



PRIVATE WORK POLICY

Date Approved: 24/08/2005 | **Council Resolution:** DC 2005/08/05

Date Approved: 27/03/2024 | **Council Resolution:** E.1

Contents

1 INTRODUCTION.....	3
2 LEGAL FRAMEWORK	3
3 PURPOSE OF THIS POLICY	3
4 SCOPE OF THIS POLICY	3
5 POLICY	4
6 PROCESSES	4
7 POLICY REVIEW	5
8 REFERENCES.....	5
9 ACKNOWLEDGEMENT & APPROVAL	5
10 ANNEXURES.....	5

1 INTRODUCTION

It is in employees own interest who are engaged in any business, trade or profession of whatsoever nature, whether remuneration is involved or not, to obtain the written consent from Council for private work on an annual basis as per legislation.

2 LEGAL FRAMEWORK

The Municipal Systems Act, Act 32 of 2000, Schedule 2, item 4(2)(c) & 3 of the Code of Conduct for Municipal Staff Members

3 PURPOSE OF THIS POLICY

Employees must obtain permission from Council if they are involved in private work after hours.

4 SCOPE OF THIS POLICY

This policy applies to all staff of Garden Route District Municipality.

4.1 An employee may not without prior consent from Council be engaged in any business, trade or profession other than the work of the municipality or undertake remunerative private work outside Council's service. Consent will not be withheld without good reason.

4.2 Private work may not directly or indirectly interfere in any way whatsoever with the daily tasks/duties of the employee.

4.3 Private work may not directly or indirectly cause a conflict of interest with that of Council in relation to the position the employee holds with Council. Private work within Council's area of jurisdiction that may cause a conflict of interest may not be approved (e.g. an official responsible to comment on/or approve building plans.)

4.4 No Council property, equipment, apparatus, machinery and / or vehicles may be utilized for private work.

4.5 Private work may not be in competition with a service rendered by Council.

4.6 Private work shall not take place during the employee's working hours nor cause the employee to be absent from official duties or cause such an employee to have regard for it during his/her official working hours.

4.7 Council's postal address, telephone and e-mail may not be used for purposes of private work.

4.8 Consent to do private work will be at Council's pleasure and the competent authority has the right to withdraw such consent at any time for good reason. The impact of private work on the employee's official duties and performance may further be assessed at any time by the competent authority and the competent authority may and have the right to suspend or withdraw the permission to perform private work if of the opinion that such permission is being abused or has a negative impact on the performance or functions of the employee.

4.9 Transgression of any provision of this policy could result in disciplinary action against an employee.

4.10 An employee who applies for consent to do private work, must in his/her application undertake not to contravene any provision of Council's policy on private work.

4.11 The employee shall indemnify and kept Council indemnified against any action, dispute or other matter which might arise from the employee doing private work.

4.12 Consent to do private work are applicable to the post occupied by the employee at the time of application. If the individual is transferred or promoted a new application must be submitted by the employee.

4.13 Approval for private work must be renewed annually.

5 POLICY

Applied as per Section 7.

6 PROCESSES

- a. An application to do private work by the Municipal Manager must be approved or refused by the Council.

- b. Application to do private work by employees other than the Municipal Manager must be recommended by the Head of Department, whereafter it will be approved or refused by the Municipal Manager. Reasons for refusal must be disclosed to the applicant, whereafter an appeal can be submitted in terms of Section 62 of the Municipal Systems Act, 2000.

- c. Applications for private work must be submitted in writing on the prescribed form to the competent authority for consideration. A copy of the application with the decision of the competent authority must be filed on the employee's personal record.

7 POLICY REVIEW

When required

8 REFERENCES

The Municipal Systems Act, Act 32 of 2000, Schedule 2, item 4(2)(c) & 3 of the Code of Conduct for Municipal Staff Members

9 ACKNOWLEDGEMENT & APPROVAL

Council Meeting, 24 August 2005, item DC 58/08/05

10 ANNEXURES

Private Work Application Form



APPLICATION: PRIVATE WORK

Surname / IFani		Initials / Iziqalo gama	
Names / iGama Amagama			
Dept. / iSebe		Empl. nu. / Inombolo Yomsebenzi	
Position / Isithuba		Location / iNdawo	

I hereby wish to apply for permission to do private work, as set out below:

1. Nature and extent of work or activity:

.....

.....

.....

I declare that I am acquainted with the policy of Council in respect of private work and undertake to comply with this policy.

2. I indemnify Council against any claim of whatever nature, that may arise from doing private work.

favorable consideration of my application will be appreciated.

SIGNATURE OF APPLICANT: _____ **DATE:** _____

APPROVAL BY SUPERVISOR

I recommend / do not recommend the application

SUPERVISOR NAME: _____ **SUPERVISOR SIGNATURE:** _____ **DATE:** _____

APPROVAL BY HEAD OF DEPARTMENT (HOD)

I approve / decline the application

HOD NAME: _____ **HOD SIGNATURE:** _____ **DATE:** _____

**Approval delegated from MM to HOD in 2021*

HUMAN RESOURCES ADMINISTRATION

This application is:

APPROVED:

REJECTED:

Employee has been informed of decision in writing. Application has been recorded in the register and copy filed on personal file.

SIGNATURE: HUMAN RESOURCES

DATE