



POLICY DEVELOPMENT FRAMEWORK

FIXED-TERM CONTRACT APPOINTMENTS

POLICY

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1. PURPOSE

- 1.1. The purpose of this policy is to align and ensure compliance of the University's processes and procedures for the appointment of fixed-term contracts with the Labour Relations Act No. 66 of 1995 as amended, National Government Regulations and Directives.
- 1.2. To streamline the processes and procedures of the University when hiring fixed-term contract employees, and to ensure that CPUT's operational needs are met.

2. SCOPE

2.1. Institutional Scope

This policy is applicable to the appointment of employees in fixed-term contract positions of less than two (2) years from Peromnes levels 5 to 18.

3. OBJECTIVE(S)

3.1. The objective of this policy is to:

- 3.1.1. Promote optimal use of fixed-term contracts to meet the University's objectives.
- 3.1.2. Ensure that talent acquisition and selection of fixed-term contract employees is transparent, fair, merit-based and in line with the employment equity policy and plan of the University.
- 3.1.3. Manage and mitigate the risk associated with fixed-term contract appointments.
- 3.1.4. Identify the criteria which may justify the use of fixed-term contracts.
- 3.1.5. Determine the conditions of service applicable to employees who are appointed on fixed-term contracts.

4. POLICY PRINCIPLE

- 4.1.1. Where possible, reduce unnecessary reliance on fixed-term contracts through strict monitoring.
- 4.1.2. Where the University wishes to employ an employee who took early retirement or shall reach their normal retirement age during the current academic semester/year in the same pre-retirement position, the University shall follow 5.1.2. - the creation of a post-retirement fixed-term contract.
- 4.1.3. For externally funded positions, this arrangement shall be subject to the availability of funds and terms and conditions set by the funder.

- 4.1.4. In exceptional circumstances, if a further fixed-term contract is required beyond a one (1) year extension period, approval shall be required as per 7.1.2.3. of this policy.
- 4.1.5. Delegation of authority outlined in 7.1.2. is to be followed (*for Fixed Term Contracts and post-retirement contracts*)
- 4.1.6. No applicant may be shortlisted or appointed if they do not meet the minimum requirements for the position.
- 4.1.7. All fixed-term contracts shall expressly state that there shall be no expectation of or right to renewal, extension or permanent employment and that the contract shall end through effluxion of time on the agreed termination date.
- 4.1.8. Where a new fixed-term contract is offered and accepted, employment shall start afresh from the start date recorded in the new fixed-term contract.
- 4.1.9. All advertisements shall be placed on the University website.
- 4.1.10. The University reserves the right not to continue with the talent acquisition process for any vacancy/ies at any stage.
- 4.1.11. No offer of employment may be made without the candidate's qualifications, previous employment and criminal record having been duly verified by a reputable service provider. In the event of positions requiring fiduciary compliance, credit checks shall be mandatory.
- 4.1.12. In the case of an adverse finding in terms of 4.1.11., these matters shall be dealt with on a case-by-case basis by the selection panel concerned in consultation with the Employee Relations and/or Legal Services departments.
- 4.1.13. Preference shall, in all respects, be given to appointable South African Citizens.
- 4.1.13.1. Permanent residents may be considered for appointment on a fixed-term contract but will not be given preference in terms of the University Employment Equity plans and strategy.
- 4.1.13.2. In the event that a Foreign National is appointed on a fixed-term contract, the applicable visa/permit should be valid for the duration of the contract.
- 4.1.14. All applicants shall be fairly and consistently measured against the minimum requirements for a job.
- 4.1.15. The University does not support nepotism, and whilst the employment of family members at CPUT is not precluded, immediate family members (spouse, child, adopted child, sibling, parents, parents and sibling's in-law or any other relevant immediate family e.g., cousin, nephew, niece, aunt, uncle etc.) may not be appointed in a direct reporting line to an existing employee.

- 4.1.16. Any recommendation to appoint the afore-mentioned categories of family members must be in line with the Policy on the Employment of Family Members and CPUT Ethics Framework.
- 4.1.17. Appointable candidates shall be ranked based on their competence and in line with the Employment Equity Plan of a Faculty/Support Department.

5. CREATION OF A POST-RETIREMENT FIXED-TERM CONTRACT

5.1.1. Where possible, a reduction of unnecessary reliance on post-retirement contracts through strict monitoring must be ensured.

5.1.2. Where the University wishes to employ an employee who took early retirement or shall reach their normal retirement age during the current academic semester/year in the same pre-retirement position, the following shall apply:

5.1.2.1. **Academic Employees**

5.1.2.2. The appointment of Academic and Academic Support Employees on fixed-term contracts, beyond their retirement date, shall only be considered in exceptional circumstances and for a period not **exceeding one (1) year.**

5.1.2.3. Such appointments shall be approved in accordance with the Delegation of Authority outlined in 7.1.2.4.

5.1.2.4. The appointment of Academic and Academic Support Employees on fixed-term contracts, beyond their retirement date, shall only be considered in exceptional circumstances and for a period **exceeding one (1) year.**

5.1.2.5. Such appointments shall be approved in accordance with the Delegation of Authority outlined in 7.1.2.3.

5.1.2.6. **Support Employees**

5.1.2.7. The appointment of Support Employees on fixed-term contracts beyond their retirement date shall only be considered in exceptional circumstances and for a period **not exceeding one (1) year.**

5.1.2.8. Such appointments shall be approved by the Delegation of Authority outlined in 7.1.2.4.

5.1.2.9. The appointment of Support Employees on fixed-term contracts beyond their retirement date shall only be considered in exceptional circumstances and for a period **exceeding one (1) year.**

- 5.1.2.10. Such appointments shall be approved by the Delegation of Authority outlined in 7.1.2.3.
- 5.1.3. Individual employees shall be re-engaged following normal retirement to complete activities, mentor other employees or students or transfer skills and knowledge.
- 5.1.4. At the end of the month of retirement, the retiree shall be terminated from the system, and the normal pension/provident fund and medical aid withdrawal process shall follow.
- 5.1.5. Any statutory and other outstanding payments due to the employee (e.g. bonus, leave pay-outs, etc.) shall be paid in accordance with the exit procedure in the month of retirement.
- 5.1.6. At the start of the month after retirement, the retiree shall be reappointed on a fixed-term contract with no benefits (that is, no University contributions to medical aid, pension/provident fund and group life cover)
- 5.1.6.1. Transition from permanent to fixed-term contract shall happen without any break in service. However, leave entitlement shall accrue in terms of the new fixed-term contract.
- 5.1.7. For externally funded positions, this arrangement shall be subject to the availability of funds and terms and conditions set by the funder.
- 5.1.8. In exceptional circumstances, if a further fixed-term contract is required beyond the one (1) year extension period, it shall be approved by the Delegation of authority outlined in 7.1.2.3.

6. CREATION OF NEW FIXED-TERM CONTRACT POSITIONS

- 6.1.1. The creation of new fixed-term contract positions and justification thereof shall be managed as follows:
- 6.1.2. **Authorisation**
- 6.1.2.1. Before a fixed-term contract position is advertised or filled, approval to create or continue a fixed-term contract position must be obtained in terms of the Delegation of Authority outlined in 7.1.2. and 7.1.2.1.
- 6.1.2.2. Applications for the creation or continuation of a fixed-term contract position must specify the reason for the position being of a fixed-term nature (6.1.5.), duration of the fixed-term or the definition of the end event that will bring the need for the fixed-term contract position to an end.
- 6.1.2.3. The approving authority shall specify the conditions attached to the approval (e.g.

duration, grade, remuneration, etc.)

6.1.3. Justification

6.1.4. Authorisation to create or continue a fixed-term contract position may be granted by the relevant approving authority as appropriate based on the justifiable reasons expressed and in compliance with Section 198B 3 (earning below earnings threshold) of the Labour Relation Act 66 of 1995 as amended, which may include but are not limited to the following:

6.1.4.1. The position is externally funded for a limited duration.

6.1.4.2. The position requires specialist skills for a limited period or to accomplish a specific task and/or project with a predetermined lifespan.

6.1.4.3. The post is to provide temporary relief for a post holder who is temporarily absent (e.g. as a result of sickness, maternity leave, secondment, acting appointments, sabbatical etc.)

6.1.4.4. The post is a secondment to the University.

6.1.4.5. The teaching or research is provided by a short-term specialist practitioner(s).

6.1.4.6. The position has been created to satisfy a short-term operational need of the University (e.g. seasonal work or the implementation of a specific time-limited project) and:

6.1.4.7. The individual is re-engaged following normal retirement to complete activities, mentor employees or students or transfer skills and knowledge.

6.1.4.8. The contract is for training or career development e.g. clinical employees undertaking professional training, learnerships/ apprenticeship.

6.1.4.9. Students are employed to perform academic-related duties, including demonstration, teaching and research.

6.2. ADVERTISING AND FILLING OF FIXED-TERM CONTRACT POSITIONS

6.2.1. All fixed-term contract positions, approved in terms of 6.1.5. above, shall be filled in a fair and transparent manner in line with the employment equity targets for CPUT and the recruiting Faculty or Department.

6.2.2. Advertisements must clearly and unambiguously state the minimum requirements for a position that will be used for screening and shortlisting. Other relevant assessment criteria (including advantageous requirements for the position) shall be stipulated in the advertisement.

6.2.3. All advertisements shall be placed on the University website and shall carry a caption that clearly

states the employment equity intent of the University, but advertisements will not place specific restrictions on applicants applying for the position based on race, gender or disability status.

6.2.4. All advertisements for positions from Peromnes 5-8 shall be open to external applicants whereas for Peromnes 9-18 positions, the advertisements shall be clearly marked as internal. Should an internally placed advertisement not yield suitable applicants for positions at Peromnes levels 9-18, the advertisement may be placed externally after obtaining approval from Talent Management.

6.2.5. In instances where a position at Peromnes 9-18 requires is a scarce skill not available within the University approval from Talent Management should be sought to place the advertisement externally, at the first instance.

6.2.6. All advertised vacancies shall remain open for a minimum period of between one and two weeks, depending on the level of the position, its nature and the need to source scarce or critical skills for the position. The closing date must be specified on the advertisement.

6.2.7. Approval to recruit for a fixed-term contract position **Exceeding (one) 1 year** and to make an appointment shall be granted in terms of the Delegation of Authority outlined in 7.1.2.2. and 7.1.2.3.

6.2.8. Approval to recruit for a fixed-term contract position **Not Exceeding (one) 1 year** and to make an appointment shall be granted in terms of the Delegation of Authority outlined in 7.1.2.2. and 7.1.2.4.

6.2.9. **Contract position not exceeding one year**

6.2.9.1. The contract position shall be advertised on the University website. Approval to appoint shall be granted in terms of the Delegation of Authority outlined in 7.1.2.2. and 7.1.2.4.

6.2.10. **Contract position exceeding one year**

6.2.10.1. The contract position shall be advertised on the University website.

6.2.10.2. Selection shall be conducted by an ad hoc selection panel, approved by the relevant Senior Manager (P5-P18) and made up of at least three persons, including the line manager. A brief report and recommendation for appointment prepared and signed by the Chair of the selection panel must be submitted to:

6.2.10.3. The relevant Senior Manager (for support employee) or relevant EM Member for approval in terms of the Delegation of Authority outlined in 7.1.2. For contracts **not exceeding one (1) year**, refer to 7.1.2.4., and for **contracts exceeding one (1) year**, refer to 7.1.2.3.

6.2.10.4. Where a fixed-term contract is entered into for acting purposes internally, refer to the Acting, Secondment and Additional Responsibilities Policy. Line managers shall not create expectations of extension, renewal of a fixed-term contract or permanent

employment until the necessary authority has been sought in terms of the Delegation of Authority outlined in 7.1.2.

6.2.11. Line managers shall not create expectations of extension, renewal of a fixed-term contract or permanent employment until the necessary authority in terms of the Delegation of Authority outlined in 7.1.2. has been sought.

6.2.12. All fixed-term contracts (letter of appointment) shall expressly state that there shall be no expectation of or right to renewal, extension or permanent employment and that the contract shall end through effluxion of time on the agreed termination date

6.3. EMPLOYMENT BEYOND THE MAXIMUM NORMAL RETIREMENT AGE

6.3.1. Individuals who are beyond the maximum normal retirement age of 65 years, including employees who have already retired from CPUT and are being considered for employment in another position at the University, may, in exceptional circumstances, be employed on fixed-term contracts in areas of scarce/critical skills. Approval for appointments is required in terms of the Delegation of Authority outlined in 7.1.2. For contracts **not exceeding** one (1) year, refer to 7.1.2.4., and for contracts **exceeding** one (1) year, refer to 7.1.2.3.

6.3.2. Appointments referred to in clause 6.3.1. shall strictly be made subject to the development and implementation of a capacity building and succession planning framework which will support the University to meet future employment and employment equity needs by providing employment opportunities for employees that are below retirement age.

6.3.3. The University shall generally not employ a person who is beyond the age of 70.

6.4. Employment of persons who will imminently reach the maximum normal retirement age (New Appointments).

6.4.1. Where a recommended candidate will reach their normal retirement age during the maximum fixed-term period approved for the position, the recommended candidate will be offered a fixed-term contract with a termination date that coincides with the end of the month in which they reach their 65th birthday.

6.4.2. Extensions beyond the end of the month when the employee reaches their 65th birthday shall only be considered in exceptional circumstances and require approval in terms of the Delegation of Authority outlined in 7.1.2.

6.4.2.1. A maximum of twelve (12) months' extension may be granted in terms of the Delegation of Authority outlined in 7.1.2.4. Where such an extension is granted, the employee's current fixed-term contract shall be terminated, and a new fixed-term contract (without benefits) will be issued to that employee.

6.5. EXTENSIONS AND RENEWALS OF FIXED-TERM CONTRACTS

6.5.1. Where a fixed-term contract position is to continue beyond the originally authorised termination date, the procedure outlined for the creation of a new fixed-term contract position in 6.1.2. shall be followed before the incumbent is offered a renewal or extension to their existing fixed-term contract.

6.5.1.1. The process outlined in 6.5.1. should generally be initiated at least five months before the specified end date.

6.5.2. Where approval **is granted**, the line manager in consultation with the HCBP, shall ensure that a new fixed-term contract (which clearly specifies the reason for the position being of a fixed-term nature as well as the new approved termination date) is issued to the employee at least one (1) month before the specified end date.

6.5.3. The terms and conditions (including remuneration level as approved by the approving authority – in terms of the Delegation of Authority outlined in 7.1.2.) shall be discussed with the incumbent by the Line Manager who shall keep record of such, and be clearly stated in the new fixed-term employment contract.

6.5.3.1. The line manager shall complete the Record of Discussion: The fixed-term Contract document (Appendix A) wherein the details of what was discussed with the incumbent are clearly recorded.

6.5.3.2. A salary increase, where possible, shall be awarded in terms of CPUT Remuneration and Benefits Policy and/or the Funders Terms and Conditions for Externally Funded positions.

6.5.4. Should approval not be granted, the Line manager shall inform the fixed-term employee of the outcome ideally at least one (1) month before the specified end date in writing, and remind the employee that the contract will automatically terminate due to the effluxion of time on the specified termination date.

6.5.5. No employee shall commence employment without the duly authorised and processed contract of employment.

6.6. TERMINATION OF FIXED-TERM CONTRACTS

6.6.1. All fixed-term contracts shall automatically terminate on the specified termination date (effluxion of time).

6.6.1.1. Whilst the termination date of all fixed-term contracts is stated and agreed upon between the parties at the inception of a contract, it is advisable for Line managers to remind employees that their fixed-term contract shall expire at least one (1) month prior to the expiry date.

- 6.6.1.2. Line managers should meet with the employee to remind them of the termination date and follow up the discussion with an email confirming the same.
- 6.6.2. Where a **new** fixed-term contract has been offered and accepted, the employee's employment shall start afresh on the start date recorded in the new fixed-term contract.
- 6.6.2.1. The employee's profile will, however, not be terminated but shall carry over into the new fixed-term contract for administrative ease.
- 6.6.2.2. Any statutory leave in terms of BCEA owing to the employee shall ordinarily be paid out upon termination.

7. DELEGATION OF AUTHORITY MATRIX

- 7.1.1. The Delegation of Authority takes into account the legal and regulatory framework referred to here under. Its purpose is to establish a structured decision-making process within CPUT, to provide expressly for the delegation of powers and assignment of duties or functions in respect of matters pertaining to the governance and management of CPUT, primarily at institutional level and to ensure a common understanding and proper execution of such functions delegated or assigned for the effective functioning of CPUT.
- 7.1.2. Approval to create or continue a fixed-term contract position shall be managed as follows in accordance with the Delegation Authority Matrix:

7.1.2.1. Creation of new post

DECISION-MAKING CATEGORY	FINAL DECISION-MAKING POWER	REMARKS
• Academic posts	In accordance with paragraph 10.3 (As per The Delegation of Authority Document)	
• Academic support and administrative posts	Mancom	On recommendation of responsible Mancom member

7.1.2.2. Talent Acquisition and Selection (Recruitment)

DECISION-MAKING CATEGORY	FINAL DECISION-MAKING POWER	REMARKS
Approval: Content of advertisement –		
• Positions other than Senior Management positions	SD: HC and TM	On recommendation of DVC/Dean/Director

7.1.2.3. Fixed-Term Contract Appointments Exceeding (one) 1 year

DECISION-MAKING CATEGORY	FINAL DECISION-MAKING POWER	REMARKS
Substantive approval: Appointments -		
Positions other than Senior Management positions -		
Post levels 5 - 10	Vice Chancellor (for non-academic posts Senate for academic posts)	On recommendation of relevant appointments committee and members of Mancom
Post levels 11 - 18	Relevant Mancom member	On recommendation of relevant appointments committee

7.1.2.4. Contract Appointments Not Exceeding (one) 1 year

DECISION-MAKING CATEGORY	FINAL DECISION-MAKING POWER	REMARKS
Substantive approval: Appointments -		
Academic and academic support employee	DVC: L & T	On recommendation of HoD
Administrative Employee	Relevant EM member	On recommendation of Dean /HoD/Line manager

8. COMMONLY USED TERMS

DEFINITIONS

- 8.1. **Advantageous requirements for a position:** Additional criteria that are not essential for job performance but may result in improved performance and should be included in the job advertisement.
- 8.2. **Ad hoc search panel:** A panel established to conduct a targeted search for a position that requires a candidate to have highly specialised, scarce or critical skills.
- 8.3. **Applicant:** A person who has made a formal application (via the procedures outlined in this policy) for a vacant position at CPUT.
- 8.4. **Appointable:** A candidate who meets all and/or exceeds most of the requirements and is likely to perform very well in the position.
- 8.5. **Appointment:** The act of appointing or placing a candidate. The candidate may be an existing employee of the University or a new entrant.

- 8.6. Academic employee:** Any person appointed to teach or to do research at the University and any other Employee designated as such by the Council of the University.
- 8.7. Benchmarking:** The process by which internal job descriptions are matched to external job descriptions with similar responsibilities to identify the market grade for each position.
- 8.8. Candidate:** An applicant who has been shortlisted for, and invited to, an interview/s for a vacancy within CPUT.
- 8.9. Competence:** Having the required knowledge, skills, abilities, and personality characteristics to perform in a position at the required level.
- 8.10. Critical skills:** Characteristic of a position where the incumbent is required to exert critical influence on the strategic and operational objectives of the University.
- 8.11. Designated groups:** Those groups in the Employment Equity Act No.55 of 1998, including Black people (African, Coloured, and Indian), women and people with disabilities who:
- a) Are citizens of the Republic of South Africa by birth or descent; or
 - b) Became citizens of the Republic of South Africa by naturalisation
 - i. before 27 April 1994; or
 - ii. after 26 April 1994 and would have been entitled to acquire citizenship by naturalisation prior to that date but who were precluded by Apartheid policies.
- 8.12. Foreign National:** An individual who is not a South African citizen as defined by the Employment Services Act, No 4 of 2014) or does not have a permanent residence permit issued in terms of the Immigration Act, No 13 of 2002 (as amended).
- 8.13. Good standing:** The status of ex-employee of CPUT who, at the time of their application for a vacancy:
- a) Has complied with all their obligations to CPUT;
 - b) Was/is not under suspension (currently or at the time of their termination of their contract);
 - c) Was/is not facing a pending disciplinary hearing (*currently or at the time of the termination of their contract*); and
 - d) Has not previously been dismissed from CPUT for serious misconduct (especially dismissals where dishonesty was involved)

- 8.14. Hiring Manager:** The Line Manager who is in a higher-level position in the reporting line of a particular unit/department, who endorses an existing position to be filled.
- 8.15. Incumbent:** The person appointed to a particular position.
- 8.16. Internal Applicant:** The following categories of persons qualify as internal candidates for the purposes of this policy:
- a) Permanent Employee.
 - b) Fixed-term contract Employee.
 - c) TES employees who have been employed to perform their duties at CPUT for longer than three (3) months at the time the vacancy is advertised;
 - d) Part-time Employees (paid by claim personnel) who earn more than the threshold determined by the Minister of Employment and Labour and who work less than an average of 25 hours per month. This definition excludes, amongst others, the following:
 - I. Short-term contracts of less than three months,
 - II. Student assistants,
 - III. Casuals,
 - IV. Interns, and
 - V. Employee employed by outsourced service providers.
- 8.17. Job evaluation:** The process of analysing and assessing various jobs systematically to ascertain their relative worth within the CPUT structure. CPUT currently uses the Peromnes job grading system.
- 8.18. Line Manager:** The person with direct managerial responsibility over the position being recruited for.
- 8.19. Listed grounds:** Characteristics that may not be used to unfairly discriminate/differentiate between applicants or candidates and include race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, birth or any other arbitrary ground.
- 8.20. Merit:** The status of a candidate that has the qualifications and competence (skills, abilities and knowledge) deemed to be most suitable for a job.

- 8.21. Minimum requirements for the position:** The inherent requirements for a position, which are used for screening and shortlisting. The criteria may include qualifications, experience, knowledge, skills, and behaviours (competencies) that are necessary for performing in a particular position at the requisite level of excellence. These criteria must be objectively measurable from an applicant's Curriculum Vitae (CV) or application.
- 8.22. Organogram:** A diagrammatic representation of the hierarchical structure of the University and the relationships and relative ranks of its parts and positions
- 8.23. Permanent Resident:** A person (immigrant) who is allowed to reside indefinitely within South Africa although he/she/they is/are not a citizen.
- 8.24. Peromnes Level:** The outcome of an assessment of the impact, seniority, accountability, and expectations of a specific position in order to group positions with equal value. CPUT utilises the Peromnes job grading system to evaluate positions internally.
- 8.25. Position:** A role that has been approved within the organisational structure that has a defined set of minimum requirements that need to be performed by the incumbent. Positions can either be Council funded or externally funded.
- 8.26. Promotion:** The advancement of an employee within the University to a position at a higher level.
- 8.27. Recommended Candidate:** The person a panel recommends as the most suitable candidate after a selection process has been followed.
- 8.28. Redeployment:** The process of moving an employee to a different position or requiring an employee to work in a different location or unit. Redeployment generally occurs where there is a legal requirement for the University to consider reasonable accommodation (consider alternative suitable employment) of the Employee due to circumstances affecting the Employee's position, which has resulted from no fault of the Employee or the University. Such circumstances include for example, redundancy, organisational change/redesign, incapacity (poor work performance or ill health).
- 8.29. Referee:** A person nominated by an applicant who is willing to provide information on a confidential basis regarding the candidate's suitability for a position
- 8.30. Retirement:** Is the withdrawal from one's position or occupation or one's active working life.

- 8.31. Scarce Skills:** There are skills that have been identified by the South African Government and/or the University as being of critical influence, and for which a shortage of suitably qualified applicants exists in the marketplace, or are not available in the short term to meet the replacement demand.
- 8.32. Secondment:** When a temporary vacancy is created (e.g., due to sabbatical leave, long sick leave, emergency replacement, etc.) and an existing permanent Employee is deployed to this position but retains his/her permanent position to which s/he returns on completion of the secondment.
- 8.33. Senior Management:** Any of the following: Vice-Chancellor, Deputy Vice- Chancellor, Deans, Executive/Senior Directors, and Registrar, as per the CPUT statute.
- 8.34. South African Citizen:** People who have acquired citizenship through; a) birth; b) descent or c) naturalisation before 27 April 1994, or who would have been entitled to acquire citizenship by naturalisation prior to 27 April 1994 but were precluded from doing so by apartheid policies.
- 8.35. Student Representative:** A full-time student who has been elected and serves on a duly constituted SRC whose term of office has not lapsed as per University rules.
- 8.36. Support employee:** Any person appointed to a position that does not involve teaching at the University and/or has not been designated as an academic position by the Council of the University. Support employees include employees employed in technical positions.
- 8.37. Talent Acquisition:** The process of finding, acquiring, assessing, and hiring applicants to fill positions that are required to meet the University's goals and fulfil project requirements.
- 8.38. Temporary vacancy:** Employment situation where the work requirement is of a temporary nature due to the permanent incumbent being temporarily unavailable for some reason (e.g., maternity leave, incapacity, ill Health, suspension, etc.) or where there is a need to temporarily fill a position whilst a talent acquisition process is underway.
- 8.39. Trade Union:** An association of employees whose principal purpose is to regulate relations between employees and employers.
- 8.40. Transfer:** A horizontal or lateral movement of an employee from one position, section or department to another position, section, or department at the same or another

location. In this regard, the Employee's salary, terms and conditions of service, status and responsibilities may change to reflect the position that the employee will be performing subject to any collective agreements that may apply. (This must be read in conjunction with the Acting, Additional Responsibility and Secondment Policy).

- 8.41. Transformation:** Dynamic continuous process of change and adjustment that impact on all facets of university life as encapsulated in the three missions of a university and all attendant policies, systems and practices that constitute the day-to-day life of a Higher Education Institution.
- 8.42. University:** Cape Peninsula University of Technology.
- 8.43. Vacancy:** An approved permanent or temporary position within the University's organisational structure that is unoccupied due to it being a new position or resulting from the departure of the previous incumbent.

ABBREVIATIONS

- 8.44. CPUT:** Cape Peninsula University of Technology
- 8.45. DVC:** Deputy Vice-Chancellor
- 8.46. HC:** Human Capital Department
- 8.47. HCBP:** Human Capital Business Partner
- 8.48. HOD:** Head of Department
- 8.49. HRCC:** Human Resources Committee of Council
- 8.50. EE:** Employment Equity
- 8.51. SENEX:** Executive Committee of Senate
- 8.52. SRC:** Student Representative Council
- 8.53. TAF:** Talent Acquisition Form
- 8.54. TES:** Temporary Employment Service (aka Labour Brokers)
- 8.55. VC:** Vice-Chancellor

In this policy, unless inconsistent with the context, words referring to any one gender shall include a reference to the other gender, and the singular shall include the plural and vice versa.

9. RESPONSIBILITY

- 9.1. Council
- 9.2. Senate
- 9.3. Institutional Forum
- 9.4. Senior Management
- 9.5. Deans and Directors
- 9.6. HOD's
- 9.7. Human Capital Department
- 9.8. HC Business Partners

Accountability and Authority:	
Implementation:	Human Capital Department
Compliance:	Human Capital Department, Senior Management and Line Management
Monitoring and Evaluation:	Human Capital Department (Talent Management Unit)
Development/Review:	Human Capital Department
Approval Authority:	Council
Interpretation and Advice:	Human Capital Department

Policy Development Framework				
Policy Type(s):	A: Administrative Policy B: Institutional Policy			
Type:	Policy	√	Guideline	Manual
Tick document category	Procedure	√	Regulation	Plan
CPUT Statute and/or Regulation Reference no. and date:	Cape Peninsula University of Technology Statute, Government Notice No 46382 of 20 May 2022			
Relevant Legislation and/or Policy, Codes of practice, Professional authorities:	<ul style="list-style-type: none"> • Basic Conditions of Employment Act, No. 75 of 1997, as amended • Codes of Good Practice as embedded in the Employment Equity Act, as amended • Department of Home Affairs, 2023. Immigration Act, 2002, (No. 13 of 2002). Critical Skills List. (Notice 11628). Government Gazette, 49402:700, 3 October. • Employment Equity Act, No. 55 of 1998, as amended • Employment Services Act, No. 4 of 2014 as amended • Higher Education Act, No. 101 of 1997, as amended • Immigration Act, No. 13 of 2002, as amended • Labour Relations Act, No. 66 of 1995, as amended • Promotion of Access to Information Act, No. 2 of 2000, as amended • Protection of Personal Information Act, No. 4 of 2013, as amended • Refugees Act, No. 130 of 1998, as amended • Skills Development Act, No. 97 of 1998, as amended • South African Citizenship Act, No. 88 of 2005, as amended 			

Policy Reference and Version no.:	The next number in the document index. To be inserted by the Compliance Office.				
Consultation Process To be verified and signed off before approval	HC Policy Working Group Policy Working Group Newsflash Compliance Office				
Policy Owner/Sponsor	Senior Director: Human Capital				
Compliance Officers	Senior Director: Human Capital Human Capital Department Line Managers				
Certification of Due process: To be verified and signed once approved by the relevant authority	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  Vice Chancellor </div> <div style="text-align: right;"> <u>29.01.2025</u> Date </div> </div>				
Approval Date		Commencement Date		Review Date	
23/11/24				November 2027	

<i>For office use only</i>	
Policy Group (Broad Policy field)	Governance and Administration
Subject (Policy sub-field)	Policies
Reference Number	4/1/P
Version Number	2.0
Key Words:	Fixed Term Contract

REVISION HISTORY: Only applicable to amended or reviewed Policies. Record details of amendments/revisions.					
Version No.	Approved/ Rescinded	Date	Approving Authority	Resolution Number/ (Minute number)	Date for next review. (start date for review process)
1.0	Approved	2012/11/24	Council	Council (C.12.04)	2015/01/01
2.0	Approved	23/11/24	Council	5.1.6.1	November 2027

APPENDIX A:
Record of Discussion: Fixed-term Contract

This form is to be completed by the Line Manager when issuing a new, extended or renewed fixed-term contract.

Job Title		Department/ Faculty	
Line Manager Name and Surname			
Employee Name and Surname			
Type of contract	New <input type="checkbox"/>	Extension <input type="checkbox"/>	Renew <input type="checkbox"/>
Date of discussion <input type="text"/>			
Rationale for position being offered as a fixed-term contract (as explained to employee)			
Explained to employee that there is no expectation of renewal/ extension as a decision on continuing the position beyond the stated termination date requires approval in terms of the Delegation of Authority Statute.		YES <input type="checkbox"/>	NO <input type="checkbox"/>
Explained to the employee that there is no expectation of permanent appointment as CPUT policy requires all permanent vacancies to be advertised to ensure equity and transparency.		YES <input type="checkbox"/>	NO <input type="checkbox"/>
ADDITIONAL POINTS NOTED			
SIGNATURES			
	Name and Surname	Signature	Date
Line Manager			
Employee			