



**GROTER TZANEEN MUNISIPALITEIT
GREATER TZANEEN MUNICIPALITY**

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Tropical Paradise

PERFORMANCE AGREEMENT

MADE AND ENTERED INTO BY AND BETWEEN

GREATER TZANEEN MUNICIPALITY

AS REPRESENTED BY THE MUNICIPAL MANAGER

BARTHOLOMEW SERAPELO MATLALA

AND

HENDRY ALECK NKUNA

THE EMPLOYEE OF THE MUNICIPALITY

FOR THE

FINANCIAL YEAR: 1 JULY 2021 - 30 JUNE 2022

AA B

PERFORMANCE AGREEMENT

ENTERED INTO BY AND BETWEEN:

The Greater Tzaneen Municipality herein represented by Bartholomew Serapelo Matlala in his capacity as Municipal Manager (hereinafter referred to as the **Employer** or Supervisor)

and

Hendry Aleck Nkuna as the Employee of the Municipality (hereinafter referred to as the Employee).

WHEREBY IT IS AGREED AS FOLLOWS:

1. INTRODUCTION

- 1.1 The **Employer** has entered into a contract of employment with the **Employee** in terms of section 57(1) (a) of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act"). The **Employer** and the **Employee** are hereinafter referred to as "the Parties".
- 1.2 Section 57(1) (b) of the Systems Act, read with the Contract of Employment concluded between the parties, requires the parties to conclude an annual performance agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the **Employee** to a set of outcomes and outputs that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.

2. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to -

- 2.1 Comply with the provisions of Section 57(1)(b),(4A),(4B) and (5) of the Act as well as the employment contract entered into between the parties.
- 2.2 Specify objectives and targets defined and agreed with the employee and to communicate to the employee the employer's expectations of the employee's performance and accountabilities in alignment with the Integrated Development Plan, Service Delivery and Budget Implementation Plan (SDBIP), the Departmental Business Plan and the Budget of the Municipality.
- 2.3 Specify accountabilities as set out in a performance plan, which forms an annexure to the performance agreement.
- 2.4 Monitor and measure performance against set targeted outputs.
- 2.5 Use the performance agreement as the basis for assessing whether the employee has met the performance expectations applicable to his job.
- 2.6 In the event of outstanding performance, to appropriately reward the employee.
- 2.7 Give effect to the employer's commitment to a performance-orientated relationship with its employee in attaining equitable and improved service delivery

- 5.3 The **Employer** will consult the **Employee** about the specific performance standards that will be included in the performance management system as applicable to the **Employee**.
- 5.4 The **Employee** undertakes to actively focus towards the promotion and implementation of the KPA's (including special projects relevant to the employee's responsibilities) within the local government framework.
- 5.5 The criteria upon which the performance of the **Employee** shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
- 5.5.1 The **Employee** must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPA's) and the Core Competency Requirements (CCR's) respectively.
- 5.5.2 Each area of assessment will be weighted and will contribute a specific part to the total score.
- 5.5.3 KPA's covering the main areas of work will account for 80% and CCR's will account for 20% of the final assessment.
- 5.6 The **Employee's** assessment will be based on his performance in terms of the outputs / outcomes (performance indicators) identified as per attached Performance Plan (**Annexure A**), which are linked to the KPA's, and will constitute 80% of the overall assessment result as per the weightings agreed to between the **Employer** and **Employee**:

Key Performance Areas	Weighting
Municipal Institutional Development and Transformation	0%
Basic Service Delivery	70%%
Local Economic Development (LED)	0%
Municipal Financial Viability and Management	0%
Goof Governance and Public Participation	30%
	100%

- 5.7 In the case of managers directly accountable to the Municipal Manager, key performance areas related to the functional area of the relevant manager must be subject to negotiation between the Municipal Manager and the relevant manager.
- 5.8 The CCR's will constitute the other 20% of the **Employee's** assessment score. CCR's contained in the table below are as in accordance with Regulation 9 of the Local Government Regulations on appointment and conditions of employment of Senior Managers (Regulation no 21 of 2014). In accordance with this regulation all these competencies are essential and all these competencies must be considered measurable and critical in assessing the performance of the **Employee**.

LEADING COMPETENCIES	x	WEIGHT
Strategic Direction and Leadership	x	5%
People Management	x	10%
Program and Project Management	x	5%
Financial Management	x	5%
Change Management	x	5%
Governance and Leadership	x	5%
CORE COMPETENCIES		
	x	10%
Moral Competence	x	15%
Planning and organising	x	10%
Analysis and innovation	x	5%
Knowledge and Information Management	x	5%
Communication	x	10%
Results and quality focus	x	10%
Total percentage		100%

6. EVALUATING PERFORMANCE

6.1 The Performance Plan (Annexure A) to this Agreement sets out -

- 6.1.1 The standards and procedures for evaluating the **Employee's** performance; and
- 6.1.2 The intervals for the evaluation of the employees performance

6.2 Despite the establishment of agreed intervals for evaluation, the **Employer** may in addition review the **Employee's** performance at any stage while the contract of employment remains in force.

6.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within agreed time frames in the Personal Development.

6.4 The **Employee's** performance will be measured in terms of contributions to the strategic objectives and strategies set out in the **Employer's** IDP.

6.5 The bi-annual and annual performance appraisal will involve:

6.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA should be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator (refer to paragraph 6.5.3 below) must then be used to add the scores and calculate a final KPA score.

6.5.2 Assessment of the CCRs

- (a) Each CCR should be assessed according to the extent to which the specified standards have been met.
- (b) An indicative rating on the five-point scale should be provided for each CCR.
- (c) This rating should be multiplied by the weighting given to each CCR during the contracting process, to provide a score.
- (d) The achievement levels for CCRs as provided for in Annexure A of Regulation 21 of 2014 and presented in Table 3 below, must be utilised

Table 3: Achievement levels for Competency Requirements¹

Competencies		Competent (3)			Advanced (4)			Superior (5)		
Leading competencies										
Strategic Direction and Leadership	<ul style="list-style-type: none"> Understand institutional and departmental strategic objectives, but lacks the ability to inspire other to achieve set mandate Describe how specific tasks link to institutional strategies but has limited influence in directing strategy Has a basic understanding of institutional performance management but lacks the ability to integrate systems into a collective whole Demonstrate a basic understanding of key decision-makers 	<ul style="list-style-type: none"> Give direction to a team in realising the institution's strategic mandate and set objectives Has a positive impact and influence on the morale, engagement and participation of team members Develop action plans to execute and guide strategy implementation Assist in defining performance measures to monitor the progress and effectiveness of the institution Displays an awareness of institutional structures and political factors Effectively communicate barriers to execution to relevant parties Provide guidance to all stakeholders in the achievement of the strategic mandate Understand the aim and objectives of the institution and relate it to own work 	<ul style="list-style-type: none"> Evaluate all activities to determine value and alignment to strategic intent Display in-depth knowledge and understanding of strategic planning Align strategy and goals across all functional areas Actively define performance measures to monitor the progress and effectiveness of the institution Consistently challenge strategic plans to ensure relevance Understand institutional structures and political factors, and the consequences of actions Empower others to follow strategic direction and deal with complex situations Guide the institution through complex situations and ambiguous concern Use understanding of power relationships and dynamic tensions among key players to frame communications and develop strategies, positions and alliances 	<ul style="list-style-type: none"> Structure and position the institution to local government priorities Actively use in-depth knowledge and understanding to develop and implement a comprehensive institutional framework Hold self accountable for strategy execution and results Provide impact and influence through building and maintaining strategic relationships Create an environment that facilitates loyalty and innovation. Display a superior level of self-discipline and integrity in actions Integrate various systems into a collective whole to optimise institutional performance management Uses understanding of competing interests to manoeuvre successfully to a win/win outcome 						
People Management	<ul style="list-style-type: none"> Participate in team goal-setting and problem-solving Interact and collaborate with people of diverse backgrounds Aware of guidelines for employee development, but requires support in implementing development initiatives 	<ul style="list-style-type: none"> Seek opportunities to increase team contribution and responsibility Respect others and be aware of the benefits of a diverse approach Effectively delegate tasks and empower others to increase contribution and execute functions optimally Apply relevant employee legislation fairly and consistently Facilitate team goal-setting and problem-solving Effectively identify capacity requirements to fulfil the strategic mandate 	<ul style="list-style-type: none"> Identify ineffective team and work processes and recommend remedial interventions Recognise and reward effective and desired behaviour Provide mentoring and guidance to others in order to increase personal effectiveness Identify development and learning needs within the team Build a work environment conducive to sharing, innovation, ethical behaviour and professionalism Inspire a culture of performance excellence by giving positive and constructive feedback to the team Achieve agreement or consensus in adversarial environments Lead and unite diverse teams across divisions to achieve institutional objectives 	<ul style="list-style-type: none"> Develop and incorporate best practice people management processes, approaches and tools across the institution Foster a culture of discipline, responsibility and accountability Understand the impact of diversity in performance and actively incorporate a diversity strategy in the institution Develop comprehensive integrated strategies and approaches to human capital development and management Actively identify trends and predict capacity requirements to facilitate unified transition and performance management 						

¹ As prescribed by Regulation 21 of 2014

Table 3: Achievement levels for Competency Requirements¹

Competencies	Basic (2)	Competent (3)	(Advanced) (4)	(Superior) (5)
<p>Programme and Project Management</p>	<ul style="list-style-type: none"> Initiate projects after approval from higher authorities Understand procedures of programme and project management methodology, implications and stakeholder involvement Understand the rational of projects in relation to the institution's strategic objectives Document and communicate factors and risk associated with own work Use results and approaches of successful project implementation as guide 	<ul style="list-style-type: none"> Establish broad stakeholder involvement and communicate the project status and key milestones Define the roles and responsibilities of the project team and create clarity around expectations Find a balance between project deadline and the quality of deliverables Identify appropriate project resources to facilitate the effective completion of the deliverables Comply with statutory requirements and apply policies in a consistent manner monitor progress and use of resources and make needed adjustments to timelines, steps and resource allocation 	<ul style="list-style-type: none"> Manage multiple programmes and balance priorities and conflicts according to institutional goals Apply effective risk management strategies through impact assessment and resource requirements Modify project scope and budget when required without compromising the quality and objectives of the project Involve top-level authorities and relevant stakeholders in seeking project buy-in Identify and apply contemporary project management methodology Influence and motivate project team to deliver exceptional results Monitor policy implementation and apply procedures to manage risks 	<ul style="list-style-type: none"> Understand and conceptualise the long-term implications of desired project outcomes Direct a comprehensive strategic macro and micro analysis and scope projects accordingly to realise institutional objectives Consider and initiate projects that focus on achievement of the long-term objectives Influence people in positions of authority to implement outcomes of projects Lead and direct translation of policy into workable action plans Ensures that programmes are monitored to track progress and optimal resource utilisation, and that adjustments are made as needed
<p>Financial Management</p>	<ul style="list-style-type: none"> Understand basic financial concepts and methods as they relate to institutional processes and activities display awareness into the various sources of financial data, reporting mechanisms, financial governance, processes and systems Understand the importance of financial accountability Understand the importance of asset control 	<ul style="list-style-type: none"> Exhibit knowledge of general financial concepts, planning, budgeting, and forecasting and how they interrelate Assess, identify and manage financial risks Assume a cost-saving approval to financial management Prepare financial reports based on specified formats Consider and understand the financial implications of decisions and suggestions Ensure that delegation and instructions are required by National Treasury guidelines are reviewed and updated Identify and implement proper monitoring and evaluation practices to ensure appropriate spending against budget 	<ul style="list-style-type: none"> Take active ownership of planning, budgeting, and forecast processes and provides credible answers to queries within own responsibility Prepare budgets that are aligned to the strategic objectives of the institution Address complex budgeting and financial management concerns Put systems and processes in place to enhance the quality and integrity of financial management practices Advise on policies and procedures regarding asset control Promote National Treasury's regulatory framework for Financial Management 	<ul style="list-style-type: none"> Develop planning tools to assist in evaluating and monitoring future expenditure trends Set budget frameworks for the institution Set strategic direction for the institution on expenditure and other financial processes Build and nurture partnerships to improve financial management and achieve financial savings Actively identify and implement new methods to improve asset control Display professionalism in dealing with financial data and processes
<p>Governance Leadership</p>	<ul style="list-style-type: none"> Display a basic awareness of risk, compliance and governance factors but require guidance and development in implementing such 	<ul style="list-style-type: none"> Display a thorough understanding of governance and risk and compliance factors and implement plans to address these Demonstrate understanding of the 	<ul style="list-style-type: none"> Able to link risk initiative into key institutional objectives and drivers Identify, analyse and measure risk, create valid risk forecasts, and map risk profiles Apply risk control methodology and approaches 	<ul style="list-style-type: none"> Demonstrate a high level of commitment in complying with governance requirements Implement governance and compliance strategy to ensure achievement of institutional objectives within the legislative

Table 3: Achievement levels for Competency Requirements¹

Competencies	Basic (2)	Competent (3)	(Advanced) (4)	(Superior) (5)
	<p>requirements</p> <ul style="list-style-type: none"> • Understand the structure of cooperative government but requires guidance on fostering workable relationships between stakeholders • Provide input into policy formulation 	<p>techniques and processes for optimising risk taking decisions within the institution</p> <ul style="list-style-type: none"> • Actively drive policy formulation within the institution to ensure the achievement of objectives 	<p>to prevent and reduce risk that impede on the achievement of institutional objectives</p> <ul style="list-style-type: none"> • Demonstrate a thorough understanding of risk retention plans • Identify and implement comprehensive risk management systems and processes • Implement and monitor the formulation of policies, identify and analyse constraints and challenges with implementation and provide recommendations for improvement 	<p>framework</p> <ul style="list-style-type: none"> • Able to advise Local Government on risk management strategies, best practice interventions and compliance management • Able to forge positive relationships on cooperative governance level to enhance the effectiveness of local government • Able to shape, direct and drive the formulation of policies on a macro level
Core Competencies	<p>Moral competence</p> <ul style="list-style-type: none"> • Realise the impact of acting with integrity, but requires guidance and development in implementing principles • Follow the basic rules and regulations of the institution • Able to identify basic moral situations, but requires guidance and development in understanding and reasoning with moral intent 	<ul style="list-style-type: none"> • Conduct self in alignment with the values of Local Government and the institution • Able to openly admit own mistakes and weaknesses and seek assistance from others when unable to deliver • Actively report fraudulent activity and corruption within local government • Understand and honour the confidential nature of matters without seeking personal gain • Able to deal with situations of conflict of interest promptly and in the best interest of local government 	<ul style="list-style-type: none"> • Identify, develop, and apply measures of self-correction • Able to gain trust and respect through aligning actions with commitments • Make proposals and recommendations that are transparent and gain the approval of relevant stakeholders • Present values, beliefs and ideas that are congruent with the institution's rules and regulations • Takes an active stance against corruption and dishonesty when noted • Actively promote the value of the institution to internal and external stakeholders • Able to work in unity with a team and not seek personal gain • Apply universal moral principles consistently to achieve moral decisions 	<ul style="list-style-type: none"> • Create an environment conducive of moral practices • Actively develop and implement measures to combat fraud and corruption • Set integrity standards and shared accountability measures across the institution to support the objectives of local government • Take responsibility for own actions and decisions, even if the consequences are unfavourable
Planning and Organising	<ul style="list-style-type: none"> • Able to follow basic plans and organise tasks around set objectives • Understand the process of planning and organising but requires guidance and development in providing detailed and comprehensive plans • Able to follow existing plans and ensure that objectives are met • Focus on short-term objectives in developing plans 	<ul style="list-style-type: none"> • Actively and appropriately organise information and resources required for a task • Recognise the urgency and importance of tasks • Balance short and long-term plans and goals and incorporate into the team's performance objectives • Schedule tasks to ensure they are performed within budget and with efficient use of time and resources • Measures progress and monitor performance results 	<ul style="list-style-type: none"> • Able to define institutional objectives, develop comprehensive plans, integrate and coordinate activities, and assign appropriate resources for successful implementation • Identify in advance required stages and actions to complete tasks and projects • Schedule realistic timelines, objectives and milestones for tasks and projects • Produce clear, detailed and comprehensive plans to achieve institutional objectives • Identify possible risk factors and design and implement appropriate contingency plans • Adapt plans in light of changing circumstances 	<ul style="list-style-type: none"> • Focus on broad strategies and initiatives when developing plans and actions • Able to project and forecast short, medium and long term requirements of the institution and local government • Translate policy into relevant projects to facilitate the achievement of the institutional objectives

Table 3: Achievement levels for Competency Requirements¹

Competencies	Basic (2)	Competent (3)	Advanced (4)	Superior (5)
<p>and actions</p> <ul style="list-style-type: none"> • Arrange information and resources required for a task, but require further structure and organisation 	<ul style="list-style-type: none"> • Understand the basic operation of analysis, but lack detail and thoroughness • Able to balance independent analysis with requesting assistance from others • Recommend new ways to perform tasks within own function • Propose simple remedial interventions that marginally challenges the status quo • Listen to the ideas and perspectives of others and explore opportunities to enhance such innovative thinking 	<ul style="list-style-type: none"> • Demonstrate logical problem solving techniques and approaches and provide rationale for recommendations • Demonstrate objectivity, insight, and thoroughness when analysing problems • Able to break down complex problems into manageable parts and identify solutions • Consult internal and external stakeholders on opportunities to improve processes and service delivery • Clearly communicate the benefits of new opportunities and innovative solutions to stakeholders • Continuously identify opportunities to enhance internal processes • Identify and analyse opportunities conducive to innovative approaches and propose remedial intervention 	<ul style="list-style-type: none"> • Coaches team members on analytical and innovative approaches and techniques • Engage with appropriate individuals in analysing and resolving complex problems • Identify solutions on various areas in the institution • Formulate and implement new ideas throughout the institution • Able to gain approval and buy-in for proposed interventions from relevant stakeholders • Identify trends and best practices in process and service delivery and propose institutional application • Continuously engage in research to identify client needs 	<ul style="list-style-type: none"> • Demonstrate complex analytical and problem solving approaches and techniques • Create an environment conducive to analytical and fact-based problem-solving • Analyse, recommend solutions and monitor trends in key challenges to prevent and manage occurrence • Create an environment that fosters innovative thinking and follows a learning organisation approach • Be a thought leader on innovative customer service delivery, and process optimisation • Play an active role in sharing best practice solutions and engage in national and international local government seminars and conferences
<p>Analysis and Innovation</p>	<ul style="list-style-type: none"> • Collect, categorise and track relevant information required for specific tasks and projects • Analyse and interpret information to draw conclusions • Seek new sources of information to increase the knowledge base • Regularly share information and knowledge with internal stakeholders and team members 	<ul style="list-style-type: none"> • Use appropriate information systems and technology to manage institutional knowledge and information sharing • Evaluate data from various sources and use information effectively to influence decisions and provide solutions • Actively create mechanisms and structures for sharing of information • Use external and internal resources to research and provide relevant and cutting-edge knowledge to enhance institutional effectiveness and efficiency 	<ul style="list-style-type: none"> • Effectively predict future information and knowledge management requirements and systems • Develop standards and processes to meet future knowledge management needs • Share and promote best-practice knowledge management across various institutions • Establish accurate measures and monitoring systems for knowledge and information management • Create a culture conducive of learning and knowledge sharing • Hold regular knowledge and information sharing sessions to elicit new ideas and share best practice approaches 	<ul style="list-style-type: none"> • Create and support a vision and culture where team members are empowered to seek, gain and share knowledge and information • Establish partnerships across local government to facilitate knowledge management • Demonstrate a mature approach to knowledge and information sharing with an abundance and assistance approach • Recognise and exploit knowledge points in interactions with internal and external stakeholders
<p>Knowledge and Information Management</p>	<ul style="list-style-type: none"> • Demonstrate an understanding for communication levers and tools appropriate for the audience, 	<ul style="list-style-type: none"> • Express ideas to individuals and groups in formal and informal settings in a manner that is interesting and motivating 	<ul style="list-style-type: none"> • Effectively communicate high-risk and sensitive matters to relevant stakeholders • Develop a well-defined communication strategy • Balance political perspectives with institutional 	<ul style="list-style-type: none"> • Regarded as a specialist in negotiations and representing the institution • Able to inspire and motivate others through positive communication that is
<p>Communication</p>				

Table 3: Achievement levels for Competency Requirements¹

Competencies	Basic (2)	Competent (3)	Advanced (4)	Superior (5)
Results and Quality Focus	<ul style="list-style-type: none"> but requires guidance in utilising such tools Express ideas in a clear and focused manner, but does not always take the needs of the audience into consideration Disseminate and convey information and knowledge adequately 	<ul style="list-style-type: none"> Able to understand, tolerate and appreciate diverse perspectives, attitudes and beliefs Adapt communication content and style to suit the audience and facilitate optimal information transfer Deliver content in a manner that gains support, commitment and agreement from relevant stakeholders Compile clear, focused, concise and well-structured written documents 	<p>needs when communicating viewpoints on complex issues</p> <ul style="list-style-type: none"> Able to effectively direct negotiations around complex matters and arrive at a win-win situation that promotes Baifho Pele principles Market and promote the institution to external stakeholders and seek to enhance a positive image of the institution Able to communicate with the media with high levels of moral competence and discipline 	<p>impactful and relevant</p>
	<ul style="list-style-type: none"> Understand quality of work but requires guidance in attending to important matters Show a basic commitment to achieving the correct results Produce the minimum level of results required in the role Produce outcomes that is of a good standard Focus on the quantity of output but requires development in incorporating the quality of work Produce quality work in general circumstances, but fails to meet expectation when under pressure 	<ul style="list-style-type: none"> Focus on high-priority actions and does not become distracted by lower-priority activities Display firm commitment and pride in achieving the correct results Set quality standards and design processes and tasks around achieving set standards Produce output of high quality Able to balance the quantity and quality of results in order to achieve objectives Monitors progress, quality of work, and use of resources; provide status updates, and make adjustments as needed 	<ul style="list-style-type: none"> Consistently verify own standards and outcomes to ensure quality output Focus on the end result and avoids being distracted Demonstrate a determined and committed approach to achieving results and quality standards Follow task and projects through to completion Set challenging goals and objectives to self and team and display commitment to achieving expectations Maintain a focus on quality outputs when placed under pressure Establishing institutional systems for managing and assigning work, defining responsibilities, tracking, monitoring and measuring success, evaluating and valuing the work of the institution 	<ul style="list-style-type: none"> Coach and guide others to exceed quality standards and results Develop challenging, client-focused goals and sets high standards for personal performance Commit to exceed the results and quality standards, monitor own performance and implement remedial interventions when required Work with team to set ambitious and challenging team goals, communicating long- and short-term expectations Take appropriate risks to accomplish goals Overcome setbacks and adjust action plans to realise goals Focus people on critical activities that yield a high impact

- 6.7.2 Chairperson of the Performance Audit Committee
- 6.7.3 Member of the Executive Committee;
- 6.7.4 Municipal Manager from another municipality; and
- 6.7.5 One Manager (head of a Division) from within the department.

6.8 The manager responsible for human resources of the Municipality must provide secretariat services to the evaluation panels.

7. SCHEDULE FOR PERFORMANCE REVIEWS

7.1 The performance of the **Employee** in relation to her performance agreement shall be reviewed within the month following the quarters as indicated with the understanding that reviews in the first and third quarter may be informal if performance is satisfactory:

First quarter	:	July – September 2021	(October 2022)
Second quarter	:	October – December 2021	(February 2022)
Third quarter	:	January – March 2022	(April 2022)
Fourth quarter	:	April – June 2022	(August 2022)

7.2 The **Employer** shall keep a record of the mid-year review and annual assessment meetings.

7.3 Performance feedback shall be based on the **Employer's** assessment of the **Employee's** performance.

7.4 The **Employer** will be entitled to review and make reasonable changes to the provisions of Annexure "A" from time to time for operational reasons. The **Employee** will be fully consulted before any such change is made.

7.5 The **Employer** may amend the provisions of Annexure A whenever the performance management system is adopted, implemented and / or amended as the case may be. In that case the **Employee** will be fully consulted before any such change is made.

8. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing developmental gaps is attached as **Annexure B**.

9. OBLIGATIONS OF THE EMPLOYER

9.1 The Employer shall –

9.1.1 Create an enabling environment to facilitate effective performance by the Employee.

9.1.2 Provide access to skills development and capacity building opportunities.

9.1.3 Work collaboratively with the **Employee** to solve problems and generate solutions to common problems that may impact on the performance of the **Employee**.

9.1.4 On the request of the **Employee** delegate such powers reasonably required by the **Employee** to enable her to meet the performance objectives and targets established in terms of this Agreement.

9.1.5 Make available to the **Employee** such resources as the **Employee** may reasonably require from time to time to assist her to meet the performance objectives and targets established in terms of this Agreement.

10. CONSULTATION

- 10.1 The **Employer** agrees to consult the **Employee** timeously where the exercising of the powers will have amongst others –
- 10.1.1 A direct effect on the performance of any of the **Employee's** functions.
 - 10.1.2 Commit the **Employee** to implement or to give effect to a decision made by the **Employer**.
 - 10.1.3 A substantial financial effect on the **Employer**.
- 10.2 The **Employer** agrees to inform the **Employee** of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 10.1 as soon as is practicable to enable the **Employee** to take any necessary action without delay.

11. MANAGEMENT OF EVALUATION OUTCOMES

- 11.1 The evaluation of the **Employee's** performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 11.2 A performance bonus of between 5% to 14% of the all-inclusive annual remuneration package may be paid to the **Employee** in recognition of outstanding performance to be constituted as follows:
- 11.2.1 A score of 130% to 149% is awarded a performance bonus ranging from 5% to 9%.
 - 11.2.2 A score of 150% and above is awarded a performance bonus ranging from 10% to 14%.
 - 11.2.3 Specific bonus percentages will be determined on a sliding scale (as contained in the PMS Policy of Council), proportionately to the points scored, rounded up to the next 0.25 percentage. eg. 136% score = 6.678% = 6.75% bonus.
- 11.3 In the case of unacceptable performance, the **Employer** shall –
- 11.3.1 Provide systematic remedial or developmental support to assist the **Employee** to improve her performance
 - 11.3.2 After appropriate performance counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the **Employer** may consider steps to terminate the contract of employment of the **Employee** on grounds of unfitnes or incapacity to carry out her duties.

12. DISPUTE RESOLUTION

- 12.1 Any disputes about the nature of the **Employee's** performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by –
- 12.1.1 The MEC for local government in the Province within thirty (30) days of receipt of a formal dispute from the **Employee**
 - 12.1.2 Any other person appointed by the MEC
 - 12.1.3 In the case of managers directly accountable to the Municipal Manager, a member of the municipal council, provided that such member was not part of the evaluation panel provided for in sub-regulation 27(4)(e) of the Municipal Performance Regulations, 2006, within thirty (30) days of receipt of a formal dispute from the employee
- whose decision shall be final and binding on both parties.
- 12.2 In the event that the mediation process contemplated above fails, the dispute procedures as per the Contract of Employment shall apply.


13. GENERAL

- 13.1 The contents of this Agreement and the outcome of any review conducted in terms of Annexure A may be made available to the public by the Employer.
- 13.2 Nothing in this Agreement diminishes the obligations, duties or accountabilities of the **Employee** in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives or other instruments.
- 13.3 The performance assessment results of the Municipal Manager must be submitted to the MEC responsible for local government in the relevant province as well as the national minister responsible for local government, within fourteen (14) days after the conclusion of the assessment.

Thus done and signed at Tzaneen on this the 30 day of June 2021



AS WITNESSES:

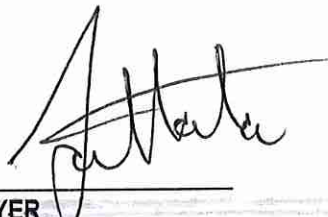
- 1.  _____
- 2.  _____



EMPLOYEE

AS WITNESSES:

- 1.  _____
- 2.  _____



EMPLOYER

JJA 