



POLICY ON NON-STANDARD APPOINTMENTS

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POLICY ON NON-STANDARD APPOINTMENTS

Against the background of the dream to be an internationally recognised university in Africa, distinguished for engaged scholarship, social responsiveness and an ethic of care, the council of the North-West University (NWU) has adopted this policy on 20 June 2019 to regulate the non-standard appointments for the university.

1 INTERPRETATION AND APPLICATION

This policy must be interpreted and applied in a manner consistent with the –

- 1.1 Constitution of the Republic of South Africa, 1996
- 1.2 Basic Conditions of Employment Act, 75 of 1997(BCEA)
- 1.3 Labour Relations Act; 66 of 1997 (LRA)
- 1.4 Employment Equity Act, 55 of 1998
- 1.5 Employment Services Act, 4 of 2014
- 1.6 Immigration Act, 13 of 2002
- 1.7 Statute of the North-West University (2017)

2 DEFINITIONS

In this policy –

"fixed-term appointment" refers to employees who provide services to the NWU for remuneration on a full-time or part-time basis for a fixed period of longer than three months, but no more than 24 months ;

"full-time employment" refers to an appointment made for not less than forty hours per week and is remunerated at a fixed amount monthly for the duration of employment;

"part-time employment" refers to an appointment made for less than 40 hours per week;

"temporary employee" refers to a person who performs services to the NWU against remuneration, either fulltime or part-time, for a fixed period of more than 24 hours per month, but for no longer than three months in a calendar year, irrespective of whether the temporary appointment is for a continuous period of three months or not.

3 POLICY STATEMENT

It is the policy of NWU to regulate non-standard appointments in accordance with the provisions of the relevant legislation, specifically the BCEA, LRA and the Employment Equity Act, guided by the principles set out in paragraph 4.

4 GUIDING PRINCIPLES

In order to fulfil the vision of the NWU, non-standard appointments at the university must be made in accordance with the following principles:

- 4.1 Clearly articulated operational requirements, including project or peak workloads, to replace an employee for a limited period or to provide teaching and learning or research assistance must exist on before a temporary or fixed-term appointment is made.

4.2 The university must be able to show that the nature of the work is of limited or definite duration or that there exists any other justifiable reason for fixing the term of a contract.

4.3 A temporary or fixed-term appointment may not replace a permanent employment

5 ASSIGNMENT OF ADDITIONAL TASKS FOR ADDITIONAL REMUNERATION

5.1 Any employee of the NWU may be assigned additional tasks for a fixed period and for remuneration additional to the remuneration provided for in the employee's primary contract of employment.

5.2 Where additional tasks are assigned to an employee, the following conditions must be met:

5.2.1 approval of the allocation of the additional tasks must be obtained from the employee's line manager;

5.2.2 the normal contractual tasks of the employee may not be entrusted temporarily to another employee;

5.2.3 the additional remuneration must be consolidated with the remuneration provided for in the employee's primary contract of employment;

5.2.4 the additional working hours must be consolidated with the time provided for in the employee's primary contract of employment;

5.2.5 the time required for the performance of the primary and additional tasks may not exceed the total amount of time, including overtime, that is legally permissible;

5.2.6 the additional tasks may not be performed during the working hours provided for in the employee's primary contract of employment, and

5.2.7 the additional tasks must be compatible with the employee's contractual responsibilities in terms of the primary contract of employment.

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