

MOPANI DISTRICT MUNICIPALITY



DISABILITY POLICY.

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1. PREAMBLE/ BACKGROUND.

The promulgation of the Employment Equity Act, 1998, (EEA) sought to bring about equity within the workplace. This Act specifically iterated the unlawfulness of unfair discrimination, as well as sought to remedy imbalances as a result of disadvantaging employment practices. Within Mopani District Municipality procedures are already set in place to facilitate employment equity and prevent discriminatory practices (including disability). This Policy seeks to redress the challenges of employment equity to persons with disabilities in line with the employment equity act of the institution.

2. PURPOSE / OBJECTIVE OF THE POLICY.

The main purpose and objective of policy is to ensure that no discrimination against employees with disabilities occurs in Mopani District Municipality and that all decisions affecting persons with disabilities are fair, transparent and in full compliance with all relevant labour legislation.

3. SCOPE OF THE POLICY.

The policy shall apply to all employees and councillors of Mopani District Municipality.

4. LEGAL FRAME WORK.

- I. *The Constitution of the Republic of South Africa (Act No 108 of 1996)*
- II. *Labour Relation Act No 66 Of 1995*
- III. *Employment Equity Act No 55 Of 1998*
- IV. *Promotion of Equality and Prevention of Unfair Discrimination Act, (Act No. 4 of 2000)*
- V. *Code of Good Practice on Key aspect of Employment of Persons with disabilities*
- VI. *Code of Good Practice on Preparations, Implementation and Monitoring of*

Employment Equity Plans.

VII. *Basic Conditions of Employment Act No 75 Of 1997*

VIII. *Skills Development Act No 97 Of 1998.*

I. *933333Technical Assistance Guide on the Employment of Persons with disabilities.*

II. *Department of Public Service and Administration Strategic Framework on Employees Wellness*

III. *The Public Service job Access Strategy 2009.*

IV. *White paper On the Rights of persons with disabilities (2015)*

V. *Un Convention On Rights of Persons with disabilities*

5. ADMINISTRATION OF THE POLICY.

5.1. Responsibility and authority to implement this policy rests with the Municipal Manager or his / her delegated official/s. This responsibility includes communication of this policy and related procedures. Any queries should be directed to the office of the Senior Manager: Corporate Services.

5.2. DISABILITY MANAGEMENT AND SUPPORT.

5.2.1. FORUM FOR EMPLOYEES WITH DISABILITIES.

For the purpose of effective management and support to disability issues in the work place, the municipality shall establish an institutional forum for employees with disabilities which will serve as a platform for consultation and receive feedback on issues of disability reasonable accommodation needs or support.

The Municipal Manager shall delegate the Corporate Services Directorate to:

5.2.1.1. Facilitate the establishment of the forum

5.2.1.2. Keep the record of the forum members who shall have declared their disabilities in terms of their special/ reasonable accommodation needs in the work

place.

5.2.2. DISABILITY DISCLOSURE - DECLARATION FORM

For the municipality to effectively support employees with disabilities on their individual reasonable accommodation needs in their various work stations;

5.2.2.1. The municipality shall through HR provide a Disability Disclosure - Declaration Form for **all employees** to voluntarily disclose and declare their disabilities in a highly confidential record system.

5.2.2.2. The Disability Disclosure - Declaration Form for individual employees shall be maintained in the HR record system and shall be kept with the copy of the individual employee medical report.

5.2.2.3. The Disability Disclosure - Declaration Form shall be made available to all new employees upon signing their employment contract with the municipality in order to keep track of the record for employees with disabilities.

6. POLICY CONTENT.

6.1. REASONABLE ACCOMMODATION OF PEOPLE WITH DISABILITIES.

The Municipality has adopted a policy regarding reasonable accommodation for persons with disabilities, with specific reference to adapt physical facilities that will be implemented gradually with a view to making the grounds and buildings accessible to persons with disabilities. Special attention will be given to the employment and career development of employees with disabilities.

6.2. STEPS TO ENSURE THAT MEMBERS OF DESIGNATED GROUPS ARE APPOINTED IN SUCH POSITIONS THAT THEY ARE ABLE TO MEANINGFULLY PARTICIPATE IN CORPORATE DECISION-MAKING PROCESSES.

The Municipality adopted policies with regards to appointment and promotion that should ensure that candidates from the designated groups have the opportunity to be appointed in positions where they will be able to participate meaningfully in the

decision-making of the Municipality. The provisioning/appointment policy reflects the selection criteria of section 21 of the Employment Equity Act by requiring candidates to be suitably qualified for positions into which they will be appointed.

7. DEFAULT.

Should an employee be affected and or involved in any activity which may implicate disability without having disclosed/ declare his or her disability such an employee shall face disciplinary action

8. INCEPTION DATE.

8.1 This policy shall come into effect upon adoption by Council.

9. REVIEW OF THE POLICY

9.1 The policy will be reviewed annually or when a need arises.


10.STAKEHOLDER'S CONSULTATION

All Stakeholder's were consulted on the 22-25 April 2024.

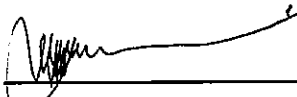
11.ADOPTION BY COUNCIL:

Resolution NO:SCD/16/2024	Approved Date: 16 May 2024
Effective Date: 01 July 2024	Review Date: ANNUALLY

12. AUTHORITY



MUNICIPAL MANAGER
MR T.J MOGNAO



COUNCIL SPEAKER
CLLR N.M MASWANGANYI

