company?
- For how long were they in that position?
- For how long were they at the company?
- What was their salary on leaving the company?
- Were they promoted?
- How many staff did they have under them?
- Give an example of how they coped under pressure?
- What are their major strengths (must be able to justify)?
- What are their major weaknesses (must justify)?

- Were they punctual for work every day?
- Were they often absent from work?
- Were they required to work to targets?
- Were they able to achieve these targets?
- Were they able to use their initiative?

Testing

Pre-employment testing is prohibited (including testing for HIV), unless such testing is deemed to be justifiable by the labour court.

6.1.3 Recruitment and Selection

The LEARNEX GRATIA does not limit itself to any specific recruitment method and may therefore appoint someone found from own advertising or using recruitment agencies.

As The LEARNEX GRATIA increases in staff capacity, existing staff will first be given the opportunity to apply for positions they are suitably qualified for internally before The LEARNEX GRATIA looks outside the company.

6.1.4 Appointment and Staff Contracts

New appointments will be made as speedily as possibly. All unsuccessful candidates will be regretted in writing or by SMS. The new Staff Member will receive their Employment Contract within 10 working days from their first working day. They will be given 48 hours to sign and return the contract.

6.2 Appraisal and Development

6.2.1 Appraisal & Evaluation

Before performance management can be done, each employee should have a job description. The job description will form the basis of the appraisal system, saving time as far as performance areas to be appraised, and being transparent and fair.

The appraisal process will be seen as a means to:

- Identify training requirements
- Have work performance objectively assessed.
- To have short comings in performance identified early so that remedial action can be taken.

Staff appraisals will be done once a year in November. The staff member will receive the Staff Appraisal Form 24 hours before the appraisal and be allowed to fill it in according to their subjective opinion. The Managing Member will complete the same appraisal form and meet with the staff member to compile the 3rd mutually agreed on form.

This will be filed under the staff member's personal file.

Staff evaluation will take place every 8 weeks and will be done in accordance with the Performance Management System. This system is published separately but forms part of the QMS.

6.2.1. Staff Development

The LEARNEX GRATIA will encourage the principle of Life Long Learning in its entire staff. Based on Company needs and the staff member's appraisal, a career path will be mapped out for the staff member. Staff will be encouraged to gain further qualifications in their area of responsibility. Should the training budget allow, The LEARNEX GRATIA will pay a portion of the training fees – the balance will be for the staff member's own account.

6.3 Job Descriptions

The Managing Member will give the new staff member a written Job Description along with the Contract of Employment 10 working days after their starting day. The time delay is to allow for any modifications to the Job Description used in the recruitment and selection process. The job description will be reviewed every six months during the appraisal process.

6.4 Job Induction Process

The LEARNEX GRATIA will use the Policy and Procedures Manual as an induction instrument for all staff members. All new staff will have to sign the "Induction Checklist Form" stating that they have read the Manual and understand the content. This will be filed in the "Staff Records File". By signing the "Induction Checklist Form" the staff member states that he/she understands and agrees to follow and implement the policies and procedures of The LEARNEX GRATIA and will therefore accept any responsibility for deviations from these Policies and Procedures.

6.5 Staff Records

A staff records file is kept with copies of the following documents:

- Employee and Salary Details Form
- Curriculum Vitae
- Contract of Employment including the Job Description
- Induction Checklist Form
- Career Path Map
- Application for Leave Forms
- Sick certificates

This file is confidential and the Managing Member only has access to it.

6.6 Staffing Review

The Managing Member will review the staffing needs of The LEARNEX GRATIA periodically to determine if any restructuring needs to occur. The business needs of The LEARNEX GRATIA will be reviewed at the end of the contract period for Contract, Temp or Part Time staff to see if a further contract is required.

6.7 Terminations of contracts

Should any Full Time Employee's contract be terminated the Procedures for Termination of employment will be as follows:

A contract of employment may be terminated on notice not less than: a) One week if the employee has been employed for six months or less b) Two weeks if the employee has been employed for more than six months but less than one year. c) Four weeks if the employee has been employed for one year or more, or if a farm worker or domestic worker has been employed for six months. d) A collective agreement may shorten the four week notice period to not less than two weeks. e) Notice must be given in writing except when it is given by an illiterate employee.

Every employee will be entitled to a certificate of service.

6.8 Disciplinary Procedure

Depending on the seriousness of the offence, the application of the Disciplinary Code will be followed in stages as set out below.

6.8.1 Corrective Action

The first step in correcting misconduct or inadequate performance shall be counseling, coaching or formal training. The purpose of this will be to correct poor working habits, to avoid the recurrence of mistakes and / or to enable the employee to recall the required performance standard or rules of conduct.

The CEO will agree with the employee what changes need to be affected and a date on which the performance or conduct will be reviewed. The "Disciplinary Procedure – Corrective Action Form" will be used to record the above.

6.8.2 Recorded Verbal Warning

This will be issued for minor offences such as late arrival for duty or leaving early without permission, workplace untidy, and work performance slightly below standard.

- The CEO will warn the employee verbally, in private.
- The employee will be given full reasons for the warning and will be told what forms of action should be taken to correct or to prevent the recurrence of the same offence.
- The warning will be recorded on the form: Disciplinary Procedure –Warning. This will remain in the employee's personal file for 6 months.

6.8.3 First Written Warning

This will be written for more serious offences such as unauthorised absence from a workstation, recurrent late coming, inferior / unsatisfactory performance OR Repeated minor offences (within six months of verbal warning).

- The Managing Member will warn the employee in writing.
- The warning will be recorded on the form Disciplinary Procedure –Warning.
- The employee must sign or make his/her mark on it. Should the employee refuse a witness will sign as proof that the warning has been given.
- A copy of this form will be filed in the employees personnel file and will remain in the file for a period of 1 year. Thereafter it will be destroyed.
- The employee will be given reasons for the warning and will be told what forms of action should take place to correct or prevent the reoccurrence of the same offence.
- The “Disciplinary Procedure – Corrective Action Form” will be used to record the above.

6.8.4 Final Written Warning

This will be written for major offences such as victimization, possession of illegal substances during working hours, unauthorized absenteeism for three or more days OR A repeat of a first written warning for the same offence within the six months of the previous offence.

- A final warning can only be issued as an outcome of a disciplinary enquiry.
- It will be issued when the Managing Member feels that any previous corrective action steps are inappropriate. The disciplinary code gives some indication of when it will be used.
- The employee will be asked to sign the written warning. The written warning will be valid regardless of whether the employee signs it or not.
- The employee will be given a copy of the final warning that details the offence and the duration of validity of the warning.
- A final written warning will remain on the employee’s personal file for a period of twelve months. After this period has lapsed, the warning will not be taken into account in deciding subsequent disciplinary action.

6.8.5 Dismissal

Dismissal is the final step that can be taken against an employee if:

- Other disciplinary steps have failed.
- After a final warning a further transgression is committed.
- Dismissal can only occur as the outcome of a disciplinary enquiry
- Only the CEO is allowed to dismiss an employee.

- The employee will be given the reasons for the dismissal in writing.

6.9 The Disciplinary Enquiry Procedure

- The employee will be issued with a notification of the enquiry in writing.
- The employee will acknowledge receipt of the document by signing it. If the employee refuses to sign the document, a witness may sign that the employee has received the document.
- The Managing Member of The LEARNEX GRATIA will appoint a chairperson for the disciplinary enquiry.
- The people at the enquiry are: The chairperson, the complainant, the employee, a note taker (if required) , translator (if required) ,A representative for each party (if required) , Any witnesses called.
- The chairperson will open the disciplinary enquiry by reading out the issues of alleged misconduct or poor performance.
- At the enquiry, both parties will be given an opportunity to present their cases, call witnesses and ask any questions of any witness called.
- The chairperson will make an objective finding based on the facts. This may require that the hearing is adjourned, prior to the outcome being given, for consideration of the fact.
- In the event that the employee is found guilty of the offence, both the employee and the complainant will be given an opportunity to present arguments in mitigation and aggravation respectively. These arguments may be requested in writing.
- The entire proceeding will be accurately recorded through contextual minutes being taken by a neutral person. Either or both parties may tape the proceedings if desired.
- Witnesses may be questioned and cross-examined telephonically, through a speakerphone, if it would be unreasonable in the circumstances for them to be present at the enquiry.
- The outcome may be given in writing should circumstances require this.
- In the interest of the employee and the company, the manager may deem it necessary to suspend an employee pending the outcome of an enquiry. If this is done, the employee will be suspended on full pay until the situation has been resolved.

6.10 The Appeal Procedure

- Should an employee be dismissed, such an employee must be reminded of their right to appeal against the outcome of the enquiry and their right to refer the matter to the Commission for Conciliation, Mediation and Arbitration.
- The aim of the appeal is to test the correctness of the enquiry chairperson's findings based on the information that was presented to him or her at the enquiry.
- The appeal must be lodged within 7 days of the outcome of the disciplinary enquiry.

- The appeal will be heard at a mutually convenient time within fourteen days from the date the appeal was lodged. The time parameter may be adjusted through agreement of between the relevant parties.
- The appeal hearing will NOT be a re-hearing of the enquiry. It will be an examination of the written evidence that was given at the enquiry.
- No new evidence will be considered at the appeal hearing unless exceptional circumstances prevented the evidence from being made available at the original enquiry.

6.11 The Rights of the Employee at a Disciplinary Enquiry

- The employee has the right to be given sufficient time in which to prepare for a disciplinary enquiry and has the right to be given sufficient details as to the charges against him/ her.
- The employee has the right to be represented by a representative from within the company only.
- Employees will be given at least two working days notice of the enquiry to facilitate adequate preparation for the hearing. • The employee has the right to call witnesses in his/ her defence. In exceptional circumstances, these may include persons who are not employees of the company.
- The employee has the right to ask questions of any witness called.

7. Documentation

The following documentation is required for the implementation of this Procedure:

7.1 Employment Contracts including the Job Descriptions

7.2 Staff Appraisal Forms

7.3 Career Path Forms

7.4 Induction Checklist Form

7.5 Employee and Salary Details Form

7.6 Application for leave forms

8. Records

The following records are required to be maintained by the implementation of this procedure:

8.1 Employment Contracts including the Job Description.

8.2 Staff Appraisals 8.3 Career Paths 8.4 Induction Checklist Form 8.5 Employee and Salary Details Form 8.6 Application for leave and leave records