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## GENERAL NOTICE

### NOTICE 2011 OF 1997

#### DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION

The White Paper on Human Resource Management in the Public Service is hereby published by the Department of Public Service and Administration. The purpose of this White Paper is to provide a policy framework that will enable the development of human resource management practices which support an effective and efficient Public Service, geared for economic and social transformation.

The White Paper on Human Resource Management in the Public Service is also available on the Internet at [http://www.sacs.org.za/level4/white 97.htm](http://www.sacs.org.za/level4/white%2097.htm) . With effect from 1 March 1998, it will also be available in all the other official languages on the same Internet address.

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**MANAGING PEOPLE IN A TRANSFORMED PUBLIC  
SERVICE**

**White Paper on Human Resource Management in the  
Public Service**

**Department of Public Service and Administration**

**3 December 1997**

Page

## MANAGING PEOPLE IN A TRANSFORMED PUBLIC SERVICE

## White Paper on Human Resource Management in the Public Service

Department of Public Service and Administration

3 December 1997

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# **WHITE PAPER ON HUMAN RESOURCE MANAGEMENT FOR THE PUBLIC SERVICE**

## **EXECUTIVE SUMMARY**

**Department of Public Service and Administration**

**3 December 1997**

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## EXECUTIVE SUMMARY

### Introduction

1. The post-1994 Public Service faces enormous challenges, both in terms of its own transformation, and in terms of the transformation of the services which it provides to the people of South Africa. These challenges are being tackled through a comprehensive programme of policy initiatives underpinned by progressive legislative changes. The initiatives will achieve a fundamental managerial shift from a centrally controlled, process-driven Public Service to a service which -
  - is representative of all the people of South Africa;
  - treats all public servants as a valuable resource;
  - is focused on service delivery outcomes;
  - assigns managerial responsibility for results, and for the resources consumed in producing them, to the lowest practicable level;
  - holds public servants accountable for their actions; and
  - conducts its business professionally, transparently and ethically.
2. This shift can be summarised as a shift from *personnel administration* to human resource *management*. The White Paper strongly promotes the development of departmental/provincial policies within the parameters defined by national policies. This, strongly effects the notion of managerial autonomy.
3. National departments and provincial administrations employ approximately 1,2 million people, who account for more than 50% of all public expenditure. People are therefore the Public Service's most valuable asset, and managing human resources effectively and strategically must be the cornerstone of the wider transformation of the Public Service. Managing people in the South African Public Service has traditionally been seen as an administrative task undertaken by a specialist group of personnel functionaries applying centrally-devised regulations and prescripts. The White Paper on Human Resource Management sets out a policy framework which will accomplish the shift from *personnel administration* to *human resource management*.
4. The White Paper sets out the future goals for managing people in the Public Service. These goals cannot be achieved overnight. A number of existing human resource practices will need to be revised and, in certain instances, agreements will need to be re-negotiated with representatives of organised labour.

## Vision, mission and values

### 5. *Vision*

Human resource management in the Public Service will result in a diverse, competent and well-managed workforce, capable of and committed to delivering high quality services to the people of South Africa.

### 6. *Mission*

Human resource management in the Public Service should become a model of excellence, in which service to society stems from individual commitment instead of compulsion. The management of people should be regarded as a significant task for those who have been charged with that responsibility and should be conducted in a professional manner.

### 7. The following values which are derived from the Constitution, will underpin human resource management in the Public Service:

**Fairness, Equity, Accessibility, Transparency, Accountability, Participation and Professionalism**

## Changing the human resource management culture

### 8. Human resource management within the Public Service will need to undergo fundamental change in order to actualise the following management principles:

- Increased delegation of managerial responsibility and authority to national departments and provincial administrations and, within departments, the delegation of day-to-day management decisions to line managers.
- The development of a service delivery-oriented, multi-skilled and multi-cultural workforce.
- The continuing drive for efficiency and effectiveness.
- Creating a flexible environment that takes into account both the operational needs of the organisation and the needs of the employees.

### 9. In future, national departments and provincial administrations will be responsible, within nationally defined parameters, for planning and managing their human resources to meet their own strategic and

operational objectives. Within departments, the prime responsibility for day-to-day management of human resources will rest with line managers. Personnel administration components will be developed into fully-fledged human resource management units, providing policy advice and professional human resource services.

10. A major human resource management objective will be the development of a genuine culture of diversity which builds positively on employees' differing cultural backgrounds. The Public Service needs to be affirming people even beyond race, gender and disability, for example people with a rural background, single parents, etc. The aim is, that the Public Service will represent all sections of society and that productivity will be increased by maximising the contribution of all employees.
11. The Public Service values those who have dedicated themselves to a career of service to the public, and will reward public servants who perform well. The Public Service will continue to strive for good employee relations and to work participatively with organised labour.

#### **New human resource management policies for a new Public Service**

The objective of introducing these policies is to ensure that service delivery is enhanced within an environment characterised by employment justice, cultural diversity and transparency.

#### **Human resource planning**

12. National departments and provincial administrations will be required to develop human resource strategies which are integrated with their strategic and operational plans, in order to ensure that their future staffing needs are met. These strategies will include specific employment equity objectives and targets for achieving a representative workforce.

#### **Employment contracts**

13. Most employees will be employed on continuous contracts. However, there will be increasing use of fixed-term contracts, in order to access scarce skills, and to develop greater interchange between the Public Service, public sector and private sector. Temporary employment will be used only to meet *ad hoc*, short-term work requirements of not more than 12 months duration. All employees will have a written employment contract. In introducing written contracts, existing rights of employees will be protected, as the process will be subjected to consultation and negotiation.



### Flexible working patterns

14. The use of part-time work, job-sharing and more flexible working hours will be encouraged as a means of managing peaks and troughs of work more efficiently and effectively, and of providing working conditions which are more responsive to the employers' and employees' needs.

### A career Public Service

15. The Public Service will be a career service and will offer opportunities for development and advancement through improved performance and career management, the removal of unnecessary barriers between occupational groups, and increased opportunities to compete for positions at higher levels.

### Increased competition

16. Positions in the Public Service will be filled by either open, targeted or internal competition.

The aim will be to -

- identify the most suitable person for the job from the widest possible pool of talent;
- make the Public Service more accessible to all sections of society;
- achieve employment equity; and
- provide equal opportunities for advancement for people at all levels within the Public Service.

### Selection on merit

17. Selection criteria will be based only on the inherent requirements of the position to be filled, and will be based on competencies rather than undue over-emphasis on academic qualifications. Merit must be defined within the context of employment equity.

### Recruitment

18. Cost effective recruitment strategies will be designed to reach and attract candidates from all sections of the population, and to maximise recruitment among people from historically disadvantaged groups.

### Entry requirements

19. Employment in the Public Service will normally be restricted to South African citizens aged between 16 and 60. Legislation in this regard will be introduced shortly, but due regard will be given to protected existing rights of employees. Pre-entry health checks will not be required, except where they are essentially an inherent requirement of the job, or where employees who have retired on medical grounds, seek re-employment.

### Placement

20. In instances where there is a need to fill critical positions which are key to the organisation's effectiveness, placement strategies, which must always be in line with the overall human resource plan, can be instituted. However, placement should not undermine the essence of the recruitment policy.

### Probation

21. Probationary periods should be limited to a minimum of 3 months and shall normally not exceed 6 months, and probationers will be assessed in accordance with clearly defined criteria.

### Promotion

22. Promotion is the movement from one position to a higher position and will always be on the basis of competition. It will be open to applicants at all levels, provided they demonstrate that they have the necessary competence and/or potential to fulfill the requirements of the job. Seniority will not be a factor in assessing suitability for promotion.

### Lateral transfers

23. Periodically, in the interest of organisational effectiveness and employee development, transfers may be effected both within the organisation and the wider Public Service.

### Secondments, loans and exchanges

24. In order to encourage greater mobility within the Public Service, as well as amongst the Public Service, other sectors and external organisations, secondments, loans and exchanges can be effected. This should always be in the interest of the State.

### Re-employment

25. Former employees who have resigned, retired early or prematurely may be re-employed if they successfully apply for a post through competition, other than employees whose services were terminated subject to restrictions on their further employment in the Public Service.

### Performance management

26. Every employee's performance will be assessed at least once annually against mutually agreed objectives. The assessment process will be aimed at identifying strengths and weaknesses, in order to recognise and reward good performance, and manage poor performance.

### Career management

27. Individual employees will be primarily responsible for seeking opportunities for development and promotion in line with their own career aspirations. Managers will also have a responsibility for supporting and encouraging their staff to take advantage of such opportunities, and managers' performance will be assessed, among other things, on whether they have fulfilled this responsibility.

### Managing conduct and grievances

28. The Code of Conduct for Public Servants issued by the Public Service Commission requires departments/administrations to develop supplementary codes of conduct to suit their own circumstances. Managers will have a particular duty to be exemplary to their staff. Procedures to deal with breaches of conduct will be streamlined and speeded up. National departments and provincial administrations will be required to develop procedures that are aimed at settling grievances promptly, amicably, fairly and objectively and, as far as possible, at the point of origin.

### Termination of service

29. An employee's services will be terminated in one of the following three ways:
- **Employee initiated:** Resignation, early retirement between the ages of 55 and 60 and abscondment.
  - **Mutually agreed:** Premature retirement below the age of 55 and voluntary severance.
  - **Employer initiated:** On achieving the compulsory retirement age of 60 years, (all current compulsory retirement ages for existing



employees will be protected) completion of fixed-term contract, compulsory severance, ill-health, incapacity, or dismissal for misconduct.

### **Implementation**

30. Implementing the policies in the White Paper will pose challenges both for national departments and provincial administrations and for the Department of Public Service and Administration. The White Paper sets out the key steps which national departments and provincial administrations will need to take. The Department of Public Service and Administration will develop, in conjunction with key players such as the South African Management Development Institute, a communication and capacity-building programme to support the Department's implementation programme. A capacity assessment tool has been developed which will inform the implementation strategy.
31. Changes which involve amendments to existing agreements with organised labour will be negotiated and/or consulted with their representatives and, where necessary, transitional arrangements will be agreed upon.

### **Conclusion**

32. Significant progress in implementing policies contained in this Paper, is expected within 2 years.
33. The Public Service Commission will, as part of its normal duties, monitor national departments' and provincial administrations' progress in implementing the policies in the White Paper. The Department of Public Service and Administration will report to Parliament on the overall success of the policies 12 months after the official launch of the White Paper.

## CHAPTER 1

### INTRODUCTION

#### 1.1 Purpose of the White Paper

- 1.1.1 A professional and impartial Public Service which is representative of all sections of society is essential for efficient and effective government and the achievement of South Africa's democratic, economic and social goals. Transforming the Public Service into an instrument capable of fulfilling its role in bringing about the new South Africa depends on many things but, above all, it depends on the commitment and effectiveness of its employees, which in turn depend on the way in which those employees are managed.
- 1.1.2 South Africa's first democratically elected Government inherited a Public Service whose role in bringing about economic and social equity is pivotal, but whose capacity to do so is severely limited by outmoded and inappropriate human resource management practices. Transforming the way human resources are managed is, therefore, the catalyst for the transformation of the Public Service itself.
- 1.1.3 The purpose of this White Paper is to provide a policy framework that will facilitate the development of human resource management practices which support an effective and efficient Public Service, geared for economic and social transformation. Human resource management is therefore regarded as one of the strategic instruments of the transformation agenda for the Public Service.

#### 1.2 Context and background

- 1.2.1 The Constitution sets out nine principles which should govern the Public Service. These are:
- A high standard of professional ethics should be promoted and maintained.
  - Efficient, economic and effective use of resources should be promoted.
  - Public administration should be development oriented.
  - Services should be provided impartially, fairly, equitably and without bias.
  - Peoples' needs should be responded to, and the public should be encouraged to participate in policy-making.
  - Public administration should be accountable.
  - Transparency should be fostered by providing the public with timely, accessible and accurate information.

- Good human resource management and career-development practices, to maximise human potential, should be cultivated.
- Public Administration should be broadly representative of the South African people, with employment and personnel practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

1.2.2 The White Paper on the Transformation of the Public Service sets out a comprehensive framework for change, in line with these constitutional principles. The transformation agenda is being informed by nine priority areas as identified in the aforementioned White Paper and is being taken forward on all fronts through a series of policy initiatives. One such key area is human resource management and training.

1.2.3 This White Paper addresses itself to human resource management, namely personnel provisioning, utilisation and termination of services, certain aspects of human resource development and human resource management culture. Other initiatives in place are the White Paper on Education and Training in the Public Service, the White Paper on Service Delivery, the development of a White Paper on Affirmative Action, the project on a new Code for Remuneration (CORE) which is meant to replace the existing Personnel Administration Standards (PAS), and a project on a new job evaluation system. These developments have been underpinned by a programme of Public Service legislation which has clarified the roles and responsibilities of the Minister for Public Service and Administration, the Public Service Commission (PSC), the South African Management Development Institute (SAMDI) and national departments and provincial administrations. The aim is to delegate and, where appropriate, devolve responsibility and accountability for human resource management to national departments and provincial administrations. The transfer of responsibility to national departments and provincial administrations will be undertaken within a framework of national norms and standards to ensure that the Public Service remains unified.

1.2.4 Since the issuing in May 1997 of the Green Paper on a New Employment Policy for a New Public Service, a series of extensive consultations were undertaken involving the following stakeholders:

- National departments and provincial administrations.
- Public Service unions admitted to the Public Service Bargaining Chamber at central level.
- NEDLAC.



- The Standing Committee on Public Service and Administration.

1.2.5 The document was also widely distributed to external stakeholders such as universities, municipalities, human resource specialists in the private sector, research institutions, parastatals and international bodies and experts. Constructive inputs were received from the above-mentioned stakeholders which have culminated in this White Paper.

### 1.3 The need for change

1.3.1 The Department of Public Service and Administration knows, from its own involvement in administering the existing personnel management practices, that these practices are ineffective, discriminatory and inefficient. For example-

- it takes around 3 months, and in extreme cases up to 12 months to recruit a new entrant;
- some 79% of employees are black<sup>1</sup>, however, only 38% of staff at Director level and above are black; and
- the Public Service Staff Code and Public Service Regulations comprise a total of approximately 1700 pages and the Personnel Administration Standards around a further 3600 pages.

1.3.2 The responses to the Green Paper made it clear that national departments and provincial administrations are overwhelmingly dissatisfied with human resource management in the Public Service, which is over-centralised, excessively bureaucratic and rule-bound. It is focused on form rather than substance and results. Human resource planning is weak, post-filling and promotion criteria over emphasise educational qualifications and seniority, and little or no emphasis is placed on the requirements of the job to be done. Performance management is also under-developed.

1.3.3 Moreover, while the formal barriers to advancement for previously disadvantaged groups have been removed, many levels of the Public Service are still effectively closed to external applicants, and there is still a long way to go in creating a genuine culture of diversity within the Public Service.

1.3.4 In short, the Public Service's capacity to predict and meet its human resource requirements, and to manage its human resources effectively and efficiently, is wholly inadequate. The Public Service is facing the immense challenges of transformation with human resource management practices designed in a different era for different purposes. The transformation of these tools is an essential prerequisite to enable the Public Service to fulfill its role of service delivery to all.

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<sup>1</sup> The term Black refers to Africans, Coloured and Indian people

## **1.4 Scope and structure of the White Paper**

- 1.4.1 The scope of this White Paper is confined to personnel provisioning and utilisation, human resource management culture and some aspects of human resource development and termination of services. The Paper does not cover other aspects of labour relations, remuneration, general conditions of service and training.
- 1.4.2 The policies set out in this White Paper will apply only to national departments, provincial administrations and to other organisations covered by the Public Service Act, 1994. However, the values underpinned in these policies and their application should be a model for emulation by other sectors. The mandatory aspects of the policies set out in this White Paper will be incorporated into the new Public Service Regulations which will replace the existing Public Service Staff Code and, where this is necessary, will be incorporated in further Public Service legislation. New management guidelines will be developed following publication of the new Public Service Regulations.
- 1.4.3 Chapter 2 of the White Paper sets out the vision, mission and values which will underpin human resource management in the Public Service. Chapter 3 describes the need for a fundamental change in the human resource management culture within the Public Service. Chapter 4 provides the framework within which national departments and provincial administrations should develop their human resource policies and procedures, while Chapters 5 and 6 give guidance on how this framework will operate in practice. Finally, Chapter 7 describes how the policies in this White Paper will be implemented.

## **1.5 Terminology**

A number of terms are used throughout this White Paper which are defined as follows:

- **Employee:** An employee is any person employed in terms of the Public Service Act, 1994, irrespective of rank or position.
- **Employer:** The word employer is used to cover both the individual person who may be the employer in legal terms, as well as the organisation which is responsible for implementing Public Service human resource management policies.
- **Manager:** A manager is anyone whose duties in the main involve responsibility for the work of others. Thus, the term includes not only those who are usually referred to as managers because they are members of the so-called "management echelon", but also all first-line supervisors.



## CHAPTER 2

### VISION, MISSION AND VALUES

#### 2.1 Vision

The vision is that human resource management in the Public Service will result in a diverse, competent and well-managed workforce, capable of and committed to delivering high quality services to the people of South Africa.

#### 2.2 Mission

The mission of human resource management in the Public Service is to become a model of excellence in which service to society stems from commitment instead of compulsion. The management of people should be regarded as a significant task for those who have been charged with that responsibility and should be conducted in a professional manner.

#### 2.3 Values

The following values which are derived from the Constitution, will underpin human resource management in the Public Service:

- Fairness

Actions and decisions must be objective, consistent, equitable and without prejudice.

- Equity

Where there has been unfairness, corrective measures must be implemented so as to ensure that human resource practices are free from discrimination, invisible barriers and unjustness which will impede equal employment opportunities.

- Accessibility

Accessibility in relation to employment, management and information must permeate all human resource practices subject to the application of the Constitution and any other relevant legislation.

#### Transparency

All human resource management practices in the Public Service must be open, democratic and subject to public scrutiny within reasonable limits, which must allow public institutions to operate unrestrained, subject to the application of the Constitution and any other relevant legislation.

#### Accountability

Responsibilities for human resource management within the Public Service will be clearly defined, and individual employees will be held accountable for discharging their responsibilities conscientiously and with probity and integrity.

#### Participation

Human resources will be managed consistently with the Labour Relations Act, 1995, on the basis of a co-operative relationship with organised labour. Individual employees will be consulted on all matters affecting their careers and working environment.

#### Professionalism

Human resource management will be conducted competently, and depict the highest moral and ethical standards, exemplary behaviour towards the public, juniors, peers and seniors and human resource practices should manifest this.



## CHAPTER 3

### CHANGING THE HUMAN RESOURCE MANAGEMENT CULTURE

#### 3.1 Managing human resources in the new Public Service

3.1.1 Turning into reality the vision of a diverse, competent and well-managed workforce, capable of and committed to delivering high quality services to the people of South Africa, will require something close to a managerial revolution within the Public Service. Central to this revolution will be a **shift from administering personnel to managing people.**

3.1.2 This shift from administration to management underlies the entire Public Service transformation programme. Actions will furthermore have to be affordable, attainable and practical with due regard to local conditions. Human resources will, to the greatest extent possible, be managed by those closest to the point of delivery. Where appropriate, functions will be devolved from the centre and become wholly the responsibility of departments and administrations. Where devolution is inappropriate, the centre will delegate maximum authority and responsibility for management of human resources. Hence this Paper advocates the following management principles:

- Decentralisation

Human resource management should be managed in a decentralised manner. This can mean:

- Devolution: The shift of final responsibility and accountability from the centre to the periphery, namely from the centre to the executing authority.
- Delegation: Assigning of functions, powers and authority to a lower level.

- Efficiency

Human resource management must aim to minimise waste and maximise value.

- Effectiveness

Human resource management must be outcomes-based.

- Flexibility

Human resource management will be flexible and creative, taking into account both the operational needs of the organisation and the needs of employees.

- Diversity

Whilst observing the primary objective of human resource management, employees will be managed in an environment that accommodates and values their culture.

- Service standards

Human resource management units will set standards for the level of service they will provide to their customers.

3.1.3 The implication of these principles when applied to the management of human resources, is significant. It will mean that organisational structures will need to be far more closely aligned to the strategic service delivery goals of the organisation, and will have to be flexible enough to adjust, as these goals change in line with the changing needs and priorities of the public and of government policy. Flowing from this, employees will have to become multi-skilled, and their skills will need to be continuously updated to keep pace with new policy demands, and economical and efficient working processes such as those offered by information technology should be promoted. Multi-skilling and continuous development should provide for greater job-enrichment for many employees.

3.1.4 Delegating responsibility for results and resources will require all Public Service managers, at every level, to develop skills which have hitherto been required only of a few, such as objective setting and measurement, and financial management. Above all, since human resources comprise the major component of their resources, Public Service managers, irrespective of position, will have to be skilled in managing people. **Human resource management will therefore no longer be the sole responsibility of personnel practitioners, but rather will become a core competency for all Public Service managers.** The shift of responsibility for human resource management to line managers has important implications for human resource practitioners, who will have a vital role to play in providing line managers with professional advice and guidance, and for ensuring that human resource systems and procedures are focused on the organisation's strategic objectives.

3.1.5 Roles and responsibilities

In essence, the policies set out in this White Paper will bring about a fundamental shift in roles and responsibilities for human resource management



within the Public Service. In future, it will be for national departments and provincial administrations to determine, within nationally defined parameters, their human resource management policies and practices, in order to meet their own particular strategic and operational objectives and organisational needs, within the financial resources which have been allocated to them. Ultimate responsibility for the economical, efficient and effective management of departments and their human resources, rests with elected politicians as the legally appointed executing authorities. However, for all practical purposes, these responsibilities will be carried out by the head of the department, who is accountable to the executing authority for putting policies into practice. Heads of national departments and provincial administrations will therefore need to ensure that there are adequate institutional and managerial mechanisms in place, and that the departments'/ administrations' policies and practices are communicated, understood and observed.

3.1.6 Within departments and administrations, day-to-day responsibility for managing human resources, will become primarily the responsibility of individual line managers. As delegated management becomes the norm, line managers will have increasing freedom, within the limits of their budgets, to determine the number of staff and the levels and skills they need to deliver the required results. They will, however, also have greater responsibility for the performance management, conduct and career development of their staff.

3.1.7 Human resource practitioners will develop a more professional role, providing advice and guidance to management on such matters as employment legislation, Public Service-wide policies and norms, labour market trends, and employee development issues. They will also continue to administer many of the day-to-day personnel management activities, such as organising recruitment competitions, and administering entry and termination of services. However, these activities will be undertaken as services to managers, and performed on the basis of agreed standards which meet line managers' needs. For example, standards will be set for the length of time it should take to recruit new entrants, or to process claims.

3.1.8 Notwithstanding the major changes outlined above, a managerial revolution will not materialise unless the Public Service genuinely reflects the cultural diversity of the people whom it employs.

## **3.2 Valuing diversity**

3.2.1 South Africa is a country of rich cultural diversity. In choosing to ignore that cultural diversity, the pre-1994 Public Service deprived itself of experience and talent which is sorely needed to achieve the social and economic goals of the new, democratic South Africa.

3.2.2 At first sight, the Public Service would appear to be making good progress towards representation of the main previously disadvantaged groups. Black



people account for 79 per cent of the Public Service. Women account for 49 per cent. Fifty six per cent of managers at Chief Director level and above are black. Closer scrutiny, however, reveals that there is some way to go to achieve meaningful representation. For example, only 38 per cent of managers at Director level and above are black, and only 11 per cent are women. There are only 4 women Directors-General and there are very few disabled people in the Public Service.

3.2.3 Improved human resource management practices, combined with effective affirmative action, should redress these imbalances within a relatively short period of time. However, achieving numerical balance will not, alone, be enough to create a multi-cultural workforce, not least because cultural diversity goes wider than race, gender and disability. Other cultural differences also need to be taken into account, for example, the differences between people of different age groups, between those who are married and those who are single, between those who have children and those who do not between those who live in rural areas and small towns, and those who are city-dwellers. Maximising the positive benefits of these differences is also important for the development of a diverse corporate culture.

3.2.4 All organisations have a corporate culture, reflecting attitudes to the way work is done and to the way the people within the organisation are expected to behave. A corporate culture is important to ensure that all employees work together to achieve organisational goals. However, for the most part, the Public Service still reflects the culture developed in the years before 1994. Some of these characteristics are:

- An emphasis on regulation and adherence to centrally-determined processes.
- The rigid classification of tasks and lack of workforce mobility.
- A strong sense of hierarchy and a reluctance to question those in higher authority.
- Formality in inter-personal working relationships.
- The valuing of formal qualifications and seniority over other skills and experience.
- Lack of workforce and 'customer' participation.
- A tendency to exclude and discount the views and values of those outside the dominant group.

3.2.5 Despite the genuine attempts currently being made by many employees brought up in the pre-1994 regime, these characteristics are still prominent in the

present-day Public Service culture. Anyone entering the post-1994 Public Service from outside the previously dominant group are therefore likely to find themselves in a culture which is unresponsive to and unsupportive of their skills and talents. Cultural diversity is, therefore, not a matter of encouraging people from different cultural backgrounds to become assimilated into the prevailing corporate culture, rather it requires the existing corporate culture to change in response to the differing cultures of those who are employed within the organisation. Unless positive steps are taken to create a genuinely diverse management culture, many of the people whom the Public Service most needs, tend to leave after a short time, while others, whose skills and talents would be invaluable to the Public Service, tend to be deterred from joining.

### **3.3 The case for diversity**

- 3.3.1 The need to develop a culture of diversity goes well beyond simply maintaining a representative workforce. A strong business argument in favour of developing a more diverse culture within the Public Service has already been established through the Constitution. First and foremost is the contribution it can make to improved service delivery. As set out in the *Batho Pele* White Paper on Transforming Service Delivery, developing a more responsive, customer-focused approach to the recipients of public services will require employees to be able to relate closely to every section of South Africa's diverse society, employees who are familiar with citizens' needs, can communicate in their languages, and can respond to their concerns.
- 3.3.2 Secondly, the Public Service faces immense challenges as it attempts to increase efficiency and effectiveness, and reduce costs, at the same time as improving the quality and extending the benefits of public services to all. These challenges are not short-term, they will remain at the top of the agenda in South Africa for the foreseeable future, as for all other countries world-wide. Meeting the challenges will require fresh thinking and innovative approaches which are outside the experience of the traditional Public Service culture. Encouraging a diversity of culture can help to generate new ideas and get them adopted. Moreover, an environment in which differing cultures are valued is likely to improve employee morale and contribute to increased job satisfaction and thus to increased productivity.
- 3.3.3 Developing a culture of diversity is therefore not only necessary to legitimise the Public Service, but is also an essential and powerful tool to develop an efficient, effective and stable Public Service. National departments and provincial administrations should therefore learn to manage diversity just as systematically and effectively as they seek to manage all other aspects of their human resource responsibilities.

### **3.4 Managing diversity**

**3.4.1** Managing diversity amounts to more than paying lip-service to cultural and gender differences. It requires active steps to identify and maximise the positive advantages of having a multi-cultural workforce, as well as to be aware of and respond sensitively to some of the challenges involved. A diversity management strategy will therefore be needed, of which the main aims will be to:

- Identify and raise awareness of cultural differences within the workforce.
- Analyse the existing corporate culture and identify practices and behaviour which (a) support and (b) undermine cultural diversity.
- Develop processes and behavioural norms to manage diversity which strengthen the positive and redress the negative aspects of the existing culture.
- Institutionalise diversity management by integrating it with the organisation's management practices.

**3.4.2** Developing a diversity management strategy is a collective, consensual exercise with employees. Likewise, implementation of the strategy will depend on the active support and participation of everyone throughout the organisation. Critical to success will be the support and leadership of those at the top, and openness and continuous communication with employees at every level. Introducing diversity management is not a once-for-all activity, but a continuous process aimed at progressive improvement.

**3.4.3** While diversity management programmes will vary, depending on individual circumstances, they should be developed in line with the following principles:

- Ultimate responsibility for providing leadership in developing a diversity management culture should rest with the head of department, but the overall application and implementation is a collective responsibility.
- Before embarking on a programme of change, a "diversity audit" should be carried out to identify and acknowledge the feelings and perceptions of the workforce about the ways in which they believe that the organisation (a) supports or (b) undermines their cultural values, needs and aspirations. The audit should address not only issues of race, gender and disability, but also factors such as age, and it should probe both organisational and behavioural issues.
- The findings of the diversity audit should be measured against the organisation's existing management practices, working culture and behavioural norms, in order to identify "gaps" which need to be filled.



- Ideas for filling the "gap" between the existing organisational culture and employees' needs and aspirations as revealed by the diversity audit should be developed participatively, involving the entire workforce.
- A diversity management programme should be drawn up and launched to give practical effect to the ideas which have been developed, with the aim of recognising, valuing and building positively on cultural differences.
- The objectives and desired outcomes of the programme, and management's commitment to them, should be energetically and clearly communicated throughout the organisation, as well as the role that individuals at every level will be expected to play in ensuring its success.
- The diversity management programme should be regularly evaluated and improved in the light of experience.



## CHAPTER 4

### A NEW FRAMEWORK FOR HUMAN RESOURCE MANAGEMENT

#### 4.1 Introduction

- 4.1.1 The Public Service, like all other employers, is bound by the Labour Relations Act, 1995. This Act establishes the principle of employment justice, which protects employees (and applicants for employment) from any unfairness in their relationship with their employer. The policies set out in the following Chapters are based on compliance with this Act. The Public Service will also comply with all other employment statutes, such as the Occupational Health and Safety Act, 1995, the Employment Equity Bill, 1997, the Basic Conditions of Employment Act, 1997, and the Skills Development Strategy.
- 4.1.2 Implementation of the policies set out in the paragraphs below will have a profound impact on the management of people within the Public Service and on the careers of individual employees. The Public Service will continue to be staffed mainly by career employees who will be provided with opportunities for professional advancement and personal development. However, open competition and more innovative recruitment practices will open the Public Service up to a far wider pool of talent and ensure the inclusion of all sections of society. Fresh skills will be more easily absorbed, and operational requirements more efficiently and effectively managed through the use of fixed-term contracts, and the increased use of part-time employment and more flexible working patterns.
- 4.1.3 Competition will also increase the opportunities for those from previously disadvantaged groups both to join and to advance within the Public Service. This will be underpinned by transparent human resource strategies based on sound planning, which includes targets for the achievement of employment equity goals.
- 4.1.4 In future, promotion will be achieved only by those who can demonstrate, through competition with others, that they are the most suitable candidate for the position in question. On the other hand, employees will have more control over their own career development, and there will be no barriers to applying for jobs at higher levels, or in other occupational groups. Multi-skilling will enrich the jobs of many employees. Improved career and performance management will mean that good performance is recognised and rewarded, and that poor performance is identified and dealt with.
- 4.1.5 Greater transparency and more competent and accountable management of human resources will mean that it will no longer be possible to manipulate employment criteria such as qualifications, health requirements, probation, temporary employment, and ill-health retirements, to restrict the careers of those from disadvantaged groups, and to avoid dealing with poor performers.

## **4.2 Human resource planning**

**4.2.1** Human resource planning is essential in order to ensure that an organisation's human resources are capable of meeting its operational objectives. Human resource planning ensures that an organisation:

- Obtains the quality and quantity of staff it requires.
- Makes the optimum use of its human resources.
- Is able to anticipate and manage surpluses and shortages of staff.
- Develops a multi-skilled, representative and flexible workforce, which enables the organisation to adapt rapidly to a changing operational environment.

**4.2.2** Human resource planning consists of three main steps:

- An assessment of the human resources which will be required to deliver the operational objectives in the organisation's strategic plan.
- An assessment of the organisation's existing human resource capacity.
- A plan for how the gap between existing human resource capacity and the future human resource requirement will be filled, within the financial resources available.

### **4.2.3 Assessing human resource requirements**

The assessment of human resource requirements will be based on national departments' and provincial administrations' short-, medium- and long-term operational objectives as set out in their respective strategic plans. This will identify not only the number of staff and skills required, but also targets within these for meeting the goals of broad representation in relation to race, gender and disability. The assessment should also take account of a department's/administration's future organisational and management structure, and other factors such as geographical disposition.

### **4.2.4 Assessing existing human resource capacity**

The human resource capacity assessment will identify the numbers and skills of staff currently employed, and their potential for meeting future requirements through, for example, development and training. It will also identify the gaps in numbers and skills and employment equity targets which need to be filled. On the basis of this information, together with information about likely future

retirements, staff turn-over etc., the department/provincial administration will be able to identify the extent to which existing human resource capacity matches the requirement.

#### 4.2.5 Succession planning for key positions

Particular attention should be paid to the need to plan for the filling of positions which, by virtue of their specialist nature, or their importance within the organisation, are key to the organisation's effectiveness. These positions should be identified separately, and measures should be taken to ascertain likely future vacancy patterns and potential sources of labour supply, both within and outside the Public Service, which can be tapped quickly when the need arises.

#### 4.2.6 Drawing up a human resource strategy

Having identified the "gap" between future requirements and existing capacity, a strategy will then be devised to enable the organisation to meet its human resource needs. A critical factor in devising the strategy will be the financial resources available. Strategies will therefore be developed within the overall budgeting process which are likely to be wide-ranging, including, for example, organisational redesign, process re-engineering and outsourcing, as well as standard human resource management instruments such as recruitment, training, promotion, redeployment, career management and, where necessary, staff reductions. The strategy will also have to take account of prevailing labour market conditions.

4.2.7 Once drawn up, the human resource strategy will drive all human resource management activities. Its effectiveness will depend, however, on its continuing relevance in the light of experience, and it will therefore need to be supported by human resource management information systems which provide accurate and timely information on how the strategy is operating in practice.

### 4.3 Employment contracts

4.3.1 The human resource strategy will determine not only the numbers and types of positions which are to be filled, but also the contractual capacity in which staff are to be employed. The Public Service operates in an increasingly fast-moving operational environment, in which the demands placed upon it can vary greatly in nature and volume over short periods of time. Although some operational trends can be predicted in advance, others may arise quite suddenly. The Public Service therefore requires flexible contractual options which enable numbers and skills to be adjusted as requirements change. To meet this need, employees will in future be employed on one of three types of employment contracts namely continuous, fixed-term, and temporary.



### *Continuous employment contract*

A continuous contract is one in which the employee is engaged for an unspecified period for as long as the Public Service has need for his or her services. Continuous contracts will most often be used for staffing core activities of an on-going nature. Most employees on continuous contracts can expect to remain in the Public Service until retirement age, however, continued employment will depend not only on the employee's performance, but also on the extent to which his or her skills and potential match the organisation's operational requirements.

### *Fixed-term employment contract*

Fixed-term contracts are the primary means of engaging employees for work of limited duration, and are thus an important method of managing fluctuating or rapidly changing operational requirements. The head of department should at all times provide clear institutional guidelines on what constitutes work of a temporary nature. Fixed-term contracts can also be used for:

- Supporting the achievement of racial, gender and disability balance.
- Obtaining particular and urgently-needed skills that are temporarily or more permanently unavailable from within the Public Service.
- Ensuring the regular rotation of employees in positions where the injection of fresh experience is essential.
- Activities whose long-term nature is uncertain.

Fixed-term contracts will normally be for periods of 1 - 3 years, and may not be longer than 5 years. The terms of such contracts will be individually negotiated, but may not be used either to deny the employee a fair level of remuneration or to award an excessive remuneration package.

### *Temporary employment contract*

Temporary contracts are the means of meeting very short-term *ad hoc* work requirements, for example, seasonal employment. Temporary contracts may not extend beyond 12 months.

#### 4.3.2 Written contracts

All employees should have a written contract, which sets out the period of employment, and the terms and conditions on which he or she is employed. Where the terms and conditions are laid down in regulations, codes, collective agreements etc., it will be sufficient to make reference to these, and not to spell them out in full, but the contract should inform the employee where and how



these documents can be accessed. The contract should also specify the period of notice required on either side to terminate the contract. This will normally be one month, although a longer period, up to 3 months, may be specified where exceptional operational circumstances make this necessary. All employees, whether on continuous, fixed-term or temporary contracts, are employees, although their conditions of service may vary, depending on the terms of their contract. The introduction of written contracts will entail transitional arrangements to include the protection of existing rights and the re-negotiation of others.

#### **4.4 Flexible working patterns**

4.4.1 Employees may be engaged on a full- or part-time basis, whether employed on continuous, fixed-term or temporary contracts. The use of part-time work and more flexible working patterns, such as job-sharing and annual hourly contracts are to be encouraged in order to organise and manage work more efficiently and effectively, as well as to provide increased employment opportunities, for example to enable parents with young children to combine a career with their family responsibilities more easily. Flexible working patterns shall be subject to the employer's operational needs.

4.4.2 Part-time workers and others who may wish to combine work in the Public Service with other employment should nevertheless abide by the following principles:

- Permission to engage in work outside the Public Service should be sought from the employee's head of department.
- Employment outside the Public Service should not detrimentally affect the normal duties and responsibilities of employees, nor should privileged information obtained in the course of public duty be used for financial gain during such outside employment. This type of work can only be undertaken after the employee's normal working hours. Such work can only be undertaken outside the Public Service.

#### **4.5 A career Public Service**

4.5.1 The Public Service will continue to be a career service, and most positions will continue to be filled by career employees. However, it is essential to make the Public Service more accessible to external applicants, in order to include all sections of society and to inject fresh ideas and skills to assist the Public Service to achieve its transformation goals. The aim in filling posts is therefore to achieve a balance between the need to increase accessibility for external applicants and to maintain a worthwhile career structure for serving employees.

4.5.2 In the past, the closed career system, together with restrictive position requirements, preferential promotion arrangements and a sub-optimal reporting

system, have combined to restrict not only the opportunities of outside candidates, but also opportunities for employees within the Public Service. In order to redress these failings, the principle of competition will be introduced for the filling of positions within the Public Service. Competition will help to:

- Identify the most suitable person for the job from the widest possible pool of talent from within and outside the Public Service.
- Make the Public Service more accessible to all sections of society.
- Achieve employment equity.
- Provide equal opportunities for advancement for people within the Public Service.

#### **4.6 Increased competition**

4.6.1 For practical purposes, competition may be divided into three categories:

**Open:** Positions advertised nationally and open both to employees and external applicants.

**Targeted:** Positions advertised within a defined target area ( e.g. a specific geographical area such as the Gauteng Province) or within a defined group (e.g. the mining sector), and open to both employees and external applicants. Advertisements must be clear when this type of competition is resorted to and must not be abused to undermine the recruitment policy.

**Internal:** Positions, advertised within a department/administration where expertise is only available within the Public Service, or positions between levels 1 and 3, where the advancement of existing employees is important to increase representivity and employment mobility.

4.6.2 Whatever the method of competition, it must be consistent with the principles of accessibility and the values in this White Paper and should not in any way undermine the recruitment policy.

4.6.3 National departments' and provincial administrations' human resource management policies should define clearly which positions will be filled by open, targeted and internal competition, and the rationale for this, expressed in terms of the aims set out in paragraph 4.5.2

#### **4.7 Selection on merit**

**4.7.1** Selection on merit is fundamental to ensuring that the Public Service recruits and promotes people of the highest calibre. The aim is to ensure that the person selected is, of the available applicants, the person best suited for the position, on the basis of his or her skills, experience, abilities, personal attributes, future potential as well as the need to achieve a representative and a diverse workforce in the Public Service. Unfortunately, the principle of selection on merit has been eroded and misused in the past by drawing up narrow, exclusive position requirements which discriminated both against external candidates and against certain groups of internal candidates, to the detriment of the quality of human resource capacity within the Public Service. Against the aforementioned backdrop, the time has come to restore to the word merit its true meaning, and to ensure that the principle of selection on merit underpins the filling of all posts within the Public Service.

**4.7.2** In drawing up their selection procedures, whether for recruitment or for promotion, national departments and provincial administrations should apply the following basic principles:

##### *Job-related selection criteria*

The criteria on which selection is made should relate only to the inherent requirements of the duties to be undertaken. They should, however, take account of the wide variety of ways in which suitability can be assessed including, for example, competencies acquired through previous experience or training, and demonstrable interpersonal skills, decision-making capacity and learning potential are all equally important. Educational qualifications should not, alone, predetermine suitability. The criteria should not be used to undermine the goal of achieving representation and advancement of previously disadvantaged groups.

##### *Fairness*

The process of selection should not discriminate against external and/or internal applicants, nor against any applicant on the grounds of race, colour, gender, disability, age, religion, belief, culture, marital status, sexual orientation, pregnancy, domestic circumstances or any arbitrary criteria.

##### *Equity*

All candidates should be measured against the same objective criteria with due regard to the need for diversity and the representativeness of the Public Service. Such criteria should be drawn up in writing in advance of the selection process. A minimum of three people should undertake the selection, including a chairperson who is responsible for ensuring fairness and objectivity. All applicants for a particular post should be assessed by the same selection panel



and on the same criteria. The normal selection procedure should comprise of an interview, on the basis of a written application. If the number of applicants is so great as to require pre-interview short listing, written criteria should be drawn up in advance.

### **Transparency**

Written records, which should be easily accessible, must be kept of the criteria used in selecting interviewers, the selection criteria applied, and of the assessment markings of individual candidates, as well as the basis for the decision, in order to be able to demonstrate that the process was fair and open.



## CHAPTER 5

### HUMAN RESOURCE MANAGEMENT IN PRACTICE

#### 5.1 Recruitment

5.1.1 Recruitment is not only one of the most important ways in which the Public Service meets its human resource capacity requirements, it is also the prime instrument for achieving employment equity, by opening up the Public Service to all sections of society. In drawing up their recruitment policies and procedures, targets should therefore be set for achieving specified employment equity objectives, and in particular for achieving race, gender and disability balance, as well as for achieving the skills necessary to meet the department's operational needs.

5.1.2 Identifying and attracting suitable applicants depends on the effectiveness of departmental advertising, both in terms of the substance of the advertisement and the extent to which it reaches the target audience. In drawing up advertisements, the following principles should be applied:

- The advertisement should include an accurate description of the duties to be undertaken, and the criteria which will be applied in selection.
- Qualifications should not be defined primarily or solely in terms of educational attainment, but should, for example, include skills and relevant experience. If educational requirements are essential, these should be set at such levels which balance the need for competence with the goal of accessibility. However, qualifications which are prescribed should be stated in the advertisement, for example in the case of medical practitioners.
- The advertisement should make it clear that the Public Service is committed to employment equity, and that applications from Blacks, women and the disabled will be encouraged.
- The language and style of the advertisement should be clear and simple, and be such as to attract candidates from all sections of the target group, particularly those whom the Public Service wishes to attract in order to achieve employment equity.
- Advertising should be designed to reach the widest possible number of people within all the target groups in the most cost-effective manner. New and innovative methods of advertising should be explored to reach those unlikely to respond to traditional methods such as newspaper advertisements.

- The effectiveness of advertising campaigns should be reviewed from time to time in order to improve future recruitment efforts.
  - The requirement for additional health or security clearances, where these are justified by the inherent nature of the work, should be clearly stated in the advertisement.
  - Advertisements for targeted competition must provide reasons which are consistent with the purpose of this White Paper.
- 5.1.3 Skills search or "head-hunting" may be used to identify candidates, for example, for senior posts or where skills are scarce, provided it can be demonstrated that the special requirements of the position in question are likely to render more traditional advertising methods ineffective. Once candidates have been identified, however, the principles of selection on merit should be applied as for any other method of recruitment.
- 5.1.4 Psychometric and similar tests as a means of recruitment should be carefully designed in order to ensure that they are free from overt or unintended bias, particularly in relation to disadvantaged groups.

## 5.2 Entry requirements

In addition to suitability for the job, there are certain minimum requirements for employment in the Public Service. These are:

### *Citizenship*

Employment in the Public Service will normally be for South African citizens, including those who have legally acquired citizenship. Non-South African citizens may be employed on fixed-term contracts for up to a maximum of five years. Extensions of contract beyond 5 years may be agreed upon with the prior approval of the head of department.

### *Age*

Employment in the Public Service is open to anyone between the ages of sixteen and sixty.

### *Health*

Health requirements should relate solely to the inherent nature of the duties to be undertaken. No pre-employment health checks will be undertaken unless the inherent requirements of the job call for particular physical attributes. However, employees should take responsibility for providing information in the interest of good management and their welfare. Particular care should be exercised, however, to ensure that disabled applicants are not discriminated against simply

because the organisation lacks facilities and reasonable steps should be taken to accommodate them. Where particular health or physical requirements are essential for performance of the job, these should be clearly stated in the advertisement. Employees whose services were terminated due to ill-health will have to undergo a medical examination, irrespective of the nature of the job, as a pre-condition to re-appointment in the Public Service.

#### *Good character*

Applicants for employment should be of good character, law abiding and prepared to conform with the high standards of conduct required by the Code of Conduct for Public Servants. This is essential to protect the public interest. Potential employees may therefore be required to provide information about past convictions or misdemeanours which could have a bearing on their suitability for employment in the Public Service. However, such incidents will not necessarily be a bar to employment, if it can be demonstrated that the nature of the incident poses no threat to the public interest, or the incident was sufficiently long ago, and the person's subsequent behaviour indicates that he or she is now rehabilitated.

#### *Security clearance*

Candidates for certain positions which deal with sensitive information which needs to be protected in the interests of the security of the state may be subjected to security clearance. Where security clearance is a requirement of the position, this should be clearly stated in the advertisement.

### **5.3 Placement**

Particular attention should be paid to the need to plan for the filling of positions which, by virtue of their critical nature, or their importance within the organisation, are key to the organisation's effectiveness. There will normally be a limited number of such posts, but because of their importance, placement strategies should be devised in order to ensure that there is a ready supply of staff to fill these positions. Placement strategies should be devised in line with the overall strategic plan as well as the human resource plan to align organisational needs with the needs and aspirations of employees. The placement strategies should in the main be informed by the needs of line managers. Placement should not undermine the essence of the recruitment policy.

### **5.4 Probation**

- 5.4.1 All new employees on continuous contracts may be required to undergo a period of probation which will be determined by the nature of the position and the time



required to determine the employee's suitability for continued employment. The probationary period may vary from position to position but should not be less than three, nor more than six months (legislation in this regard will be forthcoming shortly). The exceptions are positions, such as student nurses and cadet technicians, whose contracts require completion of an extended probationary training period before confirmation of appointment. During probation the employee should undergo an orientation programme which should provide the basic information that he or she will need in order to be able to function in the organisation. On-the-job and induction training should also be provided to enable the employee to become productive as rapidly as possible. The employee should receive counselling and evaluation throughout the probationary period to deal with any problems which may arise.

5.4.2 Clear criteria should be laid down on how the employee should be assessed during the probationary period. They should be disclosed to the employee in writing on commencement of the probationary period and should include arrangements for the possible extension of probation, and for the discharge of an employee who fails to complete his or her probationary period satisfactorily. A decision to discharge an employee will take account of :

- Whether the employee was given appropriate training, instruction, orientation, guidance, evaluation and counselling.
- Whether the employee was given a reasonable period of time in which to improve his or her performance.

## 5.5 Promotion

Promotion is defined as the progression from one position to another position at a higher level, and not to incremental advancement within the current grade. In line with the principle of competition, an employee will be promoted only if he or she applies successfully for a vacant position at a higher level in competition with others. Seniority shall no longer be a factor in promotion. Performance reports will be relevant only in so far as they demonstrate whether or not the employee may be capable of doing the job for which he or she has applied. Promotion must not be confused with incremental advancement within a grade, which can be earned on the basis of increased skills and experience.

## 5.6 Lateral transfers

It is in the interest of good management, in terms of both the organisation's operational effectiveness and the employee's development, that employees should, from time to time, be rotated between different jobs within their departments and within the wider Public Service. Transfers of employees at the same level may therefore be instigated by both the employer and the employee. However, in transferring employees, the following principles should be applied:

- The operational requirements of the organisation should be paramount.
- Whilst transfers may be used positively for performance management it should, however, not be used to avoid dealing with staff whose performance or conduct is unsatisfactory, neither may they be used to move staff on the basis of personal prejudice.
- Transfers may not be used as a mechanism to block the filling of a vacant post through competition.
- Employees should be consulted and their personal circumstances taken into account.

### **5.7 Secondments, loans and exchanges**

It is in the public interest to encourage greater mobility within the Public Service, as well as amongst the Public Service, other sectors and external organisations. Secondments, loans or exchanges may therefore be instigated either by the employer or the employee, provided that there is a clear and specific State interest in the additional experience to be gained, besides the individual's personal development, and subject to the following principles:

- The employee remains subject to Public Service Regulations and to the Code of Conduct.
- The employee's existing financial position will be maintained.
- The terms of the loan, exchange or secondment should be set out in a written agreement between the parent and recipient organisation.
- Due to the value derived by the organisation through exchanges, it is an arrangement which should be maximised in the cross fertilisation of skills and expertise to improve service delivery. It is a means for government to recharge itself as well as to discourage stagnation.

### **5.8 Re-employment**

Former employees who have resigned, retired early or prematurely may be re-employed if they successfully apply for a post through competition, other than employees whose services were terminated subject to restrictions on their further employment in the Public Service. Previous service will be taken into account in selection only in as far as it demonstrates their suitability to undertake the duties of the post for which they are applying. Since former employees are no longer employees, they may not compete for posts which are restricted to serving employees, even if they are currently working within the Public Service as external contractors.

## **5.9 Performance management**

5.9.1 The success of the Public Service in delivering its operational and developmental goals depends primarily on the efficiency and effectiveness with which employees carry out their duties. Managing performance is therefore a key human resource management tool to ensure that:

- Employees know what is expected of them.
- Managers know whether the employee's performance is delivering the required objectives.
- Poor performance is identified and improved.
- Good performance is recognised and rewarded.

5.9.2 Performance management is therefore an integral part of an effective human resource management and development strategy. It is an ongoing process, in which the employee and employer, together, strive constantly to improve the employee's individual performance and his or her contribution to the organisation's wider objectives. Since the performance of every employee contributes to the overall delivery of the organisation's objectives, it follows that the performance of every employee should be managed. The performance management procedures may vary from one group or level of employees to another, depending on the nature of their work. For example, the procedures may include group assessments and peer reviews, as well as the more traditional annual written report. Whatever the chosen methods, however, the following principles should be applied:

### ***Results orientation***

The employee's performance should be assessed on the basis of a work plan covering a specified period, setting out clearly his or her responsibilities and the objectives to be achieved. These objectives should be expressed in terms of outputs to be delivered within a given timescale, and should include personal development as well as operational objectives. The work plan should be mutually agreed between the employee and his or her manager. The assessment process should include both a written assessment completed at no less than yearly intervals, and regular discussions during this period to monitor progress and take remedial action where necessary.

### ***Training and development***

The performance assessment process will help to identify strengths and weaknesses, and the interventions which are needed to deal with these, including the employee's future training and needs, and other developmental interventions such as career counselling, coaching and mentoring.



### *Rewarding good performance*

It is important to recognise and reward employees who perform exceptionally well, and whose skills are particularly valued, in order to encourage them to maintain the high standard they have achieved, and to encourage others to strive for improved performance. The most obvious way of achieving this is by awarding incremental increases in pay. The development of new remuneration systems within the Public Service will include provision for systematic pay increments based on performance.

### *Managing poor performance*

Where performance has not matched the requirements in the work plan, the assessment, both written and verbal, should be focused on identifying the reasons for this, and on reaching mutual agreement on the steps which need to be taken to effect improvement. Such steps may include interventions such as career counselling, coaching, mentoring, retraining, developmental opportunities and re-deployment. If the desired improvement could not be effected, dismissals on grounds of inefficiency can be considered.

### *Openness, fairness and objectivity*

The employee should be given a copy of the written assessment, and be given the opportunity to comment on it. The employee has the right to appeal against an assessment that he or she believes to be unfair. The reporting manager's written assessment should be reviewed by his or her own immediate manager in order to ensure that reporting standards are objective and uniform.

## **5.10 Career management**

### **5.10.1**

The Public Service values employees who are willing to devote themselves to a career in the service of the public, and there will be opportunities to develop their individual skills and abilities, provided these are in line with the Public Service's operational requirements. Career management is the process by which the career aspirations of the individual employee are reconciled with the operational objectives of the organisation. Effective career management:

- Enables employees to maximise their career potential by availing themselves of job opportunities, training and development.
- Enables employers to develop the organisation's human resource capacity while supporting, as far as possible, employees' career aspirations.

**5.10.2** Primary responsibility for career management rests with the employee. It is for individuals to determine, in the light of their personal aspirations, the direction in which they wish their careers to advance, whether within or outside the Public Service. Departments/administrations also have a responsibility for career management, given its importance in developing the organisation's human resource capacity to meet its operational and organisational objectives. Provincial administrations and national departments should therefore develop career management procedures, linked to their performance management system, which comply with the following principles:

- The individual employee is responsible for his or her own career management. Employees have a duty to avail themselves of job training and development opportunities as they occur.
- The employee's immediate manager is responsible for familiarising himself or herself at regular intervals about the employee's career aspirations, and for reaching an understanding with him or her about how these can best be met within the organisation's future operational objectives.
- The manager should keep up to date with job, training and development opportunities which are likely to assist in meeting both the employee's career aspirations and the organisation's operational objectives, and to inform the employee of these and support his or her efforts to avail himself or herself of them.
- Managers have a particular duty in respect of employees whose careers have been or are still hampered through no fault of their own, such as employees who have been educationally disadvantaged, or women who are trying to combine a career with child-rearing responsibilities, or employees who are disabled.
- The manager's own performance assessment should include an assessment of the extent to which they have carried out their career management responsibilities.

## **5.11 Managing conduct**

**5.11.1** All employees are required to comply with the law, and to abide by the Code of Conduct for Public Servants. Failure to do so constitutes a breach of discipline for which an employee can be penalised. It is therefore the duty of national departments and provincial administrations to ensure that every employee is aware of the legislation which impacts on their area of work, and is provided with a personal copy of the Code of Conduct for Public Servants when they take up their duties.

- 5.11.2 The Code of Conduct sets general norms for the behaviour required of employees in respect of the public, the legislature, and their professional colleagues. However, national departments and provincial administrations should also draw up their own codes to guide employees in relation to their particular tasks, for example, staff who deal directly with the public should be given clear guidance about the standards of courtesy and behaviour which is expected. These departmental/provincial administration codes should be agreed with the appropriate employee representative bodies and promulgated in writing to every employee.
- 5.11.3 The key to ensuring good conduct on the part of employees is to create an environment where a high standard of professional behaviour is the norm. While every employee is responsible for his or her own conduct, most employees will take their cue from their seniors. Managers therefore have a particular duty to set and maintain high standards of honesty, ensure responsible use of resources, courtesy, punctuality, and conscientious performance of their duties. This applies, above all, to managers who are ultimately accountable for their employees' conduct.
- 5.11.4 When cases of misconduct occur, they should be identified and dealt with swiftly. It is the duty of every employee to report to their manager any incident which they suspect to be a breach of conduct, whether or not the incident is related to their own area of work. Unlawful or criminal activity should be referred to the South African Police Service immediately to be dealt with under due legal process.
- 5.11.5 Breaches of conduct falling short of illegal activity should be dealt with by departmental measures which are appropriate to the seriousness of the offence, and which are focused on correcting the employee's conduct while also protecting the public interest. Departments'/provincial administrations' disciplinary procedures should therefore contain a range of measures which can be applied flexibly to meet the circumstances of each case. Minor infringements should be dealt with on the spot by means of a verbal warning from the employee's immediate manager. More serious infringements, or repeated minor infringements may be dealt with by means of a written warning or formal reprimand, or a more substantial measure such as demotion. Serious cases of misconduct may result in dismissal, which may be instantly imposed in the most serious circumstances.
- 5.11.6 Whatever the nature of breach of conduct, procedures for dealing with them should be swift, fair, equitable and effective. The following principles should be observed:
- The breach of conduct should be objectively substantiated.



- The employee should be informed of the charges against him or her, and be given adequate opportunity to respond.

- Action as a result of misconduct should be appropriate and implemented swiftly.

## **5.12 Managing grievances**

5.12.1 From time to time, an employee may feel that he or she has been treated unfairly as a result of management's actions. Good managers will normally resolve such problems in the course of their day-to-day interaction with their staff. Where the situation is more serious, however, for example if an employee believes that his or her conditions of service have been infringed, or that management has acted in a discriminatory manner, the employee is entitled to raise a grievance and to have it dealt with by means of prompt, fair and objective procedures.

5.12.2 Grievance systems should be focused on promoting the amicable settlement of problems, rather than on legalistic, confrontational procedures. In developing grievance procedures the following principles should be observed:

- **Fairness and objectivity:** The facts of the case should be objectively determined, and the resolution of the problem should take account of all the circumstances in a fair and impartial manner.

- **Transparency:** The aggrieved employee and his or her relevant manager should be fully informed of the procedures, and kept informed as the case progresses.

- **Independence:** There should be an independent avenue through which the grievance can be lodged, outside the aggrieved employee's direct line management.

- **Timeousness:** A grievance should be dealt with swiftly, in order to avoid disrupting the good management of the department and spreading discontent more widely in the organisation.

- **Participation and representation:** The aggrieved employee should be given full opportunity to participate in the presentation of his or her own case, and to be assisted in doing so by a representative of his or her own choice.

- **Statutory rights:** The grievance procedure may not undermine any statutory provisions that are in force.

## CHAPTER 6

### TERMINATION OF SERVICE

#### 6.1 Introduction

6.1.1 Employees who have served loyally and well should be treated with consideration when they leave. Equally, employees for whom there is no further operational requirement, or who can no longer serve competently and effectively, should be properly managed out of the Public Service. Disciplinary action will be instituted in cases where an employee's conduct falls below the high standards required of employees.

6.1.2 An employee's service can be terminated in one of three ways:

- Termination initiated by the employee.
- Termination by mutual agreement.
- Termination initiated by the employer.

#### 6.2 Termination initiated by the employee

##### *Resignation*

An employee may resign from the Public Service of his or her free will at any time by giving the employer notice in writing as stipulated in his or her contract of employment. The two exceptions to this are:

- An employee should resign from the Public Service if he or she accepts nomination as a member of parliament at national or provincial level, or accepts full-time employment elsewhere in the public sector, for example in a parastatal organisation. An employee who fails to offer his or her resignation in these circumstances will be deemed to have resigned.
- An employee may not resign in order to avoid the consequences of disciplinary action. The resignation of an employee who has been suspended or who has been accused of misconduct may not be accepted until disciplinary procedures have been completed and a decision reached.

##### *Retirement at own request*

An employee has the right to retire from the Public Service between the age of 55 to 60 years.



### ***Abscondment***

An employee who absents himself or herself from duty for a period of 21 days or more without prior authority will be deemed to have absconded. Procedures to implement termination in cases of abscondment should comply with the following principles:

- Reasonable attempts to contact the employee should be exhausted prior to implementation.
- Adequate opportunity should be provided for the employee to present his or her case why termination of service should not be proceeded with.
- The case should be speedily and objectively considered.
- The return to work and remuneration of employees who are, after a period of absence, deemed not to have absconded, should be dealt with in a fair and dignified manner.

### **6.3 Termination by mutual agreement**

#### ***Premature retirement***

In exceptional cases, due to circumstances beyond his or her control, an employee who is below 55 years of age, can approach the highest administrative authority to be prematurely retired. An employer may approve such a request if it is in the interest of the State. The employer may subject this retirement to limitation on re-employment prospects.

#### ***Voluntary severance***

Periodically, voluntary severance may be offered to employees. In devising voluntary severance schemes, the following principles should be applied:

- All eligible employees (i.e. employees within the specified target group) wishing to take voluntary severance should be given an equal opportunity to apply.
- Objective selection criteria should be drawn up which set out clearly for the benefit of employees the basis on which applications will be considered. These criteria should be focused firmly on operational requirements and be consistent with the principles of employment equity.
- The final decision to accept an application will rest with the employer.

## **6.4 Termination initiated by the employer**

### ***Age retirement***

The normal retirement age for all employees will be 60 years, and the retirement date will be the end of the month of their 60th birthday. Legislation in this regard will be introduced shortly but due regard will be given to protected existing rights of employees. All contracts of employment should make clear that employment will automatically cease on this date. Wherever possible, employees should be assisted to make the transition from employment to retirement, for example by means of a pre-retirement preparation programme.

Employment beyond the age of 60 will only be permitted in exceptional circumstances where the employer can clearly demonstrate that the employee in question is the only person who can carry out the duties in question, and the employee is willing to extend his or her service. Extensions of service beyond the age of 60 should be on the basis of a fixed-term contract for a specified period of not more than 12 months at a time, and for a maximum of 2 years.

### ***Completion of fixed-term contract***

The service of employees on fixed-term contracts will automatically cease at the end of the contract period. Extensions to fixed-term contracts may be instigated by the employer in line with the following principles:

- The extension is required because of additional operational requirements in relation to the original contract, and does not constitute a completely new requirement.
- The extension is not required because the employee has failed, through his or her own shortcomings, to deliver the required outcomes in the original timescale.
- There are clear operational grounds for extending the contract rather than creating a new contract filling the position through competition.
- The employee's performance during the period of the original contract has been wholly satisfactory.
- The period of extension does not exceed 2 years.

### ***Compulsory severance***

Periodically the Public Service may find it necessary to dispense with the services of employees or groups of employees for whom there is no further operational requirement. In these circumstances, the services of the employees concerned will be terminated in accordance with a compulsory severance

scheme negotiated with the relevant recognised employee organisation. Such schemes should be drawn up in accordance with the following principles:

- Selection criteria should be objective, consistent with the principles of employment equity, and focused firmly on operational requirements. Wherever possible, preference in selection should be given to those who wish to volunteer over those who wish to remain.
- The employer should take active steps to redeploy employees to other positions within the Public Service before implementing severance.
- The financial compensation package should provide fair compensation for the loss of employment, taking account of the employee's age, length of service, and future employment prospects.
- Adequate notice of severance should be given to employees.
- Severance arrangements should include measures to assist employees to make a successful transition from the Public Service.

#### *Termination due to ill-health*

Most employees suffer occasional bouts of ill-health which prevent their attendance at work, or diminish the performance of their duties. These are covered by the normal sick leave provisions. Where, however, an employee's health deteriorates so seriously as to render him or her permanently unfit for duty for the foreseeable future, his or her services may be terminated on grounds of ill-health. In terminating service on ill-health grounds the following principles should be applied:

- The degree of incapacity and confirmation that there is no early prospect of recovery should be established. A professional medical authority acting independently of the interests of either the employee or employer should evaluate the degree of incapacity.
- The employer should demonstrate that there is no other suitable job which the employee can perform elsewhere in the organisation, even given his or her current state of health.

An employee who has been retired on grounds of ill-health, may be considered for re-employment, subject to independent medical evidence of his or her medical fitness.

#### *Termination due to incapacity*

Periodically, most employees go through a "bad patch", during which the



standard of their work drops, perhaps because of domestic or health reasons, or because of the nature of their duties or the working environment. Such lapses are usually temporary, and should be dealt with through normal performance management practices. Sometimes, however, an employee's performance deteriorates so seriously and permanently, that the Public Service can no longer justify employing him or her. In such circumstances, an employee's service may be terminated. Procedures for terminating service in these circumstances should comply with the following principles:

- The employer can demonstrate that the employee has consistently failed to perform to the required standard, notwithstanding the application of all possible remedial measures, including opportunities for improvement provided by performance management.
- The employer can demonstrate that the employee is incapable of improving or unwilling to improve his or her performance.
- There is no other job within the organisation which the employee is capable of filling within his or her capacity and willingness to perform to a satisfactory standard.

#### *Dismissal for misconduct*

Employees are required to uphold the highest standards of professional and personal behaviour, as laid down in the Code of Conduct for Public Servants. An employee who is guilty of misconduct so serious as to render him or her unsuitable for employment in the Public Service is, in effect, in breach of his or her contract and may therefore be dismissed. Procedures for dismissing an employee on grounds of misconduct should comply with the following principles:

- There should be proven evidence of the alleged misconduct.
- Disciplinary action short of dismissal should be considered before a decision to dismiss is taken.
- The employee should be given a written notice of the intention to dismiss him or her, and adequate opportunity to make representations, with the assistance of a personal representative of his or her choice.

#### *Dismissal due to industrial action*

Dismissal of employees as a result of industrial action will be governed, as for all employees, by the provisions of the Labour Relations Act, 1995, whose key provisions in this area are as follows. Industrial action, including "protected", namely legally constituted strikes, are deemed to be "functional" to the collective bargaining process. Participation in a protected strike, or for any conduct in contemplation or furtherance of such a strike, is therefore not regarded as a

breach of contract, and does not constitute grounds for dismissal. However, if in the course of a protected strike, an employee is guilty of misconduct, for example by carrying out acts of violence or intimidation, this may provide grounds for dismissal.

Employees who participate in an unprotected strike may be dismissed, but may also have recourse to redress if, for example, it is proved that the employer caused the strike through its own actions. Procedures for dismissing employees as a result of unprotected strike action should comply with the following principles:

- The intended action should be discussed with the relevant trade union or unions.
- Employees should be given a clear ultimatum advising them to return to work and informing them of the intention to dismiss them if they fail to do so.
- Employees should be given a reasonable period of time within which to consider and respond to the ultimatum.

The employee is given an opportunity to make representations against the decision to terminate his or her services, with the assistance of a personal representative of his or her choice.

## **CHAPTER 7**

### **IMPLEMENTATION**

#### **7.1 The challenge**

**7.1.1** Implementing the White Paper poses a number of challenges, both for national departments and provincial administrations, and for the Department of Public Service and Administration. Training on its own cannot be seen as the only solution to close the "gap" on capacity to implement. It needs to be strongly backed by planning that provides for a optimal fit of trainees into areas where they will immediately see themselves practising the content of their training coupled with a strong mentoring on their jobs. In this regard departments/administrations should ensure that their capacity building programmes go hand in hand with the exercise of redesigning their institutional frameworks to achieve organisational goals.

**7.1.2** Labour relations will be seen as an area that is going to be highly engaged with the introduction of decentralisation. As the departments and provincial administrations become employers in their own right, strong attention should be given to strengthening the labour relations components through skilling.

#### **7.1.3 National departments and provincial administrations**

National departments and provincial administration will, among other things, need to:

- Transform the management culture of their organisations to adopt new approaches to human resource management.
- Create or develop infrastructure and systems to support new human resource management practices.
- Transform their personnel administration components into human resource management units.
- Ensure that the management of people becomes the responsibility of all line managers, and that they have the requisite skills to fulfill this responsibility, for example in human resource planning, diversity management, the drawing up of job-related recruitment criteria, and objectives-based performance management.
- Consult and, where necessary, negotiate new human resource management practices with local representatives of organised labour.



#### 7.1.4 Department of Public Service and Administration

The Department of Public Service and Administration will, among other things:

- Ensure that the new human resource policies are supported by key stakeholders.
- Consult and, where necessary, reach agreement on human resource policy with representatives of organised labour at national level.
- Ensure that the statutory framework supports the practical application of new human resource management policies.
- Ensure that human resource management policies are aligned with other transformation initiatives.
- Seek to ensure that centrally-controlled systems, such as PERSAL are developed to support national departments' and provincial administrations' implementation of the new human resource management policies.
- Assist national departments and provincial administrations to implement the new human resource management policies by providing guidance and, in conjunction with training suppliers, help to develop capacity.

#### 7.1.5 Public Service Commission

The implementation of this policy will be monitored and evaluated by the Public Service Commission, in terms of Section 195 of the Constitution, 1996.

#### 7.2 Communication

The successful implementation of the policies contained in this White Paper will depend, first and foremost on making sure that their purpose and objectives are understood and accepted by employees at all levels within the Public Service. This will require a well-managed communication campaign in which employees at all levels are able to participate and have their questions answered and their concerns taken into account. The Department of Public Service and Administration, in conjunction with national departments and provincial administrations, will develop and help to deliver a communications campaign which will serve this purpose. The Department of Public Service and Administration will also work with national departments and provincial administrations to develop user-friendly guidelines for implementation, and will provide policy guidance to national departments and provincial administrations during the initial stages of implementation.

### 7.3 Institutional mechanisms

The new Public Service Regulations will provide a minimum of mandatory norms with which all national departments and provincial administrations will be expected to comply, and will also contain national agreements with organised labour on matters of mutual interest. National departments and provincial administrations will then need to develop their own human resource management practices within the parameters of these national norms and agreements.

### 7.4 From personnel administration to human resource management

7.4.1 Managing people in the Public Service has traditionally been seen as the task of personnel administration components whose main task has been to ensure compliance with centrally-determined regulations and prescripts. These activities have sometimes, perhaps unfairly, been perceived as controlling and inhibiting the effective management of human resources. Managing people in future will require the transformation of personnel administration components into fully-fledged human resource management units whose role will be to provide professional support and guidance to management.

7.4.2 The difference between the old and new approaches can be illustrated as follows:

Old-style personnel administration	New style human resource management
<ul style="list-style-type: none"> <li>• Uniformly applied central rules and prescripts</li> <li>• Personnel administrators ensure compliance with central rules</li> <li>• Line managers have no responsibility for human resource management</li> </ul>	<ul style="list-style-type: none"> <li>• Locally developed management practices within Public Service-wide principles</li> <li>• Local human resource management units provide professional advice and guidance on application of locally-developed practices</li> <li>• Line managers are primarily responsible for the management and development of their human resources</li> </ul>

7.4.3 The transformation of personnel administration components into fully-fledged human resource management units will require, among other things, the re-training and re-orientation of employees/managers to undertake their new roles. The abolishment of narrow distinctions between previous personnel administration, functional specialisation and their replacement with a single human resource management professional group will be introduced.

## **7.5 Capacity building**

**7.5.1** Many national departments and provincial administrations lack developed human resource management skills, as well as the capacity to develop policy and devise practices for their implementation. Negotiations and reaching agreements on human resource management issues with representatives of organised labour will be critical. Building capacity will therefore be a priority, both for national departments and provincial administrations. The Department of Public Service and Administration will, in conjunction with key players such as the South African Management Development Institute (SAMDI) and other institutions, assist departments/administrations to develop capacity-building programmes.

**7.5.2** As a first step, the Department of Public Service and Administration will assist national departments and provincial administrations to carry out capacity assessment exercises which will determine, among other things -

- the existing level of human resource management skills and capacity;
- whether sound human resource management systems exist; and
- the institutional capacity to exercise decentralised powers and responsibilities.

## **7.6 Transforming human resource management - the key steps**

The policies set out in this White Paper cannot be implemented overnight. Achieving fundamental, enduring changes of the kind which are needed will require concerted efforts by many people over a protracted period. Nevertheless, implementation will be achieved more quickly and effectively if it is approached in a systematic manner. The key steps to implementation include:

### ***Driving the policy***

The head of department should issue a clear human resources policy statement on behalf of the executive authority (who is ultimately responsible for the efficiency and effectiveness of the organisation), and provide strong leadership to ensure that the policy is put into practice.

### ***Clarifying roles and responsibilities***

All line managers and human resource practitioners should be fully informed of their respective human resource management responsibilities, and of how their performance will be assessed in relation to these. Employees at every level should be informed about how the new approach to human resource management will affect them, and the roles they are expected to play.



### *Establishing the baseline*

A comprehensive human resources audit should be undertaken to identify the gap between current human resource management policies and practices and those which will be introduced by this White Paper. The audit should cover, among other things:

- Human resource planning and information systems.
- Human resource management organisation and structures.
- Human resource management skills.

### *Developing a human resource management strategy*

A comprehensive strategy should be drawn up to close the gap between existing policies, practices and capacity as against those articulated in this White Paper with regard to the future needs of national departments and provincial administrations. The strategy should include:

- Clearly articulated objectives, aligned to the organisation's strategic and operational goals.
- Time-bound targets for the transformation of individual human resource management practices.
- Assignment of responsibilities and resources for implementation.

### *Monitoring and evaluation*

Implementation of the strategy should be continuously monitored and evaluated, in order to ensure that targets are met and that policies and practices are improved in the light of experience.

### *Conclusion*

The need to reform human resource management is critical because of its central role in the transformation of the Public Service. The aim is to make significant progress in implementing the policies set out in this White Paper within 2 years from the date it comes into effect. National departments/provincial administrations should not, therefore, wait for the commencement of the capacity-building programme before embarking on transforming their human resource management practices, but should begin with their implementation programmes as soon as possible within their current capacity.

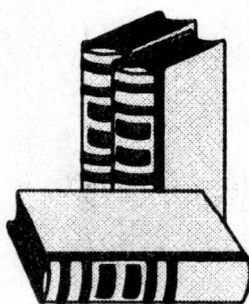
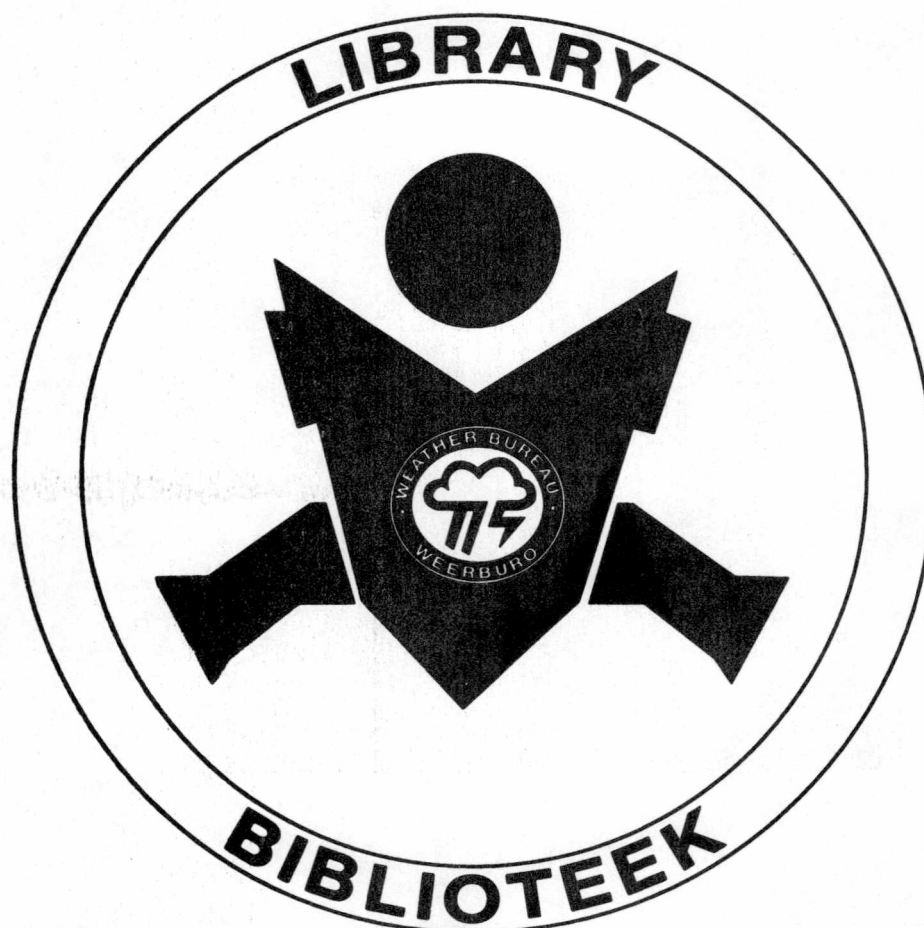
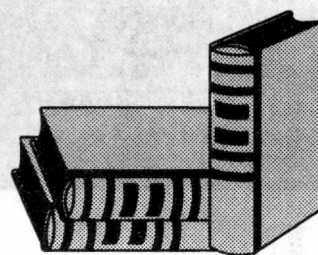
7.2 National departments and provincial administrations' progress in implementing the White Paper will be monitored by the Public Service Commission, as part of their regular monitoring activities. The Department of Public Service and Administration will evaluate the policies in the White Paper and submit a report to Parliament on overall progress 12 months after the official launch of the White Paper.



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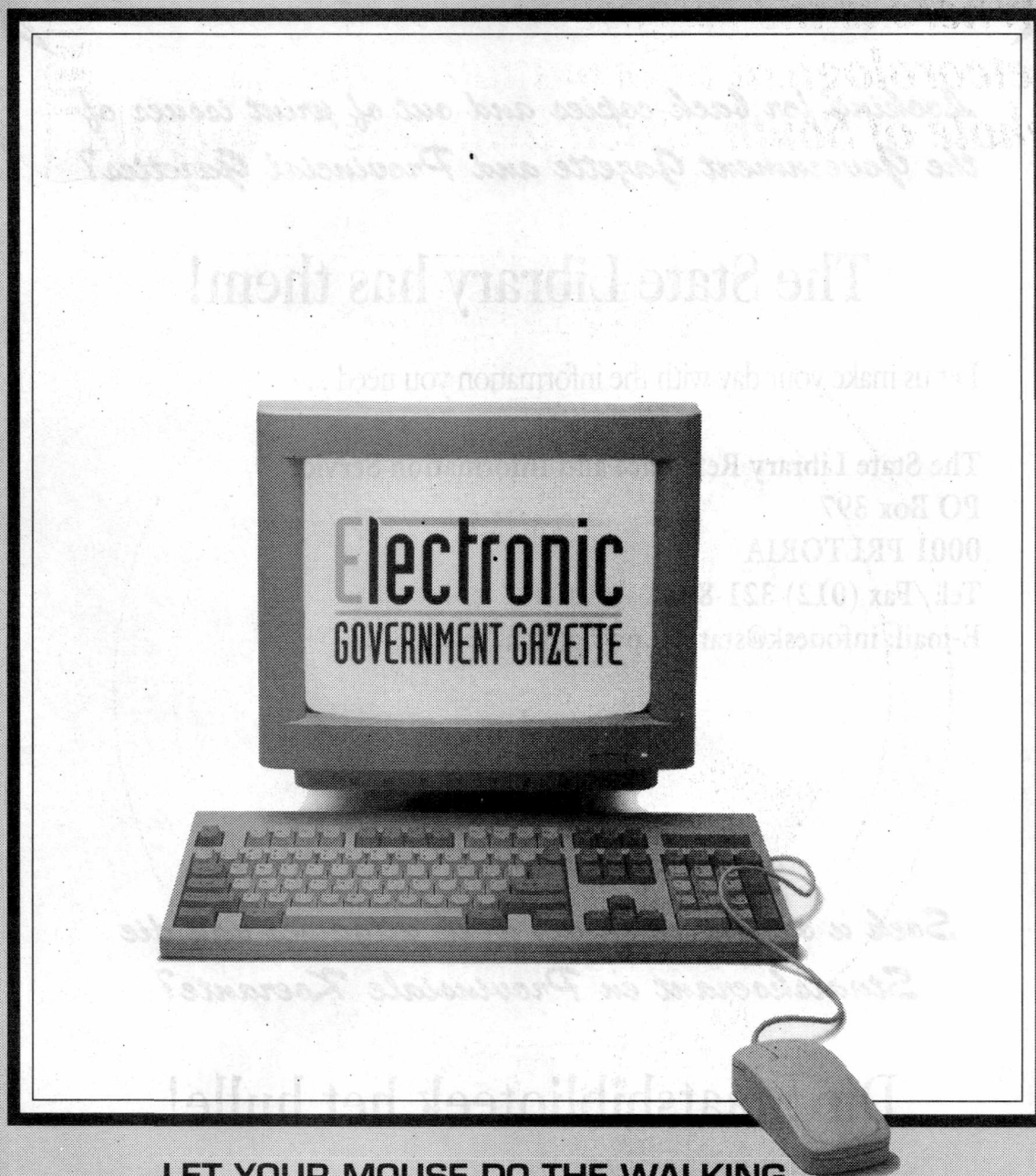
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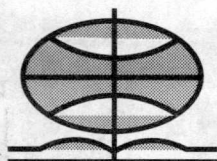
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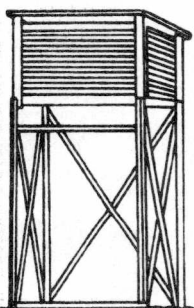
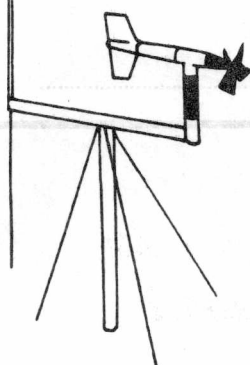
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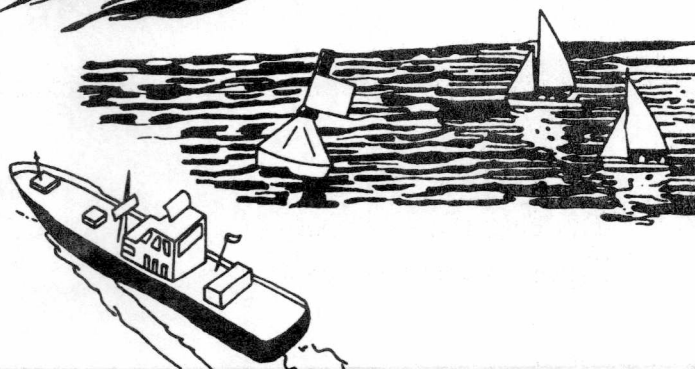
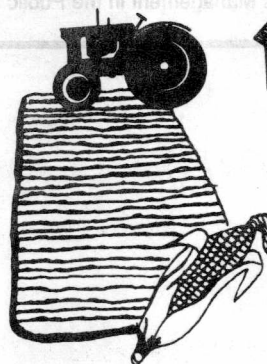
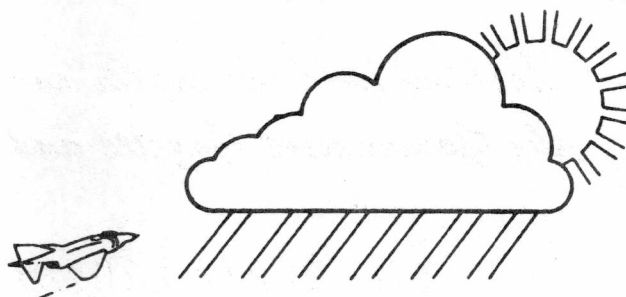
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#### Public Service and Administration

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