

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 1.12 Dissemination of directives**

1. The head of the administrative division must ensure that directives are disseminated to all employees directly or indirectly affected.
2. The division supervisors must ensure that all employees receiving directives acknowledge their awareness and comprehension of directives in the manner and form prescribed by the head of administrative division.
3. Supervisors are responsible for explaining and/or clarifying the special and general orders as they are issued.

MEETINGS**NS 1.13 Staff meetings**

1. The road traffic law enforcement authority must conduct regular staff meetings at all levels within the road traffic law enforcement authority in order to maintain an effective communications network.
2. An agenda must be prepared and minutes kept of staff meetings.
3. Topics for discussion may include:
 - (a) proposed changes in policies and procedures;
 - (b) current office events and updates;
 - (c) changes in personnel procedures;
 - (d) proposed divisional changes;
 - (e) personnel duty assignments; and
 - (f) other appropriate information such as department-wide activities and programmes to supervisors, managers and commanders.
4. The meetings should be called at the discretion of the Chief of Traffic and include:
 - (a) heads of divisions;
 - (b) deputy heads of divisions; and
 - (c) other staff, as required.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 1.14****Division staff meeting**

1. Division staff meetings should be called at the discretion of the individual heads of divisions and may or may not include all division supervisors and/or division employees.
2. Supervisors may call such other meetings of their personnel as may be required to ensure effective and efficient management.
3. Each division must conduct monthly reports of their activities and meetings.
4. The format of the reports of activities and meetings are discussed in Part C of the code.

INTERNAL INVESTIGATIONS**NS 1.15****Conduct of investigation**

1. The head of internal affairs must immediately designate personnel to conduct the investigation.
2. The investigation may include:
 - (a) formal statements from all parties concerned, when necessary and pertinent;
 - (b) the gathering and preservation of physical evidence pertaining to the case; and
 - (c) all other information bearing on the matter.
3. The designated internal affairs officer must submit a monthly report summarising the status of each open case to the Chief of Traffic.

NS 1.16**Internal investigative rules**

1. Allegations of misconduct by an employee must be investigated in a fair and thorough manner.
2. The road traffic law enforcement authority must respect the rights of the employee so long as its responsibility to conduct a complete investigation in search of facts is not jeopardised.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

3. Employees must not discuss or attempt to solicit any details of a matter under investigation.
4. Internal investigations must be treated in strict confidence.
5. Information regarding internal investigations must be disseminated and used on a need to know basis only or in cases where dissemination would be for the benefit of the road traffic law enforcement authority.

NS 1.17 Notification of investigation

1. A letter of notification must be issued to the accused employee and his or her head of division prior to a formal interview if the investigator is not within the accused employee's chain of command.
2. The letter must contain, unless it is a confidential investigation, the following information:
 - (a) the name of the complainant;
 - (b) the date of the alleged incident;
 - (c) any possible violation(s);
 - (d) any report numbers, summons; or
 - (e) a brief summary of the allegations.

NS 1.18 Interview by investigating officer

1. Interviews must be narrowly and directly related to the matter under investigation or in reference to a performance of duty issue.
2. The procedure for disciplinary hearings, as set out in the Labour Relations Act, must be followed.
3. Employees must be interviewed on duty whenever possible and a log of employees interviewed during off-duty hours must be maintained.
4. Officers involved in off-duty hours interviews must be compensated after the completion of the investigation.
5. An employee suspended without pay prior to an investigation, and found in violation as accused, will not be entitled to overtime compensation.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

6. The investigator must immediately suspend the investigation and advise the Chief of Traffic if criminal violations are apparent.

NS 1.19**Searches during investigation**

1. The investigating officer may at any time order a sworn employee to submit to a blood test, urine test, line-up, breath test, voice print, handwriting exam, taking of photos or other non-testimonial evidence test.
2. Refusal to submit may result in disciplinary action and dismissal.
3. An employee's personal property must not be subject to search and seizure without probable cause and a warrant where required by law.
4. Office property such as vehicles, work areas, stations or lockers, may be searched without consent at any time, even if assigned to or used exclusively by a single employee.
5. The Corporation may monitor office communication facilities at any time, under conditions permitted by law.
6. Additional acts of misconduct on the part of the employee determined in the cause of the investigation and not included in the original complaint must be included as part of the investigation.

NS 1.20**Conclusion of investigation**

1. Internal investigations must be completed within 21 working days, excluding any review period, unless exigent circumstances exist.
2. The circumstances mentioned in 1 above must be determined by the Chief of Traffic.
3. The head of internal affairs must notify the Chief of Traffic upon conclusion of an internal investigation and the Chief of Traffic must take a decision on the matter.
4. The head of internal affairs must notify accused members in writing at the conclusion of the investigation and the document must include the following:
 - (a) the findings on each allegation;

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (b) a brief statement summarising the allegations as they relate to policy violation; and
 - (c) intent of disciplinary action, if any.
- 5. The decision of the Chief of Traffic referred to in 3 above must be carried out promptly by the internal affairs division.
- 6. The complainant must be notified in writing upon conclusion of the investigation.

NS 1.21**Closure of files**

Files must be closed when:

- (a) the employee is exonerated;
- (b) the complaint is determined to be unfounded or not sustainable; or
- (c) the employee discharges the imposed disciplinary order.

NS 1.22**Records**

- 1. Internal affairs investigations must be confidential.
- 2. Employees are not permitted to review records on internal affairs investigations.
- 3. An active employee may request information concerning his or her own internal affairs history and must be provided with the following:
 - (a) date of the investigation;
 - (b) case number;
 - (c) allegations;
 - (d) findings of the investigation; and
 - (e) disciplinary action imposed, if any.
- 4. Records of ongoing and completed investigations must be maintained separately and securely by internal affairs officers.
- 5. All files involving allegations of a serious criminal nature must be kept indefinitely until their disposal is authorised by the Chief of Traffic.
- 6. All files of sustained investigations must be retained indefinitely.
- 7. All other files must be reviewed by the Chief of Traffic 24 months following conclusion of the investigation to determine if the files should be retained.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 1.23****False reporting**

1. The recipient of a complaint must ensure that the complainant understands the consequences of false reporting to state authorities.
2. The investigator must pursue the filing of a case report against a citizen if it is determined that a citizen has knowingly made a false report against an officer.
3. Any information determined from the investigation that there are additional acts of criminality on the part of the complainant must be forwarded to the relevant police station to lay a charge.

Road Traffic Management Corporation

Draft National Road Traffic Law Enforcement Code

CHAPTER 2**HUMAN RESOURCE MANAGEMENT****Contents**

HUMAN RESOURCE MANAGEMENT	20
NS 2.1 Adherence to policy	20
NS 2.2 Classification and assignment	21
NS 2.3 Recruitment, hiring and selection procedures	22
NS 2.4 Allocation and distribution of personnel	22
NS 2.5 Evaluation	22
NS 2.6 Raters	23
NS 2.7 Procedure for evaluation	23
NS 2.8 Comments upon evaluation	24
NS 2.9 Notification upon unsatisfactory performance	24
NS 2.10 Presentation of an evaluation	24
NS 2.11 Supervisory review and approval	25
NS 2.12 Filing of evaluations	25
NS 2.13 Promotion or demotion	26
NS 2.14 Harassment or discrimination in the workplace	26
NS 2.15 Supervisor responsibility	27
NS 2.16 Employee responsibility	28
NS 2.17 Non-compliance	28
NS 2.18 Complaints procedure for sexual harassment or discrimination	29
GENERAL COMPLAINTS	29
NS 2.19 General complaint handling	29
NS 2.20 Complaint investigation procedure	30
LIGHT DUTY	32
NS 2.21 Temporary duty assignments	32
NS 2.22 Light duty assignment involving position or duty change	32

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***CHAPTER 2****HUMAN RESOURCE MANAGEMENT****Contents**

NS 2.23	Criteria for light duty assignment involving position or duty change	32
NS 2.24	Criteria for light duty assignment without position or duty change	34
NS 2.25	Inter-office transfers	34
NS 2.26	Incident management.....	35
AWARDS	36
NS 2.27	Awards programme	36
NS 2.28	Type of awards and description.....	36
NS 2.29	Nomination for awards	37
NS 2.30	Presentation and recording	37

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

CHAPTER 2: HUMAN RESOURCE MANAGEMENT

Purpose

- (a) Establishes the human resource management regarding:
 - classification of positions by description of work performed and task analysis entailing the essential elements of each position;
 - requirements for appointment of road traffic law enforcement officers; and
 - a procedure for evaluation of work performance by road traffic law enforcement authority employees.
- (b) Establishes human resource practice standards by providing for procedure for:
 - transfers;
 - dealing with harassment and discrimination, and complaints; and
 - recognition of outstanding performance.

Policy statement

The Corporation wishes to strive to promote good labour relations. Fair, humane, and acceptable labour practices, workers' rights, job creation and security, sound working conditions, health and safety, and welfare benefits of employees are regulated where appropriate.

NATIONAL STANDARDS

HUMAN RESOURCE MANAGEMENT

NS 2.1

Adherence to policy

1. The human resource management and practice of the road traffic law enforcement authority must be in accordance with national law and must be sensitive to maximising career opportunities of and empowering the previously disadvantaged.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

2. The human resource management and practice of the road traffic law enforcement authority must at least comply with the policies contained in:
 - (a) Labour Relations Act, 1995 (Act No. 66 of 1995);
 - (b) Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);
 - (c) Public Service Act, 1994 (Act No. 103 of 1994);
 - (d) Public Service Staff Code;
 - (e) Skills Development Act, 1998 (Act No. 97 of 1998); and
 - (f) Employment Equity Act, 1998 (Act No. 55 of 1998).

NS 2.2**Classification and assignment**

1. The human resource section must maintain a written classification plan which must comprise positions with similar duties, responsibilities, required knowledge, skills and training.
2. The positions must be grouped into classification for salary and benefit purposes.
3. All positions must have written descriptions of the duties, responsibilities and physical demands associated with the position.
4. The personnel section must make job descriptions available to all members of the road traffic law enforcement authority.
5. A written job description must be maintained for every position and must include:
 - (a) duties, responsibilities and tasks;
 - (b) the frequency with which each task is performed; and
 - (c) minimum qualifications or level of proficiency necessary in the job related skills, knowledge, ability and behaviour.
6. The job description serves as the basis for job classification and provides guidance to employees and their supervisors concerning essential functions and physical demands of the individual positions and in performance evaluation.
7. The job descriptions for all sworn and non-sworn personnel are included in annexure 12 of part F of this Code.
8. Selection of personnel for assignments within a given classification must be based on the following criteria:
 - (a) skills, knowledge, and abilities required for the specialised assignment;
 - (b) formal education requirements;

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (c) length of experience; and
- (d) past performance.

NS 2.3 Recruitment, hiring and selection procedures

1. Recruitment, hiring, retaining, promotion and dismissal of employees, termination of employment, and disciplinary actions must be fair and in accordance with national labour law as mentioned in NS 2.1.
2. Salary and benefits in accordance with national law as determined by the central bargaining chamber for road traffic law enforcement authorities must be used by authorities.

NS 2.4 Allocation and distribution of personnel

1. The road traffic law enforcement authority must assign personnel in accordance with workload assessments.
2. Workload assessments must take place annually and must be undertaken by the heads of divisions and the Chief of Traffic.
3. The workload assessment and personnel allocation must be done according to the method set out in the Police Allocation Manual (PAM) included in annexure 13 of Part F of the code.

PERFORMANCE EVALUATION

NS 2.5 Evaluation

1. The road traffic law enforcement authority must evaluate the performance of all employees.
2. The evaluation system must foster fair and impartial personnel decisions and provide a medium for career development.
3. The rater must use the performance evaluation to facilitate proper decisions regarding probationary employees, provide objective and fair means for measurement of individual performance and identify training needs.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

4. The head of administration division is responsible for ensuring that the evaluations are submitted timeously and that proper procedures are followed in the evaluation process.
5. The evaluation process is described in part C of the Code.

NS 2.6**Raters**

1. Raters must be fair, impartial and uniform in the application of the performance appraisal.
2. Employees who conduct performance evaluations on subordinates must receive periodic training in the following areas:
 - (a) general subordinate counselling and evaluation;
 - (b) skills, knowledge and abilities assessment; and
 - (c) office evaluation forms.

NS 2.7**Procedure for evaluation**

1. The road traffic law enforcement authority must formally evaluate every employee's performance annually, which evaluation must take place at the end of the quarter in which their anniversary date falls.
2. Probationary employees must be rated monthly for the first three months and then bi-monthly thereafter until completion of the probationary period.
3. The employee must be further advised of the job description for the position occupied and evaluation rating criteria after successful completion of the probationary period.
4. The employee signs his or her original evaluation form and receives a copy, which acknowledges goals, standards of performance and any other written comments by the supervisor.
5. The signed form must be forwarded to the personnel section for filing in the employee's personnel file.
6. The immediate supervisor must, at the end of each evaluation period, review the previous evaluation form as related to the previously established goals and complete an evaluation based on the performance of the previous year.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

7. No time period other than the previous evaluation period must be considered.
8. The evaluation must cover that specific job function and/or rank the employee has held for that evaluation period, but may refer to future potential.

NS 2.8 Comments upon evaluation

1. The immediate supervisor must write specific comments about how the employee has met or failed to meet the performance standards of each criterion, and comment on strong and weak points.
2. Comments by the rater are required when performance is outstanding or unsatisfactory.

NS 2.9 Notification upon unsatisfactory performance

1. The supervisor must forthwith notify the employees if they perform unsatisfactorily at any time during the year.
2. Written notification mentioned must be made with the knowledge and approval of all the subordinate supervisors, up to and including the head of the division.
3. Written notification must be signed by the employee and attached to the employee's current evaluation form, which lists current goals.

NS 2.10 Presentation of an evaluation

1. Prior to presenting an evaluation to an employee, the rater supervisors, up to and including the head of division, must:
 - (a) ensure that the rater remained fair and impartial;
 - (b) ensure that the rater applies ratings uniformly and has counselled the employee concerning low productivity in performance areas, if any; and
 - (c) approve the evaluation.
2. The evaluation must be presented to the employee by the rater and reviewed by the employee and the rater together.
3. The employee must be given a copy of the evaluation.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

4. The employee must have the opportunity to sign the completed evaluation indicating that he or she has read and received a copy.
5. The rater must note "refused" in the space provided if the employee refuses to sign the evaluation.
6. An employee who wishes to contest an evaluation believed to be inaccurate may request an additional review in writing.
7. The review process must follow the chain of command to the Chief of Traffic.
8. The review may be concluded at any point of the chain of command if a satisfactory conclusion is reached.
9. The employee may, at any time, after being presented with the evaluation and throughout the appeal process, place comments on a separate page and attach it to the evaluation, which is retained by the personnel section.

NS 2.11 Supervisory review and approval

1. Each performance evaluation report must be reviewed and signed by the rater's supervisor, appropriate head of division and the Chief of Traffic.
2. In the event of disagreement with the rating, the rater's supervisor must not change an evaluation, but rather attach a memorandum explaining where he or she disagrees with the rating.
3. Supervisors are evaluated by heads of divisions on their ability to rate subordinates as part of their annual evaluation.

NS 2.12 Filing of evaluations

1. The supervisor must forward the evaluation form to the personnel section for inclusion in the employee's permanent personnel file after the evaluation process is completed and reviewed by the employee.
2. A supervisor may review the employee evaluation forms in the personnel files for the following reasons:
 - (a) determining suitability for a future assignment;
 - (b) employee training needs and further career development opportunities;
 - (c) determining ability to accept additional responsibility; and

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (d) effectiveness in the assigned position.
- 3. The supervisor must not obtain a personnel file or past evaluation forms for personal use or any reason other than provable professional job-related use.
- 4. The human resource section must review the evaluation process and procedures at least annually for the continuous improvement of the system and make appropriate recommendations to the CEO. Such recommendations may be to:
 - (a) leave the evaluation system as is;
 - (b) modify, in some form, the current system and make recommendations for such modifications; or
 - (c) do away with the current system and make recommendations for a new system.
- 5. The objectives of the annual review are to:
 - (a) identify instances of extreme ratings and reasons for such ratings; and
 - (b) determine the number of contested evaluations and the reasons therefore.

NS 2.13**Promotion or demotion**

The evaluation must be used in the determination of:

- (a) potential of employees for promotion;
- (b) potential of employees for demotion; and
- (c) promotional eligibility for vacancies where lateral entry is permitted.

HARASSMENT OR DISCRIMINATION**NS 2.14****Harassment or discrimination in the workplace**

- 1. No employee may explicitly or implicitly ridicule, mock, deride or belittle any person.
- 2. Employees may not make offensive or derogatory comments based on race, sex, religion, or national origin either directly or indirectly to another employee or person.
- 3. Sexual harassment may include, but is not limited to:
 - (a) verbal:
 - (i) making sexual comments about a person's body;
 - (ii) turning work discussions into sexual topics;
 - (iii) making sexual comments or innuendoes or telling sexual jokes;

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (iv) asking questions about sexual preferences, history, fantasies, or personal questions about one's sexual life;
- (v) making sexual comments about a person's clothing, anatomy or looks;
- (vi) repeatedly asking a person out who has declined the invitation;
- (vii) making kissing sounds, whistling or howling;
- (viii) telling lies or spreading rumours about a person's personal sex life; or
- (ix) referring to an adult as a hunk, doll, babe, honey or other such term;
- (b) non-verbal:
 - (i) displaying sexually suggestive visuals;
 - (ii) making facial expressions such as throwing kisses or licking lips; or
 - (iii) making sexual gestures with hands or through body movements; or
- (c) physical:
 - (i) giving an unwelcome or unwanted massage around the neck or shoulders;
 - (ii) touching a person's clothing, hair or body;
 - (iii) the unwelcome stalking of another person;
 - (iv) hugging, kissing, patting or stroking of another person;
 - (v) touching or rubbing against another person; or
 - (vi) standing close or brushing up against a person intentionally.

NS 2.15**Supervisor responsibility**

1. Each supervisor is responsible for preventing acts of harassment or discrimination, including:
 - (a) monitoring the unit's work environment on a daily basis for signs that harassment or discrimination may be occurring;
 - (b) counselling employees on the types of behaviour that is prohibited and communicating the road traffic law enforcement authority procedures for reporting and resolving complaints of harassment or discrimination;
 - (c) putting a stop to any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the employees involved are within his or her chain of command; and

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (d) taking immediate action to limit the work contact between two employees where there has been a complaint of harassment or discrimination, pending an investigation.

2. Each supervisor has the responsibility to assist any employee of the road traffic law enforcement authority, who comes to that supervisor with a complaint of harassment or discrimination, in documenting and filing a complaint.

NS 2.16**Employee responsibility**

1. Each employee is responsible for assisting in the prevention of harassment or discrimination through:
 - (a) refraining from participating in, or encouraging of, actions that could be perceived as harassment or discrimination;
 - (b) reporting acts of harassment or discrimination to a supervisor; and
 - (c) encouraging any employee, who confides that he or she is being harassed, to report these acts to a supervisor.
2. Any reprisal, coercion or intimidation, direct or indirect, against a complainant, his or her representative or other witness(es) is prohibited and will serve as the basis for disciplinary action up to and including termination.

NS 2.17**Non-compliance**

1. Failure to take action to stop known harassment or discrimination is a ground for disciplinary action to be taken.
2. Any employee determined after an investigation to have engaged in sexual harassment or discrimination in violation of this Code will be subject to disciplinary action and his or her employment may be terminated.
3. Any false accusations regarding sexual harassment will likewise result in disciplinary action up to and including termination.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***NS 2.18 Complaints procedure for sexual harassment or discrimination**

1. Employees must tell the person who makes sexual advances that his or her actions are unwelcome and offensive.
2. Any employee who believes that he or she is being harassed or discriminated against must place the offender on notice of the unwelcome behaviour and report the incident to his or her supervisor immediately to allow steps to be taken to protect the employee from further harassment, and investigative and disciplinary measures to be taken.
3. The employee or the supervisor must notify the Chief of Traffic if the objectionable behaviour has not ceased after an employee has complained to a supervisor.
4. The supervisor receiving the complaint must meet with the employee and document the incidents complained of and, without delay, hand the complaint through the chain of command.
5. This procedure does not preclude any employee from filing a complaint or grievance with an appropriate outside road traffic law enforcement authority.

GENERAL COMPLAINTS**NS 2.19 General complaint handling**

1. Internal and external complaints may be lodged.
2. Upon receipt of a complaint, a supervisor must complete a complaint form.
3. The receiving supervisor must conduct a preliminary investigation.
4. The supervisor must forward the complaint and any information gathered to the accused employee's head of division through the chain of command.
5. The head of division must review the information and determine if further investigation is necessary.
6. The head of division must forward all information to internal affairs division for filing if no further investigation is necessary.
7. The head of division must forward the information to the accused employee's immediate supervisor or internal affairs division, depending on the seriousness of the allegations, if further investigation is necessary.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

8. Records of all sexual harassment complaints must be:
- (a) maintained by the internal affairs;
 - (b) kept in strict confidence; and
 - (c) secured and kept separate from general administrative files.

NS 2.20 Complaint investigation procedure

1. Serious policy violations must be accepted indefinitely, and these include but are not limited to:
 - (a) discrimination;
 - (b) sexual harassment;
 - (c) violation of laws;
 - (d) use of force; and
 - (e) employee against employee complaints.
2. Policy violations must be accepted up to one year after the date of occurrence, and these include but are not limited to:
 - (a) disobedience to orders;
 - (b) performance of duty; and
 - (c) wilful misconduct and repeated offences mentioned in 3 below.
3. Courtesy complaints must be accepted up to six months after the date of occurrence, and these include but are not limited to:
 - (a) rudeness;
 - (b) disrespect;
 - (c) impartiality;
 - (d) complaints of procedures specifically related to the employees' duty assignments, handcuffing, traffic stops; and
 - (e) supervisory issues like tardiness, minor procedural errors, traffic accidents, failure to show up for court, minor sick time abuses.
4. Complaints may be investigated by the employee's immediate supervisor.
5. Repeated complaints must be investigated as serious policy violations.
6. An investigation file must be opened and all the information pertaining to the investigation must be filed therein and be held by the internal affairs division.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

7. The employee's internal affairs history must be obtained and used in the investigation.
8. The employee must be accorded an opportunity to respond to the allegations in writing.
9. After completion of the investigation and obtaining all the necessary information the supervisor must send the complete information through the accused employee's chain of command.
10. Each member in the chain of command must submit a memorandum substantiating their finding and recommended disciplinary actions, if applicable.
11. The following are the dispositions:
 - (a) sustained: the allegation is substantiated, the misconduct did occur;
 - (b) unfounded: the allegation is false, or not factual; no misconduct; the incident did not occur or involve the accused employee;
 - (c) exonerated: the incident occurred but the accused employee acted lawfully and properly; or
 - (d) misconduct not based on complaint: substantiated misconduct, not alleged in the complaint, but disclosed by the investigation.
12. Upon review by the accused employee's chain of command, the investigation must be forwarded to the internal affairs division who must present it to the Chief of Traffic for final action.
13. The Chief of Traffic may approve or disapprove any recommendation put forward through the chain of command and take a final decision.
14. The complainant must be notified of the results of the investigation in writing upon completion of the investigation.
15. The notice must be made by the investigating official and a copy thereof must be placed in the investigation file.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***LIGHT DUTY****NS 2.21****Temporary duty assignments**

The road traffic law enforcement authority must provide and assist employees who are recovering from a non-duty-related injury or illness with temporary duty assignments.

NS 2.22 Light duty assignment involving position or duty change

1. The appropriate head of division may designate a position authorised on the road traffic law enforcement authority's staffing document temporarily not filled by a full time employee or vacated temporarily by leave, as a light duty position.
2. In situations where there is no vacancy, but the workload of an authorised position is excessive, a head of division may temporarily declare a light duty position.
3. The road traffic law enforcement authority is under no obligation to accommodate an employee with a continuing light duty position if the injury is determined to have a permanent limitation.

NS 2.23 Criteria for light duty assignment involving position or duty change

Light duty assignments involving position or duty change should be approved under the following criteria:

- (a) a vacancy in an authorised or declared position must exist;
- (b) employees requesting light duty must be recovering from an extended illness or a non-duty-related injury, verified by a competent medical authority;
- (c) light duty requests are not considered until adequate time has elapsed to accommodate recovery and such time must be a minimum of three consecutive working days, and the employee must use accrued sick, vacation or, compensatory leave, or sick bank for the adequate recovery period if applicable;
- (d) prior to being considered for a light duty position, the employee must be expected to be released to full duty within four weeks and a medical

statement from the employee's provider confirming the anticipated release must be required;

- (e) light duty is limited to four work weeks with the possibility of a one time basis one week extension as may be authorised by the affected employees of the head of division;
- (f) personnel on light duty are paid at their normal basic salary;
- (g) personnel on light duty are not eligible to work overtime or extra duty;
- (h) the head of division is responsible for placement of light duty personnel within his or her division and if a position does not exist within the division or there is insufficient work to declare a position, the request must be submitted to the head of personnel for consideration of placement to another division;
- (i) employees requesting light duty must meet the minimum requirements of the position based on the job description;
- (j) light duty does not create a right for the employee to occupy that or any other position on a permanent basis;
- (k) personnel with a work-related injury or illness must receive first consideration for available positions;
- (l) employees assigned to light duty must meet dress requirements as specified for the type of position assigned;
- (m) the employee must notify his or her section supervisor, as soon as possible, following an off-duty injury or illness and must provide an estimated recovery period;
- (n) once the employee has used the required leave time, he or she may contact his or her supervisor and request, in writing, a light duty status;
- (o) the employee requesting light duty must provide his or her supervisor with a list of physical limitations provided by the employee's medical provider;
- (p) the supervisor must forward the request with a recommendation for the approval or disapproval and position assignment through the chain of command to the head of the division;
- (q) upon placement of the employee in a light duty position, the assigning head of division must complete a personnel action request having information regarding the light duty assignment, starting date and ending date and submit it to the personnel division; and

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (r) the employee's temporary supervisor is responsible for payroll and attendance records.

NS 2.24 Criteria for light duty assignment without position or duty change

1. A head of a division may authorise employees to work light duty in their permanently assigned positions on occasion that employees sustain non-work-related injuries or illness that may involve minor restrictions but do not prohibit the employees from performing the duties and responsibilities associated with their regularly assigned position.
2. Light duty should be authorised based on the following criteria:
 - (a) the affected head of division must determine the employee's ability to perform his or her duties and responsibilities based on the restrictions set by the employee's medical provider;
 - (b) the head of division may end the light duty at any time on reasonable ground;
 - (c) the affected employee must follow the restrictions placed by the head of division or his or her medical provider;
 - (d) employee granted light duty in his or her assigned position may be granted light duty for a period not exceeding eight weeks; and
 - (e) a one time only four week extension may be granted by the affected employee's head of division.

NS 2.25**Inter-office transfers**

1. The road traffic law enforcement authority may apply cross-divisional transfers to satisfy the personnel needs of particular divisions and to enhance individual career development.
2. Transfer of an employee from any assignment may be directed by a head of division:
 - (a) as a result of:
 - (i) promotion;
 - (ii) disciplinary action; or
 - (iii) unsatisfactory performance; or

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (b) when it is deemed to be in:
 - (i) the public interest;
 - (ii) the interest of the enforcement authority; or
 - (iii) the best interests of the employee.

NS 2.26**Incident management**

1. An incident is an unusual occurrence that results from natural or man-made disasters or from civil disturbances and results in a reduction in road capacity, or creates a hazard for road users for a sustained period of time, **including but not limited to:**
 - (a) floods;
 - (b) earthquakes;
 - (c) tornadoes;
 - (d) explosions;
 - (e) riots;
 - (f) disorders;
 - (g) music concerts;
 - (h) political conventions;
 - (i) mass gatherings and marches;
 - (j) labour disputes;
 - (k) construction zones;
 - (l) a shoulder or lane blockage; and
 - (m) minor accidents.
2. The road traffic law enforcement authority must maintain an incident management plan and all command personnel are expected to have a working knowledge of the road traffic law enforcement authority's plan.
3. The road traffic law enforcement authority must co-ordinate and **co-operate** with other services sharing responsibility in responding to incident management in the development of an incident management system.
4. In the event of an unusual occurrence the head of patrol division must be notified immediately and must take charge of the situation.

5. The road traffic law enforcement authority may be required to undertake traffic control during unusual occurrences.
6. Duties of establishing traffic control points include:
 - (a) keeping roadways and intersections clear for emergency vehicles; or
 - (b) preventing unnecessary traffic from entering the affected area.

AWARDS

NS 2.27

Awards programme

1. The road traffic law enforcement authority must maintain an internal awards programme to recognise those deserving individuals or groups of individuals.
2. Official commendations may be presented to officers who frequently perform their duties in a manner exceeding the highest expectation of the road traffic law enforcement authority.
3. Letters of commendation must become a permanent part of the recipient's personnel file.

NS 2.28

Type of awards and description

Types of awards that can be presented to officers are:

- (a) medal; for an act of heroism at the risk of his or her own life considered beyond the call of duty or for an act of heroism at the risk of his or her own life in the line of duty;
- (b) merit award, for highly credible accomplishment bringing public acclaim to themselves, the road traffic law enforcement authority or to the law enforcement profession as a result of devotion to duty or service to the public;
- (c) meritorious conduct award, for highly unusual accomplishment in law enforcement reflecting devotion to duty or service to the public under adverse conditions;
- (d) life saving award, for an act performed and resulting in the saving of a human life;

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (e) unit citation award, for exhibition of exceptional professional skill and conduct during a co-ordinated action or displaying consistent excellence in carrying out the unit's mission;
- (f) community service award, for acts of humanity beyond the call of duty, which provided aid and comfort to those in need; and
- (g) letter of commendation awarded by the Chief of Traffic to employees to acknowledge exceptional performance or receipt of praise from a citizen.

NS 2.29**Nomination for awards**

1. Any employee may nominate another by submitting an inter-office memorandum setting forth specific actions that make the nominee eligible for the particular award for which he or she is nominated.
2. The nomination must be submitted to the head of human resources division who must keep nominations for future meetings of the awards committee.
3. The Chief of Traffic must approve final nominations.
4. The awards committee comprises the heads of all divisions of the road traffic law enforcement authority and is responsible for evaluating and classifying commendation reports and for recommending the appropriate action to the Chief of Traffic.

NS 2.30**Presentation and recording**

1. Awards should be presented by the Chief of Traffic at the road traffic law enforcement authority's main hall.
2. All awards must be accompanied by written documentation detailing the action resulting in the presentation of the award.
3. The original of such documentation must be given to the recipient of the award and a copy must be placed on the employee's personnel file permanently.
4. Persons receiving an award must have their names placed at a conspicuous place at the road traffic law enforcement authority's main building, where it would be seen by all employees, for a period of one month.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***CHAPTER 3****TRAINING AND APPOINTMENT REQUIREMENTS****Contents**

TRAINING REQUIREMENTS	39
NS 3.1 Minimum appointment requirements prior to training of law enforcement officers	39
NS 3.2 Minimum training requirements for appointment as law enforcement officer	40

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

CHAPTER 3: MINIMUM REQUIREMENTS FOR TRAINING AND APPOINTMENT

Purpose

- (a) Specifies the compulsory education requirements prior to appointment as a law enforcement officer.
- (b) Establishes minimum legal requirements for appointment as a law enforcement officer.
- (c) Specifies the training that should take place during the career of a law enforcement officer.

Policy statement:

The Corporation assumes some responsibility for capacity enhancement and improving the human resource pool in the transport sector and this will be done in accordance with the National Qualifications Framework.

Where training takes place, the training policy must be followed in terms of the registration status of the provider and the accreditation status of the courses attended.

NATIONAL STANDARDS

TRAINING REQUIREMENTS

NS 3.1 Minimum appointment requirements prior to training of law enforcement officers

Requirements must include:

- (a) South African citizenship;
- (b) formal secondary qualifications, i.e. Grade 12 or the equivalent;
- (c) code EB driver's licence; and

Road Traffic Management Corporation

Draft National Road Traffic Law Enforcement Code

- (d) clean criminal history and driving record.

NS 3.2 Minimum training requirements for appointment as law enforcement officer

Please note that the Traffic SGB (Standards Generating Body) is currently working on a new curriculum/qualification for traffic officers, which will replace the existing one. This will be included once it has been registered by SAQA (South African Qualifications Authority).

1. The training of traffic officers will be done in terms of the SAQA registered qualification for traffic officers. The qualification currently comprises of a total of 172 credits. To ensure that the Specific Outcomes of the Unit Standards within the registered qualification are met, the qualification has been divided into seven modules. These modules currently comprise the following:

NUMBER	MODULE 1: PERSONAL ORIENTATION LEARNING MATERIAL
1	Orientation to training and course rules
2	Communication - diversity, cultural awareness
3	Discipline, code of conduct and moral issues
4	Interpersonal relations
5	Compliments and saluting
6	Note-taking and study habits
7	History of law enforcement
8	Traffic policing concepts and safety
9	Police and the public
10	Conflict and conflict management
11	Occupational ethics

NUMBER	MODULE 2: LEGISLATION AND PEOPLE
1	Stress management
2	Interpretation of statutes
3	Constitution and South African law

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

NUMBER	MODULE 2: LEGISLATION AND PEOPLE
4	Law of criminal procedure
5	Appointment and powers
6	Criminal law
7	Law of evidence
8	Animal Protection Act
9	Dealing with juveniles
10	Firearms Control Act
11	Use of force in affecting an arrest
12	Methods of arrest, restraint and control
13	Defensive tactics
14	Physical education
15	Crowd control and civil disorder

NUMBER	MODULE 3: LEGISLATION AND TRAFFIC
1	NRTA: Definitions
2	NRTA: Powers and duties
3	NRTA: Registration and licensing
4	NRTA: Fitness of drivers
5	NRTA: Fitness of vehicles
6	NRTA: Operator fitness
7	NRTA: Dangerous goods
8	NRTA: Road traffic signs
9	NRTA: Accident and accident reports
10	NRTA: Presumptions
11	Administrative and discontinue notices
12	The traffic patrol function
13	NRTA: SANRAL ACT
14	K78: Roadblocks
15	Principles and operation of alcohol enforcement
16	Principles and operation of speed enforcement
17	Incident management

Road Traffic Management Corporation

Draft National Road Traffic Law Enforcement Code

NUMBER	MODULE 3: LEGISLATION AND TRAFFIC
18	Inform road users
19	RTMC
20	AARTO

NUMBER	MODULE 4: LEGISLATION AND VEHICLE COMPLIANCE
1	NLTTA (National Land Transport Transitional Act)
2	Cross Border Act
3	Establish and maintain information in a national traffic information system
4	Stop and approach
5	Systematic examination of vehicles
6	Credit card verification device (CVD)

NUMBER	MODULE 5: LEGISLATION AND TRAFFIC HAZARDS
1	Basic first aid
2	Basic accident and incident recording
3	Basic fire fighting

NUMBER	MODULE 6: LOADS COMPLIANCE
1	Loads
2	Abnormal loads
3	Transportation of dangerous goods by road
4	Establish and maintain information in a national traffic information system

NUMBER	MODULE 7: COMMUNICATION WITH CUSTOMERS
1	Conflict and conflict management
2	Communication - diversity, cultural awareness
3	Radio procedures and protocol

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

Additional requirements should include training in at least one specialised field, such as:

- (a) motorcycle patrol;
- (b) investigator;
- (c) evidence custodian;
- (d) crash reconstruction officer; and
- (e) breath alcohol instrument operator.

NS 3.3 Minimum training requirements per level of employment

LEVEL OF EMPLOYMENT	REQUIREMENTS
SENIOR MANAGEMENT	MANAGEMENT QUALIFICATION AT NQF LEVEL 6 OR EQUIVALENT OR DEPENDENT ON YEARS OF RELEVANT EXPERIENCE
MIDDLE MANAGEMENT	MANAGEMENT QUALIFICATION AT NQF LEVEL 5 OR EQUIVALENT OR DEPENDENT ON YEARS OF RELEVANT EXPERIENCE
SUPERVISORY	MANAGEMENT QUALIFICATION AT NQF LEVEL 4 OR EQUIVALENT OR SUPERVISORY QUALIFICATION AT NQF LEVEL 5 OR EQUIVALENT
SUPERVISORY/FUNCTIONAL	SUPERVISORY QUALIFICATION AT NQF LEVEL 4 OR EQUIVALENT
FUNCTIONAL	TRAFFIC OFFICER QUALIFICATION
TRAINEE	MATRIC, GRADE 12 OR EQUIVALENT

NS 3.4 Future training requirements

LEVEL OF EMPLOYMENT	REQUIREMENTS
Senior management	Advanced public relations Public management Business studies

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

LEVEL OF EMPLOYMENT	REQUIREMENTS
Middle management	Strategic management Financial management People management Project management Knowledge management
Supervisory	People management Leadership Project implementation Public relations
Supervisory/Functional	Leadership Knowledge of Road Traffic Act Criminal Procedure Act Public Service Act Traffic-related policies Research Communication Investigation Negotiating Presentation Decision making
Functional	Examiner of motor vehicles Examiner of drivers' licences Computer literacy Training on the applicable traffic computer system used by the authority (if applicable) Basic ambulance assistance course Hazardous chemicals course
Trainee	Traffic officer qualification

NS 3.5 Compulsory refresher courses

The following refresher courses apply across all levels of employment, and should be attended at least every two years:

- (a) updates when amendments are made to Acts and Regulations;
- (b) changes to relevant traffic systems;

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

- (c) first aid courses: these should be attended every two years or the certificate is no longer valid;
- (d) firearm refresher courses;
- (e) speed timing equipment; and
- (f) drug and alcohol testing.

NS 3.6 Recommended refresher courses

The following generic recommended refresher courses apply across all levels of employment:

- (a) customer services;
- (b) examiner of vehicles;
- (c) examiner of driving licences;
- (d) stress management workshops;
- (e) how to handle trauma;
- (f) radio procedures and protocol;
- (g) procedure for escorting hazardous goods; and
- (h) court etiquette and how to give testimony/evidence.

*Road Traffic Management Corporation**Datt National Road Traffic Law Enforcement Code*

CHAPTER 4

MANAGEMENT AND SPECIALISED LAW ENFORCEMENT EQUIPMENT

Contents

INFRASTRUCTURE	48
NS 4.1 Infrastructure	48
INVENTORY, MAINTENANCE AND DISPOSAL	49
NS 4.2 Specialised law enforcement equipment inventory.....	49
NS 4.3 Storage of specialised law enforcement equipment	50
NS 4.4 Maintenance of specialised law enforcement equipment	50
NS 4.5 Vehicle maintenance	51
NS 4.6 Breath analysis instruments	52
NS 4.7 Speed measurement instruments.....	52
NS 4.8 Camera equipment.....	52
NS 4.9 Mass measuring equipment	53
NS 4.10 Disposal of specialised law enforcement equipment	53
NS 4.11 Administrative equipment	54
LAW ENFORCEMENT EQUIPMENT	54
NS 4.12 Firearms and ammunition.....	54
NS 4.13 Operating equipment.....	55
NS 4.14 Vehicles.....	56
NS 4.14 Radios	58
NS 4.15 Speed measurement equipment	58
NS 4.15 Breath analysis instruments (screening and evidentiary)	59
NS 4.16 Mass-measuring equipment	59
NS 4.17 Uniform.....	59
NS 4.18 Prosecution documentation	60

*Road Traffic Management Corporation**Daft National Road Traffic Law Enforcement Code*

CHAPTER 4
MANAGEMENT AND SPECIALISED LAW ENFORCEMENT
EQUIPMENT

Contents

NS 4.19	Inspection of weapons.....	61
NS 4.20	Inspection of uniform	61
NS 4.21	Inspection of vehicles	62
NS 4.22	Inspection of building and grounds.....	62
NS 4.23	Inspection of evidence facility.....	62
NS 4.24	Inspection of communication centre	62

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

CHAPTER 4: MANAGEMENT OF SPECIALISED LAW ENFORCEMENT EQUIPMENT

Purpose

- (a) To identify specialised law enforcement equipment with which a road traffic law enforcement authority should be equipped.
- (b) To establish principles for management of such equipment.

Policy statement

The Corporation aims to ensure adequate and continuing minimum standards of law enforcement equipment capability by road traffic law enforcement authorities to enable them to satisfactorily perform their functions.

NATIONAL STANDARDS

INFRASTRUCTURE

NS 4.1

Infrastructure

A road traffic law enforcement authority shall possess and maintain infrastructure:

- (a) large enough to:
 - (i) house all its employees in a suitable manner;
 - (ii) store all its specialised law enforcement equipment;
 - (iii) enable the carrying out of its functions; and
 - (iv) store impounded and seized property, and evidentiary property; and
- (b) that conforms to national environmental standards.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code***INVENTORY, MAINTENANCE AND DISPOSAL****NS 4.2 Specialised law enforcement equipment inventory**

1. All items of specialised law enforcement equipment owned or in the possession of the road traffic law enforcement authority shall be inventoried annually.
2. The head of administration shall conduct the inventory with the assistance of other employees as may be necessary to conduct the inventory.
3. The head of administration shall keep the inventory after its completion.
4. The inventory procedure shall be:
 - (a) the head of administration shall issue inventory sheets to specified employees who will be assisting in conducting the inventory on or about 28 February each year;
 - (b) the inventory sheets shall include fields for the description of the item, state of repair or utility of the item, serial number of the item and the location of or employee to whom it is assigned;
 - (c) employees receiving inventory sheets shall enter the required information for the items for which they are responsible;
 - (d) completed inventory sheets shall be returned to the head on or before 1 April of each calendar year;
 - (e) the head shall consolidate the inventories into one road traffic law enforcement authority inventory in the prescribed format, which he or she shall update and retain; and
 - (f) the head shall forward a copy of the consolidated inventory to the Corporation on or before 1 May of each calendar year.
5. The head of administration shall prepare an annual reconciliation which notes any discrepancies in the inventory.
6. When an item is disposed of according to the road traffic law enforcement authority's policy and procedures, it shall be removed from the inventory.
7. The head of administration shall oversee the acquisition, receiving and issuing of specialised law enforcement equipment to authorised users.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

8. The head of administration may delegate these and other functions hereinafter mentioned to an assigned maintenance officer, in which case the head of administration shall ensure that such functions are duly carried out.

NS 4.3 Storage of specialised law enforcement equipment

1. The head of administration shall provide secure storage for specialised law enforcement equipment not assigned to a specified unit or individual.
2. The head of administration shall maintain a register in the prescribed format in which shall be recorded the issue or return of specialised law enforcement equipment to a division or individual, or the forwarding or return of such equipment to any other party.
3. The register shall include the date and time of issue/return, the type and serial number of the equipment issued or returned, the name of the individual or division head receiving/returning the equipment and the signature of the individual or division head assuming responsibility for the equipment in the event of issue or the signature of the head of administration in the event of the return of equipment.
4. The head of administration shall also certify in the register that the equipment was or was not in good working order when returned.
5. The head of administration shall ensure that individuals and heads of division maintain registers of operational use of equipment as required by the Technical Committee for Standards and Procedures for Traffic Control and Traffic Control Equipment (TCSP).
6. Heads of division shall ensure that equipment assigned to their specific division or employees under their command is securely stored and maintained in good working order.

NS 4.4 Maintenance of specialised law enforcement equipment

1. The head of administration shall schedule and maintain records in the prescribed format of the maintenance and service of such equipment in his authority.
2. The register to be used for maintenance and repairs of equipment is included in annexure 1 of part F of the Code.

*Road Traffic Management Corporation**Draft National Road Traffic Law Enforcement Code*

3. A separate register must be completed and maintained for every piece of specialised law enforcement equipment.
4. Calibration of equipment must also be recorded on the register.
5. Any employee of the authority detecting a malfunction or failure of any such equipment shall report the problem to his/her supervisor without unnecessary delay.
6. All requests for maintenance work to be done on road traffic law enforcement authority equipment must be documented on a form and in a manner prescribed by the assigned maintenance officer.

NS 4.5**Vehicle maintenance**

1. While a traffic law enforcement authority vehicle is under warranty all services and preventative maintenance shall be performed only by the dealer providing the warranty.
2. An alternative dealer may be utilised for vehicles no longer under warranty.
3. All maintenance shall be scheduled through the head of administration.
4. Employees assigned vehicles shall report malfunctions or mechanical problems to their supervisor who shall, in turn, report to the head of administration.
5. Any employee experiencing difficulties with any road traffic law enforcement authority vehicle where continued use of the vehicle would cause additional damage shall discontinue its use and immediately inform his or her supervisor.
6. The supervisor shall upon such notification evaluate the problem with the vehicle and determine the appropriate course of action for the vehicle.
7. All requests for maintenance work on road traffic law enforcement authority vehicles must be documented on a form and in a manner prescribed by the head of administration.
8. No employee shall alter, or authorise the alteration of, any vehicle without the written approval of the head of administration.