



SUBMISSION TO EXECUTIVE MANAGEMENT COMMITTEE

Date of Meeting: 13 August 2012

POLICY GUIDELINES AND PROCEDURE ON TERMINATION OF SERVICE

SUMMARY

On 11 July 2012 the Administrator announced that the retirement age of all employees other than part-time will be sixty five (65) years with effect from 2013. The Human Resources and Transformation Directorate was requested to put in place mechanisms that will spell out the implementation of this decision. The policy guidelines will effect changes to the current TUT Policy on Termination of Service, Section 3.3.2, which makes provision for retirement and early retirement.

This policy guideline will with effect from 1 January 2013 amend the Policy to include the proposed changes.

1. INTRODUCTION

Tshwane University of Technology (TUT) takes into consideration the parameters of termination of service in terms of South Africa's Employment Legislations, which provides that, a dismissal based on age is fair if the employee has reached normal or agreed retirement age for persons employed in that capacity. An organization may therefore determine a normal or agreed retirement age.

2. BACKGROUND

The management of the Tshwane University of Technology has revised and approved changes, to the normal retirement age of sixty (60) years to sixty five (65) years. This decision replaces Section 3.3.2 of TUT's Policy on Termination of Service, including previous rules, guidelines, procedures and or circulars pertaining to termination of service.

The normal retirement age of all employees other than part-time will be 65 years with effect from 1 January 2013. The University also recognizes that there is a need to extend the current retirement age of some employees from 60 years to 65 years specifically those who will retire before 31 December 2012.

Request to extend the current retirement age of 60 years till 31 December 2012 and future extensions beyond normal retirement age after 1 January 2013 shall take into consideration the need to retain certain exceptional, highly skilled and productive staff, particularly those in scarce

skill disciplines, up to and beyond the age of 65. It accordingly permits extensions beyond normal retirement subject to the rules of the relevant retirement funds.

3. SCOPE OF APPLICATION

This policy process applies to all staff employed by the University and those who are members of a University retirement fund.

4. PURPOSE

The purpose of this policy procedure is to establish the normal age of retirement and the principles for a fair and consistent assessment of applications for extension beyond the current 60 years and the revised normal retirement of 65 years.

5. PRINCIPLES

- 5.1 Staff who are retiring shall be given notice, of the decision to grant extension beyond retirement or not, in order to facilitate planning.
- 5.2 There shall be fairness, consistency and transparency in the criteria and procedures for granting extensions beyond retirement.
- 5.3 All requests and motivations shall provide detailed reasons for recommendations or decisions.
- 5.4 Applicants for extension beyond normal retirement shall be treated with sensitivity but no extension beyond retirement shall be granted purely on compassionate grounds.
- 5.5 Except in exceptional circumstances, staff members beyond normal retirement age shall not occupy temporary leadership roles such as Executive Management positions, Executive Dean, Associate Dean, Head of Department or Director. This is to ensure capacity building, equal opportunity and transformation.
- 5.6 All applications for extension beyond retirement shall be considered by the Executive Management Committee, which shall make the final decision.
- 5.7 There shall be no appeals with respect to the decision of the EMC on extension beyond retirement.
- 5.8 Reviews shall be based solely on procedural irregularity.

6. POLICY PROVISIONS

6.1 Normal Retirement

The normal retirement age of all employees other than part-time will be 65 years with effect from 1 January 2013.

6.1.1. The University values the contributions made by all staff regardless of age. It nevertheless recognizes that some level of staff turnover is essential in order to introduce new skills and approaches or to re-focus activities that impact on the success of the University. Staff turnover is also imperative if the University is to achieve its transformation goals.



The normal age of retirement for all staff shall from 1 January 2013 be sixty five (65) years of age and shall take effect at the end of the year in which the staff member reaches the age of sixty five years.

6.1.2. (a) All contracts of employment of staff members shall unless otherwise determined in terms of this policy, automatically terminate at the end of the year in which the staff member reaches the age of sixty five years.

(b) Staff members on Post Level 1 to 5 who previously surrendered their right to retire at the age of 65 in lieu of financial compensation will not be considered for this dispensation and their contract will terminate naturally through effluxion of time.

6.1.3. Staff may elect to retire at the end of the month in which they reach 65 years.

6.2 Early Retirement

Subject to the rules of the relevant retirement fund, staff at the age of fifty five (55) years and older may apply to retire before their normal retirement age provided they do not turn around and seek immediate employment with the University.

6.3 Extensions Beyond Normal Retirement Age

The University recognizes the need to retain certain exceptional, highly skilled and productive staff beyond the normal age of retirement.

Accordingly, from 1 January 2013 the University may, subject to the rules of applicable retirement fund, grant an extension beyond normal retirement of 65 years to a staff member who has reached normal retirement age, for a period of up to three years, in the first instance, with the possibility of a further extension for up to two years.

Notwithstanding the period of extension granted, a staff member on extension beyond normal retirement age must meet or exceed the expectations for their post in the annual performance assessment process. Should their performance fall below expectation in any year of assessment, their contract may be terminated.

Extensions beyond normal retirement age shall not be automatic and shall depend on:

6.3.1. Assessment of options for filling the post

Prior to assessing a potential retiree for an extension beyond retirement, the relevant senior managers shall consider:

6.3.1.1 the strategic, operational and or academic priorities of the faculty or division to determine if resources should be allocated to the post;

6.3.1.2 the need to use the post to enhance transformation, in terms of achieving employment equity goals of the faculty or division;

6.3.1.3 the likelihood of filling the post taking into account any specialized skills



required for the post as well as likely availability of a replacement given prevailing market trends

6.3.1.4 the need to enhance skills transfer and the willingness and commitment to a mentorship plan

6.3.1.5 the financial viability of the extension.

If after assessing options for the post, it is confirmed that an extension beyond retirement is possible, the staff member shall have to be assessed in terms of criteria contained in 6.3.2 below.

6.3.2. Assessment of staff member

6.3.2.1 Academic Staff

Minimum Requirements:

- i. a sustained high level of performance by the staff member. This assessment shall be based largely on the annual performance reviews of the staff member in terms of the Performance Management System implemented.
- ii. Evidence of strength in teaching and research.
- iii. Evidence of publications and supervision, based on publishing not less than 1 article per year, supervise not less than 1 Doctor and 1 Masters student per year and also attract funding that will be able to carry own equivalent salary.

Additional Requirements:

In addition to the minimum criteria the incumbent must meet at least three or more of the following requirements.

- i. High ongoing productivity in research at a level above the norm, with recent peer reviewed publications.
- ii. Excellence in teaching.
- iii. Academic leadership.
- iv. Possession of specialized or scarce skills and or/professional qualifications.
- v. Recognized standing in the relevant profession or in professional or learned societies outside the University.
- vi. Proven record in terms of income generation.
- vii. Excellence in community service or development.
- viii. Excellence in University service and community involvement.

6.3.2.2. Support Staff

Minimum Requirements

Sustained high level of performance by the staff member. This assessment shall be based largely on the annual performance reviews of the staff member in terms of the



Performance Management System and in addition:

- i. Possession of specialized or scarce skills and qualifications that is difficult to replace through normal recruitment due to prevailing market factors

OR

- ii. Key level of involvement in a major university project where continuity is imperative for success.

Additional Requirements

In addition to the minimum criteria the incumbent must meet at least three or more of the following requirements.

- i. Contribution to building capacity within his/her specialized area of operation.
- ii. Recognized standing in the relevant profession or in professional or learned societies outside the University.
- iii. Evidence of continuing professional development and adaptability to new trends and developments in his/her field.
- iv. Evidence of leadership within the operational unit or the University.
- v. Evidence of innovation and customer orientation in performing duties.
- vi. Excellence in University service.

6.3.3. Duration of Extension

The duration of the extension shall be determined taking into account:

- 6.3.3.1 major projects in which the employee has a key role and where continuity is essential;
- 6.3.3.2 need for completion of supervision of a specialist PhD or Masters study;
- 6.3.3.3 the duration of an approved succession plan.

The maximum duration of the first extension beyond retirement is three years. Thereafter a new application is made for a further period of up to two years.

6.3.4. Terms of Appointment

6.3.4.1. Remuneration

- i. Where there is no change in the workload and level of responsibility, the staff member shall retain his/her salary as at normal retirement date and shall remain on pensionable service subject to rules of the relevant retirement fund.
- ii. Staff members, who have previously retired from a University retirement fund and have been re-appointed beyond normal retirement, may not be reinstated



onto a University retirement fund. They shall however be granted an inclusive remuneration salary from the effective date of this policy procedure.

- iii. Dependent on the specific needs of the Faculty / Department / Section, it may be decided that the staff member be extended on a reduced workload basis. In such cases the salary shall be determined on a fractional basis, taking into account the recommendations of the EMC.

7. EFFECTIVE DATE

This policy shall take effect on 1 January 2013.

This policy shall be reviewed every three years from the effective date.

8. PROCEDURES FOR APPLICATIONS FOR EXTENSION BEYOND RETIREMENT

8.1 Application procedure

All applications for extensions beyond retirement shall be made by a relevant senior manager at EMC level to the Executive Director Human Resources and Transformation for deliberation and support before submitting to the EMC for consideration.

8.1.1. The EMC shall after due consideration of each application from the Academic or Support environment, may recommend:

8.1.1.1 that the staff member should not be offered further employment following normal retirement date

OR

8.1.1.2 that the staff member should be offered a fixed term extension beyond normal retirement date. Subject to motivation presented to the Executive Director: Human Resources and transformation, the EMC shall recommend the period of the extension i.e. up to three years in the first instance. The recommendation may include a fractional appointment e.g. mornings only or 3 days per week.

9. PROCEDURES AND DEADLINE DATES

9.1. At the beginning of each year the Human Resources and Transformation Directorate shall identify all staff that are due to retire during the year:

9.1.1 Who shall attain the age of sixty five years during the year who have not previously been considered for extension beyond retirement;

9.1.2 Who were considered previously and may wish to be reviewed in the current year;

9.1.3 Whose first extension beyond normal retirement shall be coming to an end at the end of the current year;



9.2. All applicants should be advised of the outcome as soon as possible thereafter. However, where an extension has not been granted it is recommended that the Executive Deans or Divisional Director meet with the staff member so that the decision can be explained.

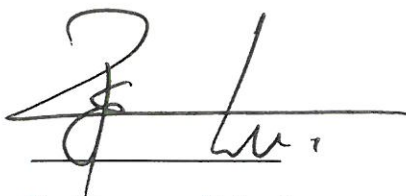
9.3. Where an employee has been placed on suspension, is being disciplined, is on disability leave or is on unpaid leave, and such employee has made application for extension beyond retirement, the employee's application shall be considered and decided in terms of this policy. If the employee's application is successful, the implementation of the decision of the EMC shall be suspended, until the suspension has been lifted, the disciplinary matter has been resolved in the employee's favour, the employee is no longer on disability leave, or the employee is no longer on unpaid leave (as the case may be).

RECOMMENDATION

It is hereby recommended that the EMC approve the guidelines for implementation of the announcement that the retirement age of all employees other than part-time will be (65) years with effect from 2013, in order to ensure that there is smooth transition and commitment to University transformation objectives and to note the following applicable changes:

Document Name	:	Tshwane University of Technology - Policy on Termination of Service
Policy Section Repealed/amended	:	Section 3.3.2, Policy on Termination of Service
Last EMC Approval	:	29 November 2005
Effective date	:	1 January 2013

Regards,



Dr. Phasoane Mokgobu
Executive Director
Human Resources and Transformation

Approved by:



NT MOSIA (PROF)
ADMINISTRATOR

14 September 2012
DATE

