



UMZIMVUBU

LOCAL MUNICIPALITY

ADVERTING DATE: 04 MAY 2017

UMZ/2016-17/LABOUR LAW/0018

SERVICE PROVIDER TO CONDUCT TRAINING ON LABOUR LAW FOR 2 EMPLOYEES.

Bidders are hereby invited to submit proposals/Quotations for labour law training for 2 employees as per specification. Specifications are available at SCM office for free.

MANDATORY DOCUMENTS TO BE SUBMITTED FAILURE TO DO SO WILL LEAD TO BE NON RESPONSIVE.

Umzimvubu Local Municipality Supply Chain Management will apply. A valid Original Tax Clearance Certificate or confirmation from SARS with a verification pin, certified copy of company Registration/Founding Statement/CIPC Documents. Certified BBBEE certificate and a combined BBBEE for a joint venture (non-elimination item). JV Agreement for Joint venture. 80/20 evaluation criteria. Prices quoted must be firm and must be inclusive of VAT for vat vendors. Certified ID Copies of Managing Directors/ Owners. CSD Registration and MBD forms 4, 8 and 9 are compulsory submission and Billing Clearance certificate or Statement of Municipal Accounts. Certified copies of Certificates must not be later than 90 days of closing date. **No couriered, faxed, e-mailed and late tenders will be accepted.** Umzimvubu Local Municipality reserves the right not to appoint and value for money will be the key determinant. All quotation must be deposited in the quotation box situated at **Umzimvubu Local Municipality Offices at SCM office 813 Main Street, Mt Frere** not later than **12h00 noon on 09 May 2017**, where they will be opened in public. All tenders must be clearly marked "Name of the project or Reference number". All service providers must be registered on CSD and submit proof.

The municipality will not make award any award to a person or persons working for the state.

Enquiries: All technical enquiries may be directed to Ms.A. Monakali 039 255 8563 / Mr Mbukushu (SCM Manager) 039 255 8555

Other enquiries regarding this Bid may be directed to the office of the Municipal Manager:

Attention: Mr G.P.T Nota

813 Main Street or P/Bag X9020

MT FRERE

5090

GPT NOTA (MUNICIPAL MANAGER)



UMZIMVUBU
— LOCAL MUNICIPALITY —

UMZIMVUBU LOCAL MUNICIPALITY

2016 - 2017 FY

LABOUR LAW FOR MANAGERS



TERMS OF REFERENCE

TRAINING OF UMZIMVUBU MUNICIPAL OFFICIALS ON LABOUR LAW

PROGRAMME: LABOUR LAW

1. BACKGROUND

A comprehensive understanding of the labour law regarding both employees and employers' rights is necessary for employees occupying Management positions. An excellent understanding of the labour law will enable managers to correctly implement the law in their organisation. The course provides delegates with valuable insights into labour law at an advanced level and also incorporates the most recent developments in this field of study.

2. TARGET GROUP

There are Thirty Two (32) Managers that have to be trained.

3. GOALS AND CONTENT OF THE TRAINING:

To gain a good grounding of how to apply LR, BCEA, SD, EE Acts in the workplace and ensure total compliance, as well as being able to use that knowledge to build sound workplace relations.

3.1 The content should cover but not limited the following aspects:-

3.1.1 IMPACT OF THE CONSTITUTION ON LABOUR LAW

Content Topics

- Bill of Rights
- Interpretation of Labour Legislations which affects the Constitutional right to fair labour practice

3.1.2 LABOUR RELATIONS ACT

Content Topics

- Understanding the 15 August 2014 amendments
- The Labour Relations Act: Collective labour law provisions
- The Labour Relations Act: Individual Labour Law provisions
- Unfair dismissals and unfair labour practices
- Disputes of right, and disputes of interest
- When to consult and when to negotiate
- Dispute resolution mechanisms of the LRA

3.1.3 BASIC CONDITIONS OF EMPLOYMENT ACT

Content Topics

- Understanding the 1 September 2014 amendments
- Defining the employment contract – permanent, temporary and labour brokers
- The regulation of working hours and leave provisions - and their cost implications
- Remuneration and benefits - and implications, such as overtime regulations
- Termination of employment – regulations and cost implications

3.1.4 DISCIPLINARY HEARINGS, GRIEVANCES, PERFORMANCE MANAGEMENT, AND ABSENTEEISM

Contents Topics

- Disciplinary Code and Procedure
- Grievance Procedure
- Management of Absenteeism in the workplace
- Performance Management

4. DURATION

This training has to be done and completed within a maximum number of two (2) working days.

5. METHODOLOGY

- 5.1 The course should be engaging and interactive;
- 5.2 The use of inter-active training exercises, case studies, role play and group work;
- 5.3 The use of tools in order for participants to be able to internalise knowledge with regards to various Labour Law.
- 5.3 The use of constructive feedback and tips for improvement should be given to the participants.
- 5.4 This training programme should be delivered at a specified National Qualification Framework (NQF) and be Unit standard aligned (13952)
- 5.5 The participants shall be given training materials by the service provider.
- 5.6 To provide an Assessment Plan and assessment process during and after the training
- 5.7 A detailed close-out report for the work done should be submitted one (1) week after completion of the training.
- 5.8 Competency certificates for participants be submitted to the HRD Officer within four (4) months after completion of training.
- 5.9 The training may be conducted in or out of the municipal premises and arrangements related logistics shall be done within the municipality

6. LEARNING OUTCOMES

After this training the expected learning outcomes are that the participants will be able to:

1. Draft a contract of employment in compliance with the provisions of the BCEA.

2. Understand the influence of the Constitution on labour law.
3. Understand the latest amendments to the LRA;
4. Conduct disciplinary, incompetence and incapacity hearings;
5. Understand the procedures to be followed in small and large-scale retrenchments;
6. Understand the legal consequences of a protected and unprotected strike, and
7. Describe the correct procedures to be followed in the dismissal of striking employees

7. PROPOSAL/ SUBMISSION REQUIREMENTS

7.1 List of Contents

All proposals must cover the following aspects of importance:

7.1.1 A Detailed Company Profile

Including brief history, field of expertise, staff resources, a proven tracking record of conducting trainings, where the main office is based as well as any other offices and a list of recently completed projects.

7.1.2 Proposed Methodology

Service provider should come up with a sound and workable methods for the development of the above.

7.1.3 Accreditation

7.1.3.1 Training provider must be accredited by the relevant Sector Education and Training Authority (SETA)

7.1.3.2 A copy of accreditation certificate, specifically a letter from the SETA specifying the areas of accreditation must be attached to the proposal

7.1.4 Proposed Cost Structure

Detailed Breakdown of Proposed Fee Structure should be clearly stated and whether it's inclusive of VAT or not.

7.2 Expertise Required:

It is the responsibility of the appointed service provider to make a constant follow up on the submission of the certificates of the learners at least four months after completion of training.

7.3 Compulsory Terms and Conditions

A proposal will not be considered unless the service provider furnishes the ULM with the duly completed documents mentioned from 7.1.1 to 7.1.4 above. In the event that

a proposal is submitted by a consortium/joint venture, each party, consultant and or sub-contractor of such consortium/joint venture must complete each of the documents mentioned below:-

- a) Proof Ownership
- b) Declaration of Interests
- c) Tax Certificate

7.4 The consortium submitting the proposal must declare any conflict of interests that it may have.

7.5 The ULM reserve the rights, not to accept any proposals in part or in whole

7.6 The ULM reserves the rights to suggest partnerships or joint venture to be formed between bidders, or that the assignment must be awarded to an exclusive BEE firm.

7.7 The ULM reserve the rights to amend any conditions, validity period, etc. in the event of material changes to the procedures, all parties will be duly notified and be dealt with transparently and equitable.

7.8 Successful bidders will need to be prepared to commence work within 14 working days of being informed of the awarding of the tender.

7.9 Failure to comply with these conditions will result in the invalidation of the proposal and subsequent expulsion/termination from the process.

7.10 Successful bidder will be required to submit a detailed close-out report.

7.11 The guidelines contained in the Umzimvubu Local Municipality Supply Chain Management policy will apply.

8. WHERE TO SUBMIT:

8.1 All submissions must be clearly marked:

"TRAINING OF MUNICIPAL EMPLOYEES ON LABOUR LAW"

and be addressed for the attention of **the Municipal Manager, Mr G.P.T. Nota.**

8.2 Submissions must be hand delivered to the Supply Chain Management Municipal Offices in Mount Frere (KwaBhaca) at 813 Main Street, Mount Frere.

8.3 **Due date for the submission of proposal**
LATE SUBMISSIONS WILL BE CONSIDERED

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9. INFORMATION AND ENQUIRIES

9.1 TECHNICAL ENQUIRIES

To the attention of Miss A Monakali -Human Resources Development office and
Mr T Mbukushe -Supply Chain Management office

Fax : +2739 255 0167

Email : Monakali.Amanda@umzimvubu.gov.za.

9.2 OTHER ENQUERIES

Any other queries related to the bid must be addressed to the attention of the Municipal Manager, Mr G.P.T. Nota.

813 Main Street
Private Bag X 9020

MOUNT FRERE

5090

Phone : +2739 255 8563

Fax : +2739 255 0167



MRS N KUBONE

MANAGER: CORPORATE SEVIRCES