



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

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30 June 2022

**TO: ALL MUNICIPAL MANAGERS
HUMAN RESOURCES DIRECTORS
ALL EMPLOYEES**

AND TO: THE PARTIES:

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IMATU

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Sir / Madam,

CIRCULAR NO. 7/2022:

APPOINTMENT OF A CONSULTANT TO CONDUCT AN INVESTIGATION INTO THE USE OF EPWP /CWP IN MUNICIPALITIES

1. The Executive Committee at its meeting held on 23 June 2022 appointed South African Cities Network (SACN) to conduct the above investigation.
2. A Brief background for the reason for this investigation follows:
 - 2.1 The parties to the Council, in the Salary and Wage Collective Agreement, dated 15 September 2021, agreed as follows:
 - a) It is recognised that a vast number of community members take part in or are employed and/or placed in different municipalities through the Expanded Public Works Programme (EPWP) and the Community Works Programme (CWP). A full SALGBC investigation shall be conducted on the interface of the EPWP and CWP programmes with Local Government generally and Municipalities in particular.

- b) The investigation shall focus on looking at legislative, policy, contractual, and financial arrangements regarding these programmes as well as employment and employability of the participants on these programmes in municipalities.
- c) This investigation shall be concluded within twelve months of the conclusion of this agreement. The Parties shall establish clear terms of reference to enable a report to be submitted to the Executive Committee of the SALGBC for further consideration.

2.2 The Collective Agreement was pursuant to a demand by SAMWU, as stated:

“In spite of the fact that the EPWP and CWP workers perform important municipal work like standard municipal workers, but they remain super exploited. Even though they perform similar jobs as standard municipal workers, but they are earning far less, without benefits and face job insecurity than their counterparts. For those reasons, the collective agreement shall include a plan that will guide and facilitate the absorption of these workers into permanent employment relationship. The end goal for the absorption of EPWP / CWP workers is to achieve decent work and a decent wage, and absorption should result in a significant improvement in the standard of living of the workers concerned. “

3. The terms of reference of the above investigation, as resolved by the Executive Committee at its meeting held on 7 March 2022, is as follows:
- a) Investigate in regard to the current legislative context of the EPWP programmes implemented in Municipalities in terms of the following:
 - (i) The latest Ministerial Determination: Extended Public Works Programme
 - (ii) EPWP Recruitment Guidelines
 - (iii) The Basic Conditions of Employment Act: Code of Good Practice for employment and conditions of work for Expanded Public Works Programmes
 - b) Identify the areas of non – compliance with the provisions of documents in (1) and the reasons for non-compliance.
 - c) Make recommendations on how to address the issues of non-compliance.
 - d) Establish the financial implications if all municipalities were to be required to absorb both EPWP and CWP employees.
 - e) Determine whether the absorption of both EPWP and CWP employees would constitute funded or unfunded mandate for municipalities.
 - f) Examine whether EPWP and CWP employees are being utilized within the policy framework as determined by the Public Works Department.



4. The South African Cities Network has requested information as per the SACN attached memorandum.

This information is required to be submitted by the latest, 8th July 2022 to Lwazi@sacities.net. For further enquiries, feel free to contact Lwazi on 071 403 3948 alternatively on email.

5. The Council requests that all municipalities comply with this memorandum and any other information, data, or any other request and any deadlines set or made by the SACN, to ensure the SACN complete the investigation, as contemplated in the collective agreement and/or Executive Committee decision.

6. Your co-operation is appreciated.

Yours faithfully



SS GOVENDER
GENERAL SECRETARY

Memorandum

To: Municipal Officials

Subject: Appointment of the South African Cities Network to investigate EPWP/CWP programmes in municipalities.

Introduction

The SALGBC has formally appointed the South African Cities Network as the designated organisation to evaluate EPWP/CWP programmes implemented by municipalities. The project start date is the 4th of July 2022. To successfully execute this project, the SACN will require support and cooperation from municipal officials through their availability for data collection and the provision of the required information.

The SACN is required to:

- Assess and identify compliance issues on the EPWP/CWP programmes implemented by municipalities.
- Make recommendations on how to address the issues of non-compliance.
- Investigate the legal and financial implications of a scenario in which municipalities were to absorb both EPWP and employees.
- Determine whether the absorption of EPWP/CWP participants would constitute funded or unfunded mandates of for municipalities.
- Examine whether EPWP and CWP employees are being utilised with the policy parameters and legislation framework enshrined in the Ministerial Determinations.
- Initiate and embark on a data gathering process on EPWP and CWP utilisation by municipalities.

Requirements from municipalities

To execute the project, the SACN must collect information from municipalities. This information will be collected using a hybrid approach consisting of in-person workshops and

a research survey. In July, the SACN will be visiting selected municipalities to hold workshops with the relevant municipal practitioners responsible for implementing EPWP and CWP to gain an in-depth understanding of how municipalities have been implementing these programmes. A follow-up research survey will be disseminated to the relevant officials that the municipality has nominated.

To prepare for the in-person engagements, we require municipalities to provide us with the following:

- CWP and EPWP performance reports for the past 3 financial years (2019/20 till 2021/22)
- EPWP/CWP Database:
 - Number of EPWP & CWP employees per municipality
 - EPWP Participant profiles i.e., age, gender, people with disabilities, duration of contracts for participants (months, weeks years)
 - Types of work packages generated through EPWP i.e. cleaning, waste collection, agriculture, construction etc
 - Cost of EPWP work packages (Rand value per project/work packages)
- CWP & EPWP Municipal Personnel required for the in person engagements to be held in July until August 2022:
 - Names and contact details of EPWP & CWP Programme Managers or equivalent designations
 - Names and contact details of EPWP & CWP Contractors (where applicable)
 - Names and contact details of EPWP & CWP Managers in Municipal Departments and Entities (where applicable)
 - Officials who will participate in the research surveys

This information is required to be submitted by the latest, 8th July 2022 to Lwazi@sacities.net. For further enquiries, feel free to contact Lwazi on 071 403 3948 alternatively on email.

For more information about the South African Cities Network, visit <https://www.sacities.net/>