



TERMS OF REFERENCE:

APPOINTMENT OF SERVICE PROVIDER TO DELIVER IN-HOUSE TRAINING IN LABOUR RELATIONS

1. Purpose

This exercise is aimed at implementing the **2023/2024** Departmental Workplace Skills Plan (WSP) as mandated by the Skills Development Act 9 of 1998 and the National Skills Development Strategy to address the Departmental skills gaps.

Directorate: Human Resource Development has planned to arrange in-house trainings for efficient and effective coordination of training interventions at Head Office. The process will enable the department to close the identified training gaps within different units in Head Office for enhanced service delivery and optimal realization of the departmental objectives.

2. Background

The Department of Public Works and Infrastructure has in line with the National Skills Development Act and Human Resources Development Strategy conducted a training needs analysis in Head Office for the current financial year to identify the training needs of the Units.

The Head Office Training Calendar was developed using the training needs received from the units as well as Personal Developments Plans (PDP's).

3. Problem Statement

The Department of Public Works and Infrastructure has identified training needs for its employees for the current financial year **2023/2024** and consequently developed a training plan for effective implementation thereof and therefore requires the services of accredited training services providers to assist in delivering the identified training interventions to realise its objective.

Labour Relations course was identified as an urgent training need for line managers and supervisors within and outside labour relations units in order for them to be able to tackle labour matters efficiently and effectively. The course would also enable them to preside and initiate over disciplinary

matters was identified in this regard in order to ensure effective and efficient consequence management initiatives across the Department.

4. Expected Outcomes/ Deliverables

The delegates should be able to demonstrate understanding of labour relation processes as it relate to chairing and initiation of disciplinary hearings within the dictates of PSCBC Resolution 1 of 2003 and Chapter 7 of the SMS Handbook in the public service as well as chapter 8 of the Code of Good Practice, LRA.

4.1 Duration of the course

A training intervention in Labour Relation should be presented in a period of **three (3) days**.

The course should assist the participants to:

- Understand the purpose, primary objects, application and interpretation of the Act, Resolutions and Disciplinary Code and Procedures within the Public service,
- Have a sound knowledge and confidence to implement consequence management,
- Identify when to apply informal or formal discipline and the exact process to be followed in each case,
- Practice a range of disciplinary interventions short of dismissal that correct misconduct while also preserving relationship,
- Understanding whether on the available evidence, allegations are likely to be proven or not,
- Describe appropriate dispute resolution route for dismissal disputes,
- Identify disputes referred to as unfair labour practice disputes,
- Understand various codes of good practice and schedules,
- Handling down an appropriate sanction,
- Understand and develop the ability to apply the underlying principles of the labour relations sector,
- Become effective employees, employers and/or self-employed,
- Identify the bodies created by Labour Relations Act,
- Identify and distinguish the relevant stakeholders covered by the Act,
- Explore the various categories of dismissal dispute covered by the Act.

The course will cover and not limited the following topics:

- Labour Legislative Framework,
- Applicable Collective Agreements,
- DPSA directives and Disciplinary processes for both categories of employees of the state,
- Management of discipline in the workplace and general conduct,
- Public Service Code of Conduct and Annexure A of the Disciplinary Code and Procedures,

- Initiating in disciplinary hearing,
- Chairing in disciplinary hearing,
- Manage absenteeism caused by various factors e.g ill-health, alcohol abuse and ect.
- Conflict management in the workplace,
- Facilitate fair and just labour relations in an organisation,
- Manage and resolve Unfair Dismissal labour disputes,
- Implement consequence management practices across the organization,
- Consider and apply relevant legislation and Jurisprudence.

4.2 Total number to be trained and training venue

4.2.1 A total number of **two hundred and nineteen (219)** employees from Head Office and Regional Offices are to attend the training and the number should be divided into **ten (10)** groups.

4.2.2 Six (06) groups of 23 employees and (01) group of 24 are to attend in Pretoria CBD, sixteen (16) employees are to attend in Kimberly, eleven (11) employees are to attend in Port Elizabeth and thirty (30) employees are to attend in Cape Town.

4.3 Training venue

The training venue will be provided by Department of Public Works and Infrastructure as follows:

- Pretoria
- Cape Town
- Kimberly and
- Port Elizabeth

4.4 Certification

Learners should not be subjected to any practical assessment on the completion of the course and learners should be awarded certificate of attendance.

4.5 Training dates

Training dates shall be determined collectively by both DPW and the appointed service provider.

4.6 Specific professional experience

The course facilitator should be chosen for their training experience and have proven relevant experience in management and facilitation of Labour Relations training must provide a competent facilitator for this skills programme.

4.7 Submission of post training report

A post-course report on the training should be provided by the appointed service provider.

4.8 Monitoring and Evaluation

The following will be monitored and evaluated by DPWI:

- The quality of the training/facilitation as indicated by the feedback from participants
- Degree of adherence to timeframes
- Quality of materials utilised for the training

4.9 Special requirements

It is a requirements that all service providers facilitating any type of training must be registered/ accredited with the relevant Education Training Quality Assurance (ETQA) body and must be in possession of a letter confirming accreditation/decision number and provide the department with the letter of acceptance.

4.10 Important documents

The following documents must be attached to the bid:

- Accreditation letter
- Course Content / outline
- Facilitator profile

4.11 All disbursements must be included within the cost per delegate.

5 Enquiries

All enquiries should be directed to:

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